

Towns County Herald

Legal Notices for March 26, 2014

NOTICE TO DEBTORS AND CREDITORS
STATE OF GEORGIA
COUNTY OF TOWNS
RE: Estate of Wallace M. Buchanan
All creditors of the estate of Wallace M. Buchanan, 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 27th day of January 2014
Mary Marcus
2422 Buchanan Road
Young Harris, GA
706-379-3810
T(Mar5,12,19,26)B

NOTICE TO DEBTORS AND CREDITORS
STATE OF GEORGIA
COUNTY OF TOWNS
RE: Estate of Joan C. Fleury
All creditors of the estate of Joan C. Fleury, 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 3rd day of March, 2014
Russell M. Stookey, Attorney at Law
Personal Representative
P.O. Box 310
Hiawassee, GA 30546
706-896-2241
T(Mar12,19,26,Apr2)P

NOTICE TO DEBTORS AND CREDITORS
STATE OF GEORGIA
COUNTY OF TOWNS
RE: Estate of Donald R. Fleury
All creditors of the estate of Donald R. Fleury, 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 3rd day of March, 2014
Russell M. Stookey, Attorney at Law
Personal Representative
P.O. Box 310
Hiawassee, GA 30546
706-896-2241
T(Mar12,19,26,Apr2)P

NOTICE TO DEBTORS AND CREDITORS
STATE OF GEORGIA
COUNTY OF TOWNS
RE: Estate of William Edwin Moran
All creditors of the estate of William Edwin Moran, 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 21st day of March, 2014
Margaret M. Sylvies
Executor
1539 Stepstone Way
Laurenceville, GA 30043
678-376-7807
T(Mar26,Apr2,9,16)P

NOTICE TO DEBTORS AND CREDITORS
STATE OF GEORGIA
COUNTY OF TOWNS
RE: Estate of Billie S. Cruce
All creditors of the estate of Billie S. Cruce, 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 19th day of March, 2014
Brenda C. Mitchell
Personal Representative
2967 S. Atlantic Ave., Unit 905
Daytona Beach Shores, FL 32118
706-781-5036
T(Mar26,Apr2,9,16)P

NOTICE TO DEBTORS AND CREDITORS
STATE OF GEORGIA
COUNTY OF TOWNS
RE: Estate of Thomas N. Trotter
All debtors and creditors of the estate of Thomas N. Trotter, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payment to the Executor of said Estate, according to law, and all persons indebted to said estate are required to make immediate payment to the Executor.
This the 24th day of February, 2014
Tina Trotter Colaco, Executor
5415 Patrick Henry Street
Bellaire, TX 77401-4818
T(Mar26,Apr2,9,16)P

NOTICE TO DEBTORS AND CREDITORS
STATE OF GEORGIA
COUNTY OF TOWNS
RE: Estate of Thomas N. Trotter
All debtors and creditors of the estate of Thomas N. Trotter, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payment to the Executor of said Estate, according to law, and all persons indebted to said estate are required to make immediate payment to the Executor.
This the 24th day of February, 2014
Tina Trotter Colaco, Executor
5415 Patrick Henry Street
Bellaire, TX 77401-4818
T(Mar26,Apr2,9,16)P

NOTICE TO DEBTORS AND CREDITORS
STATE OF GEORGIA
COUNTY OF TOWNS
RE: Estate of Thomas N. Trotter
All debtors and creditors of the estate of Thomas N. Trotter, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payment to the Executor of said Estate, according to law, and all persons indebted to said estate are required to make immediate payment to the Executor.
This the 24th day of February, 2014
Tina Trotter Colaco, Executor
5415 Patrick Henry Street
Bellaire, TX 77401-4818
T(Mar26,Apr2,9,16)P

