

Towns County Herald

Legal Notices for August 13, 2014

NOTICE TO CREDITORS AND DEBTORS

All creditors of the estate of MARIE ALMA UNDERWOOD, a.k.a. MARIA L. UNDERWOOD, 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 20th day of June, 2014.

John Norman Underwood
1742 Underwood Road
Hiawassee, Georgia 30546

T(Jul23,30,Aug6,13)B

STATE OF GEORGIA

COUNTY OF TOWNS

NOTICE TO DEBTORS AND CREDITORS

RE: Estate of John Joseph Ewing

All debtors and creditors of the estate of John Joseph Ewing, 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 July, 2014
Marsha Lynne Ewing, Executor
1020 Shoshayma Lane
Young Harris, GA 30582

T(Jul30,Aug6,13,20)B

NOTICE TO DEBTORS AND CREDITORS

STATE OF GEORGIA

COUNTY OF TOWNS

RE: Estate of Joseph F. Murphy

All creditors of the estate of Joseph F. Murphy, deceased, late of Towns County, Georgia, are hereby notified to render their demands to the undersigned according to law, and all persons indebted to said estate are required to make immediate payment to the undersigned.

This 30th day of July, 2014

Dorin L. Murphy
Personal Representative
633 Bily Lane
Hiawassee, GA 30546

706-896-5681

T(Aug13,20,27)P

NOTICE TO DEBTORS AND CREDITORS

STATE OF GEORGIA

COUNTY OF TOWNS

RE: Estate of Susie R. Miles

All creditors of the estate of Susie R. Miles, deceased, late of Towns County, Georgia, are hereby notified to render their demands to the undersigned according to law, and all persons indebted to said estate are required to make immediate payment to the undersigned.

This 29th day of July, 2014

Janet Miles Masters
Personal Representative
PO Box 187,
Forest Park, GA 30298-0187

770-403-3894 / 706-896-3927

T(Aug13,20,27)P

NOTICE TO DEBTORS AND CREDITORS

STATE OF GEORGIA

COUNTY OF TOWNS

RE: Estate of Calvin James Hooper

All creditors of the estate of Calvin James Hooper, deceased, late of Towns County, Georgia, are hereby notified to render their demands to the undersigned according to law, and all persons indebted to said estate are required to make immediate payment to the undersigned.

This 5th day of August, 2014

Janna D. Akins, Attorney at Law
for Louise Hooper, Administrator
Personal Representative
PO Box 923,
Blairsville, GA 30514

706-745-0032

T(Aug13,20,27,Sept13)P

NOTICE OF INTENT TO VOLUNTARILY

DISSOLVE A CORPORATION

Notice is given that a notice of intent to dissolve The Terraces at Town Centre, Inc., a Georgia corporation, with its registered office at 150 South Main Street, Suite D, Hiawassee, Georgia 30546, has been delivered to the Secretary of State for filing in accordance with the Georgia Business Corporation Code.

(AUG13,20)B

NOTICE OF FILING OF

CERTIFICATE OF ASSUMED NAME

Notice is given that Thomas Oberhaus, proposing to engage in business in Towns County Georgia under an assumed name other than his individual name, has filed a Certificate of Assume Name in the Towns County Clerk's office as follows:

1. The name under which the business is to be conducted is: Tom's BBQ. The primary purpose of the business is the operation of a restaurant.

2. The name and address of the owner of such business is: Thomas Oberhaus: P.O. 813, Hiawassee, GA 30546.

Bruce L. Ferguson
Attorney for Thomas Oberhaus
P.O. Box 524
Hiawassee, GA 30546

T(Aug13)P

PROBATE COURT OF TOWNS COUNTY

RE: ESTATE OF CLARICE C. SORRELLS, FORMER WARD.

Date of Publication, if any: August 13, 2014
TO WHOM IT MAY CONCERN AND: All Interested Parties

The conservator of the above estate, has applied for Discharge from said trust. This is to notify the above interested party to show cause, if any they can, why said conservator should not be discharged from office and liability. All objections must be in writing, setting forth the grounds of any such objections, and filed with the above Probate Court, 48 River St., Suite C, Hiawassee, GA 30546, on or before September 15, 2014, said date being more than 30 days from the date of publication. All pleadings must be signed before a notary public or probate court clerk, and filing fees must be tendered with your pleadings, unless you qualify to file as an indigent party. Contact probate court personnel at the below address/telephone number for the required amount of filing fees.

If any objections are filed, a hearing will be scheduled for a later date. If no objections are filed, the petition may be granted without a hearing.

