

Towns County Herald

Legal Notices for November 27, 2013

NOTICE TO CREDITORS AND DEBTORS

State of Georgia
County of Towns
RE: Estate of Robert A. O'Neill
All creditors of the estate of Robert A. O'Neill, 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 November, 2013.
Dell M. O'Neill
PO Box 859
Young Harris, GA 30582
706-435-7692
T(Nov13,20,27,Dec4)B

NOTICE TO CREDITORS AND DEBTORS

State of Georgia
County of Towns
RE: Estate of Sybil Ann Hall
All creditors of the estate of Sybil Ann Hall, 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 5th day of November, 2013.
Russell M. Stookey, Attorney at Law
Personal Representative
PO Box 310
Hiawassee, GA 30546
706-896-2241
T(Nov13,20,27,Dec4)B

NOTICE TO CREDITORS AND DEBTORS

State of Georgia
County of Towns
RE: Estate of Harold Monroe King
All creditors of the estate of Harold Monroe King, 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 13th day of November, 2013.
Gloria King
Personal Representative
4624 St. Hwy. 339
Young Harris, GA 30582
706-896-2045
T(Nov20,27,Dec4,11)B

NOTICE TO CREDITORS AND DEBTORS

State of Georgia
County of Towns
RE: Estate of Jack G. Shaw
All creditors of the estate of Jack G. Shaw, 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 19th day of November, 2013.
Linda M. Shaw
Personal Representative
574 River Street
Hiawassee, GA 30546
706-994-7050
T(Nov27,Dec4,11,19)B

NOTICE TO CREDITORS AND DEBTORS

State of Georgia
County of Towns
RE: Estate of Glenda Puett Wilson
All creditors of the estate of Glenda Puett Wilson, 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 19th day of November, 2013.
Bennett Keith Wilson
Personal Representative
314 Ruby Ridge Drive
Young Harris, GA 30582
770-714-3966
T(Nov27,Dec4,11,19)B

KNOW TO ALL MEN BY THESE PRESENTS:

Pursuant to the covenants and restrictions for the property known as Hiawassee River Camps further described as: located in the 18th District, 1st section, land lot 234 of Towns County and recorded in Book 372 Pages 204-210 in the Towns County Georgia Court house. The following modification to the covenant and restrictions for the Hiawassee River Camps has been approved by a 2/3 or greater vote of the current property owners pursuant to item #28 of the current covenants and restrictions for the Hiawassee River Camps Inc. and shall become part of said covenants and restrictions. #29 HOA fees will be due and payable on the first day of each quarter as set by the governing body. Delinquent accounts will be subject to 18% annual interest beginning on the 2nd day of each quarter. Delinquent accounts will be subject to disconnection from the sewage system owned and operated by the Hiawassee River Camps Home Owners Association on the 60th day of delinquency. A reconnection fee will be required in addition to all outstanding fees and interest prior to reconnection.
Dated this 13th day of November 2013
By Hiawassee River Camps Inc. President
T(Nov13,20,27,Dec4)B

NOTICE

On December 5, 2013, Young Harris College will hold a public meeting at 4 p.m. The meeting will be held in the conference room on the top floor of the Pruitt Barrett Building located at 1 College Street, Young Harris, GA 30582. The purpose of this meeting is to give Towns County citizens the opportunity to become acquainted with the New Resident Housing recently constructed at Young Harris College along with information on other development projects. Young Harris College is applying for financing through the USDA Community Facilities Program. Citizens will be able to ask questions and comment about the College's current projects, general refinancing, economic and environmental impacts, service area and alternatives to the projects. For more information or directions to the meeting please contact Betsy Settles at 706-379-5276.
T(Nov27)B

