

# Towns County Herald

## Legal Notices for October 30, 2013

**NOTICE TO DEBTORS AND CREDITORS**  
All creditors of the Estate of Dorothy I. Yates, late of Towns County, Georgia deceased, 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 the 4th day of October, 2013.  
Bruce L. Ferguson, Attorney for Beverly S. Gerard, Executor of the Estate of Dorothy I. Yates  
PO BOX 524  
Hiawassee, GA 30546  
706-896-9699  
T(0c16,23,30,Nov6,13)08

**NOTICE TO CREDITORS AND DEBTORS**  
All creditors of the estate of MARTHA JEANNE DIMASO, deceased 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 9th day of October, 2013.  
JUDITH ANNE DIMASO, Executrix  
7907 Smoke Rise Rd., SE  
Huntsville, AL 35802  
T(0c16,23,30,Nov6,13)08

**NOTICE TO CREDITORS AND DEBTORS**  
All creditors of the estate of JOANNE MCKENZIE MCMILLAN, a.k.a. JOANNE LEONBERGER, a.k.a. JOANNE SHULER, deceased 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 16th day of October, 2013.  
WILLIAM DAVID BYRUM, Executor  
P.O. BOX 674  
Tavernier, Florida 33070  
305-522-5471  
T(0c16,23,30,Nov6,13)08

**NOTICE TO CREDITORS AND DEBTORS**  
State of Georgia  
County of Towns  
RE: Estate of Frances L. Terry  
All creditors of the estate of Frances L. Terry, deceased 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 15th day of October, 2013.  
Nellie M. Norville  
PO Box 693  
Hiawassee, GA 30546  
T(0c16,23,30,Nov6,13)08

**NOTICE TO CREDITORS AND DEBTORS**  
State of Georgia  
County of Towns  
RE: Estate of Robert Bruce Norman  
All creditors of the estate of Robert Bruce Norman, deceased 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 16th day of October, 2013.  
Elizabeth Jane Norman  
19 Windmeadow Drive  
Waynesville, NC 28786  
828-456-7978  
T(0c16,23,30,Nov6,13)08

**IN THE PROBATE COURT COUNTY OF TOWNS STATE OF GEORGIA**  
IN RE: ESTATE OF Harold Monroe King, DECEASED  
ESTATE NO. 2013-73  
PETITION FOR LETTERS OF ADMINISTRATION  
NOTICE  
TO: All known and unknown interested parties  
Gloria M. King has petitioned to be appointed Administrator of the estate of Harold Monroe King deceased, of said County. The Petitioner has also applied for waiver of bond and/or grant of certain powers contained in O.C.G.A. §53-12-261. All interested parties are hereby notified to show cause why said petition should not be granted. All objections to the petition must be in writing, setting forth the grounds of any such objections, and must be filed with the court on or before November 11, 2013. All pleadings/objections must be signed under oath before a notary public or before a probate court clerk, and filing fees must be tendered with your pleadings/objections, unless you qualify to file as an indigent party. Contact probate court personnel at the following address/telephone number for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the petition may be granted without a hearing.  
David Rogers  
Judge of the Probate Court  
By: Kerry L. Berrong  
Clerk/Deputy Clerk of the Probate Court  
48 River St. Suite C  
Hiawassee, GA 30546  
Address  
706-896-3467  
Telephone Number  
N(0c16,23,30,Nov6)8

**NOTICE OF TRADE NAME REGISTRATION**  
Notice is hereby given that the business operated at 620, Suite B, Bell Creek Road, Hiawassee, Georgia 30546, with a mailing address of 620, Suite B, Bell Creek Road, Hiawassee, Georgia 30546, in the name of SENEHENTYTY CLINIC, is owned and carried on by KILEE RAYELLE SMITH, D.O., P.C., with a physical address of 103 Church Street, Hiawassee, Georgia 30546 and a mailing address of 103 Church Street, Hiawassee, Georgia 30546, and that the Registration Statement relating thereto as required by O.C.G.A. § 10-1-490 has been filed with the Secretary of State of Towns County, Georgia.  
KILEE RAYELLE SMITH, D.O., P.C.  
By: Kilee Rayelle Smith, D.O., President  
T(0c16,23,30,Nov6)8

**IN THE JUVENILE COURT OF TOWNS COUNTY STATE OF GEORGIA**  
IN THE INTEREST OF: NICHOLAS S. GIFFORD  
DOB: 09-09-2006  
SEX: MALE  
child under age of EIGHTEEN  
case no. 139-134-27A  
NOTICE OF DEPRIVATION HEARING  
TO: Gerald Santos, putative father of the named child.  
By Order for Service by Publication dated the 24th day of September, 2013, you are hereby notified that on the 17th day of September, 2013, the Towns County Department of Family and Children Services, Georgia Department of Human Services, filed a Petition for temporary Custody 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 Alfred Chang, 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 as to you on December 10, 2013, at 9:30 a.m., at the Union County Courthouse, Blairsville, Georgia.

