

LEGAL NOTICE

LEGAL NOTICE 19 SP 19

NOTICE OF FORECLOSURE SALE NORTH CAROLINA, YANCEY COUNTY

Under and by virtue of a Power of Sale contained in that certain Deed of Trust executed by Lyda L. Bryant to William R. Echols, Trustee(s), which was dated May 21, 2014 and recorded on May 27, 2014 in Book 710 at Page 176, Yancey County Registry, North Carolina.

Default having been made of the note thereby secured by the said Deed of Trust and the undersigned, Trustee Services of Carolina, LLC, having been substituted as Trustee in said Deed of Trust, and the holder of the note evidencing said default having directed that the Deed of Trust be foreclosed, the undersigned Substitute Trustee will offer for sale at the courthouse door of the county courthouse where the property is located, or the usual and customary location at the county courthouse for conducting the sale on December 3, 2019 at 10:30AM, and will sell to the highest bidder for cash the following described property situated in Yancey County, North Carolina, to wit:

BEING those tracts or parcels of land lying in Ramseytown Township, Yancey County, North Carolina and more particularly described as follows:

FIRST: BEING the premises more particularly described in a deed dated 4 February 1980 from Rexter Bryant to Lyda Bryant recorded in Book 180, Page 332, Yancey County Registry, to which public record reference is hereby made for a more full and complete description of the premises, incorporated herein by reference the same as if more particularly set forth.

And being more particularly described by metes and bounds according to said Deed as follows:

BEGINNING on an apple tree near the private driveway and runs South 24 degrees 09 minutes West 88 6/10 feet to a stake; thence North 47 degrees 10 minutes West 205 18/100 feet to an iron pin; thence North 00 degrees 09 minutes East 43 feet to an iron pin; thence South 58 degrees 26 minutes East 44 56/100 feet to a stake; thence South 79 degrees 44 minutes East 48 17/100 feet to a stake; thence North 66 degrees 53 minutes East 37 6/100 feet to a stake; thence South 72 degrees 44 minutes East 63 27/100 feet to a stake; thence North 13 degrees 28 minutes East 237 3/10 feet to a stake; thence South 03 degrees 18 minutes West 217 62/100 feet to an automobile axle planted in the ground; thence North 75 degrees 24 minutes East 120 22/100 feet to an iron pin; thence South 29 degrees 02 minutes West 45 12/100 feet to a stake; thence North 74 degrees 22 minutes West 88 9/10 feet to the BEGINNING.

SECOND: BEING the premises more particularly described in a deed dated 17 June 1980 from Oakland Bryant and wife, Esther Bryant to Lyda Bryant recorded in Book 181, Page 503, Yancey County Deed Registry, to which public record reference is hereby made for a more full and complete description of the premises, incorporated herein by reference the same as if more particularly set forth.

And being more particularly described by metes and bounds according to said Deed as follows:

BEGINNING on an iron pin, a common corner of R. C. Bryant and Charles Bryant, and runs North 78 degrees 33 minutes East 239 12/100 feet to an iron pin; thence North 08 degrees 19 minutes West 697 7/10 feet to a stake in Martin Hensley's line and also a corner of the lot this day being conveyed to Lyda Bryant; thence North 60 degrees 30 minutes East 279 7/10 feet to a stake; thence South 00 degrees 30 minutes East 659 4/100 feet to the BEGINNING, containing three (3) acres, more or less.

AND BEING Lot No. 3 as shown on the map and survey made by Rayburn A. Reeves,

Registered Land Surveyor, April 22, 1977.

THIRD: BEING the premises more particularly described in a deed dated May 1995 from Oakland Bryant and wife, Esther Bryant to Lyda Bryant recorded in Book 267, Page 483, Yancey County Registry, to which public record reference is hereby made for a more full and complete description of the premises, incorporated herein by reference the same as if more particularly set forth.

And being more particularly described by metes and bounds according to said Deed as follows:

BEGINNING on an iron pin, a common corner of Lot No. 3 conveyed to Oakland Bryant and wife, and running N 85° 22' E 405.10 feet to an iron pin at the branch; thence S 63° 00' E 148.40 feet to an oak; thence S 85° 20' E 55.30 feet to a stake; thence S 08° 08' E 58.60 feet to a stake; thence S 13° 46' W 186 feet to a stake; thence S 23° 03' E 170.70 feet to a stake; thence S 30° 27' E 128 feet to a 15-inch white oak; thence S 25° 16' E 201.60 feet to an iron pin; thence S 60° 30' E 65 feet to a stake; thence N 08° 19' W 697.70 feet to the BEGINNING, containing three (3) acres, more or less. And BEING Lot No. 4 as shown on a map and Survey for Rexter Bryant by Rayburn A. Reeves, RLS, dated April 22, 1977.