IN THE JUVENILE COURT OF TOWNS COUNTY STATE OF GEORGIA

IN THE INTEREST OF:
CLAIRE NATIONS
DOB: 03-28-2008
SEX: FEMALE
CASE NO. 139-13J-36A
ERIK NATIONS
DOB: 12-27-2006
SEX: MALE
CASE NO. 139-13J-37A
TYLER PERSALL
DOB: 06-18-1999
SEX: MALE
CASE NO. 139-13J-38A
a child under the age of eighteen years of age
NOTICE OF DEPRIVATION HEARING
TO: Valerie Morris, mother of the above-named children.
By Order for Service by Publication dated the 21st day of November, 2013, you are hereby notified that on October 28, 2013, 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 children alleging the children are deprived. You are required to file with the Clerk of Juvenile Court, and to serve upon Special Assistant Attorney General Alfred Chang, an answer in writing within sixty (60) days of the date of the Order for Service by Publication.
This Court will conduct a final hearing upon the allegations of the Petition and enter an order of disposition as to you on January 21, 2014, at 9:30 a.m., at the Union County Courthouse, Blairsville, Georgia.
The child or children and other parties involved may be 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 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. You must let the Court or the officer of this Court handling this case know that you want a lawyer immediately.
WITNESS, the Honorable Gerald Bruce, Judge of said Court, this 21st day of November, 2013.
Juvenile Judge Gerald W. Bruce
Towns County Juvenile Court
Enotah Judicial Circuit
T(Nov27,Dec4,11,19)B

IN THE JUVENILE COURT OF TOWNS COUNTY STATE OF GEORGIA

IN THE INTEREST OF:
CLAIRE NATIONS
DOB: 03-28-2008
SEX: FEMALE
CASE NO. 139-13J-36A
ERIK NATIONS
DOB: 12-27-2006
SEX: MALE
CASE NO. 139-13J-37A
a child under the age of eighteen years of age
NOTICE OF DEPRIVATION HEARING
TO: Darryl Nations, father of the above-named children.
By Order for Service by Publication dated the 21st day of November, 2013, you are hereby notified that on October 28, 2013, 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 children alleging the children are deprived. You are required to file with the Clerk of Juvenile Court, and to serve upon Special Assistant Attorney General Alfred Chang, an answer in writing within sixty (60) days of the date of the Order for Service by Publication.
This Court will conduct a final hearing upon the allegations of the Petition and enter an order of disposition as to you on January 21, 2014, at 9:30 a.m., at the Union County Courthouse, Blairsville, Georgia.
The child or children and other parties involved may be 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 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 Gerald Bruce, Judge of said Court, this 21st day of November, 2013.
Juvenile Judge Gerald W. Bruce
Towns County Juvenile Court
Enotah Judicial Circuit
T(Nov27,Dec4,11,19)B

IN THE JUVENILE COURT OF TOWNS COUNTY STATE OF GEORGIA

IN THE INTEREST OF:
BABY BOY HARWOOD
a/k/a john doe
DOB: 07-16-2013
SEX: MALE
child under age of eighteen YEARS
CASE NO. 139-13J-19A
NOTICE OF DEPRIVATION HEARING
TO: JOHN DOE, putative father of the above-named child.
By Order for Service by Publication dated the 24th day of October, 2013, you are hereby notified that on the 24th day of October, 2013, the Towns County Department of Family and Children Services, Georgia Department of Human Services, filed a Petition for Termination of Parental Rights against you as to the above-named child alleging that the child is deprived and that your parental rights to the child should be terminated. You are required to file with the Clerk of Juvenile Court, and to serve upon Special Assistant Attorney General Alfred Chang, an answer in writing within sixty (60) days of the date of the Order for Service by Publication.
This Court will conduct a final hearing upon the allegations of the Petition for Termination of Parental Rights against you on the 14th day of January, 2014, at 9:30 a.m. at the Towns County Courthouse, Hiawassee, Georgia.
The child and other parties involved may be 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 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 Gerald Bruce, Judge of said Court, this 24th day of October, 2013.
Judge Gerald W. Bruce
Towns County Juvenile Court
Enotah Judicial Circuit
T(Nov20,27,Dec4,11)B