NOTICE OF TRADE NAME REGISTRATION
Notice is hereby given that the business operated at 1650 Highway 17, Young Harris, GA 30582, with a mailing address of ,1650 Highway 17, Young Harris, GA 30582 in the name of THE CAR PLACE, is owned and carried on by Northland Motors, LLC with a physical address of 1650 Highway 17, Young Harris, GA 30582 and a mailing address of 1650 Highway 17, Young Harris, GA 30582, and that the Registration Statement relating thereto as required by O.C.G.A. § 10-1-490 has been filed with the Clerk of the Superior Court of Towns County, Georgia.
Northland Motors, LLC
By: Beth Wright, Managing Member
T(Mar26,Apr2)B

NOTICE
(For Discharge from Office and all Liability)
PROBATE COURT OF TOWNS COUNTY
RE: PETITION OF GINGER SMITH LITTLETON FOR DISCHARGE AS EXECUTOR OF THE ESTATE OF OTIS ROGER SMITH, DECEASED.
TO: All Interested Parties 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 March 31, 2014.
BE NOTIFIED FURTHER: All objections to the petition must be in writing, setting forth the 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 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
PROBATE JUDGE
By: Kerry L. Berrong
PROBATE CLERK/DEPUTY CLERK
48 River St., Suite C
Hiawassee, GA 30546
706-896-3467
T(Mar26)B

IN THE PROBATE COURT
COUNTY OF TOWNS
STATE OF GEORGIA
IN RE: ESTATE OF
Frank James Norton, DECEASED
ESTATE NO. 2014-11
NOTICE OF PETITION TO FILE FOR YEAR'S SUPPORT
The petition of Tamara Margaret Norton, for a year's support from the estate of Frank James Norton, deceased, for decedent's surviving spouse, having been duly filed, all interested persons are hereby notified to show cause, if any they have, on or before April 21, 2014, 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 on or before the time stated in the preceding sentence. All pleadings/objections must be signed 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
706-896-3467
T(Mar26,Apr2,9,16)B

NOTICE FOR DISCHARGE
FROM OFFICE AND ALL LIABILITY
PROBATE COURT OF TOWNS COUNTY
RE: PETITION OF SALLY CURTIS ASKEW FOR DISCHARGE AS EXECUTOR OF THE ESTATE OF RICHARD EUGENE FIELDS, DECEASED.
TO: All Interested Parties 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 March 31, 2014.
BE NOTIFIED FURTHER: All objections to the petition must be in writing, setting forth the 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 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
PROBATE JUDGE
By: Kerry L. Berrong
PROBATE CLERK/DEPUTY CLERK
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706-896-3467
T(Mar26)B

NOTICE FOR DISCHARGE
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TO: All Interested Parties and to whom it may concern:
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David Rogers
PROBATE JUDGE
By: Kerry L. Berrong
PROBATE CLERK/DEPUTY CLERK
48 River St. Suite C
Hiawassee, GA 30546
706-896-3467
T(Mar26)B

NOTICE FOR DISCHARGE
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RE: PETITION OF SALLY CURTIS ASKEW FOR DISCHARGE AS EXECUTOR OF THE ESTATE OF RICHARD EUGENE FIELDS, DECEASED.
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David Rogers
PROBATE JUDGE
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T(Mar26)B

NOTICE FOR DISCHARGE
FROM OFFICE AND ALL LIABILITY
PROBATE COURT OF TOWNS COUNTY
RE: PETITION OF SALLY CURTIS ASKEW FOR DISCHARGE AS EXECUTOR OF THE ESTATE OF RICHARD EUGENE FIELDS, DECEASED.
TO: All Interested Parties 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 March 31, 2014.
BE NOTIFIED FURTHER: All objections to the petition must be in writing, setting forth the 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 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
PROBATE JUDGE
By: Kerry L. Berrong
PROBATE CLERK/DEPUTY CLERK
48 River St. Suite C
Hiawassee, GA 30546
706-896-3467
T(Mar26)B

