Towns County Herald

Legal Notices for October 24, 2012

NOTICE OF SALE UNDER POWER
GEORGIA, TOWNS COUNTY

Because of default in the payment of the indebtedness, secured by a Security Deed executed by Derek D Taylor and Mary Ann W Taylor to National City Mortgage Co. dated May 12, 2003 in the amount of $121,800.00, and recorded in Deed Book 273, Page 15, Towns County, Georgia Records; as last transferred to PNC Bank National Association by Trustee's Assignment, the undersigned, PNC Bank National Association pursuant to said deed and the note thereto secured, has declared the entire amount of said indebtedness due and payable and pursuant to the power of sale contained in said deed, will sell at public outcry, before the courthouse door in Towns County, on the first Tuesday during the legal hours of sale, at the Courthouse door in Towns County, sell at public outcry to the highest bidder for cash, the property described in said deed to wit:

All that tract or parcel of land lying and being in Land Lot 125, 17th District, 1st Section, Towns County Georgia, containing 2.413 acres as shown on a plat of survey by Terrell Associates, Inc., dated 9/24/96, recorded in Plat Book 24, page 164, Towns County Records, which description of said plat is incorporated herein by reference. The property is subject to the overhead power lines and power pole as shown on said plat.

which has the property address of 1988 Barnett Rd, Hiawassee, Georgia, together with all fixtures and other personal property covered by said deed.

The sale will be held subject to any unpaid taxes, assessments, rights-of-way, easements, protective covenants or restrictions, by certificate, and other matters of record which may affect said property.

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.

Notice has been given of intention to collect attorneys' fees in accordance with the terms of the note secured by said deed. Notice has been also given, in writing and by certified mail, return receipt requested to the borrower, of the name, address, and telephone number of the individual or entity who shall have full authority to negotiate, amend, and modify all terms of the Security Deed and the note thereby secured in addition to the O.C.G.A. Section 44-14-162.2(a).

Said property will be sold as the property of Derek D Taylor and Mary Ann W Taylor and the proceeds of said sale will be applied to the payment of said indebtedness, the expenses of said sale, all as provided in said deed, and the undersigned will execute a deed to the Grantee as provided in the aforementioned Security Deed.

PNC Bank National Association
Attorney in Fact for
Derek D Taylor and Mary Ann W Taylor
McCurdy & Candler, L.L.C.
(404) 373-1612
http://www.mccurdycandler.com
Towns County Herald
Publication Dates:09-27-2012, 10-04-2012, 10-11-2012, 10-18-2012, 10-25-2012. 11-01-2012, 11-08-2012, 11-15-2012, 11-22-2012, 11-29-2012
File No. 12-08123 /FRA/hsymore
THIS LAW FIRM IS ACTING AS A DEBT COLLECTOR AND IS ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.
TCHerald9,26,03,10,17,24,31,Nov7,14,21,2012

IN THE SUPERIOR COURT
TOWNS COUNTY
STATE OF GEORGIA
IN RE: Mary Eugenia Benson, Petitioner
Case No. 12-CV-315-55
NOTICE OF NAME CHANGE
Please take notice that on the 19th day of October 2012, filed a petition in the Superior Court of Towns County, Georgia seeking a name change from Mary Eugenia Benson to Jean M. Benson. Any interested or affected person has the right to appear and file objections. At the expiration of thirty (30) days from the filing of the Petition, upon proof of publication, and if no objection is filed, the Court will proceed to hear and determine all matters raised by said petition.
Kenya L. Patton
Attorney for Petitioner
Georgia Bar No. 567255
TCHerald10,24,Nov7,2012

NOTICE OF NAME CHANGE
OF TOWNS COUNTY
STATE OF GEORGIA
In the matter of Change of Name of Chantel Marie Jones
Civil Action File No.
Notice of Hearing on Change of Name
Notice of hearing gives notice to all interested persons that on October 1, 2012, the undersigned filed a petition for a Change of Name (the "Petition") in the Superior Court of Towns County, Georgia requesting the change of name of Chantel Marie Jones to Chantel Marie Watts.
Any interested persons or affected parties may file an objection to the Petition or appear at the hearing on the Petition in the Superior Court, Towns County.
Chantel Marie Jones
2171 Brown Cove
Hiawassee, GA 30546
TCHerald10,24,2012

