

Towns County Herald

Legal Notices for April 22, 2015

NOTICE TO DEBTORS AND CREDITORS

**STATE OF GEORGIA
COUNTY OF TOWNS**
RE: ESTATE OF Dennis Lenior Penland
All creditors of the estate of Dennis Lenior Penland, deceased, late of Towns County, Georgia, are hereby notified to render their demands to the undersigned according to law, and all persons indebted to said estate are required to make immediate payment to the undersigned. This the 20th day of March, 2015
Jeff Penland
Personal Representative
PO Box 925
Hiawassee, GA 30546
706-835-5259
T(Apr1,8,15,22)P

NOTICE TO DEBTORS AND CREDITORS

**STATE OF GEORGIA
COUNTY OF TOWNS**
RE: Estate of Nancy Johnson
All creditors of the estate of Nancy Johnson deceased, late of Towns County, Georgia, are hereby notified to render their demands to the undersigned accordingly to law, and all persons indebted to said estate are required to make immediate payment to the undersigned. This 3rd day of April, 2015
William Johnson
Executor, Estate of Nancy Johnson
T(Apr6,15,22,29)B

NOTICE TO DEBTORS AND CREDITORS

**STATE OF GEORGIA
COUNTY OF TOWNS**
RE: Estate of Fred Clinton Moore
All creditors of the estate of Fred Clinton Moore, deceased, late of Towns County, Georgia, are hereby notified to render their demands to the undersigned accordingly to law, and all persons indebted to said estate are required to make immediate payment to the undersigned. This 6th day of April, 2015
Peggy J. Gregg
PO Box 64
Young Harris, GA 30582
706-379-3478
T(Apr8,15,22,29)B

NOTICE TO DEBTORS AND CREDITORS

**STATE OF GEORGIA
COUNTY OF TOWNS**
RE: ESTATE OF James A. Pastana
All creditors of the estate of James A. Pastana, deceased, late of Towns County, Georgia, are hereby notified to render their demands to the undersigned according to law, and all persons indebted to said estate are required to make immediate payment to the undersigned. This the 15th day of April, 2015
Darris Baker
Personal Representative
101 Hillsdale Road
Forsyth, GA 31029
678-215-8530
T(Apr22,29,May6,13)P

NOTICE TO DEBTORS AND CREDITORS

**STATE OF GEORGIA
COUNTY OF TOWNS**
RE: ESTATE OF JANICE K. SCHULTZ
All creditors of the estate of Janice K. Schultz, deceased, late of Towns County, Georgia are hereby notified to render their demands to the undersigned according to law, and all persons indebted to said estate are required to make immediate payment to the undersigned. This the 20th day of April, 2015.
By: Nickole Schultz Smith
1719 Lake Haven Circle
Tuscaloosa, AL 35406
T(Apr22,29,May6,13)B

NOTICE TO DEBTORS AND CREDITORS

**STATE OF GEORGIA
COUNTY OF TOWNS**
RE: ESTATE OF FRANK DUANE SCHULTZ
All creditors of the estate of Frank Duane Schultz, deceased, late of Towns County, Georgia are hereby notified to render their demands to the undersigned according to law, and all persons indebted to said estate are required to make immediate payment to the undersigned. This the 20th day of April, 2015.
By: Nickole Schultz Smith
1719 Lake Haven Circle
Tuscaloosa, AL 35406
T(Apr22,29,May6,13)B

NOTICE TO DEBTORS AND CREDITORS

All creditors of the estate of Douglas Hedden, deceased, late of Towns County, Georgia, are hereby notified to render their demands to the undersigned accordingly to law, and all persons indebted to said estate are required to make immediate payment to the undersigned. This 16th day of April, 2015
Bruce L. Ferguson, Attorney for
Larry Hedden, Executor
of the Estate of Douglas Hedden
PO Box 524
Hiawassee, GA 30546
706-896-9699
T(Apr22,29,May6,13)B

