# Towns County Herald

## Legal Notices for May 18, 2022

IN THE PROBATE COURT OF TOWNS COUNTY

IN THE PROBATE COURT OF TOWNS COUNTY STATE OF GEORGIA IN RE: ESTATE OF JASON GERALD SILVEY, DECEASED ESTATE NO. 2022-P-041 PETITION FOR LETTERS OF ADMINISTRATION

TO: All Interested parties and to whom it may

concern:
Janet Marie Grassi has petitioned to be appointed administrator(s) of the estate of Jason Gerald Silvey, deceased, of said county. (The Petitioner has also applied for waiver of bond, waiver of reports, waiver of statements, 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

Petition must be in writing, setting forth the grounds of any such objections, and must be filed with the Court on or before June 6, 2022. filed with the Court on or before June 6, 2022. BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a probate court clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Con-tact probate court personnel for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the Petition may be granted without a hearing. David Rogers

be granted without a nearm David Rogers Judge of the Probate Court By: Michelle Smith Clerk of the Probate Court 48 River St. Suite C Hiawassee, GA 30546

Address 706-896-3467 Telephone Number

NOTICE OF SALE UNDER POWER

STATE OF GEORGIA, COUNTY OF TOWNS
By virtue of a Power of Sale contained in that
certain Security Deed from Cassandra Banister detain security beet from cassalular abunster and William P. Banister to Mortgage Electronic Registration Systems, Inc., as nominee for First Community Mortgage Inc., dated June 13, 2018 and recorded on June 14, 2018 in Deed Book 613, Page 693, in the Office of the Clerk of Superior Court of Towns County, Georgia, said Scourts, Deed having been given to secure Security Deed having been given to secure a Note of even date, in the original principal amount of One Hundred Eighty-Five Thousand Four Hundred Seven and 00/100 dollars (\$185,407.00) with interest thereon as provided therein, as last transferred to Flagstar Pauls ESP, recorded in Deed Book 680 Dead vided therein, as last transferred to Flagstar Bank, FSB, recorded in Deed Book 689, Page 671, aforesaid records, will be sold at public outery to the highest bidder for cash before the courthouse door of Towns County, Georgia, or at such place as has or may be lawfully designated as an alternative location, within the legal hours of sale on the first Tuesday in July, 2022, all property described in said Security Deed including but not limited to the following described property:
All that tract or parcel of land lying and being in the 18th District, 1st Section, Land Lot 187, Towns County, Georgia, being Lot One (1),

187, Towns County, Georgia, being Lot One (1), containing 0.93 acres, more or less, and being more particularly described on a plat of survey by Tamrok Engineering, Inc., Tommy J. Phillips, R.S., dated August 9, 1993 and recorded at Plat Book 18, Page 78, Towns County, Georgia reserved which described to a solid late is inserted.

Book 18, Page 78, Towns County, Georgia re-cords, which description on said plat is incor-porated herein by reference hereto.

The property is subject to the road easements and all other matters and conditions as shown on the above referenced plat of survey.

The grantor grants to grantee a perpetual 20' foot road right of way for ingress and egress to the property to begin on Fodder Creek Road and run to the property along Lovingood Lane as shown on the above referenced plat of sur-vey.

vey.
The Property is also conveyed subject to Blue
Ridge Mountain EMC easement recorded in
Deed Book 121, Page 304, Towns County, Geor-

gia records.
Said property may more commonly be known as 2280 Lovingood Road, Hiawassee, GA 30546.

