

# LEGAL NOTICE

**LEGAL NOTICE  
NORTH CAROLINA  
YANCEY COUNTY  
IN THE GENERAL  
COURT OF JUSTICE  
DISTRICT COURT  
DIVISION  
FILE NO. 17-CVD-97  
NOTICE OF  
SERVICE OF PROCESS  
BY  
PUBLICATION  
COUNTY OF YANCEY**

**Plaintiff,  
vs.  
The HEIRS, ASSIGNS,  
and DEVISEES of JAMES  
BURLESON, et al  
Defendants.**

TO: The HEIRS, AS-  
SIGNS, and DEVISEES of  
JAMES BURLESON and  
spouse, if any, or any other  
person or entity claiming there-  
under, The HEIRS, ASSIGNS,  
and DEVISEES of MYRTLE

BURLESON and spouse, if  
any, or any other person or  
entity claiming thereunder,  
The HEIRS, ASSIGNS, and  
DEVISEES of CHLOE BLAN-  
KENSHIP HOLCOMBE and  
spouse, if any, or any other  
person or entity claiming there-  
under, The HEIRS, ASSIGNS,  
and DEVISEES of STANLEY  
HOLCOMBE, and spouse,  
if any, or any other person or  
entity claiming thereunder,  
The HEIRS, ASSIGNS, and  
DEVISEES of HELEN AUS-  
TIN and spouse, if any, or any  
other person or entity claiming  
thereunder, The HEIRS, AS-  
SIGNS, and DEVISEES of  
IRENE AUSTIN and spouse,  
if any, or any other person or  
entity claiming thereunder, The  
HEIRS, ASSIGNS, and DE-  
VISEES of RAY BLANKEN-  
SHIP and spouse, if any, or any  
other person or entity claiming  
thereunder, The HEIRS, AS-  
SIGNS, and DEVISEES of  
GAY EUGENE BLANKEN-  
SHIP and spouse, if any, or any  
other person or entity claiming  
thereunder, The HEIRS, AS-  
SIGNS, and DEVISEES of  
GERALDINE BLANKENSHIP  
BALLEW and spouse, if any,  
or any other person or entity  
claiming thereunder, EUGENE  
BLANKENSHIP and spouse, if  
any, and any HEIRS, ASSIGNS,  
and DEVISEES of EUGENE  
BLANKENSHIP and spouse,  
if any, or any other person or  
entity claiming thereunder,  
TERESA BLANKENSHIP and  
spouse, if any, and any HEIRS,  
ASSIGNS, and DEVISEES  
of TERESA BLANKENSHIP  
and spouse, if any, or any other  
person or entity claiming there-  
under, and KATHY LEACH and  
spouse, if any, and any HEIRS,  
ASSIGNS, and DEVISEES of  
KATHY LEACH and spouse,  
if any, or any other person or  
entity claiming thereunder

A pleading seeking relief  
against you has been filed in  
the above-entitled action and  
notice of service of process by  
publication began on September  
5, 2018.

The nature of the relief be-  
ing sought is as follows: Fore-  
closure on tax parcel(s) more  
completely described in the  
Complaint, to collect delinquent  
ad valorem taxes (assessments).  
Plaintiff seeks to extinguish any  
and all claim or interest that you  
may have in said property.

You are required to make  
defense to such pleading not  
later than forty (40) days after  
the date of the first publication  
of notice stated above, exclusive  
of such date, being forty (40)  
days after September 5, 2018,  
or by October 15, 2018, and  
upon your failure to do so, the  
party seeking service of process  
by publication will apply to the  
Court for relief sought.

This the 29th day of Au-  
gust, 2018.  
MARK D. BARDILL  
Attorney for Plaintiff  
NC Bar #12852  
310 W. Jones St.  
P. O. Box 25  
Trenton, North Carolina  
28585  
(252) 448-4541  
Published September 5,  
12, 19, 2018

**Meals on Wheels  
Volunteers needed**

Meals on Wheels needs  
volunteers to deliver meals. any  
weekday from 10:30 to noon to  
Yancey County's shut-ins.  
For information call the  
Senior Center at 682-6011.