The child or children 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 24th day of September, 2013.  
Juvenile Judge Gerald W. Bruce  
Union County Juvenile Court  
Enotah Judicial Circuit  
T(0c16,23,30,Nov6,13)08

**IN THE PROBATE COURT COUNTY OF TOWNS STATE OF GEORGIA**  
IN RE: ESTATE OF Marvin Edward Steck, Jr., DECEASED  
ESTATE NO. 2013-74  
NOTICE  
AN ORDER FOR SERVICE WAS GRANTED BY THIS COURT ON October 3, 2013, REQUIRING THE FOLLOWING:  
TO: Lydia Karen Steg-Mitchell This is to notify you to file objection, if there is any, to the above referenced petition, in this Court on or before November 4, 2013.  
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.  
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  
T(0c16,23,30,Nov6,13)08

**IN THE PROBATE COURT COUNTY OF TOWNS STATE OF GEORGIA**  
IN RE: ESTATE OF Ronald J. Nicholson, DECEASED  
ESTATE NO. 2013-75  
PETITION FOR LETTERS OF ADMINISTRATION  
NOTICE  
TO: All known and unknown interested parties  
Larry L. Nicholson has petitioned to be appointed Administrator of the estate of Ronald J. Nicholson deceased, of said County. The Petitioner has also applied for waiver of bond and/or grant of certain powers contained in O.C.G.A. §53-12-261. All interested parties are hereby notified to show cause why said petition should not be granted. All objections to the petition must be in writing, setting forth the grounds of any such objections, and must be filed with the court on or before November 4, 2013. All pleadings/objections must be signed under oath before a notary public or before a probate court clerk, and filing fees must be tendered with your pleadings/objections, unless you qualify to file as an indigent party. Contact probate court personnel at the following address/telephone number for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the petition may be granted without a hearing.  
David Rogers  
Judge of the Probate Court  
By: Kerry L. Berrong  
Clerk/Deputy Clerk of the Probate Court  
48 River St. Suite C  
Hiawassee, GA 30546  
Address  
706-896-3467  
Telephone Number  
T(0c16,23,30,Nov6,13)08

**NOTICE**  
(For Discharge from Office and all Liability)  
PROBATE COURT OF TOWNS COUNTY  
RE: PETITION OF Anne Snyder Bogaert FOR DISCHARGE AS Executor OF THE ESTATE OF Theodore John Bogaert aka Theodore J. Bogaert, 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 November 11, 2013.  
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  
TELEPHONE NUMBER  
T(0c16,23,30,Nov6,13)08

**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 David Robert Craig and Lisa M Craig to Commonwealth United Mortgage a division of National City Bank of Indiana, dated August 8, 2005, recorded in Deed Book 345, Page 613, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of ONE HUNDRED FORTY-FOUR THOUSAND FIVE HUNDRED AND 0/100 DOLLARS (\$144,500.00), 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 November, 2013, 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 that 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. PNC Bank, National Association, successor by merger to National City Bank, successor by merger to Commonwealth United Mortgage Company, a division of National City Bank of Indiana is the holder of the Note and 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: PNC Mortgage, 3232 Newmark Drive, Miamisburg, OH 45342, 800-523-8654. To the best knowledge and belief of the undersigned, the party in possession of the property is David Robert Craig and Lisa M Craig or a tenant or tenants and said property is more commonly known as 6961 Woodlake Circle, 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. PNC Bank, National Association, successor by merger to National City Bank, successor by merger to Commonwealth United Mortgage Company, a division of National City Bank of Indiana as Attorney in Fact for David Robert Craig and Lisa M Craig McCalla Raymer, LLC 1544 Old Alabama Road Roswell, Georgia 30076 www.foreclosurehotline.net MR/ecb 11/5/13 Our file no. 5640313-F78 EXHIBIT "A" All that tract or parcel of land lying and being in Land Lots 8 & 29, 17th District, 1st Section, Towns County, Georgia, containing 1.00 acre and being Lot Thirty-Eight (38) of Woodlake Subdivision, as shown on a plat of survey by Tamrok Engineering, Inc., R.S. #1626, dated October 16, 1998, recorded in Plat Book 11, Page 295, Towns County records which description on said plat is incorporated herein by reference and made a part hereof. The property is conveyed subject to the Restrictions of record pertaining to Woodlake Subdivision as recorded in Deed Book 100, Pages 124-125 Towns County records. The property is subject to the road easements as shown on said plat. The property is conveyed subject to the easement granted to Blue Ridge Mountain Electric Membership as recorded in Deed Book 99, Pages 636-637 Towns County records. Lots Nineteen (19) through Forty (40) in the above subdivision are subject to the 30 foot easement as shown on the above plat. MR/ecb 11/5/13 Our file no. 5640313 - F78  
T(0c16,23,30,Nov6,13)08