NOTICE OF SALE UNDER POWER
STATE OF GEORGIA
COUNTY OF TOWNS
Because of a default in the payment of the indebtedness secured by a Security Deed executed by Robert Panaccone and Patricia Panaccone to Mortgage Electronic Registration Systems, Inc. as nominee for Americas First Home Mortgage Co. dated June 23, 2006, and recorded in Deed Book 375, Page 806, 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 \$145,000.00, 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, April 1, 2014, 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 47, 17th District, 1st Section, Towns County, Georgia, containing 1.074 acres, more or less, and being shown as Lot 7 of Ragayle Village Subdivision on a plat of survey prepared by Tamrok Associates, Inc., dated 2/15/01 and recorded in Plat Book 28, Page 41, Towns County, Georgia records, said plat being incorporated herein by reference for a more complete description of said property.
Grantor grants to Grantee a non-exclusive perpetual easement for the use of the subdivision roads for ingress and egress to the above described property.
Subject to the Declaration of Protective Covenants as recorded in Deed Book 224, Page 708-713 and Deed Book 227, Page 486-491, Towns County, Georgia records. Subject to an easement to Blue Ridge Mountain EMC as recorded in Deed Book 213, Page 564, Towns County, Georgia records.
Subject to easements and other matters of survey as shown on the above referenced plat.
Subject to an easement and Joint Driveway Agreement as recorded in Deed Book 354, Page 514, Towns County, Georgia records and in Nat Book 35, page 152, Towns County, Georgia records.
Subject to a right of way deed as recorded in Deed book T-1, page 250, Towns County, Georgia records.
Said property is known as 1514 Millennium Drive, Young Harris, GA 30582, 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 Robert Panaccone and Patricia Panaccone, successor in interest or tenant(s). Wells Fargo Bank, N.A. as Attorney-in-Fact for Robert Panaccone and Patricia Panaccone
File no. 13-044823
SHAPIO, SWERTFEGER & HASTY, LLP*
Attorneys and Counselors at Law
2872 Woodcock Blvd., Suite 100
Atlanta, GA 30341-3941
(770) 220-2535/KMM
www.swertfeger.net
*THE LAW FIRM IS ACTING AS A DEBT COLLECTOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.
T(Mar5,12,19,26)B