**LEGAL NOTICE  
NORTH CAROLINA  
YANCEY COUNTY  
IN THE GENERAL  
COURT OF JUSTICE  
DISTRICT COURT  
DIVISION  
BEFORE THE CLERK  
FILE NO. 18-SP-36  
IN THE MATTER OF  
THE FORECLOSURE  
OF THE DEED OF  
TRUST OF MORRIS LEE  
PETERSON and wife,  
BRENDA GAYLE  
PETERSON,  
Mortgagor, to  
Dale W. Hensley,  
Substitute Trustee for  
Charles Aldridge, Jr., and  
wife, Carole P. Aldridge,  
as recorded in Book 759,  
Page 393, Yancey  
County, N.C. Registry  
NOTICE OF SALE**

Under and by virtue of an  
Order made and entered by the  
Honorable Tammy R. McEn-  
tyre, Clerk of Superior Court of  
Yancey County, North Carolina,  
on June 26, 2018 and the power  
of sale contained in that certain  
Deed of Trust from Morris  
Lee Peterson and wife, Brenda  
Gayle Peterson, to Robert A.  
Phillips, Trustee, recorded in  
Book 759, Page 393, Yancey  
County, North Carolina, Reg-  
istry, the undersigned Dale W.  
Hensley, Substitute Trustee, will  
offer for sale at public auction to  
the highest bidder for cash at the  
Courthouse door in Burnsville,  
North Carolina, at 11:30 AM on  
Friday, September 21, 2018

the real estate conveyed in  
said Deed of Trust, the same  
lying and being in Burnsville  
Township, Yancey County,  
North Carolina, and more par-  
ticularly described as follows:

A certain lot or parcel of  
land situate in the Town of  
Burnsville, Yancey County,  
North Carolina, and more par-  
ticularly described as follows:

**TRACT I:**  
BEING ½ of Lot No. 5,  
Block 4, in the Grand View  
Addition to the Town of Burnsville,  
N.C. and to be run so as to in-  
clude the eastern half and to run  
said boundary herein conveyed  
run so as to include ½ of length-  
wise, the west line of the coal  
shed erected on said Lot No. 5.  
Also all of Lot No. 6, Block 4,  
of Grand View Addition to the  
Town of Burnsville as shown  
by map of said Addition which  
is duly recorded in the Office  
of the Register of Deeds for  
Yancey County in Deed Book  
60, Page 564, and for a more full  
and complete description of said  
land, reference is hereby made  
to said map.

**TRACT II:**  
BEING all of Lot No. 15,  
Block 4, of Grand View Addi-  
tion to the Town of Burnsville as  
shown by map of said Addition  
which is duly recorded in the  
Office of the Register of Deeds  
for Yancey County in Deed  
Book 60, Page 564, and for a  
more full and complete descrip-  
tion of said land, reference is  
hereby made to said map. Also  
one-half of Lot No. 16, Block 4,  
said boundary to run as to  
include the eastern half of said  
Lot 16.

SUBJECT to the right of  
way of Hwy 19-E to its full  
legal width.

For further reference see  
Deed Book 759, Page 390,  
Yancey County Registry.

(a) This lot or parcel of land  
shall be offered to the highest  
bidder for cash, and will remain  
open for ten (10) days for upset  
bids.

(b) The purchaser shall  
assume payment of all 2018, et  
seq., ad valorem taxes.

(c) The successful bidder  
at the sale shall be required to  
make a 5% deposit to secure the  
faithful performance of his bid,  
with a minimum of \$750.00.