NOTICE OF INCORPORATION

Notice is given that Articles of Incorporation which will incorporate Rodney Underwood Construction, Inc., have been delivered to the Secretary of State for filing in accordance with the Georgia Business Corporation Code. The initial registered office of the corporation is located at 150 South Main Street, Suite D, Hiawassee, Georgia 30546 and the initial registered agent at such address is Bruce L. Ferguson.
T(Apr15,22)B

IN THE PROBATE COURT

**COUNTY OF TOWNS
STATE OF GEORGIA**
IN RE: ESTATE OF
LOUISE O'BRIEN NAPIER, DECEASED
ESTATE NO. 2015-21
PETITION FOR LETTERS OF ADMINISTRATION
NOTICE
TO: All known and unknown interested parties Deborah N. Smith has petitioned to be appointed Administrator of the estate of Louise O'Brien Napier deceased, of said County. The Petitioner has also applied for waiver of bond and/or grant of certain powers contained in O.C.G.A. §53-12-261. All interested parties are hereby notified to show cause why said petition should not be granted. All objections to the petition must be in writing, setting forth the grounds with the court on or before May 4, 2015. All pleadings/objections must be signed under oath before a notary public or before a probate court clerk, and filing fees must be tendered with your pleadings/objections, unless you qualify to file as an indigent party. Contact probate court personnel at the following address/ telephone number for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the petition may be granted without a hearing.
David Rogers
Judge of the Probate Court
By: Kerry L. Berrong
Clerk/Deputy Clerk of the Probate Court
48 River St., Suite C
Hiawassee, GA 30546
Address
706-896-3467
Telephone Number
T(Apr8,15,22,29)B

IN THE PROBATE COURT

**COUNTY OF TOWNS
STATE OF GEORGIA**
IN RE: ESTATE OF
DAVID LEE WALDRUP, DECEASED
ESTATE NO. 2015-20
PETITION FOR LETTERS OF ADMINISTRATION
NOTICE
TO: All known and unknown interested parties Judith Hunter Waldrup has petitioned to be appointed Administrator of the estate of David Lee Waldrup deceased, of said County. The Petitioner has also applied for waiver of bond and/or grant of certain powers contained in O.C.G.A. §53-12-261. All interested parties are hereby notified to show cause why said petition should not be granted. All objections to the petition must be in writing, setting forth the grounds of any such objections, and must be filed with the court on or before May 4, 2015. All pleadings/objections must be signed under oath before a notary public or before a probate court clerk, and filing fees must be tendered with your pleadings/objections, unless you qualify to file as an indigent party. Contact probate court personnel at the following address/ telephone number for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the petition may be granted without a hearing.
David Rogers
Judge of the Probate Court
By: Kerry L. Berrong
Clerk/Deputy Clerk of the Probate Court
48 River St., Suite C
Hiawassee, GA 30546
Address
706-896-3467
Telephone Number
T(Apr8,15,22,29)B