30546.
The debt secured by said Security Deed has been and is hereby declared due because of, among other possible events of default, non-payment of the monthly installments on said loan. The debt remaining in default, this sale will be made for the purpose of paying the same and all expenses of this sale, including attorney's fees (notice of intent to collect attorney's fees having been given). The individual or entity that has full authority to negotiate, amend and modify all terms of the loan is Flagstar Bank, 5151 Corporate Dring Town Manage.

of the loan is riagstar Bank, 5151 Corporate Drive, Troy, MI 48098. Said property will be sold on an "as-is" ba-sis without any representation, warranty or recourse against the above-named or the undersigned. The sale will also be subject to the following items which may affect the title: the following items which may affect the title: a) zoning ordinances; b) matters which would be disclosed by an accurate survey or by an inspection of the property; c) any outstanding ad valorem taxes, including taxes, which constitute liens upon said property whether or not now due and payable; d) special assessments; e) the right of redemption of any taxing authority; f) all outstanding bills for public utilities which constitute liens upon said property; g) all restrictive covenants, easements, rightsof-way and any other matters of record superior to said Security Deed. To the best of the knowledge and belief of the undersigned, the owners and narth in nosession of the property. knowledge and belief of the undersigned, the owners and party in possession of the property are Cassandra Banister and William P. Banister and or tenant(s). The sale will be conducted subject to 1) confirmation that the sale is not prohibited under the U.S. Bankruptcy code and final confirmation and audit of the status of the loan with the holder of the Security Deed.

Relation Will the Indice of the Security Beed. Flagstar Bank as Attorney-in-Fact for Cassandra Banister and William P. Banister Contact: Padgett Law Group: 6267 Old Water Oak Road, Suite 203, Tallahassee, FL 32312:

dok nody, Julie 203, Idilaliassee, PL 32312, (850) 422-2520 Ad Run Dates: 04/27/2022; 05/04/2022; 05/11/2022; 05/18/2022; 05/25/2022; 06/01/2022; 06/08/22; 06/15/22; 06/22/22;

06/29/22 T(Apr27-Jun29) IN THE JUVENILE COURT OF Towns COUNTY

STATE OF GEORGIA IN THE INTEREST OF: ELLA DODD DOB: 11-08-2014 SEX: FEMALE CHILD UNDER THE AGE ase no. 139-22.I-1a

NOTICE OF DEPENDENCY HEARING
TO: Kayla Bennett
By Order for Service by Publication dated the It day of May 2022, you are hereby notified that on February 24, 2022, 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 dependent. You are required to file with the as to the above-riamed critical alleging the Child is dependent. You are required to file with the Clerk of Juvenile Court, and to serve upon Special Assistant Attorney General William Mercer an answer in writing within sixty (60) days of the date of the Order for Service by Publication

tion.
The Court will conduct a final hearing upon the allegations of the Petition and enter an order of disposition on the 10th day of August, 2022 at 9:00 a.m., at the Towns County Courthouse, Hiawassee Georgia.
The child and other parties involved may be represented by a lawyer at all others of these

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 losted bin you may set for a lawyer to be as 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 Jeremy Clough, Judge of said Court, this the 11 day of May 2022 Jeremy Clough Jeremy Clough Jeremy Clough Honorable Jeremy Clough Judge, Juvenile Court Towns County, Georgia Enotah Judicial Circuit

#### IN THE PROBATE COURT OF TOWNS COUNTY STATE OF GEORGIA

IN RE:

IN RE: BRYAN WADE MCMILLAN, DECEASED ESTATE NO. 2022-P-045 NOTICE OF PETITION TO FILE FOR YEAR'S SUP-

PORT
The Petition of Tammy Alicia McMillan, for a
year's support from the estate of Bryan Wade
McMillan, Deceased, for Decedent's Surviving
Spouse, having been duly filed, all interested
persons are hereby notified to show cause, if

persons are nerealy notined to show cause, if any they have, on or before June 13, 2022, 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 the time stated in the preceding sentence. All objections should be sworn to before a notary public or before a Probate Court Clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact Probate Court personnel for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at later date. If no objections are filed the Petition may be granted without a hearing. David Rogers
Judge of the Probate Court By: Michelle Smith Clerk of the Probate Court 48 River St., Suite C Hiawassee, GA 30546 Address

Address 706-896-3467 Telephone Number

#### NOTICE OF INTENT TO INCORPORATE

Notice is given that the Articles of Incorpora-tion which will incorporate CHATUGE SNACK SHACK, LLC, a domestic limited liability com-SHACK, LLC, a domestic limited liability company with an address of 1516 Twin Forks Trail, Young Harris, GA 30582, has been delivered to the Secretary of State for filing in accordance with the applicable provisions of the Georgia Business Corporation Code. The initial registered office of the corporation will be located at 1516 Twin Forks Trail, Young Harris, GA 30582 and its initial registered agent at such address is Caroleen Woods.