**NOTICE OF SALE UNDER POWER IN DEED TO SECURE DEBT**  
STATE OF GEORGIA  
COUNTY OF TOWNS  
Under and by virtue of the Power of Sale in a certain Deed to Secure Debt from TOPS FAMILY ENTERPRISES, INC. to COMMUNITY BANK OF PICKENS COUNTY, Grantee, dated July 10, 2007, recorded in Deed Book 411, Pages 248-265, Towns County, Georgia Records, said Deed to Secure Debt having been given to secure a Promissory Note dated April 22, 2011 in the principal amount of \$1,340,000.00, there will be sold by the undersigned at public outcry, during the legal hours of sale before the door of the Courthouse of Towns County, Georgia, or at such other location as established by O.C.G.A. Section 9-13-161(c), on the first Tuesday in November, 2013, to-wit, November 5, 2013, to the highest and best bidder for cash, the following described property: ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE 19th District, 1st Section, Land Lot 43 of Towns County, Georgia, containing 1.148 acres, as shown on a plat of survey for Parker's One Stop, Inc., by Tamrok Associates, Inc., Jon G. Stubblefield, RLS, dated 3-6-97, and recorded in Plat Book 25, page 297 of the Towns County, Georgia Records, said plat being incorporated herein by reference. Subject to a right-of-way across the northern tip of the above-described property, for access to one commercial property, as reserved in a warranty deed recorded in Deed Book 153, page 248 of the Towns County Records, and to the terms of said warranty deed transferred in a warranty deed recorded in Deed Book 181, page 487 of the Towns County, Georgia Records. The debt secured by said Deed to Secure Debt and Note has been and is hereby declared due and payable in full because of non-payment pursuant to the terms of said Deed to Secure Debt and Note. Notice has been given of intention to enforce provisions for collection of attorney's fees and foreclosure in accordance with legal requirements and the terms of the Deed to Secure Debt and Note. The indebtedness remaining to be paid will be made good by the payment of the indebtedness secured by the Deed to Secure Debt, and expenses of the sale and other sums secured by the Deed to Secure Debt, including attorney's fees, and the remainder, if any, shall be applied to the benefit of the lender. To the best of the undersigned's knowledge and belief, the property is in the possession of TOPS FAMILY ENTERPRISES, INC., and the property will be sold as the property of TOPS FAMILY ENTERPRISES, INC., subject to outstanding ad valorem taxes, restrictions, improvements, and easements or restrictions of record, if any. Said property is more commonly known as 1300 State Highway 75 N, Hiawassee, GA 30546. The undersigned will execute a deed to the purchaser at said sale as provided by the Deed to Secure Debt.  
COMMUNITY BANK OF PICKENS COUNTY as Attorney-in-fact for TOPS FAMILY ENTERPRISES, INC.  
Phil M. Landrum, III  
LANDRUM & LANDRUM  
95 Stegall Drive  
P.O. Box 409  
Jasper, GA 30143  
(706) 692-6464  
T(0c16,23,30,Nov6,13)08

