Towns County Herald

Legal Notices for September 23, 2015

STATE OF GEORGIA COUNTY OF TOWNS NOTICE TO DEBTORS AND CREDITORS

NOTICE TO DEBTORS AND CREDITORS
RE: ESTATE OF MICHAEL DEANGELIS
All debtors and creditors of the estate of
Michael Deangelis, deceased, late of Towns
County, Georgia, are hereby notified to render their demands and payments to the undersigned, according to law, and all persons
indebted to said estate are required to make
immediate payment to the undersigned.
This 20th day of August, 2015.
Russell M. Stookey, Attorney at Law
Personal Representative
PO Box 310
Hiawassee, GA 30546

Hiawassee, GA 30546 706-896-2241

706-897-4394

STATE OF GEORGIA COUNTY OF TOWNS RE: Estate of Jana Suzanne McClure RE: Estate of Jana Suzanne McClure
All creditors of the estate of Jana Suzanne McClure, deceased, late of Towns County, Georgia,
are hereby notified to render their demands

NOTICE TO DEBTORS AND CREDITORS

are nereby 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 28th day of August, 2015
Robby McClure, Personal Representative 1055 Rolling Meadows
Hiawassee, GA 30546

NOTICE TO DEBTORS AND CREDITORS STATE OF GEORGIA COUNTY OF TOWNS RE: Estate of Jerry Eugene Gravitt
All creditors of the estate of Jerry Eugene
Gravitt, 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

required to make immediate payment to undersigned. Randall J. Gravitt, Personal Representative PO Box 60281 Jacksonville, FL 32236 904-729-8439

IN THE SUPERIOR COURT OF TOWNS COUNTY STATE OF GEORGIA IN RE: James Lee Coward

in NE: James Lee Coward
Civil Action No.: 15-CV-173-MM
Order for Notice of Petition to Change Name
A petition has been filed in the Superior
Court of Towns County, Georgia, on the 27th
day of August, 2015, praying for a change in
his name from James Lee Coward to James Lee Maney. Notice is hereby given pursuant to law to any interested or affected party to appear in said Court and to file objections to such name change. Objections must be filed with said Court within 30 days of the filing of said court within 30 days of the filing of

This 27th day of August, 2015 Cecil Dye, Clerk Towns County Superior Court Enotah Judicial Circuit

NOTICE TO CREDITORS AND DEBTORS

NOTICE TO CREDITORS AND DEBTORS
STATE OF GEORGIA
COUNTY OF TOWNS
RE: ESTATE OF William S. Hortos
All creditors of the estate of William S. Hortos,
deceased, late of Towns County, Hiawassee, Georgia are hereby notified to render in 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 26th day of August, 2015.

Terry W, Covert 631 Palm Springs Drive, Suite 115 Altamonte, FL 32701 407-830-7220

NOTICE TO CREDITORS AND DEBTORS

NOTICE TO CREDITORS AND DEBTORS
STATE OF GEORGIA
COUNTY OF TOWNS
RE: ESTATE OF Marilyn F. Hortos
All creditors of the estate of Marilyn F. Hortos,
deceased, late of Towns County, Hiawassee,
Georgia are hereby notified to render in their
demands to the undersigned according to law,
and all persons indebted to said estate are
required to make immediate payment to the
undersigned. undersigned. This 26th day of August, 2015.

Paul Diem 631 Palm Springs Drive, Suite 115 Altamonte, FL 32701 407-830-7220

NOTICE TO CREDITORS AND DEBTORS

STATE OF GEORGIA
COUNTY OF TOWNS
RE: ESTATE OF Randy Kevin Nicholson
All creditors of the estate of Randy Kevin Nicholson

olson, deceased, late of Towns County, Hiawassee, Georgia are hereby notified to render in 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 28th day of August, 2015. Wilda Joan Davenport 5859 Pat Road Hiawassee, GA 30546 706-896-2584 T(Sept9,16,23,30)B

NOTICE OF ABANDONED VEHICLE Mfr. I.D. No.: 5N1AR18U67C646056

License No.: No Tag Color: Red

Color: Red
Body Style: SUV Nissan Pathfinder
Door: 4 Door
To whom it may concern:
The above automobile was initial removed
from Mike's Auto Repair. It is presently located
at 7625 Hwy. 76W, Young Harris, GA and is in
the possession of Mountain City Motorsports.
Attempts to located the owner have been unsuccessful. The vehicle is deemed abandoned
under 0.C.G.A. § 40-11-2 and will be disposed
of if not redeemed. This notice is given pursuof if not redeemed. This notice is given pursuant to Georgia Law.

