

Towns County Herald

Legal Notices for October 15, 2014

NOTICE TO DEBTORS AND CREDITORS
STATE OF GEORGIA, COUNTY OF TOWNS
Re: Estate of Sara Oberia Wyatt Bryson.
All creditors of the estate of Sara Oberia Wyatt Bryson, 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 17th day of September, 2014
Joyce B. Lockman
Personal Representative
PO Box 1249
Young Harris, GA 30582
706-379-0989
Tj0c15,22,29j8

NOTICE TO DEBTORS AND CREDITORS
STATE OF GEORGIA
COUNTY OF TOWNS
RE: Estate of Ira Paul Plott
All creditors of the estate of Ira Paul Plott, 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 October, 2014
Mary Ruth McCollum
Personal Representative
205 Manor Place
Cornelia, GA 30531
706-778-7508
Tj0c18,15,22,29jP

NOTICE TO DEBTORS AND CREDITORS
STATE OF GEORGIA
COUNTY OF TOWNS
RE: Estate of Jimmie Alford Taylor
All creditors of the estate of Jimmie Alford Taylor, 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 October, 2014
Oleta Taylor
Personal Representative
350 Glen Road,
Hiawassee, GA 30546
706-896-2609
Tj0c18,15,22,29jP

NOTICE TO DEBTORS AND CREDITORS
STATE OF GEORGIA
COUNTY OF TOWNS
RE: Estate of Randall K. Cruse, Sr.
All creditors of the estate of Randall K. Cruse, Sr., 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 1st day of October, 2014
Brenda Mitchell
Personal Representative
3163 Gull's Wharf
Gainesville, GA 30501
678-971-5318
Tj0c18,15,22,29jP

NOTICE OF PETITION TO CHANGE NAME
Notice is hereby given that GAGAN PARWANA, the undersigned, filed his petition in the Superior Court of Towns County, Georgia, on the 26th day of September, 2014, praying for a change in the name of petitioner from GAGAN PARWANA to JOHN SINGH PARWANA. 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 thirty (30) days of the filing of this petition.
This 26th day of September, 2014.
Clerk, Towns County Superior Court
Pamela Kendall Floyd, P.C.
Attorney at Law
Post Office Box 1114
Hiawassee, Georgia 30546
Telephone: 706-896-7070
Facsimile: 706-896-6343
Email: pkflaw@yahoo.com
Tj0c18,15,22,29j8

NOTICE TO DO BUSINESS
WITH ASSUMED NAME
The undersigned limited liability company, proposing to engage in business in Towns County, Georgia under an assumed name other than its company name, hereby states that:
1. The name under which the business is to be conducted is
Storage For You. The primary purpose of the business is to operate as a mini storage building.
2. The name and address of the owner of such business is: Hiawassee Storage, LLC, a Georgia Limited Liability Company, with a principle address of P.O. Box 569, Hiawassee, GA 30546 and a registered office at 150 S. Main Street, Suite D Hiawassee, GA 30546.
Tj0c15,22j8

IN THE PROBATE COURT
COUNTY OF TOWNS
STATE OF GEORGIA
IN RE: ESTATE OF
HERMAN EARL PARTON, DECEASED
ESTATE NO. 2014-53
NOTICE OF PETITION TO FILE
FOR YEAR'S SUPPORT
The Petition of Helen Parton, for a year's support from the estate of Herman Earl Parton, 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 November 10, 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.
48 River St., Suite C
Hiawassee, GA 30546
Address
706-896-3467
Telephone Number
David Rogers
Judge of the Probate Court
By: Kerry L. Berrong
Clerk/Deputy Clerk of the Probate Court
Tj0c15,22,29,Nov9j8

IN THE JUVENILE COURT
OF TOWNS COUNTY
STATE OF GEORGIA
IN THE INTEREST OF:
ELISABETH GILBERT
DOB:09-27-1989
SEX: FEMALE
CHILD UNDER THE AGE
OF EIGHTEEN
Case no. 139-14J-24A
NOTICE OF DEPENDENCY HEARING
TO: RYAN GILBERT, FATHER OF THE ABOVE-NAMED CHILD
By Order for Service by Publication dated the 2nd day of October, 2014, you are hereby notified that on the 18th day of September, 2014, the Towns County Department of Family and Children Services, Georgia Department of Family and Children Services, filed a Petition for Temporary Custody (Dependency) against you as to the above-named child alleging the child is deprived. You are required to file with the Clerk of Juvenile Court, and to serve upon Special Assistant Attorney General Stephany L. Zait, an answer in writing within sixty (60) days of the date of the Order for Service by Publication.
This Court will conduct a final hearing upon the allegations of the Petition and enter an order of disposition on the 2nd day of December, 2014, at 9:30 a.m., at the Towns County Courthouse, Hiawassee, Georgia.
The child and other parties involved may be represented by a lawyer at all stages of these proceedings. If you want a lawyer, you may choose and hire your own lawyer. If you want to hire a lawyer, please contact your lawyer immediately. If you want a lawyer but are not able to hire a lawyer without undue financial hardship, you may ask for a lawyer to be appointed to represent you. The Court would inquire into your financial circumstances and if the Court finds you to be financially unable to hire a lawyer, then a lawyer will be appointed to represent you. If you want a lawyer appointed to represent you, you must let the Court or the officer of this Court handling this case know that you want a lawyer immediately.
WITNESS, the Honorable Gerald Bruce, Judge of said Court, this the ___ day of _____, 2014.
Honorable Gerald Bruce
Judge, Juvenile Court
Towns County, Georgia
Enotah Judicial Circuit
Tj0c15,22,29,Nov9j8