(d) That an order for pos-  
session of the property may be  
issued pursuant to G.S. 45-  
21.29 in favor of the purchaser  
and against the party or parties  
in possession by the clerk of  
superior court of the county in  
which the property is sold

(e) Any person who oc-  
cupies the property pursuant to  
a rental agreement entered into  
or renewed on or after October  
1, 2007, may, after receiving  
the notice of sale, terminate the  
rental agreement by providing  
written notice of termination to  
the landlord, to be effective on a  
date stated in the notice that

is at least 10 days, but no more  
than 90 days, after the sale date  
contained in the notice of sale,  
provided that the mortgagor has  
not cured the default at the time  
the tenant provides the notice of  
termination. The notice shall  
also state that upon termination  
of a rental agreement, the ten-  
ant is liable for rent due under  
the rental agreement prorated  
to the effective date of the ter-  
mination.

This the 30th day of Au-  
gust, 2018.

Dale W. Hensley, Substi-  
tute Trustee  
Post Office Box 1570  
347 E US Highway 19E  
Bypass  
Burnsville, NC 28714  
Telephone: (828)682-2474  
Fax: (828)678-3574  
Published September 5,  
12, 2018.

**LEGAL NOTICE  
IN THE GENERAL  
COURT OF JUSTICE  
OF NORTH  
CAROLINA  
SUPERIOR COURT  
DIVISION  
YANCEY COUNTY  
16SP9  
IN THE MATTER OF  
THE FORECLOSURE OF A  
DEED OF TRUST  
EXECUTED BY  
GUENTHER PENNER AND  
TRIXANNA P. PENNER  
DATED OCTOBER 4,  
2005 AND RECORDED IN  
BOOK 504 AT PAGE 102 IN  
THE YANCEY COUNTY  
PUBLIC REGISTRY,  
NORTH CAROLINA  
NOTICE OF SALE**

Under and by virtue of the  
power and authority contained  
in the above-referenced deed  
of trust and because of default  
in the payment of the secured  
indebtedness and failure to  
perform the stipulation and  
agreements therein contained  
and, pursuant to demand of the  
owner and holder of the secured  
debt, the undersigned substitute  
trustee will expose for sale at  
public auction to the highest  
bidder for cash at the usual place  
of sale at the county courthouse  
of said county at 10:00AM on  
September 24, 2018 the follow-  
ing described real estate and any  
other improvements which may  
be situated thereon, in Yancey  
County, North Carolina, and be-  
ing more particularly described  
as follows:

BEGINNING on an iron  
stake located in the southwest  
corner of the lands herein de-  
scribed the same being a com-  
mon corner with Engman Lands;  
thence running N 05° 02' 57" E  
572.06 feet to an iron stake;  
thence N 82° 52' 37" W 246.71  
feet to an iron stake; thence N  
01° 34' 08" E 412.50 feet to an  
iron stake; thence S 77° 31' 46"  
E 1034.83 feet to an unmarked  
point; thence S 14° 47' 33" E  
684.18 feet; thence S 82° 43'  
46" W 1010.06 feet to the point  
of BEGINNING and containing  
18.520 acres and being Tract B  
as shown on a Map prepared by  
Jim Hughes & Associates, PLS  
#L-3515, and designated as Job  
File No. 99022-C102.

And Being more common-  
ly known as: 1507 Halls Chapel  
Rd, Burnsville, NC 28714

The record owner(s) of  
the property, as reflected on  
the records of the Register of  
Deeds, is/are Quiet Reflections  
Retreat Inc.

The property to be of-  
fered pursuant to this notice of  
sale is being offered for sale,  
transfer and conveyance "AS  
IS, WHERE IS." Neither the  
Trustee nor the holder of the  
note secured by the deed of  
trust, being foreclosed, nor the  
officers, directors, attorneys,  
employees, agents or authorized  
representative of either Trustee  
or the holder of the note make  
any representation or warranty  
relating to the title or any phys-  
ical, environmental, health or  
safety conditions existing in,  
on, at or relating to the property  
being offered for sale. Any and  
all responsibilities or liabilities  
arising out of or in any way  
relating to any such condition  
expressly are disclaimed. This  
sale is made subject to all prior  
liens and encumbrances, and  
unpaid taxes and assessments  
including but not limited to any  
transfer tax associated with the  
foreclosure. A deposit of five  
percent (5%) of the amount of