NOTICE OF SALE UNDER POWER

GEORGIA, TOWNS COUNTY
THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.
Under and by virtue of the Power of Sale contained in a Security Deed given by Robert James Madden and Maxine Madden to Security One Lending, Inc, dated January 25, 2010, recorded in Deed Book 469, Page 553, Towns County, Georgia Records, and re-recorded in Deed Book 546, Page 214, Towns County, Georgia Records, as last transferred to Champion Mortgage Company by assignment recorded in Deed Book 521, Page 839, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of SIX HUNDRED FIFTEEN THOUSAND AND 0/100 DOLLARS (\$615,000.00), with interest thereon as set forth therein, there will be sold at public outcry to the highest bidder for cash before the courthouse door of Towns County, Georgia, or at such place as may be lawfully designated as an alternative, within the legal hours of sale on the first Tuesday in May, 2015, the following described property: SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF The debt secured by said Security Deed has been and is hereby declared due because of, among other possible events of default, failure to pay the indebtedness as and when due and in the manner provided in the Note and Security Deed. The debt remaining in default, this sale will be made for the purpose of a paying the same and all expenses of this sale, as provided in Security Deed and by law, including attorney's fees (notice of intent to collect attorney's fees having been given). Said property will be sold subject to any outstanding ad valorem taxes (including taxes which are a lien, but not yet due and payable), any matters which might be disclosed by an accurate survey and inspection of the property, any assessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set out above. Nationstar Mortgage LLC d/b/a Champion Mortgage Company is the holder of the Security Deed to the property in accordance with OCGA § 44-14-162.2. The entity that has full authority to negotiate, amend, and modify all terms of the mortgage with the debtor is: Champion Mortgage LLC, 350 Highland Dr., Lewisville, TX 75067 855-683-3095. To the best knowledge and belief of the undersigned, the party in possession of the property is Robert James Madden and Maxine Madden or a tenant or tenants and said property is more commonly known as 3555 Arrowwood Lane, Hiawassee, Georgia 30546. The sale will be conducted subject (1) to confirmation that the sale is not prohibited under the U.S. Bankruptcy Code and (2) to final confirmation and audit of the status of the loan with the holder of the security deed. Nationstar Mortgage LLC d/b/a Champion Mortgage Company as Attorney in Fact for Robert James Madden and Maxine Madden McCalla Raymer, LLC 1544 Old Alabama Road Roswell, Georgia 30076 www.foreclosurehotline.net EXHIBIT "A" The land described herein is situated in the State of Georgia, County of Towns, and is described as follows: All that tract or parcel of land lying and being in Land Lot 162, 18th District, 1st Section, Towns County, Georgia, containing 1.54 acres, more or less, as shown on plat of survey by B. Gregory, County Surveyor, dated 04/27/77 recorded in Plat Book 4, Page 291, which description on said plat is incorporated herein by reference and made a part hereof. Including a right of way to the above described property from the Public Road. All that tract or parcel of land lying and being in Land Lot 162, 18th District, 1st Section, Towns County, Georgia and being a perpetual easement for a water line and pump and the right to keep same in repair. Parcel Number(s): 0058-038 MR/ms8 5/5/15 Our file no. 5775013 - FT2
T(Apr8,15,22,29)B

STATE OF GEORGIA

**COUNTY OF TOWNS
NOTICE OF SALE UNDER POWER**
Because of a default in the payment of the indebtedness secured by a Security Deed executed by Janet M. Miller to United Community Bank dated September 15, 2009, and recorded in Deed Book 463, Page 493, and Deed Book 530, Page 58, Towns County Records, said Security Deed having been last sold, assigned, transferred and conveyed to SRP 2014-2 Funding Trust by Assignment, securing a Note in the original principal amount of \$119,381.25, the holder thereof pursuant to said Deed and Note thereby secured has declared the entire amount of said indebtedness due and payable and, pursuant to the power of sale contained in said Deed, will on the first Tuesday, May 5, 2015, during the legal hours of sale, before the Courthouse door in said County, sell at public outcry to the highest bidder for cash, the property described in said Deed, to-wit:
All that tract or parcel of land lying and being in land Lot 117, 18th District, 1st Section of Towns County, Georgia, Lot 103, containing 0.099 acres, more or less as shown on a plat of survey by B. Keith Rochester, dated August 21, 1987, recorded in Plat Book II, Page 28, Towns County, Georgia records which description on said plat is incorporated herein by reference and made apart hereof
Subject to Reservations and Restrictive Covenants recorded in Deed Hook 89, Pages 515-517, Towns County, Georgia records.
Subject to all matters and conditions as shown on above referenced plat of survey.
Said property is known as 439 Oakmont Drive, Hiawassee, GA 30546, together with all fixtures and personal property attached to and constituting a part of said property, if any.
Said property will be sold subject to any outstanding ad valorem taxes (including taxes which are a lien, whether or not now due and payable), the right of redemption of any taxing authority, any matters which might be disclosed by an accurate survey and inspection of the property, any assessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set out above.
The proceeds of said sale will be applied to the payment of said indebtedness and all expenses of said sale as provided in said Deed, and the balance, if any, will be distributed as provided by law.
The sale will be conducted subject (1) to confirmation that the sale is not prohibited under the U.S. Bankruptcy Code and (2) to final confirmation and audit of the status of the loan with the secured creditor.
The property is or may be in the possession of Janet M. Miller, successor in interest or tenant(s).
SRP 2014-2 Funding Trust as Attorney-in-Fact for Janet M. Miller
File no. 15-051232
SHAPIRO, SWERTFEGER & HASTY, LLP*
Attorneys and Counselors at Law
2872 Woodcock Blvd., Suite 100
Atlanta, GA 30341-3941
(770) 220-2535/CH
www.swertfege.net
*THE LAW FIRM IS ACTING AS A DEBT COLLECTOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.
[FC-NOS]
T(Apr8,15,22,29)B