NOTICE OF OPPORTUNITY
FOR A PUBLIC HEARING
PRIVATE ENTERPRISE COORDINATION
RURAL PUBLIC TRANSPORTATION PROGRAM
Towns County is applying for funding assistance under Title 49 U.S.C. Section 5311 of the Federal Transit Act pertaining to rural and small urban areas.
Towns County will offer general public transportation to all citizens of Towns County for any worthwhile purpose, including, but not limited to, shopping, medical treatments, social services and other purposes.
Towns County solicits private sector input and participation to assure that private for-profit transportation operators have a fair and timely opportunity to participate in the development of this program.
Towns County also solicits comments and concerns from the general population on local rural public transportation services.
Towns County also solicits comments and concerns from the disabled population and their representatives to assure that issues relating to the disabled are addressed in the service design proposed during the planning process. Interested persons are invited to request that a public hearing be held to discuss the services being offered or development of the application.
Written comments, requests for a public hearing and/or written notice of intent by private for-profit transportation operators to provide or participate in any or all of the above services should be submitted no later than fifteen (15) days from the date of this publication to:
Bill Kendall,
PO Box 628,
Hiawassee, GA 30546
706-896-0925
If no response is received within the fifteen (15) days, the Department of Transportation will proceed with the application.
Tj0c15j8

SUMMARIES OF PROPOSED
CONSTITUTIONAL AMENDMENTS
Pursuant to requirements of the Georgia Constitution, Attorney General Samuel S. Oiens, Secretary of State Brian P. Kemp, and Legislative Counsel Wayne R. Allen hereby provide the summaries of the proposed constitutional amendments that will appear on the November 4, 2014, general election ballot for consideration by the people of Georgia:
- 1 -
To prohibit an increase in the state income tax rate in effect
January 1, 2015.
Senate Resolution No. 415
Resolution Act No. 592
Ga. L. 2014, p. 888
“() YES
- () NO
Shall the Constitution of Georgia be amended to prohibit the General Assembly from increasing the maximum state income tax rate?”
Summary
This proposal prohibits the General Assembly from increasing the maximum marginal state income tax rate above the rate in effect on January 1, 2015. It adds a new Paragraph IV to Article VII, Section III of the Georgia Constitution.
A copy of this entire proposed constitutional amendment is on file in the office of the judge of the probate court and is available for public inspection.
- 2 -
Adding reckless driving penalties or fees to the brain and spinal injury trust fund.
House Resolution No. 1183
Resolution Act No. 589
Ga. L. 2014, p. 887
“() YES
- () NO
Shall the Constitution of Georgia be amended to allow additional reckless driving penalties or fees to be added to the Brain and Spinal Injury Trust Fund to pay for care and rehabilitative services for Georgia citizens who have survived neurotrauma with head or spinal cord injuries?”
Summary
This proposal authorizes the General Assembly to provide by law for the imposition of additional penalties or fees for the offense of reckless driving and to provide for the allocation of such additional penalties or fees to the Brain and Spinal Injury Trust Fund, for the specified purpose of meeting any and all costs, or any portion of the costs, of providing care and rehabilitative services to citizens of this state who have survived neurotrauma with head or spinal cord injuries. It amends Paragraph VI (k) of Article III, Section IX of the Georgia Constitution.
A copy of this entire proposed constitutional amendment is on file in the office of the judge of the probate court and is available for public inspection.
SUMMARY OF PROPOSED STATE-WIDE REFERENDUM QUESTION
Pursuant to Code Section 21-2-4 of the O.C.G.A., the Secretary of State is authorized to include with the summaries of proposed constitutional amendments a summary of any state-wide referendum question to be voted on at the same general election:
- A -
Allows property owned by the University System of Georgia and operated by providers of student housing and other facilities to remain exempt from taxation.
House Bill No. 788
Act No. 613
Ga. L. 2014, p. 679
“() YES
- () NO
Shall property owned by the University System of Georgia and utilized by providers of college and university student housing and other facilities continue to be exempt from taxation to keep costs affordable?”
Summary
This Act provides for an ad valorem tax exemption for private interests in property of the Board of Regents of the University System of Georgia that is operated by a private party and further provides that such arrangements shall not constitute special franchises for purposes of ad valorem taxation.
If approved by a majority of the voters, the tax exemption provided by the Act becomes effective January 1, 2015, and applies to all tax years beginning on or after that date.
Wj0c15,22,29j8