FOURTH: BEING the premises more particularly described in a deed dated May 1995 from Oakland Dee Bryant and wife, Esther P. Bryant to Lyda Bryant recorded in Book 267, Page 485, Yancey County Registry, to which public record reference is hereby made for a more full and complete description of the premises, incorporated herein by reference the same as if more particularly set forth.

And being more particularly described by metes and bounds according to said Deed as follows:

BEGINNING on an iron pin at a small branch and runs a straight line crossing the branch N 10 degrees E 32 feet, 7 inches to an iron pin in another branch; thence up the main branch N 32 degrees E 135 feet 4 inches to an iron pin at a Black Walnut at the mouth of the spring branch; thence up the hill N 18 degrees W 65 feet 6 inches to a Balm of Gilead Tree; thence around the hill a West course 100 feet to an iron pin at the branch; then down the branch S 15 degrees W 194 feet 6 inches to the BEGINNING, containing 0.7 of an acre, more or less.

CONVEYED AND SUBJECT TO the shared right-of-way and shared water rights as described in the Deed recorded in Book 178, Page 327.

EXCEPTING FROM the foregoing conveyance is the tract conveyed to Charles Bryant and wife Virginia Bryant by deed dated 2 July, 1990.

TITLE REFERENCE: Deed Book 290, Page 70, Yancey County Registry.

Save and except any releases, deeds of release or prior conveyances of record.

Said property is commonly known as 834 Little Creek Road, Burnsville, NC 28714.

A cash deposit (no personal checks) of five percent (5%) of the purchase price, or Seven Hundred Fifty Dollars (\$750.00), whichever is greater, will be required at the time of the sale. Following the expiration of the statutory upset bid period, all the remaining amounts are immediately due and owing. THIRD PARTY PURCHASERS MUST PAY THE EXCISE TAX AND THE RECORDING COSTS FOR THEIR DEED.

Said property to be offered pursuant to this Notice of Sale is being offered for sale, transfer and conveyance "AS IS WHERE IS." There are no representations of warranty relating to the title or any physical, environmental, health or safety conditions existing in, on, at, or relating to the property being offered for sale. This sale is made subject to all prior liens, unpaid taxes, any unpaid land transfer taxes, special assessments, easements, rights of way, deeds of release, and any other encumbrances or exceptions

of record. To the best of the knowledge and belief of the undersigned, the current owner(s) of the property is/are All Lawful Heirs of Lyda Bryant.

An Order for possession 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. Any person who occupies 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 [NCGS § 45-21.16A(b)(2)]. Upon termination of a rental agreement, the tenant is liable for rent due under the rental agreement prorated to the effective date of the termination.

If the trustee is unable to convey title to this property for any reason, the sole remedy of the purchaser is the return of the deposit. Reasons of such inability to convey include, but are not limited to, the filing of a bankruptcy petition prior to the confirmation of the sale and reinstatement of the loan without the knowledge of the trustee. If the validity of the sale is challenged by any party, the trustee, in their sole discretion, if they believe the challenge to have merit, may request the court to declare the sale to be void and return the deposit. The purchaser will have no further remedy.

Trustee Services of Carolina, LLC
Substitute Trustee
Brock & Scott, PLLC
Attorneys for Trustee Services of Carolina, LLC
5431 Oleander Drive Suite 200

Wilmington, NC 28403
PHONE: (910) 392-4988
FAX: (910) 392-8587
File No.: 19-05889-FC01
Published November 20, 27, 2019

LEGAL NOTICE NORTH CAROLINA YANCEY COUNTY

Special Proceedings No. 19 SP 41

Substitute Trustee: Philip A. Glass

NOTICE OF FORECLOSURE SALE

Date of Sale: December 3, 2019

Time of Sale: 3:00 p.m.

Place of Sale: Yancey County Courthouse

Description of Property: See Attached Description

Record Owners:

Faith Townsend and Kodie Wayne Aldridge

Address of Property: 10 Birds Eye View Burnsville, NC 28714

Deed of Trust:

Book : 752 Page: 741

Dated: October 06, 2016

Grantors: Faith Townsend and husband, Kodie Wayne Aldridge

Original Beneficiary: Local Government Federal Credit Union

CONDITIONS OF SALE: Should the property be purchased by a third party, that person must pay the tax of Forty-five Cents (45¢) per One Hundred Dollars (\$100.00) required by N.C.G.S. §7A-308(a)(1).

