Towns County Herald

Legal Notices for December 27, 2023

NOTICE TO DEBTORS AND CREDITORS
RE: ESTATE OF Harold Earnest Smith
All debtors and creditors of the estate of Harold Earnest Smith, deceased, late of Towns County, 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.
This 1 day of December, 2023.
Amy K. Simonton
78 Warrior Way
Sharpsburg, GA 30277
404-918-1142
T(Dec6,13,20,27)

NOTICE TO DEBTORS AND CREDITORS
RE: ESTATE OF Helga Katzenberger Peters
All debtors and creditors of the estate of Helga Katzenberger Peters, deceased, late of Towns County, 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.
This 27 day of November, 2023.
Susan Brandvold
1107 Morningside Park Dr.
Johns Creek, GA 30022
404-543-2204
T(Dec6,13,20,27)

IN THE PROBATE COURT OF TOWNS COUNTY
STATE OF GEORGIA
IN RE: ESTATE OF
WILLIAM ARNOLD MORRISON,
DECEASED
ESTATE NO. 2022-P-083
NOTICE
[For Discharge from Office and all Liability]
IN RE: Petition for Discharge of Personal Representative
TO: All Interested Parties, all and singular the heirs of said Decedent, the beneficiaries under the will and to whom it may concern:
This is to notify you to file objection, if there is any, to the above-referenced Petition, in this Court on or before January 8, 2024
BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to 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: Kristen C. Roberts
Clerk of the Probate Court
48 River St. Suite C
Hiawassee, GA 30546
Address
706-896-3467
Telephone Number
T(Dec27)

IN THE PROBATE COURT OF TOWNS COUNTY
STATE OF GEORGIA
IN RE: ESTATE OF
PATRICIA LEE MORRISON,
DECEASED
ESTATE NO. 2022-P-084
NOTICE
[For Discharge from Office and all Liability]
IN RE: Petition for Discharge of Personal Representative
TO: All Interested Parties, all and singular the heirs of said Decedent, the beneficiaries under the will and to whom it may concern:
This is to notify you to file objection, if there is any, to the above-referenced Petition, in this Court on or before January 8, 2024
BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to 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: Kristen C. Roberts
Clerk of the Probate Court
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T(Dec27)

IN THE JUVENILE COURT OF TOWNS COUNTY
STATE OF GEORGIA
IN THE INTEREST OF:
B.W.
DOB: 08-06-2006
SEX: MALE
CHILD UNDER THE AGE
OF EIGHTEEN
case no. 139-23J-23A
NOTICE OF DEPENDENCY HEARING
TO: ELIZABETH WADE, mother of the above-named child
By Order for Service by Publication dated the 8th day of December, 2023, you are hereby notified that on the 1st day of December, 2023, the Towns County Department of Family and Children Services, Georgia Department of Human Services, filed a Petition for Termination of Parental Rights (Dependency) against you as to the above-named child alleging the child is dependent. You are required to file with the Clerk of Juvenile Court, and to serve upon Special Assistant Attorney General Stephany L. Zaic an answer in writing within sixty (60) days of the date of the Order for Service by Publication.
This Court will conduct a provisional hearing upon the allegations of the Petition at 8:45 a.m. on January 24, 2024 in the Towns County Courthouse, Hiawassee, Georgia.
This Court will conduct a final hearing upon the allegations of the Petition and enter an order of disposition at 9:00 a.m. on February 28, 2024 in the Union County Courthouse, Blairsville, 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 Jeremy Clough, Judge of said Court, this the 18th day of December, 2023.
Honorable Jeremy Clough
Judge, Juvenile Court
Towns County, Georgia
Enotah Judicial Circuit
T(Dec27,Jan3,10,17)

IN THE PROBATE COURT OF TOWNS COUNTY
STATE OF GEORGIA
IN RE: ESTATE OF
JOHNNIE LOUISE LANGFORD,
DECEASED
ESTATE NO. 2023-P-101
PETITION FOR LETTERS OF ADMINISTRATION
NOTICE
TO: All Interested parties and to whom it may concern:
LeeAnn Samples has petitioned to be appointed administrator of the estate of Johnnie Louise Langford deceased, of said county. The Petitioner has also applied for waiver of bond, waiver of reports, waiver of statements, 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 January 16, 2024.
BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to 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(Dec20,27,Jan3,10)

IN THE PROBATE COURT OF TOWNS COUNTY
STATE OF GEORGIA
IN RE: ESTATE OF
BRIDGET MELISSA SHOOK,
DECEASED
ESTATE NO. 2023-P-100
PETITION FOR LETTERS OF ADMINISTRATION
NOTICE
TO: All Interested parties and to whom it may concern:
Joshua Kirk Shook has petitioned to be appointed administrator of the estate of Bridget Melissa Shook, deceased, of said county. The Petitioner has also applied for waiver of bond, waiver of reports, waiver of statements, 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 January 16, 2024.
BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to 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: Kristen C. Roberts
Clerk of the Probate Court
48 River St. Suite C
Hiawassee, GA 30546
Address
706-896-3467
Telephone Number
T(Dec20,27,Jan3,10)