COUNTY OF TOWNS STATE OF GEORGIA IN RE: ESTATE OF BROOKLYN CITLALI VARGAS, MINOR ESTATE NO. 2015-65 NOTICE

Date of second publication, if any September 23, 2015

23, 2015
TO: Pablo Vargas Martinez
You are hereby notified that Christy Lea
Pangborn & Alan Roger Pangborn has filed a
Petition seeking to be appointed temporary
guardians of the above-named Minor. All obguardians of the above-named whilot. All objections to the Petition to the appointment of a temporary guardian or the appointment of the Petitioners as temporary guardians, must be in writing, setting forth the grounds of any such objections, and be filled with this Court no later than ten (10) days after the second publication of this next is feature assend by sublication. of this notice if you are served by publication.
All objections should be sworn to before a notary public or Georgia probate court clerk and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact Probate Court personnel for the

party. Contact Probate Court personnel for the required amount of filing fees.

NOTE: If a natural guardian files a timely objection to the creation of the temporary guardianship, the Petition will be dismissed. If a natural guardian files an objection to the appointment of the Petitioners as guardians, or if a parent who is not a natural guardian files an objection to the Petition, a hearing on the matter shall be scheduled at a later date. If no objection is filed, the Petition may be granted without a hearing.

David Rogers, Probate Judge David Rogers, Probate Judge By: Kerry L. Berrong, Clerk/Deputy Clerk of the Probate Court 48 River Street, Suite C Hiawassee, GA 30546 706-896-3467

IN THE PROBATE COURT COUNTY OF TOWNS
STATE OF GEORGIA
IN RE: ESTATE OF
JONAH ALEXANDER VARGAS, MINOR **ESTATE NO. 2015-66**

Date of second publication, if any Septembe

NOTICE
Date of second publication, if any September
23, 2015
TO: Pablo Vargas Martinez
You are hereby notified that Christy Lea
Pangborn & Alan Roger Pangborn has filed a
Petition seeking to be appointed temporary
guardians of the above-named Minor. All objections to the Petition to the appointment of a
temporary guardian or the appointment of the
Petitioners as temporary guardians, must be in
writing, setting forth the grounds of any such
objections, and be filed with this Court no later
than ten (10) days after the second publication
of this notice if you are served by publication
All objections should be sworn to before a notary public or Georgia probate court clerk and
filing fees must be tendered with your objections, unless you qualify to file as an indigent
party. Contact Probate Court personnel for the
required amount of filing fees.
NOTE: If a natural guardian files a timely objection to the creation of the temporary guardianship, the Petitioner sia guardians or if a narent
of the Petitioners as guardians or if a narent

snip, the Pettition will be dismissed. If a natural guardian files an objection to the appointment of the Petitioners as guardians, or if a parent who is not a natural guardian files an objection to the Petition, a hearing on the matter shall be scheduled at a later date. If no objection is filed, the Petition may be granted without a hearing.

is filed, the Petition may be granted wa a hearing. David Rogers, Probate Judge By: Kerry L. Berrong, Clerk/Deputy Clerk of the Probate Court 48 River Street, Suite C Hiawassee, GA 30546

IN THE PROBATE COURT COUNTY OF TOWNS STATE OF GEORGIA IN RE: ESTATE OF PABLO LENNOX VARGAS, MINOR

NOTICE Date of second publication, if any September 23, 2015

23, 2015
TO: Pablo Vargas Martinez
You are hereby notified that Christy Lea
Pangborn & Alan Roger Pangborn has filed a
Petition seeking to be appointed temporary
guardians of the above-named Minor. All obpections to the Petition to the appointment of a temporary guardian or the appointment of a temporary guardian or the appointment of the Petitioners as temporary guardians, must be in writing, setting forth the grounds of any such objections, and be filed with this Court no later than ten (10) days after the second publication

of this notice if you are served by publication.
All objections should be sworn to before a notary public or Georgia probate court clerk and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact Probate Court personnel for the required amount of filing fees. required amount of filing fees.