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 LESTER E PATRICK AND RITA M PATRICK AND RITA PATRICK TO MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE FOR FIRST OHIO BANK & LENDING, INC., dated 02/13/2010, and Recorded on 03/08/2010 as Book No. 470 and Page No. 755, TOWNS County, Georgia records, as last assigned to BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, FKA COUNTRYWIDE HOME LOANS SERVICING LP (the Secured Creditor), by assignment, conveying the after-described property to secure a Note of even date in the original principal amount of \$263,125.00, with 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 April, 2014, the following described property: THE REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF TOWNS, STATE OF GEORGIA, AND IS DESCRIBED AS FOLLOWS: ALL THAT TRACT OR PARCEL OF LAND, SITUATE, LYING AND BEING IN SECTION 1, DISTRICT 18, LAND LOTS 297 AND 310, TOWNS COUNTY, GEORGIA, AND BEING LOT TWELVE (12), CONSISTING OF 1.015 ACRES, MORE OR LESS, OF VALLEY VIEW ESTATES AS MORE FULLY SHOWN ON SURVEY FOR VALLEY VIEW ESTATES, PREPARED BY NORTHSTAR LAND SURVEYING, INC., REGISTERED SURVEY, DATED JULY 1, 2002, REVISED SEPTEMBER 26, 2002 AND RECORDED IN PLAT BOOK 30 PAGE 70 OF THE TOWNS COUNTY RECORDS WHICH SURVEY IS INCORPORATED HEREIN BY REFERENCE FOR A COMPLETE DESCRIPTION OF SAID PROPERTY.
THE PROPERTY IS CONVEYED TOGETHER WITH AND SUBJECT TO THE DRIVEWAY EASEMENT AND RIGHT OF WAY OF MAULDIN CIRCLE AS MORE FULLY SHOWN ON SAID REFERENCED SURVEY.
THE PROPERTY IS CONVEYED SUBJECT TO THE RESTRICTIVE COVENANTS FOR VALLEY VIEW ESTATES AS RECORDED IN DEED BOOK 279 PAGES 176-177 OF TOWNS COUNTY RECORDS AND SUBJECT TO PROVISIONS AS SHOWN ON SAID REFERENCED SURVEY.
THE PROPERTY IS CONVEYED SUBJECT TO THE BLUE RIDGE MOUNTAIN EMC AS RECORDED IN DEED BOOK 252, PAGE 219 AND DEED BOOK 252, PAGE 217 OF TOWNS COUNTY RECORDS.
COMMONLY KNOWN AS 5794 MAULDIN CIRCLE, HIWASSEE, GA 30546
HOWEVER, BY SHOWING THIS ADDRESS NO ADDITIONAL COVERAGE IS PROVIDED BEING KNOWN AS PARCEL NUMBER 62112. 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 default, 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 to collect attorney's fees having been given). BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, FKA COUNTRYWIDE HOME LOANS SERVICING LP holds the duly endorsed Note and is the current assignee of the Security Deed to the property. BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, acting on behalf of and, as necessary, in consultation with BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, FKA COUNTRYWIDE HOME LOANS SERVICING LP (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 O.C.G.A. § 44-14-162.2, BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP may be contacted at: BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, PTX-C-32, 7105 CORPORATE, PLANO, TX 75024, 800-669-6650. Please note that, pursuant to O.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 5794 MAULDIN CIRCLE, HIWASSEE, GEORGIA 30546 is/are: LESTER E PATRICK AND RITA M PATRICK AND RITA PATRICK 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 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 rescission of judicial and nonjudicial sales in the State of Georgia, the Deed Under Power and other foreclosure documents may not be provided until final confirmation and audit of the status of the loan as provided in the preceding paragraph. BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP as Attorney in Fact for LESTER E PATRICK AND RITA M PATRICK AND RITA PATRICK. THIS LAW FIRM IS ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. 00000004164380 BARRETT DAFFIN FRAPPIER LEVINE & BLOCK, LLP 15000 Surveyor Boulevard Addison, Texas 75001 Telephone: (972) 341-5398.
T(Mar5,12,19,26)B