This sale is made subject to all unpaid taxes and superior liens or encumbrances of record and assessments, if any, against the said property, and any recorded leases. This sale is also subject to any applicable county land transfer tax, and the successful third party bidder shall be required to make payment for any such county land transfer tax.

A cash deposit of 5% of the purchase price will be required at the time of the sale. Any successful bidder shall be required to tender the full balance of the purchase price so bid in cash or certified check at the time the Substitute Trustee tenders to him a deed for the property or attempts to tender such deed,

and should said successful bidder fail to pay the full balance purchase price so bid at that time, he shall remain liable on his bid as provided for in North Carolina General Statutes Section 45-21.30 (d) and (e). This sale will be held open ten (10) days for upset bids as required by law.

Residential real property with less than 15 rental units, including single-family residential real property: an order for possession 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. Any person who occupies the property pursuant to a rental agreement entered into or renewed on or after October 1, 2007, may, after receiving 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 not 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 tenant is liable for rent due under the rental agreement prorated to the effective date of the termination.

Dated: 10/29/19
Philip A. Glass, Substitute Trustee

Nodell, Glass & Haskell, L.L.P.

Posted on 10/29/19 EXHIBIT A

BEING all of that certain parcel or tract of land lying and being in Burnsville Township, Yancey County, North Carolina, and being more particularly described as follows:

BEGINNING on a set iron pin in the western margin of NCSR No. 1371 (Aunt Effie Road), and runs with the western margin of said road S 00 30 00 E 139.51 feet to a point in the center of an 18-foot right of way to property of James McIntosh; thence with the center of said right of way N 77 10 40 W 86.89 feet to a point where a branch crosses the right of way; thence running with the branch, same being the Eastern boundary of James McIntosh, N 20 40 10 W 65.75 feet, N 07 13 40 W 99.93 feet to a point in the branch; thence S 71 16 30 E 125.95 feet, passing a set iron pin on the East bank of the branch at 5 feet, to the BEGINNING, containing 0.356 acre, according to a survey by Dallas G. Miller, RLS, L-1445, dated 9 January, 1984.

THIS CONVEYANCE is made SUBJECT to the right of way from NCSR No. 1371 to property of James McIntosh which runs across the southern boundary of the property herein conveyed.

THIS CONVEYANCE is made SUBJECT to the right of way of NCSR No. 1371 (Aunt Effie Road) to its full legal width.

AND BEING the same parcel or tract of land described in a Warranty Deed dated 25 July, 2008 from Johnny Dwight McCurry and wife, Ruby Rachel McCurry to Jeffrey H. Morrison appearing of record in the Yancey County Deed Registry at Instrument Book 592, Page 366, and conveyed by deed of even date herewith from Jeffrey H. Morrison to Faith Townsend and husband, Kodie W. Aldridge.

PIN: 082000571995000
Property Address: 10 Birds Eye View, Burnsville, NC 28714

Published November 20, 27, 2019.

MY Meds

Medication

MY Meds Medication and Health Ministry is a local non-profit organization that provides help to Mitchell and Yancey County residents who have no prescription health plan and often have to decide between buying food and buying medicine. No one should have to make that choice.

If you need help paying for needed prescription medications call MY Meds office at 766-6337.

LEGAL NOTICE

IN THE GENERAL COURT OF JUSTICE, YANCEY COUNTY NORTH CAROLINA SUPERIOR COURT DIVISION

ADMINISTRATOR/ EXECUTOR NOTICE

Having qualified as Executor of the Estate of Albert Edwards of Yancey County, North Carolina, this is to notify all persons and corporations having claims against the Estate of said deceased to present them to the undersigned on or before the 13th day of February, 2020 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 13th day of November, 2019.

Myron Edwards
#14 Chelsea Drive
Erwin, TN 37650
November 13, 20, 27,
December 4, 2019

LEGAL NOTICE

IN THE GENERAL COURT OF JUSTICE, YANCEY COUNTY NORTH CAROLINA SUPERIOR COURT DIVISION

ADMINISTRATOR/ EXECUTOR NOTICE

Having qualified as Executor of the Estate of Ina Jean Pate of Yancey County, North Carolina, this is to notify all persons and corporations having claims against the Estate of said deceased to present them to the undersigned on or before the 13th day of February, 2020 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 13th day of November, 2019.