the bid or seven hundred fifty  
dollars (\$750.00), whichever  
is greater, is required and must  
be tendered in the form of  
certified funds at the time of  
the sale. This sale will be held  
open ten days for upset bids as  
required by law. Following the  
expiration of the statutory upset  
period, all remaining amounts  
are IMMEDIATELY DUE AND  
OWING. Failure to remit funds  
in a timely manner will result  
in a Declaration of Default  
and any deposit will be frozen  
pending the outcome of any re-  
sale. If the sale is set aside for  
any reason, the Purchaser at the  
sale shall be entitled only to a  
return of the deposit paid. The  
Purchaser shall have no further  
recourse against the Mortgagor,  
the Mortgagee, the Substitute  
Trustee or the attorney of any  
of the foregoing.

SPECIAL NOTICE FOR  
LEASEHOLD TENANTS: If  
you are a tenant residing in  
the property, be advised that  
an Order for Possession of the  
property may be issued in favor  
of the purchaser. Also, if your  
lease began or was renewed  
on or after October 1, 2007, be  
advised that you may terminate  
the rental agreement upon writ-  
ten notice to the landlord, to be  
effective on a date stated in the  
notice that is at least 10 days, but  
no more than 90 days, after the  
sale date contained in the notice  
of sale, provided that the mort-  
gagor has not cured the default  
at the time notice of termination  
is provided. You may be liable  
for rent due under the agreement  
prorated to the effective date of  
the termination.

The date of this Notice is  
August 3, 2018.

Satterfield Legal, PLLC  
Substitute Trustee  
10130 Perimeter Parkway,  
Suite 400  
Charlotte, NC 28216  
(704) 333-8107  
<http://shapiroattorneys.com/nc/>  
16-077640  
Published September 12,  
19, 2018

**LEGAL NOTICE  
SUBSTITUTE TRUSTEE'S  
NOTICE OF  
FORECLOSURE SALE OF  
REAL PROPERTY  
THIS ACTION BROUGHT  
PURSUANT TO THE POWER  
AND AUTHORITY CONTAINED  
WITHIN THAT CERTAIN DEED OF  
TRUST EXECUTED AND DELIVERED  
BY CHLOE W. HUGHES DATED DE-  
CEMBER 23, 2011 AND RECORDED  
ON DECEMBER 29, 2011 IN BOOK  
661 AT PAGE 223 IN THE OFFICE  
OF THE REGISTER OF DEEDS OF  
YANCEY COUNTY, NORTH CAROLINA.  
AS A RESULT OF A DEFAULT IN THE  
OBLIGATIONS CONTAINED WITHIN  
THE PROMISSORY NOTE AND DEED  
OF TRUST AND THE FAILURE TO CARRY  
OUT AND PERFORM THE STIPULA-  
TIONS AND AGREEMENTS CONTAINED  
THEREIN, THE HOLDER OF THE INDEBT-  
EDNESS SECURED BY SAID DEED OF  
TRUST MADE DEMAND TO HAVE THE  
DEFAULT CURED, WHICH WAS NOT  
MET. THEREFORE, THE UNDERSIGNED  
SUBSTITUTE TRUSTEE WILL PLACE  
FOR SALE THAT PARCEL OF LAND,  
INCLUDING IMPROVEMENTS THEREON,  
SITUATED, LYING AND BEING IN THE  
CITY OF BURNSVILLE, COUNTY OF  
YANCEY, STATE OF NORTH CAROLINA,  
AND BEING MORE PARTICULARLY  
DESCRIBED IN THE HERETOFORE RE-  
FERENCED DEED OF TRUST. SAID SALE  
WILL BE A PUBLIC AUCTION, TO THE  
HIGHEST BIDDER FOR CASH, AT THE  
USUAL PLACE OF SALE AT THE YANCEY  
COUNTY COURTHOUSE, BURNSVILLE,  
NORTH CAROLINA, ON SEPTEMBER  
28, 2018 AT 10:00 AM.**

