

Towns County Herald

Legal Notices for March 15, 2017

**STATE OF GEORGIA
COUNTY OF TOWNS**
RE: ESTATE OF James B. Jones
NOTICE TO CREDITORS AND DEBTORS
All creditors of the estate of James B. Jones, 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 17th day of February, 2017.
Billie Bowers Jones
705 Bell Creed Road
Hiawassee, Georgia 30546
706-896-3974
T(Mar1,8,15,22)B

NOTICE TO DEBTORS AND CREDITORS
All creditors of the estate of Rex Avon Burrell, deceased, 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 22nd day of February, 2017.
Personal Representative: Peggy Keys Burrell
Address: 429 Scataway Road
Hiawassee, GA 30546
Phone: (706) 896-9964
T(Mar1,8,15,22)B

**STATE OF GEORGIA
COUNTY OF TOWNS**
NOTICE TO DEBTORS AND CREDITORS
RE: ESTATE OF MYRLA M. MCLAREN
All debtors and creditors of the estate of Myrla M. McLaren, 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 17th day of February, 2017.
Janelle D. Padinger, Executor
Address: 403 Glenview Court
Fort Atkinson, WI 53538
T(Feb22,Mar1,8,15)B

**STATE OF GEORGIA
COUNTY OF TOWNS**
NOTICE TO DEBTORS AND CREDITORS
RE: ESTATE OF MARION C. STANSELL
All debtors and creditors of the estate of Marion C. Stansell, 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 3rd day of March, 2017.
Joyce S. Geiger, Executor
Address: 1412 Holly Point Drive
Hiawassee, GA 30546
T(Mar8,15,22,29)B

**IN THE SUPERIOR COURT OF TOWNS COUNTY
STATE OF GEORGIA**
Shirlee Eller, Plaintiff
v.
Orlando Eller, Defendant
Civil Action Case No. 17-CV-11-RG
NOTICE OF PUBLICATION
TO: Orlando Eller
(LKA) 6699 Upper Hightower Road
Hiawassee, GA 30546
By Order for Service by Publication dated 14th day of February, 2017, You are hereby notified that on the 3rd day of February, 2017, the Plaintiff filed suit against you for Complaint for Divorce.
You are required to filed with the Clerk of the Superior Court of Towns County, and to serve upon Counsel for the Plaintiff: Kris-Ann Poe, 231 Chatuge Way, Hiawassee, Georgia an answer to the complaint within sixty (60) day of the date of the first publication and notice.
Witness the Honorable Raymond George, Judge of this Court.
This 23 day of February, 2017
T(Mar8,15,22,29)B

**IN THE PROBATE COURT
COUNTY OF TOWNS
STATE OF GEORGIA**
IN RE: ESTATE OF
DAVID LEE KUNZ, DECEASED,
ESTATE NO. 2017-13
NOTICE OF PETITION TO FILE FOR YEAR'S SUPPORT
The Petition of Virginia W. Kunz, for a year's support from the estate of David Lee Kunz, 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 April 10, 2017, 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 objections must be signed 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: Kerry L. Berrong
Clerk of the Probate Court
48 River St., Suite C
Hiawassee, GA 30546
Address
706-896-3467
Telephone Number
T(Mar15,22,29,Apr5)B

**IN THE SUPERIOR COURT OF TOWNS COUNTY,
STATE OF GEORGIA**
In Re: the name change of: David Kuykendall, Petitioner
Civil Action File #: 17-CV-37-RG
NOTICE OF PUBLICATION
You are hereby notified that on the 8 day of March, 2017, David Kuykendall, filed a Petition to Change Name in the Superior Court of Towns County. David Kuykendall desires to change his/her from David Fannin Kuykendall to Daniel Fannin Kuykendall. Any interested party has the right to appear in this case and file objections within 30 days after the Petition to Change Name was filed.
Signed this 8 day of March, 2017
Cecil Dye, Clerk of Superior Court, Towns County
David Kuykendall, Petitioner, Pro Se
4877 Upper Plott Town Road
Young Harris, GA 30582
706-994-1487
T(Mar15,22)P