**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 CLINTON ARROWOOD A/K/A EDWARD CLINTON ARROWOOD TO TOWNS COUNTY BANK N/K/A UNITED COMMUNITY BANK, dated July 7, 2000, recorded July 11, 2000, in Deed Book 203, Page 718, Towns County, Georgia records, as last modified by Modification of Security Deed dated September 20, 2012, recorded in Deed Book 520, Page 102, Towns County, Georgia records, said Security Deed being given to secure a Note from JACQUELINE ARROWOOD and CLINTON ARROWOOD dated September 4, 2012, in the original principal amount of Two Hundred Sixteen thousand Eight Hundred Seventy and 29/100 (\$216,870.29) 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 November, 2013, the following described property:  
All that tract or parcel of land situated, lying and being in the 1st Section, 17th District, Land Lot 91, Towns County, Georgia, containing 35 acres more or less, being more particularly described as follows:  
Beginning at a Locust Stake on Western right of way Highway 288 and running West 24 Rods to Rock Corner; Thence a North-west Direction across Long Ridge a distance of 79 Rods to Center of Wood Road; Thence a North direction from the center of the Wood Road 22 Rods; thence a North-west direction 17.5 Rods to Maple Tree on creek at line of Jack Shook; thence South-west up Old Creek Run and Hog Creek a distance of 31.1 Rods to a Beech Tree; and to the line of Boyd Shook; thence a South-east direction with Boyd Shook's line 17.6 Rods to a White Oak Tree and Locust Stake 2 Rods below Wood Road; thence South-west direction 20 to 30 feet below Wood Road a distance of about 45.5 Rods to Rock Corner at Boyd Shook's line at wire fence; thence due East with the line of the property of Boyd Shook and John Burch 116 Rods to iron stake; thence North 2 Rods to iron Stake; thence East 23 Rods to Locust Stake on Highway 288. Thence North with right of way at Highway 288 to a Locust Stake and beginning Corner;  
Also conveyed herewith is a right of Ingress and Egress along the 12 foot Wood Road known as the Chain Gang Road.  
LESS AND EXCEPT: All that tract or parcel of land lying and being in Land Lot 91, 17th District, 1st Section, Towns County, Georgia, and being Tract Two (2), containing 10.161 acres, more or less, and Tract Three (3), containing 1.344 acres, more or less, as shown on plat of survey by Northstar Land Surveying, Inc., dated 10/10/2003, recorded in Plat Book 30, Page 298, Towns County, Georgia records, which description on said plat is incorporated herein by reference 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 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, 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 CLINTON ARROWOOD A/K/A EDWARD CLINTON ARROWOOD or a tenant or tenants.  
TOWNS COUNTY BANK N/K/A UNITED COMMUNITY BANK  
L. Lou Allen  
Stites & Harbison, PLLC  
520 West Main Street  
Blue Ridge, Georgia 30513  
(706) 632-7923  
File No. 7484A-03560  
THIS LAW FIRM IS ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.  
T(0c16,23,30,Nov6,13)08

**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 Real Estate Deed to Secure Debt from Belton Gardens [sic Garden] Associates to Bank of Hiawassee dated February 29, 2008, and recorded in Deed Book 428, Page 127, in the offices of the Clerk of the Superior Court of Towns County, Georgia, as last modified by that certain Modification of Security Deed dated April 17, 2013 and recorded in Deed Book 533, Page 367, aforesaid records; and assigned to Citizens South Bank by that certain Master Assignment recorded in Deed Book 486, Page 790, aforesaid records (as same may have been further modified and/or assigned from time to time, collectively the "Security Deed"), 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, 2013, the following described real property, to-wit:  
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 53, 17TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA, CONTAINING 2.47 ACRES AS SHOWN ON A PLAT OF SURVEY PREPARED FOR "BELTON GARDENS [SIC GARDEN] ASSOCIATES CHATUGE PLACE BUSINESS PLAZA" BY LANDTECH SERVICES, INC., JAMES L. ALEXANDER, R.L.S. #2653, DATED 2/27/08 AND AS RECORDED IN PLAT BOOK 38 (sic), PAGE 62 (sic), TOWNS COUNTY, GEORGIA RECORDS, WHICH DESCRIPTION ON SAID PLAT IS INCORPORATED HEREIN AND MADE A PART HEREOF.  
SAID PROPERTY IS CONVEYED SUBJECT TO THE ONE HUNDRED TWENTY FOOT (120') RIGHT-OF-WAY OF US HIGHWAY 76 AND A SIXTEEN-FOOT (16') INGRESS/EGRESS EASEMENT AS SHOWN ON THE ABOVE REFERENCED PLAT.  
SAID PROPERTY IS ALSO CONVEYED SUBJECT TO A PERPETUAL EASEMENT TO INSTALL AND MAINTAIN AN EXISTING COMMERCIAL SIGN AS RECORDED IN DEED BOOK 255, PAGE 610 TOWNS COUNTY RECORDS.  
SAID PROPERTY IS SUBJECT TO THE RESTRICTIONS AS RECORDED IN DEED BOOK 78, PAGE 72 AND AS MODIFIED AT DEED BOOK 311, PAGE 417 AND DEED BOOK 311, PAGE 778 TOWNS COUNTY RECORDS.  
SAID PROPERTY IS ALSO SUBJECT TO THE DEED OF INGRESS & EGRESS EASEMENT BETWEEN B.A.G.G., INC. AND WALTER E. SPIVA A/K/A GENE SPIVA AS RECORDED IN DEED BOOK 383, PAGES 660-661 TOWNS COUNTY RECORDS.  
SAID PROPERTY IS SUBJECT TO AND EASEMENT FOR ACCESS TO CITY WATER AND SEWAGE AS RECORDED IN DEED BOOK 214, PAGE 365, TOWNS COUNTY RECORDS.  
SAID PROPERTY IS CONVEYED SUBJECT TO A RESERVATION IN FAVOR OF RUDY ROACH WHICH RESERVES A RIGHT OF EASEMENT TO INGRESS AND EGRESS ACROSS THE DEPARTMENT OF TRANSPORTATION-PERMITTED ACCESS AND DECLARATION LANE FOR THE PURPOSE ACCESSING GRANTOR'S ADJOINING PROPERTY TO US HIGHWAY 76, STATE ROAD NO. 2, THE DEPARTMENT OF TRANSPORTATION-PERMITTED ACCESS AND DECLARATION LANE TO RUDY ROACH'S ADJOINING PROPERTY SHALL BE MAINTAINED JOINTLY.  
SAID PROPERTY IS CONVEYED SUBJECT TO ALL MATTERS, RESTRICTIONS, OR EASEMENTS OTHERWISE SHOWN ON SAID PLAT. PROPERTY KNOWN AS: 1620 US HIGHWAY 76 WEST, HIWASSEE, GA 30546.  
The debt secured by the Security Deed is evidenced by a Promissory Note, dated February 29, 2008, from Belton Garden Associates to Bank of Hiawassee in the original principal amount of \$1,400,000.00, as assigned to Park Sterling Bank, successor by merger to Citizens South Bank (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 Belton Garden Associates, 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 Belton Garden Associates Ltd. To the best of the undersigned's knowledge and belief, the party in possession of the real property is Belton Garden Associates Ltd, and tenants holding under it.  
Park Sterling Bank, successor by merger to Citizens South Bank, as successor in interest to Bank of Hiawassee, as Attorney-in-Fact for Belton Gardens [sic Garden] Associates, a/k/a Belton Garden Associates, Ltd.  
W. Todd Westfall, Esquire  
Howick Westfall, Mc Bryan & Kaplan, LLP  
Suite 600, One Tower Creek  
3101 Towercreek Parkway  
Atlanta, Georgia 30339  
(678) 384-7000  
T(0c16,23,30,Nov6,13)08