Pamela Kendall Floyd, P.C. Attorney at Law PO Box 114 Hiawassee, Georgia 30546

IN THE PROBATE COURT OF TOWNS COUNTY STATE OF GEORGIA
IN RE: ESTATE OF CHARLES LEON WINDHAM, JR, DECEASED ESTATE NO. 2022-P-040
PETITION FOR LETTERS OF ADMINISTRATION NOTICE

TO: All Interested parties and to whom it may

TO: All Interested parties and to whom it may concern:
Wynde Windham Brooks has petitioned to be appointed administrator(s) of the estate of Charles Leon Windham, Jr, deceased, of said county. (The Petitioner has also applied for waiver of bond, waiver of reports, waiver of statements, 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 May 30, 2022.
BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the

BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a probate court clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact probate court personnel for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the Petition may be granted without a hearing. David Rogers Judge of the Probate Court By: Michelle Smith Clerk of the Probate Court 48 River St. Suite C

48 River St. Suite C Hiawassee, GA 30546 Address 706-896-3467 Telephone Number T(Mav4.11.18.25)

LEGAL NOTICE

Atlanta Gas Light Company is filing its Capacity Supply Plan under O.C.G.A. § 46-4-155 with the Georgia Public Service Commission ("Commission") on July 1, 2022, in Docket No. 44319. A copy of the Capacity Supply Plan wilde on file with the Commission once filed. The Georgia Public Service Commission will hold hearings on Wednesday, September 14, 2022 and Thursday, September 15, 2022, if necessary, at 9:30 a.m. at the Georgia Public Service Commission, Room 110, at 244 Washington Street S.W., Atlanta, Georgia 30334-5701 for the purpose of hearing evidence regarding the Capacity Supply Plan. In accordance with O.C.G.A. § 46-2-59(c), persons wishing to intervene must file a petition to intervene with the Commission within thirty (30) days of the first publication of this notice. This filing shall be made at the office of the Executive Secretary, Georgia Public Service Commission, 244 Washington Street, S.W., Atlanta, Georgia 30334-5701 fy you have a disability and will need assistance or accommodations to participate or need further information, please contact the Executive Director's Office, Georgia Public Service Commission at (404) 656-4501 or 1 (800) 282-5813 (inside Georgia only).

This notice is published in accordance with Ga. Comp. R. & Regs. 515-2-1-.04. Elizabeth Wade, Esq. Chief Counsel, Regulatory Affairs Atlanta Gas Light Company NT(May18)

IN THE PROBATE COURT OF TOWNS COUNTY STATE OF GEORGIA IN RE: ESTATE OF WILLIAM M. POWERS, DECEASED ESTATE NO. 2021-P-032

NUTICE [For Discharge from Office and all Liability] IN RE: Petition for Discharge of Personal Rep-

resentative TO: All Interested Parties, all and singular the heirs of said Decedent, the beneficiaries under

ners of said becedent, the beneficiaries under the will, 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 May 30, 2022. BE NOTIFIED FURTHER: All objections to the

BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a Probate Court Clerk, and filling fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact Probate Court personnel for the required amount of filling 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

De granted wintout a nearing David Rogers Judge of the Probate Court By: Michelle Smith Clerk of the Probate Court 48 River St. Suite C Hiawassee, GA 30546 706-896-3467