NOTICE OF SALE UNDER POWER
IN SECURITY DEED
STATE OF GEORGIA
COUNTY OF TOWNS
Under and by virtue of the Power of Sale contained in the Deed to Secure Debt and Security Agreement from Brandon Derick Dills and Carolyn Holloway Dills to The Bank of Hiawassee, a division of Citizens South Bank dated November 23, 2010, and recorded in Deed Book 485, Page 80, in the offices of the Clerk of the Superior Court of Towns County, Georgia; as assigned to Citizens South Bank by that certain Master Assignment recorded in Deed Book 486, Page 790, aforesaid records (as same may have been modified from time to time, collectively the "Security Deed"), and pursuant to that certain Discharge of Debtor entered August 28, 2014 in Chapter 7 Case No. 14-20871-jrs filed in the United States Bankruptcy Court, Northern District of Georgia; the undersigned will sell at public outcry to the highest and best bidder for cash before the door of the Courthouse of Towns County, Georgia, during the legal hours of sale, on the first Tuesday in November, 2014, the following described real property, to wit:
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 308 & 309, 18TH DISTRICT, 1ST SECTION OF TOWNS COUNTY, GEORGIA, CONTAINING 4.10 ACRES, MORE OR LESS, AS SHOWN ON A PLAT OF SURVEY BY B. GREGORY, COUNTY SURVEYOR, DATED 3/16/83, RECORDED IN PLAT BOOK 7, PAGE 194, TOWNS COUNTY, GEORGIA RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE END OF A ROAD, SAID POINT BEING 4.752 FEET FROM THE JUNCTION OF GA HIGHWAY 17-75 AND MILL CREEK ROAD, RUN THENCE N 75 E 95 FEET TO A POINT; THENCE N 86 E 408 FEET TO A ROCK ON THE USF LINE; THENCE S 7 W 482 FEET TO AN IRON PIN ON THE NORTH RIGHT OF WAY OF A ROAD; THENCE ALONG THE ROAD N 82 W 78 FEET, N 79 W 100 FEET, W 87 W 121 FEET TO AN IRON PIN; THENCE LEAVING THE ROAD N 20 W 409 FEET TO THE POINT OF BEGINNING.
THE GRANTOR GRANTS TO GRANTEE A PERPETUAL WATER RIGHT TO THE SPRING ON THE GRANTOR'S REMAINING PROPERTY.
THE GRANTOR GRANTS TO GRANTEE A PERPETUAL EASEMENT FOR INGRESS AND EGRESS TO THE ABOVE DESCRIBED PROPERTY SAID EASEMENT TO RUN FROM THE COUNTY ROAD ALONG THE ROAD RUNNING SOUTH OF THE ABOVE DESCRIBED PROPERTY RUNNING TO THE U.S. FOREST PROPERTY.
LESS AND EXCEPT
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 309, 18TH DISTRICT, 1ST SECTION OF TOWNS COUNTY, GEORGIA, CONTAINING 0.98 ACRES, MORE OR LESS AS SHOWN ON A PLAT OF SURVEY BY BLAIRSVILLE SURVEYING CO., ROBERT J. BREEDLOVE, R.L.S. DATED APRIL 29, 1997 AS REVISED JUNE 6, 1997, JUNE 13, 1997 AND FEBRUARY 2, 1998 AND RECORDED IN PLAT BOOK 22, PAGE 88, TOWNS COUNTY, GEORGIA RECORDS. SAID PLAT BEING INCORPORATED HEREIN BY REFERENCE ALSO CONVEYED IS ALL THAT LAND LYING BETWEEN THE SOUTHERLY BOUNDARY LINE OF SAID PROPERTY AND THE CENTER OF THE UNIMPROVED SUBDIVISION ROAD AS SHOWN ON SAID PLAT OF SURVEY, SUBJECT TO THE ROAD RIGHT OF WAY.
SUBJECT TO ALL MATTERS AND CONDITIONS AS SHOWN ON ABOVE PLAT OF SURVEY.
SUBJECT TO THE EXISTING WATER LINE RUNNING THROUGH SAID PROPERTY AND SERVING AND FURNISHING WATER TO OTHER PROPERTY OF GRANTOR. GRANTOR, HIS SUCCESSORS AND ASSIGNS, SHALL HAVE THE RIGHT TO GO UPON SAID PROPERTY FOR THE PURPOSE OF MAINTAINING SAID WATER LINE AND SYSTEM.
ALSO CONVEYED HEREIN IS AN EASEMENT FOR INGRESS AND EGRESS TO THE SAID PROPERTY AND MILL CREEK ROAD (RUNNING ALONG SAID UNIMPROVED SUBDIVISION ROAD WESTERLY APPROXIMATELY 1350 FEET MORE OR LESS TO MILL CREEK ROAD, NOW KNOWN AS DILLS ROAD, BEING COUNTY ROAD #92) OVER THE PRESENTLY EXISTING UNIMPROVED SUBDIVISION ROAD, AS SHOWN ON PLAT OF SURVEY RECORDED IN PLAT BOOK 14, PAGE 68 OF THE TOWNS COUNTY, GEORGIA RECORDS. KNOWN AS: 3.12 ACRES ON DILLS RD., HIWASSEE, GA 30546.
In addition, under and by virtue of the power of sale contained in the Security Deed, the undersigned will also sell at public outcry to the highest bidder for cash before the door of the Courthouse of Towns County, Georgia, immediately following the sale of the above-described real property, the following described personal property owned by Brandon Derick Dills and Carolyn Holloway Dills a/k/a Carolyn Nicole Dills, or their successors-in-title and secured by the Security Deed, to wit:
All personal property described in and subject to the Security Deed, which is hereby incorporated by this reference.
Less and except any fixtures subject to the security interest on the above-described real property.
The debt secured by the Security Deed is evidenced by a Promissory Note, dated November 23, 2010, from Brandon Derick Dills to Bank of Hiawassee, a division of Citizens South Bank, in the original principal amount of \$34,485.50, (as same may have been further modified, renewed or amended, collectively the "Note"); plus interest from date on the unpaid balance until paid, and 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 Security Deed has been declared foreclosable according to its terms.
The above-described real property will be sold to the highest and best bidder for cash as the property of Brandon Derick Dills and Carolyn Holloway Dills a/k/a Carolyn Nicole Dills, the proceeds to be applied to the payment of said indebtedness, attorneys' fees, and the lawful expenses of said sale, all as provided in the Note and Security Deed. The sale shall be subject to the following: all outstanding ad valorem taxes and/or assessments, if any; possible redemptive rights of the Internal Revenue Service, if any; and all prior assessments, easements, restrictions or matters of record.
To the best of the undersigned's knowledge and belief, the real property is presently owned by Brandon Derick Dills and Carolyn Holloway Dills a/k/a Carolyn Nicole Dills.
To the best of the undersigned's knowledge and belief, the party in possession of the real property is Brandon Derick Dills and Carolyn Holloway Dills a/k/a Carolyn Nicole Dills, and tenants holding under them.
All personal property will be sold in one lot to the highest and best bidder for cash as the property of Brandon Derick Dills and Carolyn Holloway Dills a/k/a Carolyn Nicole Dills, or their successors-in-title, on an "as is, where is" basis and without representation, warranty or recourse, express or implied, of the undersigned, and subject to all matters of record affecting said personal property, the proceeds to be applied to the payment of said indebtedness, attorneys' fees and the lawful expenses of said sale, all as provided in the Security Deed.
Park Sterling Bank, successor by merger to Citizens South Bank, as successor in interest to Bank of Hiawassee, as Attorney-in-Fact for Brandon Derick Dills and Carolyn Holloway Dills a/k/a Carolyn Nicole Dills.
M. Todd Westfall, Esquire
Howick, Westfall, McBryan & Kaplan, LLP
Suite 600, One Tower Creek
3101 Towercreek Parkway
Atlanta, Georgia 30339
(678) 501-7951
Tj0c18,15,22,29j8

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 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, 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 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, November 4, 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 159, 18TH DISTRICT, 1ST 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 PERPETUAL NONEXCLUSIVE 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 WOODS 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 BOOK 199, PAGES 505-506, TOWNS COUNTY CLERKS 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, 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 Arvind Raina and Maninder Kaur, successor in interest or tenants(s).
Wells Fargo Bank, N.A. as Attorney-in-Fact for Arvind Raina and Maninder Kaur
File no. 12-037205
SHAPIRO, SWERTFEGER & HASTY, LLP*
Attorneys and Counselors at Law
2872 Woodcock Blvd., Suite 100
Atlanta, GA 30341-3941
(770) 220-2535/KMM
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*THE LAW FIRM IS ACTING AS A DEBT COLLECTOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.
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