NOTICE TO DEBTORS AND CREDITORS
STATE OF GEORGIA
TOWNS COUNTY
RE:Estate of Hugh Charles Hoodenpyle
All creditors of the estate of Hugh Charles Hoodenpyle, deceased, late of Towns County, are hereby notified to present the claims held by them against the undersigned accordingly to law, and all persons indebted to said estate are required to make immediate payment to the undersigned.
This the 2nd day of October, 2012
Charles David Hoodenpyle
Personal Representative
53 Hogpen Country Crossing
Morganton, GA 30560
706-897-2325
TCHerald10,17,24,31P

NOTICE OF PETITION TO CHANGE NAME
STATE OF GEORGIA
TOWNS COUNTY
Notice is hereby given that Thomas Rost Jr., the undersigned petitioner, has filed a petition in the Superior Court of Towns County, Georgia, on September 26, 2012, praying for a change in the name of petitioner from Thomas Reed Rost, Jr., to Thomas Bush. Notice is hereby given pursuant of said sale, all persons interested in said party to appear in said Court and to file objections to said name change. Objections must be filed with said Court within 20 days of publication of said petition.
This September 26, 2012
Thomas Reed Bush, Jr., Petitioner
TCHerald10,17,24,31P

NOTICE TO DEBTORS AND CREDITORS
STATE OF GEORGIA
COUNTY OF TOWNS
Notice is hereby given that Thomas Reed Bush, Jr., the undersigned petitioner, has filed a petition in the Superior Court of Towns County, Georgia, on September 26, 2012, praying for a change in the name of petitioner from Thomas Reed Bush, Jr., to Thomas Bush. Notice is hereby given pursuant of said sale, all persons interested in said party to appear in said Court and to file objections to said name change. Objections must be filed with said Court within 20 days of publication of said petition.
This September 26, 2012
Thomas Reed Bush, Jr., Petitioner
TCHerald10,17,24,31P

SUMMARY OF PROPOSED
CONSTITUTIONAL
AMENDMENT
Pursuant to requirements of the Georgia Constitution and Georgia Election Code, Secretary of State Brian P. Kemp, and Legislative Counsel Wayne G. R. Allen hereby provide the summaries of the proposed constitutional amendments that will appear on the November 6, 2012, general election ballot. The ballot will read: "Shall the people of Georgia (the short headings in bold print are the same as those assigned by the Constitutional Amendments Publication Board pursuant to O.C.G.A. Sec. 50-12-101):
- 1
Provides for improving student achievement and parental involvement through public charter school options.
House Resolution No. 1162
(L) 2012, p. 1384
"YES ( )
NO ( )
Shall the Constitution of Georgia be amended to allow state or local approval of public charter schools, when requested by local communities?"
This proposal authorizes the General Assembly to provide by law for the creation of public charter schools, which would operate under the terms of charters issued by the proposed new state charter and charter petitioners, while preserving the authority of local boards of education to establish local charter schools. Specifically, the proposal would allow authority for the General Assembly to provide for state-wide policies for public charter schools, prior to college or post-secondary level, restates existing law that local boards of education establish special schools, prohibits the creation of additional school districts as the sole consequence of the enrollment of students in state charter schools.
The General Assembly has enacted a law to be effective upon ratification of the proposed constitutional amendment to provide for a charter school commission, which, if it will become effective only if the constitutional amendment is ratified by the voters. This law is published at Georgia Laws 2012, p. 1298, Sec. 1, and was enacted by 2012 HB 797, Act No. 766.
The Attorney General has opined that the amendment is on file in the office of the judge of the probate court and is available for public inspection.
- 2
Allows the state to save taxpayer funds through multiyear real estate rental agreements.
Senate Resolution No. 64
(L) 2012, p. 1383
"( ) YES
( ) NO
Shall the Constitution of Georgia be amended to allow the state to enter into multiyear real estate agreements?"
This proposal authorizes the General Assembly to provide by law that the Properties Commission, the Board of Regents of the Universities System of Georgia and the Georgia Department of Labor to enter into multiyear leases for the possession and use of real property without being subjected to the limitations on the power of obligation the state may bear under the terms of any prior constitutional provision. Such agreement shall provide for the termination of the agreement in the event of insufficient funds.
The General Assembly has enacted a law to exercise the authority granted by the proposed constitutional amendment to provide for multiyear rental agreements for state agencies. This law is published in the Georgia Laws 2012, p. 989, and was enacted by 2012 HB 927, Act No. 767.
A copy of this entire proposed constitutional amendment is on file in the office of the judge of the probate court and is available for public inspection.
WSpin9/12,24,10/8