NOTE: If a natural guardian files a timely objection to the creation of the temporary guardianship, the Petition will be dismissed. If a natural guardian files an objection to the appointment of the Petitioners as guardians, or if a parent who is not a natural guardian file and train guardian file.

who is not a natural guardian files an objection to the Petition, a hearing on the matter shall be scheduled at a later date. If no objection is filed, the Petition may be granted without a hearing. David Rogers, Probate Judge

David Rogers, Probate Judge By: Kerry L. Berrong, Clerk/Deputy Clerk of the Probate Court 48 River Street, Suite C Hiawassee, GA 30546 706-896-3467

NOTICE OF LOCATION AND DESIGN APPROVAL BR000-0000-00(305) TOWNS P. I. NUMBER 0000305

Notice is hereby given in compliance with Georgia Code 22-2-109 and 32-3-5 that the Georgia Department of Transportation has approved the Location and Design of this proj-

ect. The date of location and design approval is: September 14, 2015 The project proposes to: The proposed project The project proposes to: The proposed project will replace an existing structurally deficient two lane bridge on SR 66 at Crooked Creek, approximately 3.2 miles northwest of Young Harris, Georgia. The project begins approximately 1,383° south of Crooked Creek crossing and ends approximately 1,017° north of Crooked Creek crossing. The construction proposes replacing the existing 120° long by 27.5° wide bridge with a 180° long by 40° wide concrete bridge. The proposed bridge will be constructed approximately 30 feet west of the existing bridge site. Traffic will be maintained during construction of the new bridge and during construction of the new bridge and during construction of the new bridge and approaches utilizing stage construction. The project total length is 0.45 miles and is located in Land Lots 30 and 43 in Land District 17. Drawings or maps or plats of the proposed project, as approved, are on file and are available for public inspection at the Georgia Department of Transportation: Robert Mabry, Area Engineer Georgia Department of Transportation District 1, Area 4 Office mabry@dot.ga.gov

rmabry@dot.ga.gov 942 Albert Reid Road Cleveland, Georgia 30528 (706) 348-4848

Any interested party may obtain a copy of the drawings or maps or plats or portions thereof by paying a nominal fee and requesting in

Albert V. Shelby III, State Program Delivery Engineer

Engineer
Office of Program Delivery
Attn: Dylan Curtis
dcurtis@dot.ga.gov
One Georgia Center
600 West Peachtree Street, NW

600 west reachine street, NW
Atlanta, Georgia 30308
(404) 631-1606
Any written request or communication in
reference to this project or notice SHOULD include the Project and P. I. Numbers as noted at
the top of this notice.

NOTICE
(For Discharge from Office and all Liability)
PROBATE COURT OF TOWNS COUNTY
RE: PETITION OF GAYLE BUTTRAM CARLSON
FOR DISCHARGE AS EXECUTOR OF THE ESTATE
OF REUEL BENJAMIN BUTTRAM, DECEASED.
TO: All Interested parties
and to whom it may concern:
This is to notify you to file objection, if there

and to whom it may concern.

This is to notify you to file objection, if there is any, to the above referenced petition, in this Court on or before October 5, 2015.

BE NOTIFIED FURTHER: All objections to the petition must be in writing, setting forth the grounds of any such objections. All pleadings/ grounds of any such objections. All pleadings/ objections must be signed before a notary public or before a probate court clerk, and filing fees must be tendered with your plead-ings/objections, unless you qualify to file as an indigent party. Contact probate court person-nel at the following address/tlephone number for the required amount of filing fees. If any objections are filed, a hearing will be sched-uled at a later date. If no objections are filed, on may be granted without a hearing. David Rogers PROBATE JUDGE

By: Kerry L. Berrong PROBATE CLERK/DEPUTY CLERK 48 River St. Suite C Hiawassee, GA 30546 ADDRESS 706-896-3467 TELEPHONE NUMBER

IN THE PROBATE COURT COUNTY OF TOWNS STATE OF GEORGIA JAMES NEAL BOGGS, DECEASED ESTATE NO. 2015-70

ESTATE NO. 2015-70
NOTICE
AN ORDER FOR SERVICE WAS GRANTED BY
THIS COURT ON SEPTEMBER 16, 2015, REQUIRING THE FOLLOWING: [For use if an heir is required to be served by publication]
TO: James Neal Boggs, Jr.
[List here all heirs having unknown addresses
to be served by publication]
This is to notify you to file objection, if there
is any, to the Petition to Probate Will in Solemn Form, in this Court on or before October
19, 2015.

19, 2015.

BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections grounds of any such objections. All objections should be sworn to before a notary public or before a probate court clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact probate court personnel 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

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 Telephone Number 706-896-3467

NOTICE OF SALE UNDER POWER STATE OF GEORGIA, COUNTY OF TOWNS Under and by virtue of the Power of Sale contained in a Deed to Secure Debt given by CHRISTINA SMITH TO MORTGAGE ELECTRONIC CHRISTINA SMITH to MORTGAGE ELEČTRONIĆ REGISTRATION SYSTEMS, INC., ("MERS"), AS NOMINEE FOR ACOPIA, LLC, dated 10/05/2010, and Recorded on 10/15/2010 as Book No. 482 and Page No. 692-710, AS AFFECTED BY BOOK 483, PAGE 245, TOWNS County, Georgia records, as last assigned to FEDERAL NATIONAL MORTGAGE ASSOCIATION, A/K/A FANNIE MAE (the Secured Creditor), by assignment, conveying the after-described property to secure a Note of even date in the original principal amount of \$96,300.00, with interest at the rate specified therein, there will be sold by the undersigned 399,300.00, will interest at the rate specified therein, there will be sold by the undersigned at public outcry to the highest bidder for cash at the TOWNS County Courthouse within the legal hours of sale on the first Tuesday in October, 2015, the following described property:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 103, 18TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA, CONTAINING 0.612 ACRES, BEING SHOWN AS TRACT TWO (2) ON A PLAT OF SURVEY PREPARED BY LANDTECH SERVICES, INC., JAMES L. ALEXANDER, R.L.S. #2653 DATED 8/17/04 AS RECORD-DER, R.L.S. #2653 DATED 8/17/04 AS RECORD-ED IN PLAT BOOK 32, PAGE 230 TOWNS COUNTY, GEORGIA RECORDS WHICH DESCRIPTION ON SAID PLAT IS INCORPORATED HEREIN BY REFERENCE AND MADE A PART THEREOF. The debt secured by said Deed to Secure Debt 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 Deed to Secure Debt. Because the debt remains in de-fault, this sale will be made for the purpose of paying the same and all expenses of this sale, as provided in the Deed to Secure Debt and by law, including attorney's fees (notice of intent as provided in the Deed to Secure Debt and by law, including attorney's fees (notice of intent to collect attorney's fees having been given). FEDERAL NATIONAL MORTGAGE ASSOCIATION, A/K/A FANNIE MAE holds the duly endorsed Note and is the current assignee of the Security Deed to the property. SETERUS, INC., acting on behalf of and, as necessary, in consultation with FEDERAL NATIONAL MORTGAGE ASSOCIATION, A/K/A FANNIE MAE (the current investor on the loan), is the entity with the full authority to negotiate, amend, and modify all terms of the loan. Pursuant to 0.C.G.A. § 44-14-16.2, SETERUS, INC., and SETERUS, INC., 14523 SW MILLIKAN WAY, SUITE 200, BEAVERTON, OR 97005, 866-570-5277. Please note that, pursuant to 0.C.G.A. § 44-14-16.2, the secured creditor is not required to amend note that, pursuant to U.C.G.A. § 44-14-162.2, the secured creditor is not required to amend or modify the terms of the loan. To the best knowledge and belief of the undersigned, the party/parties in possession of the subject property known as 202 JACK CREEK ROAD, HIAWASSEE, GEORGIA 30546 is/are: CHRISTINA SMITH or tenant/tenants. Said property will be call subject to (a) any cuttangling and valorem SMITH or tenant/tenants. Said property will be sold subject to (a) any outstanding ad valorem taxes (including taxes which are a lien, but not yet due and payable), (b) any matters which might be disclosed by an accurate survey and inspection of the property, and (c) all matters of record superior to the Deed to Secure Debt first set out above, including, but not limited to, assessments, liens, encumbrances, zoning ordinances, easements, restrictions, covenants, etc. The sale will be conducted subject to (1) confirmation that the sale is not prohibited under the U.S. Bankruptcy Code; and (2) final

under the U.S. Bankruptcy Code; and (2) final confirmation and audit of the status of the loan

with the holder of the security deed. Pursuant to O.C.G.A. Section 9-13-172.1, which allows for certain procedures regarding the rescis-

sion of judicial and nonjudicial sales in the State of Georgia, the Deed Under Power and

other foreclosure documents may not be pro-vided until final confirmation and audit of the

vided until final confirmation and audit of the status of the loan as provided in the preced-ing paragraph. FEDERAL NATIONAL MORTGAGE ASSOCIATION, A/K/A FANNIE MAE AS Attorney in Fact for CHRISTINA SMITH. THIS LAW FIRM IS ACTING AS A DEBT COLLECTOR ATTEMPT.