David Rogers
PROBATE JUDGE

By: Kerry L. Barrong
PROBATE CLERK/DEPUTY CLERK
48 River St., Suite C
Hiawassee, GA 30546

ADDRESS
706-896-3467

TELEPHONE

T(Aug13)B

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 Joseph Layfield to Mortgage Electronic Registrations Systems, Inc., as nominee for iFreedom Direct Corporation, its successors and assigns, dated June 30, 2011, recorded in Deed Book 496, Page 814, Towns County, Georgia Records, as last transferred to Bank of America, N.A. by assignment recorded in Deed Book 550, Page 354, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of ONE HUNDRED THIRTY-FIVE THOUSAND EIGHT HUNDRED FIFTY-NINE AND 0/100 DOLLARS (\$135,859.00) 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 September, 2014, 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 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.

Bank of America, N.A. 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: Bank of America, N.A., 7105 Corporate Drive, Plano, TX 75024, (661) 951-5100. To the best knowledge and belief of the undersigned, the party in possession of the property is Estate of Joseph Layfield and Joseph Layfield or a tenant or tenants and said property is more commonly known as 605 Somerset Hill East, 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. Bank of America, N.A. as Attorney in Fact for Joseph Layfield McCalla Raymer, LLC 1544 Old Alabama Road Roswell, Georgia 30076 www.foreclosurehotline.net MR/dt3 9/2/14 Our file no. 5388314-FT11 EXHIBIT "A" The Land referred to herein below is situated in the county of Towns, State of Georgia, and is described as follows: All that tract of Parcel of land lying and being in Land Lot 117, 17th District, 1st Section, Towns County, Georgia, and being shown on plat of survey by West Georgia Engineers & Surveyors, Inc. dated 11/08/80, recorded in Plat Book 7, Page 25, Towns County records and more particularly described as follows: Beginning at the intersection of Skyland Drive and Nature Trail, run thence along Skyland Drive S 53 49 W 145.2 feet; Thence leaving Skyland Drive N 28 13 W 129.7 feet to a point on Spring Hill Drive; Thence along Spring Hill Drive N 49 02 E 80.00 Feet; N 51 44 E 73.6 feet to a point on Nature Trail; Thence along Nature Trail in a Southeast Direction to the point of beginning. Subject to a Twenty-Five Foot (25) Right-Of-Way of Spring Hill Drive a fifteen-Foot (15) right-of-way of Nature Trail; and a Twenty-Five foot (25) right-of-way of Skyland Drive as shown on said plat

Parcel ID: 0015-008 Commonly known as 683 SOMERSET HILL EAST, Young Harris, GA 30582 However, by showing this address no additional coverage is provided MR/dt3 9/2/14 Our file no. 5388314 - FT11

T(Aug13,20,27)B

NOTICE OF SALE UNDER POWER

GEORGIA, TOWNS COUNTY

By virtue of the power of sale contained in a Security Deed from Faith Marlene Skinner to Mortgage Electronic Registrations Systems Inc., as nominee for SouthTrust Mortgage Corporation, its successors and assigns dated May 8, 2003 recorded in Deed Book 272, Page 469-486 , Towns County Records, and last assigned to JPMorgan Chase Bank, National Association, conveying the after-described property to secure a Note in the original principal amount of NINETY THOUSAND AND 00/100 (\$90,000.00), 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, during the legal hours of sale on the first Tuesday, September 2, 2014 the following described property, to wit: All that tract or parcel of land, situate, lying and being in Section 1, District 18, Land Lot 152, Towns County, Georgia, containing 0.90 acres and designated as Lot Six (6) of Shadow Mountain Subdivision, as shown on a plat of survey entitled "Survey for Shadow Mountain Subdivision", dated November 15, 1993, by Tommy J. Phillips, Tamrok Engineering, Registered Surveyors, as recorded in Plat Book 6 Page 277 in the office of the Clerk, Superior Court, Towns County, Georgia, said plat being incorporated by reference herein.

This conveyance is made subject to that certain easement to Blue Ridge Mountain Electric Membership Corporation recorded in Deed Book 125 Page 5, office of the Clerk of Superior Court, Towns County, Georgia. This conveyance is made further subject to those certain Reservations, Restrictions, Covenants and Conditions for Shadow Mountain Subdivision dated July 25, 1994 and recorded in Deed Book 129 Pages 70-72 Office of the Clerk of Superior Court, Towns County, Georgia. As amended in Deed Book 257 Pages 198-200 Towns County Records.

The Debt secured by said Security Deed has been and is hereby declared due because of nonpayment of the indebtedness when due and in the manner provided in the Note and Security Deed. The debt remaining in default, the sale will be made for the purpose of paying the same and all expenses of 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, 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 Faith Marlene Skinner or a tenant or tenants, and said property was or is commonly known as 1262 Shadow Mountain Road, Hiawassee, GA 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.

JPMorgan Chase Bank, National Association
As Attorney in Fact for
Faith Marlene Skinner
Martin & Brunavs
2800 North Druid Hills Rd.
Building B, Suite 100
Atlanta, GA 30329

(404) 982-0088

M&B File No.: 14-22047

Publication Dates: August 7, 14, 21, 28, 2014
THIS LAW FIRM IS ACTING AS A DEBT COLLECTOR, ATTEMPTING TO COLLECT A DEBT.

ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

T(Aug13,20,27)B

NOTICE OF SALE UNDER POWER

GEORGIA, TOWNS COUNTY

By virtue of the power of sale contained in a Security Deed from Kenneth M. Kelley and Darlene R. Kelley to JPMorgan Chase Bank, N.A. dated December 28, 2010 recorded in Deed Book 487, Page 461 , Towns County Records, and last assigned to JPMorgan Chase Bank, National Association A/K/A JPMorgan Chase Bank, N.A., conveying the after-described property to secure a Note in the original principal amount of ONE HUNDRED FIFTY-TWO THOUSAND THREE HUNDRED THIRTY AND 00/100 (\$152,330.00), 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, during the legal hours of sale on the first Tuesday, September 2, 2014 the following described property, to wit:

All that tract or parcel of land lying and being in Land Lots 90 & 91, 17th District, 1st Section, Towns County, Georgia, containing 1.01 acres, and being shown as Lot Eight (8) of The Woodlands Subdivision on a plat of survey by Landtech Services, Inc., RS #2907, dated 1/8/07, last revised 3/11/09 and recorded in Plat Book 38 pages 251-253 Towns County records, which description on said plat is hereby incorporated by reference and made a part hereof.

The property is subject to the road easements as shown on said plat.

The property is subject to the restrictions recorded in Deed Book 458 pages 331-333 Towns County records.

The property is subject to an easement to Blue Ridge Mountain EMC recorded in Deed Book 383 pages 699-700 Towns County records.

The property is subject to the 50 foot ingress-egress-utility easement as shown on said plat.

The property is subject to the set-back lines as shown on said plat.

The property is subject to all matters appearing on the above reference plat of survey. Grantor grants to grantee a non-exclusive easement along the subdivision roads for ingress and egress to the above property. The Debt secured by said Security Deed has been and is hereby declared due because of nonpayment of the indebtedness when due and in the manner provided in the Note and Security Deed. The debt remaining in default, the sale will be made for the purpose of paying the same and all expenses of 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, 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 Kenneth M. Kelley and Darlene R. Kelley or, a tenant or tenants, and said property was or is commonly known as 178 Redbud Lane, Hiawassee GA 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.

JPMorgan Chase Bank, National Association
A/K/A JPMorgan Chase Bank, N.A.
As Attorney in Fact for
Kenneth M. Kelley and Darlene R. Kelley
Martin & Brunavs
2800 North Druid Hills Rd.
Building B, Suite 100
Atlanta, GA 30329

(404) 982-0088

M&B File No.: 14-21922

Publication Dates: August 7, 14, 21, 28, 2014
THIS LAW FIRM IS ACTING AS A DEBT COLLECTOR, ATTEMPTING TO COLLECT A DEBT.

ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

T(Aug13,20,27)B

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 BLUE RIDGE OIL COMPANY INC. to UNITED COMMUNITY BANK, dated July 19, 2010, recorded July 28, 2010, in Deed Book 477, Page 717, Towns County, Georgia records, as modified by Modification of Security Deed dated April 19, 2012, recorded in Deed Book 513, Page 222, Towns County, Georgia records; also that certain Assignment of Rents dated November 28, 2011, recorded in Deed Book 505, Page 706, Towns County, Georgia records, said Security Deed being given to secure a Note from BLUE RIDGE OIL COMPANY INC. dated July 19, 2010, as modified, 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 September, 2014, the following described property:

All that tract or parcel of land, with improvements thereon, situate, lying and being in Section 1, District 18, Land Lots 234 and 254, Towns County, Georgia containing 0.95 acres, more or less, as shown on a plat of survey entitled "Survey for Mike & Mike, Inc.", dated January 12, 1990, by Tamrok Engineering, Inc., Tommy J. Phillips, Registered Surveyor, as recorded in Plat Book 13, Page 261, in the Office of the Clerk of the Superior Court of Towns County, Georgia, said plat being incorporated herein by reference for a more complete description.

Also: All inventory, accounts, equipment and fixtures, together with the following specifically described property: All inventory, equipment, furniture, fixtures used or useful in connection therewith the above business now existing and hereafter acquired; whether any of the foregoing is owned now or acquired later; all accessions, additions, replacements, and substitutions relating to any of the foregoing; all records of any kind relating to any of the foregoing; all proceeds relating to any of the foregoing (including insurance, general intangibles and other accounts proceeds).

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 BLUE RIDGE OIL COMPANY INC. or a tenant or tenants.

UNITED COMMUNITY BANK,
as attorney in Fact for BLUE RIDGE OIL COMPANY INC.

L. Lou Allen
Stites & Harbison, PLLC
520 West Main Street
Blue Ridge, Georgia 30513

(706) 632-7923

File No. 7484A-03677

T(Aug13,20,27)B