IN THE PROBATE COURT COUNTY OF TOWNS STATE OF GEORGIA

IN RE: ESTATE OF
Richard E. Brinkmann, Sr., DECEASED
NOTICE
ESTATE NO. 2013-61
TO ALL AND WHOMEVER IT MAY CONCERN: Michael Brinkmann has petitioned to be appointed Executor of the estate of Richard E. Brinkmann, Sr. deceased, of said County. The Petitioner has also applied for waiver of bond 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 December 23, 2013. All pleadings/objections must be signed under oath before a notary public or before a probate court clerk, and filing fees must be tendered with your pleadings/objections, unless you qualify to file as an indigent party. Contact probate court personnel at the following address/telephone number 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/Deputy Clerk of the Probate Court
48 River St., Suite C
Hiawassee, GA 30546
Address
706-896-3467
Telephone Number
N(Nov27,Dec4,11,19)B

IN THE PROBATE COURT COUNTY OF TOWNS STATE OF GEORGIA

IN RE: ESTATE OF
Donald R. Fleury, DECEASED
PETITION FOR LETTERS OF ADMINISTRATION
NOTICE
ESTATE NO. 2013-69
TO: All known and unknown interested parties
Mitchell Fleury has petitioned to be appointed Administrator of the estate of Donald R. Fleury deceased, of said County. The Petitioner has also applied for waiver of bond 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 December 9, 2013. All pleadings/objections must be signed under oath before a notary public or before a probate court clerk, and filing fees must be tendered with your pleadings/objections, unless you qualify to file as an indigent party. Contact probate court personnel at the following address/telephone number 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/Deputy Clerk of the Probate Court
48 River St., Suite C
Hiawassee, GA 30546
Address
706-896-3467
Telephone Number
T(Nov13,20,27,Dec4)B

IN THE PROBATE COURT COUNTY OF TOWNS STATE OF GEORGIA

IN RE: ESTATE OF
Donald R. Fleury, DECEASED
PETITION FOR LETTERS OF ADMINISTRATION
NOTICE
ESTATE NO. 2013-69
TO: All known and unknown interested parties
Mitchell Fleury has petitioned to be appointed Administrator of the estate of Donald R. Fleury deceased, of said County. The Petitioner has also applied for waiver of bond 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 December 9, 2013. All pleadings/objections must be signed under oath before a notary public or before a probate court clerk, and filing fees must be tendered with your pleadings/objections, unless you qualify to file as an indigent party. Contact probate court personnel at the following address/telephone number 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/Deputy Clerk of the Probate Court
48 River St., Suite C
Hiawassee, GA 30546
Address
706-896-3467
Telephone Number
T(Nov13,20,27,Dec4)B