NOTICE OF FORECLOSURE

**SALE UNDER POWER
TOWNS COUNTY, GEORGIA**
THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.
Under and by virtue of the Power of Sale contained in a Security Deed given by Bruce King to Mortgage Electronic Registration Systems, Inc. as nominee for Mortgage Research Center, LLC dba Veterans United Home Loans, dated August 30, 2013, and recorded in Deed Book 540, Page 57-76, Towns County, Georgia Records, as last transferred to PennyMac Loan Services, LLC by assignment recorded on December 9, 2014 in Book 558 Page 817-818 in the Office of the Clerk of Superior Court of Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of One Hundred Fifty Thousand and 0/100 dollars (\$150,000.00), with interest thereon as set forth therein, there will be sold at public outcry to the highest bidder for cash before the courthouse door of Towns County, Georgia, within the legal hours of sale on May 5, 2015, the following described property:
All that tract or parcel of land lying and being in Land Lot 145, 18th District, 1st Section, Towns County, Georgia, being shown as Tract 1, containing 4.81 acres on plat of survey prepared by Appalachian Surveying Company, Inc., dated January 25, 2007 and filed and recorded in Plat Book 29, Page 271, Towns County, Georgia, records, which plat is incorporated herein by reference.
Also conveyed herewith is the 20 foot right of way to reach the above described property as described in a warranty deed from Earl Arrowood to Charles N. Petty or Zelma D. Petty dated August 25, 1972 and filed and recorded in the Towns County, Georgia records on September 2, 1972.
This being a portion of the same property conveyed in a warranty deed from Earl Arrowood to Charles N. Petty or Zelma D. Petty dated August 25, 1972 and filed and recorded in the Towns County, Georgia records on September 2, 1972.
The debt secured by said Security Deed has been and is hereby declared due because of, among other possible events of default, failure to pay the indebtedness as and when due and in the manner provided in the Note and Security Deed. The debt remaining in default, this sale will be made for the purpose of paying the same and all expenses of this sale, as provided in Security Deed and by law, including attorney's fees (notice of intent to collect attorney's fees having been given).
Your mortgage servicer can be contacted at (866) 549-3583 - Loss Mitigation Dept, or by writing to 6101 Condor Drive, Moorpark, California 93021, to discuss possible alternatives to avoid foreclosure.
Said property will be sold subject to any outstanding ad valorem taxes (including taxes which are a lien, but not yet due and payable), any matters which might be disclosed by an accurate survey and inspection of the property, any assessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set out above.
To the best knowledge and belief of the undersigned, the party in possession of the property is Bruce King or tenant(s); and said property is more commonly known as 1227 Garland Drive, Hiawassee, GA 30546.
The sale will be conducted subject to (1) confirmation that the sale is not prohibited under the U.S. Bankruptcy Code (2) final confirmation and audit of the status of the loan with the holder of the security deed and (3) any right of redemption or other lien not extinguished by foreclosure.
PennyMac Loan Services, LLC as Attorney in Fact for Bruce King,
Brock & Scott, PLLC
4360 Chamblee Dunwoody Road
Suite 310
Atlanta, GA 30341
404-789-2661
B&S file no.: 14-03816
T(Apr8,15,22,29)B