Address of property: 1 2  
Galley Street, Burnsville, NC  
28714  
Tax Parcel ID:  
082011750061000  
Present Record Own-  
ers: The Estate of Chloe  
W. Hughes

The terms of the sale are  
that the real property herein-  
before described will be sold  
for cash to the highest bidder.  
A deposit of five percent (5%)  
of the amount of the bid or  
Seven Hundred Fifty Dollars  
(\$750.00), whichever is greater,  
is required and must be tendered  
in the form of certified funds at  
the time of the sale. The suc-  
cessful bidder will be required  
to pay revenue stamps on the  
Trustee's Deed, any Land Trans-  
fer Tax, and costs for recording  
the Trustee's Deed.

The real property herein-

above described is being offered  
for sale "AS IS, WHERE IS"  
and will be sold subject to all  
superior liens, unpaid taxes,  
special assessments, and other  
encumbrances. Other condi-  
tions will be announced at the  
sale. The sale will be held open  
for ten (10) days for upset bids,  
as by law required. The sale  
will not confirm until there  
have been ten (10) consecutive  
days with no upset bids having  
been filed.

If for any reason the Trust-  
ee is unable to convey title to  
this property, or if the sale is  
set aside, the sole remedy of  
the purchaser is the return of the  
bid deposit. Furthermore, if the  
validity of the sale is challenged  
by any party, the Trustee, in its  
sole discretion, if it believes the  
challenge to have merit, may  
declare the sale to be void and  
return the bid deposit. In either  
event, the purchaser will have  
no further recourse against the  
Mortgagor, the Mortgagee, the  
Mortgagee's attorney, or the  
Trustee.

Additional Notice Required  
for Residential Real Property  
with Less Than Fifteen (15)  
Rental Units:

An order for possession of  
the property may be issued pur-  
suant to G.S. 45-21.29 in favor  
of the purchaser and against the  
party or parties in possession by  
the clerk of superior court of the  
county in which the property  
is sold.

Any person who occu-  
pies the property pursuant to a  
rental agreement entered into  
or renewed on or after October  
1, 2007, may, after receiving  
the notice of sale, terminate the  
rental agreement by providing  
written notice of termination to  
the landlord, to be effective on a  
date stated in the notice that  
is at least 10 days, but no more  
than 90 days, after the sale date  
contained in the notice of sale,  
provided that the mortgagor has  
not cured the default at the time  
the tenant provides the notice of  
termination. Upon termination  
of a rental agreement, the ten-  
ant is liable for rent due under  
the rental agreement prorated  
to the effective date of the ter-  
mination.

Albertelli Law Partners  
North Carolina, P.A., Substitute  
Trustee

By: David W. Neill, Esq.  
Albertelli Law Partners  
North Carolina, P.A.  
David W. Neill, Esq.  
NC State Bar NO. 23396  
205 Regency Executive  
Park Drive  
Suite 100  
Charlotte, NC 28217  
T: 704-970-0391  
A-4664454  
Published September 12,  
19, 2018.

**LEGAL NOTICE  
IN THE GENERAL  
COURT OF JUSTICE,  
YANCEY COUNTY  
NORTH CAROLINA  
SUPERIOR COURT  
DIVISION  
BEFORE THE CLERK  
FILE NO. 2018 E201  
EXECUTOR'S NOTICE**

Having qualified as the Per-  
sonal Representative of the  
Estate of Kathleen Carol Sed-  
berry of Pima County, Arizona,  
this is to notify all persons,  
firms and corporations having  
claims against the Estate of the  
deceased to present them to the  
undersigned on or before 10  
December, 2018, or this notice  
will be pleaded in bar of their  
recovery. All persons indebted  
to said estate please make im-  
mediate payment.  
This the 27th day of August,  
2018  
Kailand M. Sedberry  
9415 E 26th Street  
Tucson, AZ 85710  
Published September 5, 12,  
19, 26, 2018

**Yancey County  
Public Library  
Book Annex**

We invite you to visit the  
Book Annex on the Burnsville  
Town Square beside the tag of-  
fice. You will find a surprising  
number of books of all kinds for  
adults and children. Proceeds  
benefit the Yancey County Pub-  
lic Library.  
We are open 11 a.m. until 4  
p.m. Monday thru Saturday.