Case# 22-CV-57-JP
Notice is hereby given that LAYLA ELIZABETH
SOFIELD, the Petitioner, has filed a petition
to the Superior Court of Towns County, Georgia, on the 26th day of April 2022, praying for a change in the name of Petitioner's minor children from JERSEI ELIZABETH SOFIELD to children from JERSEI ELIZABETH SOFIELD to JERSEI ELIZABETH JONES and PAXTON ALLYN SOFIIELD to PAXTON ALLYN JONES. 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 changes. Objec-tions must be filed with said Court within 30 days of the filing of said petition as prescribed in OCGA Section 19-22-1(f)(2) and (3). This 26th day of April, 2022. Layla Elizabeth Sofield, 2558 Ruby Rd, Hiawassee, GA 30546. Cecil Dve

Cecil Dye Clerk of Court

NOTICE TO CREDITORS AND DEBTORS

NOTICE TO CHEDITORS AND DEBTORS
All creditors of the Estate of BLANCHE PEN-LAND OSBORNE deceased of Towns County,
Young Harris, Georgia are hereby notified to render their demands to the undersigned ac-cording to law; and all persons indebted to said Estate are required to make immediate payment to Lisa Alice Spoone as Executor of the Estate of Blanche Penland Osborne.

the Estate of Blanche Penland Osbor This 4th day of May 2022. Lisa Alice Spoone, Executor Estate of Blanche Penland Osborne P.O. Box 456 Hiawassee, GA 30546 Submitted by: Pamela Kendall Floyd, PC Attorney for Estate Attorney for Estate P.O. Box 1114 Hiawassee, GA 30546 T(Mav11.18.25.Jun1)

### STATE OF GEORGIA

COUNTY OF TOWNS
IN RE: ESTATE OF CLYDE ROSS FULLER, DE-CEASED NOTICE TO CREDITORS

All creditors of the Estate of Clyde Ross Fuller, deceased, late of Towns County, 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 me at 108 Blue Ridge Hwy., Ste 6, Blairsville, GA 30512. This 6 day of May, 2022 David E. Barrett Clyde Ross Fuller, Deceased David E. Barrett

Attorney at Law 108 Blue Ridge Highway, Suite 6, Blairsville, GA 30512

STATE OF GEORGIA **County of Towns** In Re: Estate of Dolores Vreeland Pierro DECEASED

DECEASED
NOTICE TO CREDITORS
All creditors of the Estate of Dolores Vreeland
Pierro, deceased, late of Towns County, 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 me at 108 Blue Ridge Hwy., Ste 6, Blairsville, GA 30512. This 1 day of April, 2022 David E. Barrett Dolores Vreeland Pierro, deceased David E. Barrett

David E. Barrett Attorney at Law 108 Blue Ridge Hwy., Ste 6, Blairsville, GA 30512 706-745-0250

**NOTICE TO CREDITORS AND DEBTORS** 

NOTICE TO CREDITORS AND DEBTORS
All creditors of the Estate of J.D. STEPHENS deceased of Towns County, Young Harris, 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 Ralph Stephen
Youngblood as Executor of the Estate of J.D.
STEPHENS

Youngblood as Executor of the Estat STEPHENS. This 4th day of May 2022. Ralph Stephen Youngblood, Executor Estate of J.D. Stephens 6486 Stephens Road Young Harris, 6A 30582 Submitted by: Pamela Kendall Floyd, PC Attorney for Estate PO. Box 1114 P.O. Box 1114 Hiawassee, GA 30546 T(May11,18,25,Jun1)

## IN THE SUPERIOR COURT OF TOWNS COUNTY STATE OF GEORGIA

VS.
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 37 OF THE 18TH
DISTRICT, 1ST SECTION, OF TOWNS COUNTY,
GEORGIA, CONTAINING 0.53 ACRES, MORE OR
LESS, BEING LOT 5 OF HIDDEN PINES R.V. AND
MOBILE HOME PARK SUBDIVISION, AND BEING MORE PARTICULARLY DESCRIBED ON THE AT-