STATE OF GEORGIA
COUNTY OF TOWNS
NOTICE OF SALE UNDER POWER
By virtue of the power of sale contained in the Security Deed given by Debt from DAMON M. CROWDER and GINNY T. CROWDER to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. dated November 19, 2009, filed for record January 21, 2010, and recorded in Deed Book 468, Page 682, Towns County, Georgia Records; as last transferred to BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING, LP by assignment recorded in Deed Book 496, Page 796, Towns County, Georgia Records, corrective assignment recorded in Deed Book 497, Page 624, Towns County, Georgia Records. Said Deed to Secure Debt having been given to secure a note dated November 19, 2009 in the original principal sum of TWO HUNDRED FORTY FIVE THOUSAND TWO HUNDRED EIGHTY AND 0/100 DOLLARS ($245,280.00), with interest thereon at the rate stated in said Note on the principal balance from time to time due, to be sold by the undersigned at public outcry to the highest bidder for cash at the courthouse door of TOWNS County, Georgia, within the legal hours of sale on the first Tuesday in November, the property described in said Deed, to-wit: All that tract or parcel of land lying and being in Land Lot 191 of the 1st District, 1st Section, Towns County, Georgia, containing 0.75 acres, more or less, and shown on a plat of survey by Terrell Associates, Inc. Tony G. Kirby G.R.L.S. No.2988, dated 01/30/07 and recorded in Plat Book 36, Page 261, in the Towns County records which description on said plat is incorporated herein for reference. This conveyance is subject to all easements and restrictions of record, if any, and all ad valorem taxes for 2007 and subsequent years not yet due and payable. This being the same property conveyed to Todd L. Bishop by Warranty Deed from Hugh Dayton dated, 08/30/06 and recorded in Deed Book 362, Page 672 in the Towns County Records. MR/KS 11/16/12 Pub 10/24/12, 10/31/12, 11/7/12, 11/14/12, 11/21/12, 11/28/12 Sale Date 11/16/12 Tax Parcel 066 027 Property Address: 0 Hwy 76 Hiwassee, GA 30546 Grantee: Todd L. Bishop Mortgagor: Todd L. Bishop Loan Number: 0000 Minimum Bid: $ 2,000.00 Property Type: VACANT LAND
TCHerald10,17,24,31,Nov7,14P

