

Towns County Herald

Legal Notices for May 14, 2014

STATE OF GEORGIA COUNTY OF TOWNS NOTICE TO DEBTORS AND CREDITORS

RE: ESTATE OF JERRY C. IVEY

All debtors and creditors of the estate of Jerry C. Ivey, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments 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 18th day of April, 2014.

Theresa Ann Arrowood, Executor

Address: 2631 State Hwy. 66

Young Harris, GA 30582

T(Apr23,30,May7,14)B

STATE OF GEORGIA COUNTY OF TOWNS NOTICE TO DEBTORS AND CREDITORS

RE: ESTATE OF JOSEPH A. LAYFIELD

All debtors and creditors of the estate of Joseph A. Layfield, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments to the Executor of said Estate, according to law, and all persons indebted to said estate are required to make immediate payment to the undersigned.

This 28th day of April, 2014.

Melanie Browen

9710 Cottonwood Road, AL 36320

334-797-9008

T(May7,14,21,28)B

STATE OF GEORGIA COUNTY OF TOWNS NOTICE TO DEBTORS AND CREDITORS

RE: ESTATE OF DAVID JAMES GRIFFITH

All debtors and creditors of the estate of David James Griffith, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments to the Executor of said Estate, according to law, and all persons indebted to said estate are required to make immediate payment to the Undersigned.

This 2nd day of May, 2014.

Beverly Sue R. Griffith

4888 Swallows Creek Road

Hiawassee, GA 30546

706-994-4844

T(May7,14,21,28)B

STATE OF GEORGIA COUNTY OF TOWNS NOTICE TO DEBTORS AND CREDITORS

RE: ESTATE OF VIRGINIA J. RIVERS

All debtors and creditors of the estate of Virginia J. Rivers, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments 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 1st day of May, 2014.

Virginia Gail Parris, Executor

Address: 620 Jefferson Avenue

Fayetteville, GA 30214

T(May7,14,21,28)B

STATE OF GEORGIA COUNTY OF TOWNS NOTICE TO DEBTORS AND CREDITORS

RE: ESTATE OF Robert Hadley Graham

All debtors and creditors of the estate of Robert Hadley Graham, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments to the undersigned of said Estate, according to law, and all persons indebted to said estate are required to make immediate payment to the undersigned.

This the 9th day of May, 2014

Carolyn Joan Graham

Personal Representative

2354 Hidden Valley Road

Hiawassee, GA 30546

706-896-8545

T(May14,21,28,Jun4)B

NOTICE

(For Discharge from Office
and all Liability)

PROBATE COURT OF TOWNS COUNTY

RE: PETITION OF CHARLES W. NEAL FOR DISCHARGE AS EXECUTOR OF THE ESTATE OF VELMA M. NEAL, DECEASED.

TO: Carol Peach Thurmond, Thomas Vick-nair

This is to notify you to file objection, if there is any, to the above referenced petition, in this Court on or before June 9, 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

ADDRESS

706-896-3467

TELEPHONE NUMBER

T(May14,21,28,Jun4)B

STATE OF GEORGIA COUNTY OF TOWNS NOTICE OF SALE UNDER POWER

Under and by virtue of the power of sale contained in a Security Deed from LINDA HARDY UNDERWOOD and JANETTE HARDY WILLIAMS to UNITED COMMUNITY BANK, dated September 13, 2004, recorded September 22, 2004, in Deed Book 314, Page 621, Towns County, Georgia records, as last modified by Modification of Security Deed dated December 17, 2010, recorded in Deed Book 488, Page 84, Towns County, Georgia records; also that certain Assignment of Rents dated December 17, 2010, recorded in Deed Book 491, Page 566, Towns County, Georgia records, said Security Deed being given to secure a Note from LINDA HARDY UNDERWOOD dated December 17, 2010, in the original principal amount of One Hundred Twelve Thousand Seven Hundred Fifty Four and 40/100 (\$112,754.40) Dollars, with interest from date at a rate per cent per annum on the unpaid balance until paid; there will be sold by the undersigned at public outcry to the highest bidder for cash before the Courthouse door at Towns County, Georgia, within the legal hours of sale on the first Tuesday in June, 2014, the following described property:

All that tract or parcel of land lying and being in the 17th District, 1st Section, Land Lot 50 and being bounded as follows: Beginning on an iron peg 50 feet from center of Highway 76, approximately 5 miles from Hiawassee, GA; then running N 0 10 W 237.7 feet to a rock; thence S 89 52 E 141.9 feet to an iron pipe; thence N 18 44 E 446.93 feet to an iron peg; at a fence; thence N 89 51 W 408 feet to an iron peg on county road; thence with said road, S 15 W 171.5 feet to an iron peg; thence S 7 30 W 140 feet to an iron peg; thence S 18 15 E 147 feet to an iron peg; thence S 1 30 E 201 feet; thence S 77 25 E 139 feet to the point of beginning, containing 4.4 acres, more or less.