ING TO COLLECT A DEBT. ANY INFORMATION 00TAINED WILL BE USED FOR THAT PURPOSE.
00000004841607 BARRETT DAFFIN FRAPPIER
LEVINE & BLOCK, LLP 15000 Surveyor Boulevard Addison, Texas 75001 Telephone: (972) COUNTY OF TOWNS NOTICE OF SALE UNDER POWER

Because of a default under the terms of the Security Deed executed by Arvind Raina and Maninder Kaur to Mortgage Electronic Registration Systems, Inc. as nominee for Provident Funding Associates, L.P. dated August 6, 2009, and recorded in Deed Book 460, Page 636, and recorded in Deed Book 400, Page 636, Towns County Records, said Security Deed having been last sold, assigned, transferred and conveyed to Wells Fargo Bank, N.A. by Assignment, securing a Note in the original principal amount of \$312,000.00, the holder thereof pursuant to said Deed and Note there thereof pursuant to said Deed and Note mere-by 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, October 6, 2015, during the legal hours of sale, before the Courthouse door in said County, sell at public

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 159, 18TH DISTRICT, ST SECTION, TOWNS COUNTY, GEORGIA, CONTAINING 3.407 ACRES, AND BEING AS TRACT ONE (1) ON A PLAT OF SURVEY BY T. KIRBY AND ASSOCIATES, INC. DATED 02/22/2008, RECORDED IN PLAT BOOK 38, PAGE 118, TOWNS COUNTY RECORDS WHICH DESCRIPTION ON SAID PLAT IS INCORPORATED HEREIN BY REFERENCE AND MADE A PART HEREOF. THE GRANTOR GRANTS TO GRANTEE A PERPET-

ERENCE AND MADE A PART HEREOF.
THE GRANTOR GRANTS TO GRANTEE A PERPETUAL NON-EXCLUSIVE EASEMENT FOR INGRESS,
EGRESS AND THE RIGHT TO RUN WATER AND
UTILITIES TO THE ABOVE DESCRIBED PROPERTY ALONG THE EASEMENT AS SHOWN ON SAID
PLAT, RUNNING FROM VICTORIA WOODDS ROAD.
THE PROPERTY IS CONVEYED SUBJECT TO THE
EASEMENT TO BLUE RIDGE MOUNTAIN EMC
AS RECORDED IN DEED BOOK 216, PAGE 602,
TOWNS COUNTY GEORGIA RECORDS.
THE PROPERTY IS ALSO CONVEYED SUBJECT
TO THE RESTRICTIONS OF RECORD AS PERTAINS TO VICTORIA WOODS SUBDIVISION RECORDED IN DEED BOOK 94, PAGES 130-133
AND DEED BOOK 94, PAGES 207-209, TOWNS
COUNTY GEORGIA RECORDS.
PROPERTY IS CONVEYED SUBJECT TO THAT
PERPETUAL WATER RIGHT TO THE SPRING LOCATED ON THE ABOVE DESCRIBED PROPERTY
AND THE RIGHT TO RUN THE NECESSARY WATER LINE TO MAINTAIN SAME, ALONG WITH
OTHER CONDITIONS AND LIMITATIONS AS RESERVED BY JERRY SANDERS IN DEED BOCK
199, PAGES 505-506, TOWNS COUNTY CLERKS
OFFICE.

OFFICE.
Said property is known as 1490 Ada Lane, 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, enclosed 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.

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 Arvind Raina and Maninder Kaur, successor in interest or tenant(s).

Wells Fargo Bank, N.A. as Attorney-in-Fact for Arvind Raina and Maninder Kaur

ATVINU HAIRIA ARIO WARRINGER AGUE File no. 12-037205 SHAPIRO PENDERGAST & HASTY, LLP* Attorneys and Counselors at Law 2872 Woodcock Blvd., Suite 100 Atlanta, GA 30341-3941 (770) 220-2535/KMM (770) 220-23-337/WWW shapiroandhasty.com *THE LAW FIRM IS ACTING AS A DEBT COLLEC-TOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. 09/09, 09/16, 09/23, 09/30, 2015