IN THE PROBATE COURT COUNTY OF TOWNS STATE OF GEORGIA

IN RE: ESTATE OF
Joan C. Fleury, DECEASED
PETITION FOR LETTERS OF ADMINISTRATION
NOTICE
ESTATE NO. 2013-68
TO: All known and unknown interested parties
Mitchell Fleury has petitioned to be appointed Administrator of the estate of Joan C. Fleury deceased, of said County. The Petitioner has also applied for waiver of bond 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 December 9, 2013. All pleadings/objections must be signed under oath before a notary public or before a probate court clerk, and filing fees must be tendered with your pleadings/objections, unless you qualify to file as an indigent party. Contact probate court personnel at the following address/telephone number 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/Deputy Clerk of the Probate Court
48 River St., Suite C
Hiawassee, GA 30546
706-896-3467
Telephone Number
T(Nov13,20,27,Dec4)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 Towns County Public Library at 99 S. Berrong Street, Hiawassee, GA. Contractor must have current Georgia Contractor's License. The Contractor shall provide all materials and services necessary in the performance of this RFP. Pre-proposal meeting is 10:00 a.m., November 13, 2013 in the existing Towns County Public Library, 99 S. Berrong St, Hiawassee, GA 30546. Proposals will be received by the MRLS, 698 Miller Street, Young Harris, GA until 4:00 p.m. local time December 2, 2013. Late proposals will neither be considered nor returned. Proposals will be formally accepted and acknowledged at the MRLS 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. MRLS reserves the right to reject any and all proposals and to waive any technicalities. RFP DOCUMENTS AVAILABLE AT THE MRLS WEBSITE: www.mountainregionallibrary.org
N(Nov6,13,20,27)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 Michelle L. Dings and William W. Dings to Mortgage Electronic Registration Systems, Inc. as nominee for Ampro Mortgage Corporation, dated July 26, 2005, recorded in Deed Book 342, Page 486, Towns County, Georgia Records, as last transferred to Nationstar Mortgage LLC by assignment to be recorded in the Office of the Clerk of Superior Court of, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of TWO HUNDRED SIXTEEN THOUSAND AND 0/100 DOLLARS (\$216,000.00), 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 December, 2013, 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 is the holder of the Note and 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: Nationstar Mortgage LLC, 350 Highland Drive, Lewisville, TX 75067, 888-850-9398x3705. To the best knowledge and belief of the undersigned, the party in possession of the property is Michelle L. Dings and William W. Dings or a tenant or tenants and said property is more commonly known as 2006 Bend Of The River, 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 as Attorney in Fact for Michelle L. Dings and William W. Dings McCalla Raymer, LLC 1544 Old Alabama Road Roswell, Georgia 30076 www.foreclosurehotline.net MR/mtj 12/3/13 Our file no. 5267513-FT2 EXHIBIT "A" All that certain tract or parcel of land lying and being in Land Lot 159 and 184, 18th District, 1st Section of Towns County, Georgia, and being shown as Lot 30, containing 1.041 acres, more or less (which includes the overlap area as shown a plat), of Victoria Woods Subdivision, as shown on a plat of survey prepared by Landtech Services, Inc., dated August 8, 2003, as recorded in Plat Book 30, Page 174, Towns County, Georgia records, said plat being incorporated herein by reference. This conveyance is subject to the restrictions of record as pertains to Victoria Woods Subdivision, recorded in Deed Book 94, Page 130 and Deed Book 94, Page 207, Towns County, Georgia records. This conveyance is subject to an easement to Blue Ridge Mountain EMC as recorded in Deed Book 93, Page 627, Towns County, Georgia records. This conveyance is subject to that certain easement between Fleming Investments, Inc. and Hal-Herrin, as recorded in Deed Book 282, Page 321, Towns County, Georgia records. This being a part of that same property conveyed unto LJR Promotions, LLC by Warranty Deed from Fleming Investment Properties, Inc. dated August 20, 2003, recorded August 21, 2003, in Deed Book 282, Page 323, in the Clerk of Court Office, Towns County, Georgia. GA5-0457 MR/mtj 12/3/13 Our file no. 5267513 - FT2
T(Nov6,13,20,27)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 WILLIAM G. CAMP and ANN M. CAMP to UNITED COMMUNITY BANK, dated December 14, 2010, recorded January 19, 2011, in Deed Book 488, Page 252, Towns County, Georgia records, said Security Deed being given to secure a Note from WILLIAM G. CAMP and ANN M. CAMP dated December 14, 2010, in the original principal amount of Twenty Seven Thousand Nine Hundred Twenty and 00/100 (\$27,920.00) Dollars, 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 December, 2013, the following described property:
All that tract or parcel of land lying and being in Land Lots 25 & 26, 17th District, 1st Section, Towns County, Georgia, and being shown as Lot Fifty-Eight (58) containing 0.87 acres, more or less of Meadow Brooke Subdivision, Phase II, on a plat of survey by Landtech Services, Inc., RS #2653, dated 3/9/07 and recorded in Plat Book 37, Pages 136-140, ("Plat") Towns County records, which plat and affidavit are by reference incorporated herein and made a part hereof.
Said property is conveyed with and subject to the road easements and right of ways as shown on said plat.
The property is subject to the restrictions recorded in Deed Book 411, Pages 209-229, Towns County records.
The property is subject to the easement to Blue Ridge Mountain EMC recorded in Deed Book 169, Page 786, Deed Book 296, Page 427 and in Deed Book 362, Page 659, Towns County records.
The property is subject to the set-back lines as shown on said plat.
The property is subject to easements for utilities including power, water, telephone, etc.
The property is subject to the reservation of the right to take and use water from the Brunerwhite Spring, situated upon the Harold Anderson 100 acre tract, together with a right of way for underground pipeline from said spring and property to adjoining property formerly owned by M.L. Fuller, part, together with the right to build a spring box and to keep same maintained in a sanitary condition so that water may be fit for human consumption and domestic purposes as recorded in Deed Book 125, Page 92, Towns County records.
The property is subject to the spring head set-back lines and other matters appearing on said Plat. A portion of the subdivision property is subject to an Easement granted to 3C Enterprises, Inc., for installation, repair, replacement, maintenance, alteration and operation of water mains or lines, as further described and recorded in Deed Book 328, Page 459, Towns County records.
Grantor grants to grantee a non-exclusive easement to and from State Highway 17 and thence along the subdivision roads for ingress and egress to the above property. Grantor grants to grantee a non-exclusive easement to and from Hall Road and thence along the subdivision roads for ingress and egress to the above property.
Grantor also grants to grantee access along or about the subdivision roads of Meadow Brooke Subdivision, Phase I and Phase II, as shown on the plat of survey recorded in Plat Book 35, Pages 245-247 (Phase I), and in Plat Book 37, Pages 136-140 (Phase II) Towns County records, for ingress and egress to the above property.
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, easements, 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 WILLIAM G. CAMP and ANN M. CAMP or a tenant or tenants. UNITED COMMUNITY BANK, as attorney in Fact for WILLIAM G. CAMP and ANN M. CAMP
L. Lou Allen
Stites & Harbison, PLLC
520 West Main Street
Blue Ridge, Georgia 30513
(706) 632-7923
File No. 7484A-03574
THIS LAW FIRM IS ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.
T(Nov6,13,20,27)B