This being all the property conveyed to Linda Hardy Underwood and Janette Hardy Williams at Deed Book U-1, Page 22, Towns County, Georgia records.

LESS AND EXCEPT: All that tract or parcel of land lying and being in Land Lot 50, 17th District, 1st Section, Towns County, Georgia, and being designated tract One (1) consisting of 1.22 acres, more or less, as more fully shown on plat of survey for Stephen Patton and Jason Ledford, prepared by Landtech Services, Inc., Registered Surveyor, dated January 30, 2007 and recorded in Plat Book 36, Page 262 of the Towns County, Georgia records which survey is incorporated herein by reference for a complete description of said property.

Also conveyed herein is all of Grantor's right, title and interest in that land lying between the above described tract and the centerline of County Road Number 124 subject to the right of way of said road.

Also conveyed herein is all of Grantor's right, title and interest in that land lying between the above described tract and the centerline of U.S. Highway Number 76 subject to the right of way of said road.

The above property is conveyed subject to all utilities, rights of way, setbacks, buffers, and easements per the above referenced survey.

The above property is conveyed subject to the Georgia Department of Transportation Construction and Maintenance Easement as recorded in Deed Book 190, Page 731-734 of the Towns County, Georgia records. 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 the 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, easements, 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 LINDA HARDY UNDERWOOD and JANETTE HARDY WILLIAMS or a tenant or tenants.

UNITED COMMUNITY BANK,
as attorney in Fact for LINDA HARDY UNDERWOOD and JANETTE HARDY WILLIAMS
L. Lou Allen
Stites & Harbison, PLLC
520 West Main Street
Blue Ridge, Georgia 30513
(706) 632-7923
File No. 7484A-03647

T(May7,14,21,28)B

NOTICE OF SALE UNDER POWER

GEORGIA, TOWNS COUNTY

THIS LAW FIRM IS ACTING AS A DEBT COLLECTOR ATTEMPTING 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 Gregory A Bishop to Mortgage Electronic Registration Systems, Inc. as nominee for Branch Banking and Trust Company, it's successor's and assigns, dated April 15, 2011, recorded in Deed Book 493, Page 280, Towns County, Georgia Records, as last transferred to Branch Banking and Trust Company by assignment recorded in Deed Book 535, Page 148, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of ONE HUNDRED FIFTY-EIGHT THOUSAND EIGHT HUNDRED SIXTY-SEVEN AND 0/100 DOLLARS (\$158,867.00), 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 June, 2014, 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 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. Branch Banking and Trust 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: Branch Banking & Trust Company, 301 College Street, PVN #101729, Greenville, SC 29601, 800-827-3722. To the best knowledge and belief of the undersigned, the party in possession of the property is Gregory A Bishop or a tenant or tenants and said property is more commonly known as 824 Bent Tree Ln, Young Harris, Georgia 30582. 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. Branch Banking and Trust Company as Attorney in Fact for Gregory A Bishop McCalla Raymer, LLC 1544 Old Alabama Road Roswell, Georgia 30076 www.foreclosurehotline.net MR/krc1 6/3/14 Our file no. 5205213-FT1 EXHIBIT "A" All that tract or parcel of land lying and being in Land Lots 63, 17th District, 1st Section, Towns County, Georgia, containing 0.79 acres, and being shown as Lot Seventy-Nine (79) of Pine Crest Subdivision, Phase II, on a plat of survey by Tamrok Engineering, Inc., dated June 4, 1988, recorded in Plat Book 11, Page 138, Towns County records, which description of said plat is incorporated herein and made a part hereof. The property is conveyed subject to the restrictions of record pertaining to Pine Crest Development, Phase II as recorded in Deed Book 94, Pages 179-180, as amended in Deed Book 438, Pages 133-170, Towns County, Georgia records. The property is conveyed subject to the road rights of way as shown on said plat. MR/krc1 6/3/14 Our file no. 5205213 - FT1

T(May7,14,21,28)B