STATE OF GEORGIA
COUNTY OF TOWNS
NOTICE OF SALE UNDER POWER
Because of a default in the payment of the indebtedness secured by a Security Deed executed by Donald G. Slepanek and Kathleen M. Estepa and Gilesda J. Henry to Mortgage Electronic Registration Systems, Inc., as nominee for the Lender, dated and recorded March 5, 2007, and recorded in Deed Book 388, Page 208, Towns County Records, said Security Deed having been last said assigned and transferred and conveyed to JPMorgan Chase Bank, National Association by assignment recorded in Deed Book, the original principal amount of $164,000.00, the holder thereof pursuant to said Deed and Note thereunder has declared the entire amount of said indebtedness due and payable and, pursuant to the power of sale contained in said Deed, will on the first Tuesday in November, 2012, the legal hours of sale, before the Courthouse door in said County, sell at public outcry to the highest bidder for cash, the property described in said Deed, to wit:
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 1711 DISTRICT, SECTION, LAND LOT 63, TOWNS COUNTY, GEORGIA, CONTAINING 0.76 ACRES, MORE OR LESS, AS SHOWN ON A PLAT OF SURVEY PREPARED BY G. GREGORY COATS SURVEYOR, DATED AUGUST 9, 1979, AND RECORDED IN PLAT BOOK 16, PAGE 16 OF THE TOWNS COUNTY, GEORGIA RECORDS, WHICH IS INCORPORATED HEREIN BY REFERENCE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: TO WIT: BEGINNING AT THE JUNCTION OF GEORGIA HIGHWAY #17/76 AND COUNTY ROAD 1711 (OLD AJAX MOODY HOLLOW ROAD (COUNTY ROAD #62); THENCE RUNNING NORTH 70 DEGREES 00 MINUTES, 00 SECONDS WEST 75 FEET TO AN IRON PIN AT A MAPLE STUMP; THE SAME BEING THE TRUE POINT OF BEGINNING; THENCE S 77 E 171 FEET TO A BIRCH TREE; THENCE S 7 W 200 FEET TO A SIGN CORNER; THENCE N 75 30 W 165 FEET TO AN IRON PIN AT A BEECH TREE; THENCE N 3 15 E 202 FEET TO THE TRUE POINT OF BEGINNING.
Said property is known as 1884 Moody Hollow, Hiawassee, Georgia 30546. Together with all fixtures and personal property attached to and constituting a part of the property, if any.
Said property will be sold subject to any outstanding ad valorem taxes (including taxes which are a lien, whether or not now due and payable), the right of redemption of any taxing authority, any matters which might be disclosed by an accurate survey and inspection of the property, any assessments, encumbrances, restrictions, covenants, and matters of record superior to the Security Deed first set out above.
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.
Said property will be sold as the property of DAMON M. CROWDER and GINNY T. CROWDER.
The entity having full authority to negotiate, amend or modify all terms of the mortgage with the debtor is BANK OF AMERICA, N.A., 7105 CORPORATE DR, PLANO, TX 75024-4100. Please understand that the secured creditor is not required to negotiate, amend, or modify the terms of the mortgage instrument.
Said property will be sold subject to any outstanding ad valorem taxes (including taxes which are a lien, whether or not now due and payable), the right of redemption of any taxing authority, any matters which might be disclosed by an accurate survey and inspection of the property, any assessments, encumbrances, restrictions, covenants, and matters of record superior to the Security Deed first set out above.
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.
Said property will be sold as the property of DAMON M. CROWDER and GINNY T. CROWDER.
BANK OF AMERICA, N.A. SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING, LP
As Attorney-in-Fact for
DAMON M. CROWDER
GINNY T. CROWDER
Phelan Hallinan PLC
303 Perimeter Center North, Suite 800
Atlanta, GA 30346
Telephone: 770-393-4300
Fax: 770-393-4310
PH # 10-02-00
This law firm is acting as a debt collector. Any information obtained will be used for that purpose.
EXHIBIT A
ALL THAT CERTAIN LOT OR PARCEL OF LAND SITUATE IN THE COUNTY OF TOWNS, STATE OF GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEING KNOWN AND DESIGNATED AS LAND LOTS 79 AND 75, 17TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA, CONTAINING 0.743 ACRES AND BEING LOT 6 OF HIGHLAND OAKS SUBDIVISION AS SHOWN ON A PLAT OF SURVEY BY RAMOND ASSOCIATES, INC. DATED JANUARY 17, 1997, REVISED MAY 15, 1997, RECORDED IN PLAT BOOK 23, PAGE 30 TOWNS COUNTY RECORDS WHICH DESCRIPTION ON SAID PLAT IS INCORPORATED HEREIN BY REFERENCE AND MADE A PART THEREOF.
THE IMPROVEMENTS THERE BEING KNOWN AS 80 7612 HIGHLAND OAKS DRIVE, TOWNS HARRIS, GA 30582
BEING THE SAME PROPERTY WHICH, BY DEED DATED JANUARY 30, 2009, AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS OF THE COUNTY OF TOWNS, GEORGIA, IN BOOK 449, PAGE 111, WAS GRANTED AND CONVEYED BY GINNY T. CROWDER UNTO GINNY T. CROWDER AND DAMON M. CROWDER.
TCHerald9,17,24,31P