**LEGAL NOTICE  
IN THE GENERAL  
COURT OF JUSTICE,  
YANCEY COUNTY  
NORTH CAROLINA  
SUPERIOR COURT  
DIVISION  
ADMINISTRATOR/  
EXECUTOR NOTICE**

Having qualified as Adminis-  
trator of the Estate of Kathy  
Sue Marie Hensley of Yancey  
County, North Carolina, this is  
to notify all persons and corpo-  
rations having claims against  
the Estate of said deceased to  
present them to the undersigned  
on or before the 13th day of De-  
cember, 2018 or this notice will  
be pleaded in bar of their recov-  
ery. All persons indebted to said  
estate please make immediate  
payment.  
This the 12th day of September,  
2018.

William Harley Hensley  
1652 Fox Creek Road  
Mars Hill, NC 28754  
Brian A. Buchanan, Attorney  
Grimes Teich Anderson LLP  
535 College Street  
Asheville, NC 28801  
(828) 251-0800  
Published September 12, 19, 26,  
October 3, 2018

**LEGAL NOTICE  
STATE OF  
NORTH CAROLINA  
COUNTY OF MITCHELL  
GENERAL COURT  
OF JUSTICE  
DISTRICT COURT  
DIVISION**

**FILE NO.: 18JT24  
NOTICE OF SERVICE  
OF PROCESS  
BY PUBLICATION  
IN THE MATTERS OF:  
YOVANI OLIVARES  
ROMERO  
DOB: 10/29/2011  
Petitioner: CELIA ROMERO  
TO: FERNANDO  
OLIVARES,**

Respondent.  
TAKE NOTICE that a pleading  
seeking relief against you has  
been filed in the above entitled  
proceeding. The nature of the  
relief sought is a termination of  
your parental rights to the minor  
children named above pursuant  
to NCGS 7B-1100, *et. seq.*  
You are required to answer this  
petition not later than 10/21/18,  
being 40 days from the date of  
the first publication of this No-  
tice and upon your failure to do  
so, the petitioner will seek the  
relief sought by the petition.  
This the 11th day of Sept.,  
2018.

NYCOLE R. HOWARD  
Attorney for Petitioner  
Post Office Box 746  
Burnsville, North Carolina  
28714  
(828) 284-1410  
Published September 12, 19, 26,  
October 3, 2018

**LEGAL NOTICE  
Yancey County Schools  
Parents Right to Know**

Parents may request and  
have the right to know infor-  
mation regarding the profes-  
sional qualifications of the  
student's classroom teacher  
including the following:

Whether the student's  
teacher -  
has met State qualifica-  
tions and licensing criteria for  
the grade levels and subject  
areas in which the teacher  
provides instruction;

is teaching under emer-  
gency or other provisional  
status through which State  
qualification or licensing crite-  
ria have been waived; and  
is teaching in the field of  
discipline of the certification  
of the teacher.

Parents may also ask if the  
child is provided services by  
paraprofessionals and, if so,  
the paraprofessional's quali-  
fications.

Title 1 Schools must also  
notify parents in a timely man-  
ner if the student has been as-  
signed, or has been taught for 4  
or more consecutive weeks by,  
a teacher who does not meet  
applicable State certification  
or licensure requirements at  
the grade level and subject area  
in which the teacher has been  
assigned.

Please contact your child's  
school for this information.

Published September 12,  
2018

**Times Journal Deadline**

Noon on Friday located at  
22 North Main Street. Phone  
828-682-2120.