NOTICE OF SALE UNDER POWER IN SECURITY DEED STATE OF GEORGIA **COUNTY OF TOWNS**

Under and by virtue of the power of sale con-tained in that certain Home Equity Line Deed to Secure Debt from Carolyn J. Tyson ("Grantor") in favor of Cadence Bank, N.A. ("Lender") dated February 15, 2007 and recorded in Deed In lawor of Caence Bank, N.A. ("Lender"), dated February 15, 2007 and recorded in Deed Book 401, page 17 in the offices of the Clerk of the Superior Court of Towns County, Georgia (as modified and/or amended from time to time, the "Deed to Secure Debt"), the undersigned will sell at public outcry before the door of the Courthouse of Towns County, Georgia during the legal hours of sale on the first Tuesday in October 2015 to the highest and best bidder for cash the following described property (the "Premises"), to wit: All that tract or parcel of land lying and being in Land Lot 73, 18th District, 1st Section, Towns County, Georgia, containing a total of 0.838 acres and shown as Tract One (1) containing 0.811 acres and being Lot Six (6) of the Ernest H. Dowdy Subdivision, and Tract Two (2) containing 0.027 acre and being a part of Lot Seven (7) of the Ernest N. Dowdy Subdivision, as shown on a plat of survey by Tamrok Assisted

as shown on a plat of survey by Tamrok Associates, Inc., dated 9/20/95 and recorded in Plat Book 20, Page 254 Towns County records, which description on said by is incorporated herein by reference.

Subject to any easements, restrictions and

herein by reference.
Subject to any easements, restrictions and rights-of-way of record, if any.
Together with all present and future improvements and fixtures; all tangible personal property, including, without limitation, all machinery, equipment, building materials, and goods of every nature (excluding household goods) now or hereafter located on or used in connection with the real property, whether or not affixed to the land; all privileges, hereditaments, and appurtenances associated with the real property, whether previously or subsequently transferred to the real property from other real property or now or hereafter susceptible of transfer from this property to other real property; all leases, licenses and other agreements pertaining to the real property; all rents, issues and profits; all water, well, ditch, reservoir and mineral rights pertaining to the real property. TO HAVE AND TO HOLD all the aforesaid property, property rights, contract rights, equipment and claims (all of which are collectively referred to herein as the "Premises") to the use, benefit and behoof of the Grantee, forever, in FEE SIMPLE.

The debt secured by the Home Equity Line Deed to Secure Debt is evidenced by a Home Fruity.

in FEE SIMPLE.
The debt secured by the Home Equity Line Deed to Secure Debt is evidenced by a Home Equity Line of Credit Agreement dated February 15, 2007 from Grantor to Cadence Bank, N.A. in the original principal amount of \$95,000.00 (as modified, amended, restated, or replaced from time to time, the "Note"), plus interest from date on the unpaid balance until paid, and other indebtedness.
Default has occurred and continues under the

other indebtedness.
Default has occurred and continues under the terms of the Note and Security Deed by reason of, among other possible events of default, the nonpayment when due of the indebtedness evidenced by the Note and secured by the Security Deed and the failure to comply with the terms and conditions of the Note and Security Deed. By reason of this default, the indebtedness evidenced by the Note has been accelerated and the Security Deed has been accelerated.

Deed. By reason or this default, the indebtedness evidenced by the Note has been accelerated and the Security Deed has been declared foreclosable according to its terms. 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 the Security Deed and by law, including attorneys' fees, notice of intent to collect attorneys' fees having been given. Said property will be sold subject to any outstanding ad valorem taxes and/or assessments (including taxes which are a lien but are not yet due and payable), possible redemptive rights of the Internal Revenue Service, if any, any matters which might be disclosed by an accurate survey and inspection of the property, and any assessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed. The sale will be conducted subject (1) to confirmasale will be conducted subject (1) to confirma-tion that the sale is not prohibited under the U.S. Bankruptcy Code and (2) to final audit and confirmation of the status of the loan and col-lateral with the holder of the Security Deed. To the best of the undersigned's knowledge and belief, the Premises are presently owned by Joseph Tyson, Henry Hodge, and Orlando Tyson. To the best of the undersigned's knowledge and belief, the parties in possession of the Premises are Joseph Tyson, Henry Hodge, and Orlando Tyson, and tenants holding under Joseph Tyson, Henry Hodge, and Orlando Ty-Cadence Bank, N.A., as Attorney-in-Fact for

Carolyn J. Tyson. Walter E. Jones, Esq. Balch and Bingham, LLP 30 Ivan Allen Jr. Blvd., NW Atlanta, Georgia 30308-3036 (404) 962-3574 This Law Firm is attempting to collect a Debt, and any information obtained will BE USED FOR THAT PURPOSE.