STATE OF GEORGIA
COUNTY OF TOWNS
NOTICE OF SALE UNDER POWER
Because of default in the payment of the indebtedness, secured by a Security Deed executed by Donald G. Slepanek and Kathleen M. Estepa and Gilesda J. Henry to Mortgage Electronic Registration Systems, Inc., as nominee for the Lender, dated and recorded March 5, 2007, and recorded in Deed Book 388, Page 208, Towns County Records, said Security Deed having been last said assigned and transferred and conveyed to JPMorgan Chase Bank, National Association by assignment recorded in Deed Book, the original principal amount of $164,000.00, the holder thereof pursuant to said Deed and Note thereunder has declared the entire amount of said indebtedness due and payable and, pursuant to the power of sale contained in said Deed, will on the first Tuesday in November, 2012, the legal hours of sale, before the Courthouse door in said County, sell at public outcry to the highest bidder for cash, the property described in said Deed, to wit:
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 1711 DISTRICT, SECTION, LAND LOT 63, TOWNS COUNTY, GEORGIA, CONTAINING 0.76 ACRES, MORE OR LESS, AS SHOWN ON A PLAT OF SURVEY PREPARED BY G. GREGORY COATS SURVEYOR, DATED AUGUST 9, 1979, AND RECORDED IN PLAT BOOK 16, PAGE 16 OF THE TOWNS COUNTY, GEORGIA RECORDS, WHICH IS INCORPORATED HEREIN BY REFERENCE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: TO WIT: BEGINNING AT THE JUNCTION OF GEORGIA HIGHWAY #17/76 AND COUNTY ROAD 1711 (OLD AJAX MOODY HOLLOW ROAD (COUNTY ROAD #62); THENCE RUNNING NORTH 70 DEGREES 00 MINUTES, 00 SECONDS WEST 75 FEET TO AN IRON PIN AT A MAPLE STUMP; THE SAME BEING THE TRUE POINT OF BEGINNING; THENCE S 77 E 171 FEET TO A BIRCH TREE; THENCE S 7 W 200 FEET TO A SIGN CORNER; THENCE N 75 30 W 165 FEET TO AN IRON PIN AT A BEECH TREE; THENCE N 3 15 E 202 FEET TO THE TRUE POINT OF BEGINNING.
Said property is known as 1884 Moody Hollow, Hiawassee, Georgia 30546. Together with all fixtures and personal property attached to and constituting a part of the property, if any.
Said property will be sold subject to any outstanding ad valorem taxes (including taxes which are a lien, whether or not now due and payable), the right of redemption of any taxing authority, any matters which might be disclosed by an accurate survey and inspection of the property, any assessments, encumbrances, restrictions, covenants, and matters of record superior to the Security Deed first set out above.
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 secured creditor.
Said property will be sold as the property of DAMON M. CROWDER and GINNY T. CROWDER.
The entity having full authority to negotiate, amend or modify all terms of the mortgage with the debtor is BANK OF AMERICA, N.A., 7105 CORPORATE DR, PLANO, TX 75024-4100. Please understand that the secured creditor is not required to negotiate, amend, or modify the terms of the mortgage instrument.
Said property will be sold subject to any outstanding ad valorem taxes (including taxes which are a lien, whether or not now due and payable), the right of redemption of any taxing authority, any matters which might be disclosed by an accurate survey and inspection of the property, any assessments, encumbrances, restrictions, covenants, and matters of record superior to the Security Deed first set out above.
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.
The entity having full authority to negotiate, amend or modify all terms of the loan (although not required by law to do so) is: Bank of America, N.A. as successor by merger to BAC Home Loans Servicing, LP f/k/a Countrywide Home Loans Servicing, LP. Loss Mitigation Dept., 7105 Corporate Drive, PTX-B-209, Plano, TX 75024. Telephone Number: 800-730-3755 for and on behalf of the secured creditor.
BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING, LP
as Attorney in Fact for
ANTHONY J. SILVERS AND STEPHANIE SILVERS
THE BELOW LAW FIRM MAY BE HELD TO BE ACTING AS A DEBT COLLECTOR. UNDER FEDERAL LAW, IF SO, ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.
Attorney Contact: Rubin Lublin, LLC, 3740 Davinci Court, Suite 400, Norcross, GA 30092
Telephone Number: (877) 813-0992 Case No. <<1-11001-0008
Ad Run Dates 10/10/2012, 10/17/2012, 10/24/2012, 10/31/2012
www.rubinlublin.com/foreclosure-sales.php
TCHerald10,17,24,31,P

NOTICE OF SALE UNDER POWER
GEORGIA, TOWNS COUNTY

Because of default in the payment of the indebtedness, secured by a Security Deed executed by Ronald G Williams, Jr. and Linda G Page Williams to Mortgage Electronic Registration Systems, Inc. as nominee for Countrywide Home Loans Inc., its successors and assigns, dated Feb 28, 2006, in the amount of $200,000.00, and recorded in Deed Book 380, Page 52, Towns County, Georgia Records; as last transferred to Bank of America, N.A., successor by Merger to BAC Home Loans Servicing, LP f/k/a Countrywide Home Loans Servicing LP by assignment; the undersigned, Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP FKA