Jana Hughes
204 Duplin Hill
Burnsville, NC 28714
November 13, 20, 27,
December 4, 2019

LEGAL NOTICE

IN THE GENERAL COURT OF JUSTICE, YANCEY COUNTY NORTH CAROLINA SUPERIOR COURT DIVISION

ADMINISTRATOR/ EXECUTOR NOTICE

Having qualified as Administrator of the Estate of Pauline McKinney of Yancey County, North Carolina, this is to notify all persons and corporations having claims against the Estate of said deceased to present them to the undersigned on or before the 20th day of February, 2020 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 20th day of November, 2019.

Robert Wesley McKinney
P.O. Box 1678
Burnsville, NC 28714
Published November 20,
27, December 4, 11, 2019

LEGAL NOTICE

IN THE GENERAL COURT OF JUSTICE, YANCEY COUNTY NORTH CAROLINA SUPERIOR COURT DIVISION

EXECUTOR'S NOTICE

Having qualified as Executor of the Estate of William Ira Young, of Burnsville, North Carolina, this is to notify all persons and corporations having claims against the Estate of said deceased to present them to the undersigned on or before the 18th day of February, 2020 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 20th day of November, 2019.

Robert A. Phillips
Resident Process Agent
PO Box 995
Burnsville, NC 28714
Published November 20,
27,
December 4, 11, 2019

Help with reading

Yancey Literacy Council has volunteers to help adults and children with reading. If know of someone who needs help, call the Literacy office at 678-9646.

LEGAL NOTICE

IN THE GENERAL COURT OF JUSTICE, YANCEY COUNTY NORTH CAROLINA SUPERIOR COURT DIVISION

EXECUTOR'S NOTICE

Having qualified as Executor of the Estate of Susan Melody-Katz, of St. Petersburg, Florida, this is to notify all persons and corporations having claims against the Estate of said deceased to present them to the undersigned on or before the 18th day of February, 2020 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 20th day of November, 2019.

Paula Decker
5249 29th Ave. N
St. Petersburg, FL 33710
Robert A. Phillips
Resident Process Agent
PO Box 995
Burnsville, NC 28714
Published November 20,
27,
December 4, 11, 2019

LEGAL NOTICE

EXECUTRIX' NOTICE

Having qualified on the 28th day of June 2019 as Executrix of the will of Vada L. Young, all persons, firms and corporations having claims against the decedent to exhibit the same to the undersigned Executrix on or before 19 February 2020. All persons indebted to the estate shall make immediate payment.

This the 20th day of November, 2019.

Bertha Huskins, Executrix
3880 Snow Creek Road
Bakersville, NC 28705
Charlie A. Hunt, Jr.
Attorney at Law
P.O. Box 509
Spruce Pine, NC 28777
Telephone (828) 765-2062
Published November 20,
27,
December 4, 11, 2019

LEGAL NOTICE

IN THE GENERAL COURT OF JUSTICE, YANCEY COUNTY NORTH CAROLINA SUPERIOR COURT DIVISION

ADMINISTRATOR/ EXECUTOR NOTICE

Having qualified as Administratrix of the Estate of Gwen V. Bailey of Yancey County, North Carolina, this is to notify all persons and corporations having claims against the Estate of said deceased to present them to the undersigned on or before the 27th day of February, 2020 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 27th day of November, 2019.

Genevise Muse
111 Muirfield Road
Macon, GA 31210
Published November 27,
December 4, 11, 18, 2019

Need a Broom?

Since 1950, the Burnsville Lions Club has been selling their trademark brooms as a fundraiser to provide vision care to needy persons in Yancey County. While we no longer go door to door selling our brooms, we have placed our "broom boxes" in a variety of places throughout the county. Below is a list of businesses where you may locate the boxes.

Poplar Grove Store, Yancey Graphics, Fox Brothers Store, Sue's Beauty Shop, Prescription Pad, One of a Kind (Oak Gallery), Shear Perfection Beauty Shop, Farm Bureau, Guy's Grocery Little Creek, Jill's Hairport, Riddle's Used Appliance Hwy 80, Bald Creek Tractor, Buchanan-Young Chrysler and Troy's Greenhouse.

We appreciate your continued support of this long standing project. Burnsville Lions Club.

Times Journal Deadline

Noon on Friday for Wednesday's publication. Located at 22 North Main Street. Phone 828-682-2120.