

# Towns County Herald

## Legal Notices for December 16, 2015

**STATE OF GEORGIA  
COUNTY OF TOWNS  
NOTICE TO DEBTORS AND CREDITORS**  
RE: ESTATE OF RICHARD L. BROOKS  
All debtors and creditors of the estate of Richard L. Brooks, 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 25th day of November, 2015.

Debra Brooks, Personal Representative  
2087 Woodlake Lane, Young Harris 30582  
305-720-7837

T(Dec2,9,16,23)B

**NOTICE TO DEBTORS & CREDITORS**  
**STATE OF GEORGIA  
COUNTY OF TOWNS**  
RE: Estate of Thomas Lee Nelson  
All creditors of the Estate of Thomas Lee Nelson, 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 16th day of November, 2015  
Deanna K. Nelson, Personal Representative  
1402 Ivy Lane, Hiawassee, GA 30546  
706-896-6152

T(Nov25,Dec2,9,16)B

**NOTICE TO DEBTORS & CREDITORS**  
**STATE OF GEORGIA  
COUNTY OF TOWNS**  
RE: Estate of Juanita Benton Buice  
All creditors of the Estate of Juanita Benton Buice, 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 19th day of November, 2015  
Sheryl B. Fletcher, Personal Representative  
955 Chastain Mill Rd, Dawsonville, GA 30534  
706-265-2056

T(Nov25,Dec2,9,16)B

**NOTICE OF SUPERIOR COURT  
OF TOWNS COUNTY**  
Myra Byrd and Robert Byrd  
v. Robert L. Byrd and Tara Castro Dye  
Superior Court of Towns County: CAFN: 15-CV-141-SG  
TO: Tara Castro Dye  
By Order of the Court for Service by Publication dated November 25, 2015, you are hereby notified that on July 27, 2015, Myra Byrd and Robert Byrd filed a Complaint for Custody against you. You are required to file with the Clerk of the Superior Court, and to serve upon Plaintiff's Attorney Michelle Vaughan, P.O. Box 1657, Blairsville, Georgia 30514 an Answer in writing within sixty (60) days of November 25, 2015.

T(Dec16,23,30,Jan6)P

**IN THE SUPERIOR COURT OF TOWNS COUNTY  
STATE OF GEORGIA**  
Stacy D. Collins, Plaintiff  
vs.  
Paige E. Collins, Defendant  
Civil Action No: 15-CD-219MM 11-17-15  
Notice of Publication  
By order for service of publication dated the 17th day of November 2015, you are hereby notified that on the 17 day of November, 2015, Stacy D. Collins, filed suit against you for Divorce. You are required to file with the Clerk of the Superior Court, and serve upon the Plaintiff an answer in writing within sixty (60) days of the date of the order for publication.  
Witness, the Honorable Murphy Miller, Judge of the Superior Court  
This the 17 day of November 2015  
Cecil Dye, Clerk  
Towns County Superior Court

T(Nov25,Dec2,9,16)B

**NOTICE TO CREDITORS AND DEBTORS**  
RE: Estate of James Neal Boggs  
All creditors of the estate of JAMES NEAL BOGGS, 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 7th day of December, 2015.

Julie Ann Boggs Sims  
Executor Estate James Neal Boggs  
604 Green Meadows St., N.  
Colleyville, Texas 76034

T(Dec16,23,30,Jan6)B

**APPLICATION TO REGISTER A BUSINESS  
TO BE CONDUCTED UNDER TRADE NAME,  
PARTNERSHIP OR OTHERS**  
State of Georgia  
County of Towns  
The undersigned does hereby certify that Wael Ibrahim and Ramiz Mikhail conducting a business as Market K Group LLC in the City of Hiawassee, County of Towns, in the State of Georgia, under the name of Hiawassee Circle K, and that the nature of the business is Gas Station and that the names and addresses of the persons, firms, or partnership owning and carrying on said trade or business are Wael Ibrahim, 1020 Olde Roswell Grove, GA 30075 and Ramiz Mikhail, 2801 Royston Drive, Duluth, Georgia 30097.

T(Dec16,23)P

**NOTICE**  
Notice is given that Articles of Incorporation that will incorporate Enotah Properties Foundation, Inc. have been delivered to the Secretary of State for filing in accordance with the Georgia Nonprofit Corporation Code. The initial registered office of the corporation is located at 1 College Street, Young Harris, Georgia and its initial registered agent at such address is Cathy Cox.