**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 Margaret M Brooks and Thomas F Brooks to MetLife Home Loans, a division of MetLife Bank, N.A., dated June 24, 2009, recorded in Deed Book 458, Page 541, Towns County, Georgia Records and as re-recorded in Deed Book 469, Page 35, Towns County, Georgia Records, as last transferred to Nationstar Mortgage LLC d/b/a Champion Mortgage Company by assignment recorded in Deed Book 588, Page 485, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of NINE HUNDRED THIRTY-EIGHT THOUSAND TWO HUNDRED FIFTY AND 0/100 DOLLARS (\$938,250.00), 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 April, 2017, 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. Nationstar Mortgage LLC d/b/a Champion Mortgage Company is the holder of the Security Deed to the property in accordance with OCGA § 44-14-162.2. The entity that has full authority to negotiate, amend, and modify all terms of the mortgage with the debtor is: Champion Mortgage LLC, 8950 Cypress Waters Boulevard , Coppell, TX 75019 855-683-3095. To the best knowledge and belief of the undersigned, the party in possession of the property is Margaret M Brooks, Estate of Thomas F Brooks and Thomas F Brooks or a tenant or tenants and said property is more commonly known as 7081 Speese Drive, 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. Nationstar Mortgage LLC d/b/a Champion Mortgage Company as Attorney in Fact for Margaret M Brooks and Thomas F Brooks McCalla Raymer Leibert Pierce, LLC 1544 Old Alabama Road Roswell, Georgia 30076 www.foreclosurehotline.net EXHIBIT "A" All that parcel of land situate in Land Lot 21 and 19th District, Towns County and State of Georgia, being known and designated as Lot 84 and part of Lot 85, Hi River Country, Phase I and more fully described as ametes and bounds property. By fee simple deed from Margaret M. Brooks as set forth in Deed Book 455 Page 472 dated 5/19/2009 RECORDED 5/21/2009. Towns County Records, State of Georgia. Tax ID: 063A150 MR/mtj 4/4/17 Our file no. 5486816 - FT2
T(Mar8,15,22,29)B

**NOTICE OF SALE UNDER POWER,
TOWNS COUNTY**
Pursuant to the Power of Sale contained in a Security Deed given by Julie Maria Payne and Donnie H. Payne to Mortgage Electronic Registration Systems, Inc. as a nominee for Americas First Home Mortgage Co. dated 1/11/2007 and recorded in Deed Book 394 Page 469 Towns County, Georgia records; as last transferred to or acquired by Federal National Mortgage Association ("Fannie Mae"), a corporation organized and existing under the laws of the United States of America, conveying the after-described property to secure a Note in the original principal amount of \$ 305,000.00, with interest at the rate specified therein, there will be sold by the undersigned at public outcry to the highest bidder for cash before the Courthouse door of Towns County, Georgia (or such other area as designated by Order of the Superior Court of said county), within the legal hours of sale on April 04, 2017 (being the first Tuesday of said month unless said date falls on a Federal Holiday, in which case being the first Wednesday of said month), the following described property:
All that tract or parcel of land lying and being in Land Lot 121, 18th District, 1st Section, Towns County, Georgia and being all of Lot Four (4), containing 1.046 acres, more or less of the Kimsey Ridge Subdivision as more fully shown on a survey for Kimsey Ridge Subdivision, prepared by Northstar Land Surveying, Inc., registered surveyor, dated February 22, 2004, and recorded in Plat Book 34, Page 203, Towns County, Georgia records, which plat is by reference incorporated herein and made a part hereof.
Grantors further convey to Grantees a perpetual easement for ingress and egress of Fifty (50) feet over, thru and across Kimsey Ridge Road as shown on above referenced plat.
The above property is subject to those Restrictions as set forth on said referenced plat of survey and the Northwest corner of Lot Four (4) is subject to the Mountain Protections Act. The above property is also subject to those certain Covenants and Restrictions as recorded in Deed Book 337, Pages 785-789, Towns County, Georgia records.
The debt secured by said Security Deed has been and is hereby declared due because of, among other possible events of default, failure to pay the indebtedness as and when due and in the manner provided in the Note and Security Deed. The debt remaining in default, this sale will be made for the purpose of paying the same and all expenses of this sale, as provided in the Security Deed and by law, including attorney's fees (notice of intent to collect attorney's fees having been given).
Said property is commonly known as 508 Kimsey Ridge Road, , Hiawassee, GA 30546 together with all fixtures and personal property attached to and constituting a part of said property, if any. To the best knowledge and belief of the undersigned, the party (or parties) in possession of the subject property is (are): Julie Maria Payne and Donnie H. Payne or tenant or tenants.
Seterus, Inc. is the entity or individual designated who shall have full authority to negotiate, amend and modify all terms of the mortgage.
Seterus, Inc.
Loss Mitigation
PO Box 4121
Beaverton, OR 97076-4121
866.570.5277
Note, however, that such entity or individual is not required by law to negotiate, amend or modify the terms of the loan.
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) unpaid water or sewage bills that constitute a lien against the property whether due and payable or not yet due and payable and which may not be of record, (c) the right of redemption of any taxing authority, (d) any matters which might be disclosed by an accurate survey and inspection of the property, and (e) any assessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set out above.
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 O.C.G.A. Section 9-13-172.1, which allows for certain procedures regarding the rescission of judicial and non-judicial 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 loan as provided immediately above.
Federal National Mortgage Association ("Fannie Mae"), a corporation organized and existing under the laws of the United States of America as agent and Attorney in Fact for Julie Maria Payne and Donnie H. Payne
Aldridge Pite, LLP, 15 Piedmont Center, 3575 Piedmont Road, N.E., Suite 500, Atlanta, Georgia 30305, (404) 994-7637.
1168-4672A
THIS LAW FIRM MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. 1168-4672A
T(Mar8,15,22,29)B