DANIEL DORTA, MARSHA DORTA, and BANK OZK

VS.
ALL PERSONS UNKNOWN WHO CLAIM OR
MIGHT CLAIM ADVERSELY TO PETITIONER'S
TITLE IN THE ABOVE REFERENCED PROPERTY,

Respondents. CIVIL ACTION FILE NO. SUCV2022000050

CIVÍL ACTION FILE NO. SUCV2022000050
NOTICE OF PUBLICATION
TO: DANIEL DORTA, MARSHA DORTA, BANK
OZK, AS SUCCESSOR BY MERGER WITH COMMUNITY & SOUTHERN BANK, AS SUCCESSOR
IN INTEREST TO APPALACHIAN COMMUNITY
BANK, AS SUCCESSOR BY MERGER WITH FIRST
NATIONAL BANK OF UNION COUNTY, AND ALL
PERSONS UNKNOWN WHO CLAIM OR MIGHT
CLAIM ADVERSELY TO PETITIONER'S TITLE
YOU ARE NEVER VIOLENCE AND ANS STORY OF THE PROPER STORY OF THE PROPERSOR OF THE PROPERS

PERSONS UNKNOWN WHO CLAIM OR MIGHT CLAIM ADVERSELY TO PETITIONER'S TITLE YOU are hereby notified that the above styled action seeking to establish title to the below described property against DANIEL DORTA, MARSHA DORTA, BANK OZK, AS SUCCESSOR BY MERGER WITH COMMUNITY & SOUTHERN BANK, AS SUCCESSOR BY MERGER WITH COMMUNITY & SOUTHERN BANK, AS SUCCESSOR BY MERGER WITH FIRST TO APPALACHIAN COMMUNITY BANK, AS SUCCESSOR BY MERGER WITH FIRST TATIONAL BANK OF DINION COUNTY, AND ALL PERSONS UNKNOWN WHO CLAIM OR MIGHT CLAIM ADVERSELY TO PETITIONER'S TITLE was filed in the Superior Court of Towns County, Georgia, Enotah Judicial Circuit, and that by reason of order for service by publication you are hereby commanded to be and appear at said court within thirty (30) days of the date of the order for service by publication to answer said petition and file pleadings before the Court.
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 37 OF THE 18TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA, CONTAINING 0.53 ACRES, MORE OR LESS, BEING LOT 5, HIDDEN PINES R.V. AND MOBILE HOME PARK SUBDIVISION, SHOWN IN PLAT BOOK 8, PAGE 75, THE DESCRIPTION CONTAINED THEREIN BEING INCORPORATED HEREIN BY THIS REFERENCE, DESCRIBED IN DEED BOOK 137, PAGE 546, TOWNS COUNTY, GEORGIA RECORDS.

BEING KNOWN AS OR FORMERLY KNOWN AS 397 HIDDEN PINES COURT, HIAWASSEE, GA 30546.

PARCEL ID: 0028B 00000 004 000 001

PARCEL ID: 0028B 00000 004 000 001

PARICEL ID: 00288 00000 004 000 001 Cecil R. Dye Towns County Clerk of Superior Court Prepared by: P. Andrew Lowman Attorney for Petitioner 12 North Main Street Jasper, GA 30143 706-253-7701 T(May11,18,25,Jun1)

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
DENIIS BURKE to MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC. ("MERS") AS
NOMINEE FOR MOUNTAIN LAKES MORTGAGE,
INC. dead 04/27/2018, and Recorded on NOMINEE FOR MOUNTAIN LAKES MORTGAGE, INC., , dated 04/27/2018, and Recorded on 05/02/2018 as Book No. 611 and Page No. 828-843, TOWNS County, Georgia records, as last assigned to PENNYMAC LOAN SERVICES, LLC (the Secured Creditor), by assignment, conveying the after-described property to secure a Note of even date in the original principal amount of \$265,000.00, 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 highest bidder for cash at the TOWNS County Courthouse within the legal hours of sale on the first Twesday in June, 2022, the following described property: ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 33 & 34, 17TH DISTRICT, 1ST SECTION OF TOWNS COUNTY, GEORGIA, BEING LOT 31, CONTAINING 1.747 ACRES, MORE OR LESS, OF RIDGEVIEW MOUNTAIN AND AS SHOWN ON A PLAT OF SURVEY BY LANDTECH SERVICES, INC., JOHN W. BRUCH, RLS, #2907, DATED JULY 23, 2009 AT PLAT BOOK 38, PAGES 288, TOWN COUNTY, GEORGIA RECORDS, WHICH DESCRIPTION OF SAID PLAT BEING INCORPORATED HEREIN BY REFERENCE.