IN THE PROBATE COURT OF TOWNS COUNTY
STATE OF GEORGIA
IN RE: ESTATE OF
LINDA CAROL ARMSTRONG,
DECEASED
ESTATE NO. 2023-P-099
PETITION FOR LETTERS OF ADMINISTRATION
NOTICE
TO: All Interested parties and to whom it may concern:
Paul Duane Armstrong has petitioned to be appointed administrator of the estate of Linda Carol Armstrong, deceased, of said county. The Petitioner has also applied for waiver of bond, waiver of reports, waiver of statements, 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 January 16, 2024.
BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to 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: Kristen C. Roberts
Clerk of the Probate Court
48 River St. Suite C
Hiawassee, GA 30546
Address
706-896-3467
Telephone Number
T(Dec20,27,Jan3,10)

IN THE SUPERIOR COURT OF TOWNS COUNTY
STATE OF GEORGIA
MICHAEL ANDERSON, in official capacity as TAX COMMISSIONER OF TOWNS COUNTY, GEORGIA,
Petitioner,
v.
WILLIAM G. CHASE AND/OR HIS OR HER KNOWN OR UNKNOWN HEIRS AT LAW, ANY AND ALL PARTIES THAT MAY CLAIM AN INTEREST IN THE EXCESS FUNDS GENERATED FROM THE FEBRUARY 1, 2022 TAX SALE FOR TAX PARCEL: 00050-00000-009-000.,
Respondents.
CIVIL ACTION FILE NO. SUCV2023000075
NOTICE OF SERVICE BY PUBLICATION
To Respondents - William G. Chase And/Or His Or Her Known Or Unknown Heirs At Law; Any And All Parties That May Claim An Interest In The Excess Funds Generated From The February 1, 2022 Tax Sale For Tax Parcel: 00050-00000-009-000: Please take notice that Petitioner MICHAEL ANDERSON, in official capacity as TAX COMMISSIONER OF TOWNS COUNTY ("Petitioner") has filed a Summons and Petition for Interpleader in the Superior Court of Towns County, Georgia in the above-captioned case.
Respondents are hereby commanded to file their Answer to the Petition within 60 days of the date of the Order Directing Service by Publication, or by January 30, 2024, with the Clerk of Superior Court of Towns County, 48 River Street, Hiawassee, GA 30546, and serve a copy of their Answer on Petitioner's counsel Bradley A. Hutchins, at Weissman PC, One Alliance Center, 4th Floor, 3500 Lenox Road, NE, Atlanta, Georgia 30326.
[Signatures on following page]
Witness, the Judge of Towns County Superior Court.
This, 8th day of December, 2023.
By: Cecil Dye
Clerk of Superior Court of Towns County, Georgia
Prepared by:
D. Andrew Folkner
Georgia Bar No. 695599
Bradley A. Hutchins
GA Bar No. 380682
Counsel for Petitioner Michael Anderson,
in official capacity as Tax Commissioner
of Towns County
Weissman PC
One Alliance Center, 4th Floor
3500 Lenox Road, NE
Atlanta, Georgia 30326
(404) 9264500 | F 4600
T(Dec13,20,27,Jan3)

IN THE PROBATE COURT OF TOWNS COUNTY
STATE OF GEORGIA
IN RE: ESTATE OF
BON JERRY SUTTON,
DECEASED
ESTATE NO. 2023-P-094
NOTICE
IN RE: The Petition to Probate Will (and Codicil(s)) in Solemn Form in the above-referenced estate having been duly filed,
[For use if an heir is required to be served by publication]
TO:Jackson Zachariah Wheeler
[List here all heirs having unknown addresses to be served by publication]
This is to notify you to file objection, if there is any, to the Petition to Probate Will in Solemn Form, in this Court on or before January 2, 2024.
BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to 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: Kristen C. Roberts____
Clerk of the Probate Court
48 River Street, Suite C.
Hiawassee, GA 30546
Address
706-896-3467
Telephone Number
T(Dec6,13,20,27)

NOTICE
Notice is given that a notice of intent to dissolve UNION HILL UNITED METHODIST CHURCH OF HIAWASSEE, GEORGIA INC., a Georgia nonprofit corporation with its registered office at 275 Bell Creek Cove Road, Hiawassee, GA, 30546, will be delivered to the Secretary of State for filing in accordance with the Georgia Nonprofit Corporation Code.
T(Dec20,27)