T(Dec16,23)P

**STATE OF GEORGIA  
COUNTY OF TOWNS  
NOTICE TO DEBTORS AND CREDITORS**  
RE: ESTATE OF ROBERT EUGENE HENRY  
All debtors and creditors of the estate of ROBERT EUGENE HENRY, 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 11th day of December, 2015.  
Neil B. Huffine, Executor  
Address: 25732 Hemming Road  
South Bend, IN 46619

T(Dec16,23,30,Jan6)B

**ADVERTISEMENT FOR QUOTE**  
Hiawassee Sewer Plant – Nutrient Removal Building  
The City of Hiawassee is seeking estimates or quotes (“bids”) for the Construction of a Nutrient Removal Building and storage at the Hiawassee Sewer Plant. Estimates or Quotes for construction will be received by the City of Hiawassee, Georgia (OWNER), for furnishing all materials, labor, tools, equipment, and any other miscellaneous items necessary for construction.

Interested vendors or contractors should provide their quote to the City Manager at Hiawassee City Hall, 50 River Street, Hiawassee, Ga. 30546 until 10:00 a.m. on Monday, January 3, 2016. Any quote received after said time and date will not be considered by OWNER. In general, the building will be metal siding and roofed built on a concrete pad. Specifications and Construction Drawings may be reviewed at City Hall. For general information, you may call Rick Stancil, City Manager, 706-896-2203. CONTRACTORS and SUBCONTRACTORS bidding on this Project will be required to comply with all Federal, State, and local laws. OWNER reserves the right to waive any informality or to reject any or all Bids, to evaluate Bids, and to accept any Bid which in its opinion may be in the best interest of the OWNER. No Bid will be rejected without just cause.  
Barbara Mathis, Mayor

T(Dec16)B

**IN THE SUPERIOR COURT OF TOWNS COUNTY  
STATE OF GEORGIA**  
**NOTICE OF SERVICE BY PUBLICATION**  
CADCR/RADC Venture 2011-1, LLC v. Upper Hightower Ventures, LLC, et al.  
Civil Action File Number: 15-CV-150 MM  
TO: Isaiah Allen  
1589 Chatuge Shores Road  
Hiawassee, Georgia 30546  
You are hereby notified that on the 3rd day of August, 2015, Petitioner CADCR/RADC Venture 2011-1, LLC filed an Application for Confirmation and Approval of Foreclosure Sale and Acknowledgment of Report of Foreclosure Sale to confirm a Foreclosure Sale. By reason of Order dated October 22, 2015 allowing service of the Notice of Confirmation Hearing regarding the January 25, 2016 hearing before Judge Murphy Miller, you are hereby commanded and required to appear and show cause on January 25, 2016 why the Petitioner's Application for Confirmation and Approval of Foreclosure Sale should not be granted. You are required to file with the Clerk of Superior Court and to serve upon Petitioner's Attorneys, Matthew B. Ames and Walter E. Jones, an Answer in writing within sixty (60) days of the date of the order for service by publication.

WITNESS, the Honorable Murphy Miller, Judge of said Court.  
This 5 day of November, 2015.  
Clerk of Superior Court  
Towns County Courthouse  
48 River Street  
Hiawassee, Georgia 30546

T(Nov25,Dec2,9,16)B

**NOTICE OF INTENT TO  
VOLUNTARILY DISSOLVE A CORPORATION**  
Notice is given that a notice of intent to dissolve J.D. Tittle PC, a Georgia corporation with its registered office at 253 Big Sky Drive Hiawassee Ga 30546, has been delivered to the Secretary of State for filing in accordance with the Georgia Business Corporation Code.

T(Dec9,16)B

**REQUEST FOR PROPOSAL**  
The Mountain Regional Public Library System (MRLS) Board of Trustees requests proposals from Georgia state licensed contractors to construct renovations and an addition to the existing Mountain Regional Library at 698 Miller Street, Young Harris, GA. Contractor must have current Georgia Contractor's License. The Contractor shall provide all materials and services necessary in the performance of this RFP.

A pre-proposal meeting is scheduled for 10:00 a.m., December 18, 2015 in the existing Mountain Regional Library, 698 Miller Street, Young Harris, GA 30582.  
Proposals will be received by the MRLS, 698 Miller Street, Young Harris, GA until 4:00 p.m. local time on January 13, 2016. Late proposals will not be considered nor returned. Proposals will be formally accepted and acknowledged at the Mountain Regional Library System Headquarters by staff personnel. Proposals may not be withdrawn for ninety (90) days after the time and date set for closing, except as allowed by O.C.G.A. The MRLS reserves the right to reject any and all proposals and to waive any technicalities.  
RFP DOCUMENTS ARE AVAILABLE AT THE MRLS WEBSITE: www.mountainregionallibrary.org