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 LESTER E PATRICK AND RITA M PATRICK AND RITA PATRICK TO MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE FOR FIRST OHIO BANK & LENDING, INC., dated 02/13/2010, and Recorded on 03/08/2010 as Book No. 470 and Page No. 755, TOWNS County, Georgia records, as last assigned to BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, FKA COUNTRYWIDE HOME LOANS SERVICING LP (the Secured Creditor), by assignment, conveying the after-described property to secure a Note of even date in the original principal amount of \$263,125.00, with 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 April, 2014, the following described property: THE REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF TOWNS, STATE OF GEORGIA, AND IS DESCRIBED AS FOLLOWS: ALL THAT TRACT OR PARCEL OF LAND, SITUATE, LYING AND BEING IN SECTION 1, DISTRICT 18, LAND LOTS 297 AND 310, TOWNS COUNTY, GEORGIA, AND BEING LOT TWELVE (12), CONSISTING OF 1.015 ACRES, MORE OR LESS, OF VALLEY VIEW ESTATES AS MORE FULLY SHOWN ON SURVEY FOR VALLEY VIEW ESTATES, PREPARED BY NORTHSTAR LAND SURVEYING, INC., REGISTERED SURVEY, DATED JULY 1, 2002, REVISED SEPTEMBER 26, 2002 AND RECORDED IN PLAT BOOK 30 PAGE 70 OF THE TOWNS COUNTY RECORDS WHICH SURVEY IS INCORPORATED HEREIN BY REFERENCE FOR A COMPLETE DESCRIPTION OF SAID PROPERTY.
THE PROPERTY IS CONVEYED TOGETHER WITH AND SUBJECT TO THE DRIVEWAY EASEMENT AND RIGHT OF WAY OF MAULDIN CIRCLE AS MORE FULLY SHOWN ON SAID REFERENCED SURVEY.
THE PROPERTY IS CONVEYED SUBJECT TO THE RESTRICTIVE COVENANTS FOR VALLEY VIEW ESTATES AS RECORDED IN DEED BOOK 279 PAGES 176-177 OF TOWNS COUNTY RECORDS AND SUBJECT TO PROVISIONS AS SHOWN ON SAID REFERENCED SURVEY.
THE PROPERTY IS CONVEYED SUBJECT TO THE BLUE RIDGE MOUNTAIN EMC AS RECORDED IN DEED BOOK 252, PAGE 219 AND DEED BOOK 252, PAGE 217 OF TOWNS COUNTY RECORDS.
COMMONLY KNOWN AS 5794 MAULDIN CIRCLE, HIWASSEE, GA 30546
HOWEVER, BY SHOWING THIS ADDRESS NO ADDITIONAL COVERAGE IS PROVIDED BEING KNOWN AS PARCEL NUMBER 62112. 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 default, 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 to collect attorney's fees having been given). BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, FKA COUNTRYWIDE HOME LOANS SERVICING LP holds the duly endorsed Note and is the current assignee of the Security Deed to the property. BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, acting on behalf of and, as necessary, in consultation with BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, FKA COUNTRYWIDE HOME LOANS SERVICING LP (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 O.C.G.A. § 44-14-162.2, BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP may be contacted at: BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, PTX-C-32, 7105 CORPORATE, PLANO, TX 75024, 800-669-6650. Please note that, pursuant to O.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 5794 MAULDIN CIRCLE, HIWASSEE, GEORGIA 30546 is/are: LESTER E PATRICK AND RITA M PATRICK AND RITA PATRICK 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 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 rescission of judicial and nonjudicial sales in the State of Georgia, the Deed Under Power and other foreclosure documents may not be provided until final confirmation and audit of the status of the loan as provided in the preceding paragraph. BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP as Attorney in Fact for LESTER E PATRICK AND RITA M PATRICK AND RITA PATRICK. THIS LAW FIRM IS ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. 00000004164380 BARRETT DAFFIN FRAPPIER LEVINE & BLOCK, LLP 15000 Surveyor Boulevard Addison, Texas 75001 Telephone: (972) 341-5398.
T(Mar5,12,19,26)B