STATE OF GEORGIA COUNTY OF TOWNS
NOTICE
Notice is hereby given that the business operated at 3676 US Hwy 76 Young Harris GA 30582, in the trade name of Young Harris Water Sports & RV, is owned and carried on by Hoffmann YHWS LLC whose address is 3676 US Hwy 76 Young Harris GA 30582 and the statement relating thereto required by Official Code of Georgia 10-1-490 has been filed with the Clerk of Superior Court of Towns County, Georgia. Guy Brandt, Partner of Berger Cohen & Brandt, 8000 Maryland Ave Ste 1550, Clayton MO 63105
T(Dec20,27)

STATE OF GEORGIA COUNTY OF TOWNS
NOTICE
Notice is hereby given that the business operated at 3676 US Hwy 76 Young Harris GA 30582, in the trade names of American Water Sports and Young Harris Water Sports, is owned and carried on by Hoffmann AWS LLC whose address is 3676 US Hwy 76 Young Harris GA 30582 and the statement relating thereto required by Official Code of Georgia 10-1-490 has been filed with the Clerk of Superior Court of Towns County, Georgia. Guy Brandt, Partner of Berger Cohen & Brandt, 8000 Maryland Ave Ste 1550, Clayton MO 63105
T(Dec20,27)

NOTICE OF SALE UNDER POWER
GEORGIA, TOWNS COUNTY
Under and by virtue of the Power of Sale contained in a Deed to Secure Debt given by Shirley Tressa Ditmore and Mark Thomas Ditmore to Mortgage Electronic Registration Systems, Inc. ("MERS") as nominee for Advanced Financial Services, Inc., dated February 18, 2005, and recorded in Deed Book 328, Page 524, Towns County, Georgia records, as last transferred to U.S. Bank National Association, not in its individual capacity but solely as indenture trustee, for the holders of the CIM Trust 2021-R1, Mortgage-Backed Notes, Series 2021-R1 by corrected Assignment recorded in Deed Book 708, Page 713, Towns County, Georgia records, conveying the after-described property to secure a Note of even date in the original principal amount of $110,000.00, 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, within the legal hours of sale on the first Tuesday in January, 2024, to wit: January 2, 2024, the following described property:
All that tract or parcel of land lying and being in Land Lot 23, 17th District, 1st Section, Towns County, Georgia containing 2.34 acres as shown on a plat of survey by Blairsville Surveying Co. dated March 5, 2001 and recorded in Plat Book 27, Page 114, Towns County Records, which description on said plat is incorporated herein by reference.
The debt secured by said Deed to Secure Debt 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 Deed to Secure Debt. 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 Deed to Secure Debt and by law, including attorney's fees (notice of intent to collect attorney's fees having been given).
Said property is commonly known as 2401 Lakeview Drive, Young Harris, GA 30582, together with all fixtures and personal property attached to and constituting a part of said property. To the best knowledge and belief of the undersigned, the party (or parties) in possession of the subject property is (are): Shirley Tressa Ditmore, as to life estate, and Mark Thomas Ditmore, as remainderman or tenant or tenants.
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) any matters which might be disclosed by an accurate survey and inspection of the property, and (c) all matters of record superior to the Deed to Secure Debt first set out above, including, but not limited to, assessments, liens, encumbrances, zoning ordinances, easements, restrictions, covenants, etc.
The sale will be conducted subject to (1) confirmation that the sale is not prohibited under the U.S. Bankruptcy Code; (2) O.C.G.A. Section 9-13-172.1; and (3) 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 nonjudicial 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 in the preceding paragraph.
Pursuant to O.C.G.A. Section 44-14-162.2, the entity that has full authority to negotiate, amend and modify all terms of the mortgage with the debtor is:
Select Portfolio Servicing, Inc.
Attention: Loss Mitigation Department
3217 S. Decker Lake Drive
Salt Lake City, Utah 84119
1-888-818-6032
The foregoing notwithstanding, nothing in OC.G.A. Section 44-14-162.2 shall be construed to require the secured creditor to negotiate, amend or modify the terms of the Deed to Secure Debt described herein.
This sale is conducted on behalf of the secured creditor under the power of sale granted in the aforementioned security instrument, specifically being
U.S. Bank National Association, not in its individual capacity but solely as indenture trustee, for the holders of the CIM Trust 2021-R1, Mortgage-Backed Notes, Series 2021-R1
as attorney in fact for
Shirley Tressa Ditmore and Mark Thomas Ditmore
Richard B. Maner, P.C.
180 Interstate N Parkway, Suite 200
Atlanta, GA 30339
404.252.6385
THIS LAW FIRM IS ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.
FC22-253
T(Dec6,13,20,27)