T(Dec9,16,23,30)B

**NOTICE OF SALE UNDER POWER**  
**GEORGIA, TOWNS COUNTY**  
THIS IS AN ATTEMPT 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 Jeffrey S. Holden and Amanda H Holden to Mortgage Electronic Registration Systems, Inc. as nominee for Countrywide Bank, FSB, its successors and assigns, dated January 9, 2009, recorded in Deed Book 448, Page 179, Towns County, Georgia Records, as last transferred to Lakeview Loan Servicing, LLC by assignment recorded in Deed Book 540, Page 612, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of ONE HUNDRED TWENTY-SIX THOUSAND THREE HUNDRED SIXTEEN AND 0/100 DOLLARS (\$126,316.00), 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 January, 2016, 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. Lakeview Loan Servicing, LLC 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: M&T Bank , P.O. Box 1288, Buffalo, NY 14240 800-724-1633. To the best knowledge and belief of the undersigned, the party in possession of the property is Jeffrey S. Holden and Amanda H Holden or a tenant or tenants and said property is more commonly known as 1040 Soshayma Lane, 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. Lakeview Loan Servicing, LLC as Attorney in Fact for Jeffrey S. Holden and Amanda H Holden McCalla Raymer, LLC 1544 Old Alabama Road Roswell, Georgia 30076 www.foreclosurehotline.net EXHIBIT “A” ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 66, 17TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA, BEING SHOWN AS TRACT ONE §C\$ (1C), CONTAINING 1.0 ACRE, MORE OR LESS, AS SHOWN ON A PLAT OF SURVEY BY TAMROK ASSOCIATES, INC., R.L.S. # 2599, DATED MAY 28, 1997, AS RECORDED IN PLAT BOOK 19, PAGE 265, TOWNS COUNTY, RECORDS. THE DESCRIPTION ON SAID PLAT IS INCORPORATED HEREIN FOR A FULL AND COMPLETE DESCRIPTION OF THE PROPERTY HEREBY CONVEYED. TOGETHER WITH A PERPETUAL NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS TO THE ABOVE DESCRIBED PROPERTY ALONG THE 20 FOOT EASEMENT AS SHOWN ON SAID PLAT. SAID EASEMENT TO RUN FROM KERBY ROAD AS SHOWN ON SAID PLAT. SUBJECT TO THE 20 FOOT ROAD EASEMENT AS SHOWN ON SAID PLAT. SUBJECT TO THE POWER LINE EASEMENT AS SHOWN ON SAID PLAT. SUBJECT TO THE ROAD EASEMENT AGREEMENT RECORDED IN DEED BOOK 156, PAGE 204-206, TOWNS COUNTY, GEORGIA RECORDS. ALSO: ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 66, 17TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA, CONTAINING 0.095 ACRE, MORE OR LESS, AND BEING SHOWN AS PARCEL ONE (1) ON A PLAT OF SURVEY BY PATTERSON & DEWAR ENGINEERS, INC., DATED MARCH 12, 2002 AND RECORDED IN PLAT BOOK 27, PAGE 266, TOWNS COUNTY, RECORDS, WHICH DESCRIPTION ON SAID PLAT IS INCORPORATED HEREIN BY REFERENCE. MR/spg 1/5/16 Our file no. 5478514 - FT1

T(Dec9,16,23,30)B

**NOTICE OF SALE UNDER POWER**  
**GEORGIA, TOWNS COUNTY**  
THIS IS AN ATTEMPT 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 William Larry Cox to National City Mortgage a division of National City Bank of Indiana, dated June 26, 2006, recorded in Deed Book 376, Page 645, Towns County, Georgia Records, as last transferred to Deutsche Bank Trust Company Americas, as Trustee for Residential Accredited Loans, Inc., Mortgage Asset-Backed Pass-Through Certificates, Series 2006-QS12 by assignment recorded in Deed Book 573, Page 193, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of ONE HUNDRED SIX THOUSAND AND 0/100 DOLLARS (\$106,000.00), 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 January, 2016, 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. Deutsche Bank Trust Company Americas, as Trustee for Residential Accredited Loans, Inc., Mortgage Asset-Backed Pass-Through Certificates, Series 2006-QS12 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: 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 William Larry Cox or a tenant or tenants and said property is more commonly known as 7412 Spaniard Mountain Road, Hiawassee, Georgia 30546. 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. Deutsche Bank Trust Company Americas, as Trustee for Residential Accredited Loans, Inc., Mortgage Asset-Backed Pass-Through Certificates, Series 2006-QS12 as Attorney in Fact for William Larry Cox McCalla Raymer, LLC 1544 Old Alabama Road Roswell, Georgia 30076 www.foreclosurehotline.net EXHIBIT “A” The following described real property, to-wit: All that tract or parcel of land lying and being in the 19th District, 1st Section, Land Lots 34 and 35 of Towns County, Georgia, as shown on a plat of survey for William Larry Cox by Landtech Services, Inc., James L. Alexander, RLS, dated 9-05-03, as revised on 9-22-03 and on 10-09-03, and recorded in Plat Book 30, Page 244, of the Towns County Records, said plat being incorporated herein by reference; together with an easement of ingress and egress over, above and across the presently existing gravel road running to and from the abovedescribed property and Georgia State Hwy. 75, a portion of said roadway being shown on the aboverescribed plat survey. Subject to a noneasement over, above and across the roads and driveways shown on said plat; and that portion of the abovedescribed property which lies north of the centerline of the driveway (road) that bisects the property is subject to the subdivision restrictions on Hiawassee Wildemess dated 11-4-77, and recorded in Deed Book 60, Page 605 of the Towns County Records. Parcel Number 51-6 MR/jcs1 1/5/16 Our file no. 5373015 - FT8