SAID PLAI BEING INCORPOYARIED
HEREIN BY REFERENCE.
THE PROPERTY IS CONVEYED WITH AND SUB-JECT TO THE INGRESS/EGRESS AND UTIL-ITY EASEMENT ALONG THE EXISTING ROADS AND ALL OTHER MATTERS AND CONDITIONS AS SHOWN ON ABOVE REFERENCED PLAT OF

AS SHOWN ON ABOVE REFERENCED PLAT OF SURVEY.

ALSO CONVEYED IS A PERPETUAL, NON-EX-CLUSIVE EASEMENT FOR INGRESS AND EGRESS FROM WINSTON LANE AND GEMINI SPRINGS ROAD OVER AND ACROSS THE PROPERTY INDENTIFIED AS LOT 30A OF RIDGEVIEW MOUNTAIN SUBDIVISION AND SHOWN ON A PLAT OF SURVEY BY LANE S. BISHOP & ASSOCIATES, RECORDED IN PLAT BOOK 40, PAGE 157, TOWNIS COUNTY, GEORGIA RECORDS AND AS MORE PARTICULARLY DESCRIBED IN THE DEED OF EASEMENT RECORDED IN DEED BOOK 564, PAGE 479, TOWNS COUNTY, GEORGIA RECORDS.

SUBJECT TO THE DECLARATION OF RESERVA-

SUBJECT TO THE DECLARATION OF RESERVA-TIONS, CONVENANTS AND RESTRICTIONS FOR RIDGEVIEW MOUNTAIN SUBDIVISION AS FILED

SUBJECT TO THE DECLARATION OF RESERVATIONS, CONVENANTS AND RESTRICTIONS FOR RIDGEVIEW MOUNTAIN SUBDIVISION AS FILED AND RECORDED IN DEED BOOK 397, PAGES 46-53, AMENDED AT DEED BOOK 435, PAGES 128-133, TOWNS COUNTY, GEORGIA RECORDS. SUBJECT TO THE EASEMENT TO BLUE RIDGE MOUNTAIN EMC AS FILED AND RECORDED AT DEED BOOK 389, PAGES 383-384, TOWNS COUNTY, GEORGIA RECORDS. SUBJECT TO THE WATER RIGHTS AS FILED AND RECORDED IN DEED BOOK V-1, PAGE 233, TOWNS COUNTY, GEORGIA RECORDS. 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). PENNYMAC LOAN SERVICES, LLC holds the duly endorsed Note and is the current assignee of the Security Deed to the property. PENNYMAC LOAN SERVICES, LLC may be contacted: PENNYMAC LOAN SERVICES, LLC as and TOWNSGATE ROAD, SUITE 200, WESTLAKE WILL AS ASSAS PENNYMAC LOAN SERVICES, LLC bear to modify the terms of the loan. To the best knowledge and belief of the undersigned, the party secured creditor is not required to amend or modify the terms of the loan. To the best knowledge and belief of the undersigned, the partyl parties in possession of the subject property known as 2996 GEMINI SPRINGS ROAD, YOUNG HARRIS, GEORGIA 30582 is/are: DENIIS BURKE 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 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 0.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 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 Ioan as provided in the preceding paragraph. PENNYMAC LOAN SERVICES, LLC as Attorney in Fact for DENIS BURKE. THIS LAW FIRM IS ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. 0000009470790 BAR-RETT DAFFIN FRAPPIER TUNNER & ENGEL, LLP 4004 Belt Line Road, Suite 100 Addison, Texas 75001 Telephone: (972) 341-5398.