NOTICE OF SALE UNDER POWER GEORGIA, TOWNS COUNTY

By virtue of a Power of Sale contained in that certain Security Deed from TONYA CHERI MCCARTER a/k/a TONYA C. MCCARTER AND JAMES MELVIN MCCARTER, JR. a/k/a JAMES M. MCCARTER, JR. to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR APPALACHIAN COMMUNITY BANK, dated August 23, 2007, recorded August 28, 2007, in Deed Book 414, Page 471-488, Towns County, Georgia Records, said Security Deed having been given to secure a Note of even date in the original principal amount of Two Hundred Ten Thousand and 00/100 dollars (\$210,000.00), with interest thereon as provided for therein, said Security Deed having been last sold, assigned and transferred to U.S. Bank Trust National Association, not in its individual capacity but solely as trustee for MountainView Mortgage II AIV, Trust A there will be sold at public outcry to the highest bidder for cash before the courthouse door of Towns County, Georgia, within the legal hours of sale on the first Tuesday in December, 2013, 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 LAND LOT 35, 18TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA, BEING SHOWN AS TRACT TWO (2) CONTAINING 2.030 ACRES ON A PLAT OF SURVEY PREPARED BY NORTHSTAR SURVEYING & MAPPING, INC., W. GARY KENDALL, R.L.S. #2788, DATED 09/28/06 AS RECORDED IN PLAT BOOK 36, PAGE 162 TOWNS COUNTY RECORDS, WHICH DESCRIPTION OF SAID PLAT IS INCORPORATED HEREIN BY REFERENCE AND MADE A PART HEREOF.
THE PROPERTY IS CONVEYED SUBJECT TO THE ROAD EASEMENT AS SHOWN ON THE ABOVE REFERENCED PLAT.
THE PROPERTY IS CONVEYED SUBJECT TO THE RIGHT OF WAY DEED AS RECORDED IN DEED BOOK 69, PAGE 266 TOWNS COUNTY RECORDS.
SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD.
Said legal description being controlling, however the property is more commonly known as 578 HOGSED RD, HIAWASSEE, GA 30546.
The indebtedness secured by said Security Deed has been and is hereby declared due because of default under the terms of said Security Deed and Note. The indebtedness remaining in default, this sale will be made for the purpose of paying the same, all expenses of the sale, including attorneys' fees (notice to collect same having been given) and all other payments provided for under the terms of the Security Deed and Note.
Said property will be sold on an "as-is" basis 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: 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; matters which would be disclosed by an accurate survey or by an inspection of the property; all zoning ordinances; assessments; liens; encumbrances; restrictions; covenants, and any other matters of record superior to said Security Deed.
To the best of the knowledge and belief of the undersigned, the owner and party in possession of the property is TONYA CHERI MCCARTER a/k/a TONYA C. MCCARTER AND JAMES MELVIN MCCARTER, JR. a/k/a JAMES M. MCCARTER, JR. or tenants(s). 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: ROUNDPOINT MORTGAGE SERVICING CORPORATION, Loss Mitigation Dept., 5032 Parkway Plaza Blvd, Charlotte, NC 28217, Telephone Number: 704-428-8621.
U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS TRUSTEE FOR MOUNTAINVIEW MORTGAGE II AIV, TRUST A as Attorney in Fact for TONYA CHERI MCCARTER A/K/A TONYA C. MCCARTER AND JAMES MELVIN MCCARTER, JR. A/K/A JAMES M. MCCARTER, JR. 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 150, Peachtree Corners, GA 30092
Telephone Number: (877) 813-0992 Case No. RMS-13-06851-1
Ad Run Dates 11/06/2013, 11/13/2013, 11/20/2013, 11/27/2013
www.rubinelublin.com/property-listings.php
T(Nov6,13,20,27)B