T(Dec9,16,23,30)B

**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 that certain Home Equity Line Deed to Secure Debt from Carolyn J. Tyson (“Grantor”) in favor of Cadence Bank, N.A. (“Lender”), dated February 15, 2007 and recorded in Deed Book 401, page 17 in the offices of the Clerk of the Superior Court of Towns County, Georgia (as modified and/or amended from time to time, the “Deed to Secure Debt”), the undersigned will sell at public outcry before the door of the Courthouse of Towns County, Georgia during the legal hours of sale on the first Tuesday in January 2016 to the highest and best bidder for cash the following described property (the “Premises”), to wit:

All that tract or parcel of land lying and being in Land Lot 73, 18th District, 1st Section, Towns County, Georgia, containing a total of 0.838 acres and shown as Tract One (1) containing 0.811 acres and being Lot Six (6) of the Ernest H. Dowdy Subdivision, and Tract Two (2) containing 0.027 acre and being a part of Lot Seven (7) of the Ernest N. Dowdy Subdivision, as shown on a plat of survey by Tamrok Associates, Inc., dated 9/20/95 and recorded in Plat Book 20, Page 254 Towns County records, which description on said by is incorporated herein by reference.  
Subject to any easements, restrictions and rights-of-way of record, if any.  
Together with all present and future improvements and fixtures; all tangible personal property, including, without limitation, all machinery, equipment, building materials, and goods of every nature (excluding household goods) now or hereafter located on or used in connection with the real property, whether or not affixed to the land; all privileges, hereditaments, and appurtenances associated with the real property, whether previously or subsequently transferred to the real property from other real property or now or hereafter susceptible of transfer from this property to other real property; all leases, licenses and other agreements pertaining to the real property; all rents, issues and profits; all water, well, ditch, reservoir and mineral rights pertaining to the real property.  
TO HAVE AND TO HOLD all the aforesaid property, property rights, contract rights, equipment and claims (all of which are collectively referred to herein as the “Premises”) to the use, benefit and behoof of the Grantee, forever, in FEE SIMPLE.

The debt secured by the Home Equity Line Deed to Secure Debt is evidenced by a Home Equity Line of Credit Agreement dated February 15, 2007 from Grantor to Cadence Bank, N.A. in the original principal amount of \$95,000.00 (as modified, amended, restated, or replaced from time to time, 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 indebtedness evidenced by the Note has been accelerated and the Security Deed has been declared foreclosable according to its terms.

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 attorneys' fees, notice of intent to collect attorneys' fees having been given. Said property will be sold subject to any outstanding ad valorem taxes and/or assessments (including taxes which are a lien but are not yet due and payable), possible redemptive rights of the Internal Revenue Service, if any, any matters which might be disclosed by an accurate survey and inspection of the property, and any assessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed. 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 audit and confirmation of the status of the loan and collateral with the holder of the Security Deed.

To the best of the undersigned's knowledge and belief, the Premises are presently owned by Joseph Tyson, Henry Hodge, and Orlando Tyson. To the best of the undersigned's knowledge and belief, the parties in possession of the Premises are Joseph Tyson, Henry Hodge, and Orlando Tyson, and tenants holding under Joseph Tyson, Henry Hodge, and Orlando Tyson.  
Cadence Bank, N.A., as Attorney-in-Fact for Carolyn J. Tyson.  
Walter E. Jones, Esq.  
Balch and Bingham, LLP  
30 Ivan Allen Jr. Blvd., NW  
Suite 700  
Atlanta, Georgia 30308-3036  
(404) 962-3574  
THIS LAW FIRM IS ATTEMPTING TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

T(Dec9,16,23,30)B