**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 STEVE GILES, RONNIE STROUD AND JACKIE GREG TAYLOR to UNITED COMMUNITY BANK, dated January 5, 2006, recorded January 10, 2006, in Deed Book 358, Page 599, Towns County, Georgia records, as last modified by Modification of Security Deed dated October 26, 2010, recorded in Deed Book 485, Page 529, Towns County, Georgia records, said Security Deed being given to secure a Note from STEVE GILES, RONNIE STROUD and JACKIE GREG TAYLOR dated October 26, 2010, in the original principal amount of One Hundred Eighteen Thousand Eight Hundred Eighty One and 99/100 (\$18,881.99) 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 November, 2013, the following described property:  
All that tract or parcel of land lying and being in Land Lot 44, 17th District, 1st Section, Towns County, Georgia, being 6.753 acres, more or less, as per a survey prepared for Eugene McClure by LandTech Services, Inc., James L. Alexander, RLS, dated September 28, 2005, as recorded in Plat Book 35, Page 129, Towns County, Georgia records, which plat is by reference incorporated herein and made a part hereof.  
The property is subject to the Fifty Foot right of way of Old School House Road as shown on plat of survey.  
The property is subject to the right of way or easement if any of the Ten Foot dirt road as shown on said plat.  
The property is subject to the Fifty Foot ingress and egress and Utility Easement of Garland Road as shown on said plat.  
The property is subject to the easement in favor of Blue Ridge Mountain EMC as recorded in Deed Book 344, page 493, Towns County, Georgia records.  
LESS AND EXCEPT: All that tract or parcel of land lying and being in Land Lot 44, 17th District, 1st Section, Towns County, Georgia, being Lots 1, 2 and 4 of Hickory Hollow Subdivision, as shown on a plat of survey prepared by LandTech Services, Inc., James L. Alexander, R.L.S. #2653, dated 8/23/2006 as recorded in Plat Book 36, page 173, towns County records which description on said plat is incorporated herein by reference 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 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 STEVE GILES, RONNIE STROUD AND JACKIE GREG TAYLOR or a tenant or tenants.  
UNITED COMMUNITY BANK  
as attorney in fact for STEVE GILES, RONNIE STROUD AND JACKIE GREG TAYLOR  
L. Lou Allen  
Stites & Harbison, PLLC  
520 West Main Street  
Blue Ridge, Georgia 30513  
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File No. UN149-00048  
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