NOTICE OF SALE UNDER POWER GEORGIA, TOWNS COUNTY

Under and by virtue of the Power of Sale contained in that Deed to Secure Debt given by PAD PRINT CORPORATION to DON-DAL-CHI-NA, INC., being dated March 23, 2006, recorded in Deed Book 366 Pages 397-398, Towns County Georgia records, last assigned to Kenneth J. Mantovani, Jr. in Deed Book 543, pages 118-119 and Deed Book 543, page 120, Towns County, Georgia records; said Security Deed, securing a note dated March 23, 2006 from PAD PRINT CORPORATION to DON-DAL-CHI-NA, INC., in the original principal amount of \$114,892.53, with interest thereon as set forth therein, which debt is secured by the aforementioned Security Deed, there will be sold at public outcry to the highest bidder for cash before the courthouse door of Towns County, Georgia, within the legal hours of sale on the first Tuesday in December, 2013, the following described property:
"All that tract or parcel of land lying and being in Land Lot 13, 17th District, 1st Section, Towns County, Georgia being Unit 4093 (Part of Tract 18-II), as shown on a plat of survey by Northstar Surveying & Mapping, Inc., W. Gary Kendall, R.L.S. #2788 dated March 25, 2005 and recorded in Plat Book 34, Page 249 Towns County records which description on said plat is incorporated herein by reference and made a part hereof.
The property is subject to Declaration of Covenant, Restrictions and Easements as recorded in Deed Book 334, Pages 769-807 Towns County records. This Declaration of Condominium and above referenced plat shall be incorporated herein by reference for a more complete legal description.
Also conveyed herewith is a one-third (1/3) undivided interest in the common area as referenced on aforementioned survey to the above described property.
The property is subject to the right-of-way of State Route #339 as shown on the above referred to plat of survey.
The property is subject to easement granted to Blue Ridge Mountain Electric as recorded in Deed Book 286, Page 682 Towns County records.
Subject to any easements, restrictions, and rights-of-way of record.
Said property is located at 4093 Hwy 339, Young Harris, GA 30582."
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 attorneys' 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 matters which might be disclosed by an accurate survey and inspection of the property, any assessments, liens, encumbrances, zoning ordinances, easements, restrictions, covenants, and matters of record superior to the Security Deed, first set out above.
The individual or entity that has full authority to negotiate, amend, and modify all terms of the mortgage with the debtor is Kenneth J. Mantovani, Jr., PO BOX 569, Hiawassee, GA 30546; (706)-761-4339. 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 as the property of PAD PRINT CORPORATION.
To the best knowledge and belief of the undersigned, the party in possession of the property is PAD PRINT CORPORATION, or a tenant or tenants. Any person who occupies the property pursuant to a bona fide lease or tenancy may have additional rights pursuant to the federal Protecting Tenants at Foreclosure Act of 2009.
Kenneth J. Mantovani, Jr., as attorney in fact for PAD PRINT CORPORATION.
Bruce L. Ferguson
P.C. 150 S. Main Street, Ste. D
Hiawassee, GA 30546
(706)-896-9699
THIS LAW FIRM IS ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.
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