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STATE OF GEORGIA
COUNTY OF TOWNS
Under and by virtue of the Power of Sale contained in a Deed to Secure Debt given by LESTER E PATRICK AND RITA M PATRICK AND RITA PATRICK TO MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE FOR FIRST OHIO BANK & LENDING, INC., dated 02/13/2010, and Recorded on 03/08/2010 as Book No. 470 and Page No. 755, TOWNS County, Georgia records, as last assigned to BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, FKA COUNTRYWIDE HOME LOANS SERVICING LP (the Secured Creditor), by assignment, conveying the after-described property to secure a Note of even date in the original principal amount of \$263,125.00, with 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 April, 2014, the following described property: THE REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF TOWNS, STATE OF GEORGIA, AND IS DESCRIBED AS FOLLOWS: ALL THAT TRACT OR PARCEL OF LAND, SITUATE, LYING AND BEING IN SECTION 1, DISTRICT 18, LAND LOTS 297 AND 310, TOWNS COUNTY, GEORGIA, AND BEING LOT TWELVE (12), CONSISTING OF 1.015 ACRES, MORE OR LESS, OF VALLEY VIEW ESTATES AS MORE FULLY SHOWN ON SURVEY FOR VALLEY VIEW ESTATES, PREPARED BY NORTHSTAR LAND SURVEYING, INC., REGISTERED SURVEY, DATED JULY 1, 2002, REVISED SEPTEMBER 26, 2002 AND RECORDED IN PLAT BOOK 30 PAGE 70 OF THE TOWNS COUNTY RECORDS WHICH SURVEY IS INCORPORATED HEREIN BY REFERENCE FOR A COMPLETE DESCRIPTION OF SAID PROPERTY.
THE PROPERTY IS CONVEYED TOGETHER WITH AND SUBJECT TO THE DRIVEWAY EASEMENT AND RIGHT OF WAY OF MAULDIN CIRCLE AS MORE FULLY SHOWN ON SAID REFERENCED SURVEY.
THE PROPERTY IS CONVEYED SUBJECT TO THE RESTRICTIVE COVENANTS FOR VALLEY VIEW ESTATES AS RECORDED IN DEED BOOK 279 PAGES 176-177 OF TOWNS COUNTY RECORDS AND SUBJECT TO PROVISIONS AS SHOWN ON SAID REFERENCED SURVEY.
THE PROPERTY IS CONVEYED SUBJECT TO THE BLUE RIDGE MOUNTAIN EMC AS RECORDED IN DEED BOOK 252, PAGE 219 AND DEED BOOK 252, PAGE 217 OF TOWNS COUNTY RECORDS.
COMMONLY KNOWN AS 5794 MAULDIN CIRCLE, HIWASSEE, GA 30546
HOWEVER, BY SHOWING THIS ADDRESS NO ADDITIONAL COVERAGE IS PROVIDED BEING KNOWN AS PARCEL NUMBER 62112. 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 default, 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 to collect attorney's fees having been given). BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, FKA COUNTRYWIDE HOME LOANS SERVICING LP holds the duly endorsed Note and is the current assignee of the Security Deed to the property. BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, acting on behalf of and, as necessary, in consultation with BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, FKA COUNTRYWIDE HOME LOANS SERVICING LP (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 O.C.G.A. § 44-14-162.2, BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP may be contacted at: BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, PTX-C-32, 7105 CORPORATE, PLANO, TX 75024, 800-669-6650. Please note that, pursuant to O.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 5794 MAULDIN CIRCLE, HIWASSEE, GEORGIA 30546 is/are: LESTER E PATRICK AND RITA M PATRICK AND RITA PATRICK 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 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 rescission of judicial and nonjudicial sales in the State of Georgia, the Deed Under Power and other foreclosure documents may not be provided until final confirmation and audit of the status of the loan as provided in the preceding paragraph. BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP as Attorney in Fact for LESTER E PATRICK AND RITA M PATRICK AND RITA PATRICK. THIS LAW FIRM IS ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. 00000004164380 BARRETT DAFFIN FRAPPIER LEVINE & BLOCK, LLP 15000 Surveyor Boulevard Addison, Texas 75001 Telephone: (972) 341-5398.
T(Mar5,12,19,26)B

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 LESTER E PATRICK AND RITA M PATRICK AND RITA PATRICK TO MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE FOR FIRST OHIO BANK & LENDING, INC., dated 02/13/2010, and Recorded on 03/08/2010 as Book No. 470 and Page No. 755, TOWNS County, Georgia records, as last assigned to BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, FKA COUNTRYWIDE HOME LOANS SERVICING LP (the Secured Creditor), by assignment, conveying the after-described property to secure a Note of even date in the original principal amount of \$263,125.00, with 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 April, 2014, the following described property: THE REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF TOWNS, STATE OF GEORGIA, AND IS DESCRIBED AS FOLLOWS: ALL THAT TRACT OR PARCEL OF LAND, SITUATE, LYING AND BEING IN SECTION 1, DISTRICT 18, LAND LOTS 297 AND 310, TOWNS COUNTY, GEORGIA, AND BEING LOT TWELVE (12), CONSISTING OF 1.015 ACRES, MORE OR LESS, OF VALLEY VIEW ESTATES AS MORE FULLY SHOWN ON SURVEY FOR VALLEY VIEW ESTATES, PREPARED BY NORTHSTAR LAND SURVEYING, INC., REGISTERED SURVEY, DATED JULY 1, 2002, REVISED SEPTEMBER 26, 2002 AND RECORDED IN PLAT BOOK 30 PAGE 70 OF THE TOWNS COUNTY RECORDS WHICH SURVEY IS INCORPORATED HEREIN BY REFERENCE FOR A COMPLETE DESCRIPTION OF SAID PROPERTY.
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