

Yancey swears in new officials

On Monday the winners in the 2016 General election for offices in Yancey County were sworn in by Warren Hughes, District Court Judge for the 24th Judicial District in ceremonies in the courthouse. Hughes gave oaths of office to fill spots on the Board of Commissioners and in Register of Deeds office.



Incumbent Yancey County Commissioner Jeff Whitson and his family.



Incoming County Commissioner John Stallings and his wife Melanie.



Incoming County Commissioner Mark Ledford and his wife Chris.



Incumbent Register of Deeds Susan Jobe and her children C. J. and Josh.



Deputy Register of Deeds Deirdre Caudill and her daughter Emily Penland.



Assistant Register of Deeds Janice Bennett and son Nathan Bennett.

LEGAL NOTICE

16-SP-0045
**AMENDED NOTICE OF
 SUBSTITUTE TRUSTEE'S
 FORECLOSURE SALE OF
 REAL PROPERTY
 UNDER AND BY
 VIRTUE**

of the power and authority contained in that certain Deed of Trust executed and delivered by Anthony L. Jones and Pamela J. Jones dated August 20, 2004 and recorded on August 27, 2004, in Book 471 at Page 215-231 and modified by that Loan Modification dated August 1, 2013 and recorded on October 3, 2013 in Book 698 Page 113 and corrected by that Affidavit of Correction recorded July 18, 2016 in Book 748 Page 129 of the Yancey County Registry., in the Office of the Register of Deeds of Yancey County, North Carolina; and because of default in the payment of the indebtedness secured thereby and failure to carry out and perform the stipulations and agreements contained therein and, pursuant to demand of the holder of the indebtedness secured by said Deed of Trust, the undersigned of Poore Substitute Trustee, LTD (Substitute Trustee) will offer for sale at the courthouse door in the City of Burnsville, Yancey County, North Carolina, or the customary location designated for foreclosure sales, on December 14, 2016 at 10:00 AM, and will sell to the highest bidder for cash the following real estate situated in the County of Yancey, North Carolina and being more particularly described in the above referenced Deed of Trust:

Address of Property: 150 Family Circle Drive, Burnsville, NC 28714

Tax Parcel ID : 073900486478000

Present Record Owner: Anthony L. Jones and Pamela J. Jones

Trustee may, in the Trustee's sole discretion, delay the sale for up to one hour as provided in N.C.G.S. §45-21.23.

The terms of the sale are that the real property hereinbefore described will be sold for cash to the highest bidder. The Substitute Trustee reserves the right to require a cash deposit or a certified check not to exceed the greater of five percent (5%) of the amount of the bid or seven hundred fifty Dollars (\$750.00). In the event that the holder is exempt from paying the same, the successful bidder may also be required to pay revenue stamps on the Trustee's Deed, any Land Transfer Tax, and the tax required by N.C.G.S. §7A-308 (a) (1).

The real property described above is being offered for sale "AS IS, WHERE IS" and will be sold subject to all superior liens, unpaid taxes, and special assessments. Other conditions will be announced at the sale. The sale will be held open for ten (10) days for upset bids as required by law.

If the Trustee or Substitute 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 title include, but are not limited to, the filing of a bankruptcy petition prior to the sale and reinstatement of the loan without knowledge of the Substitute Trustee(s). If the validity of the sale is challenged by any party, the Substitute Trustee(s), in its/their sole discretion, if it/they believe(s) the challenge to have merit, may declare the sale to be void and return the deposit. The purchaser will have no further remedy.

Additional Notice where the Real Property is Residential with less than 15 Rental Units:

An order for possession of the property may be issued pursuant to N.C.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 ten (10) days, but no more than ninety (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 such termination.

Published November 30, December 7, 2016

**LEGAL NOTICE
 IN THE GENERAL
 COURT OF JUSTICE
 OF NORTH CAROLINA
 SUPERIOR COURT
 DIVISION
 YANCEY COUNTY
 16SP20**

**IN THE MATTER OF
 THE FORECLOSURE
 OF A DEED OF TRUST
 EXECUTED BY CHARLES
 T. ALEXANDER DATED
 DECEMBER 12, 2008 AND
 RECORDED IN BOOK
 601 AT PAGE 641 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 1:00PM on December 12, 2016 the following described real estate and any other improvements which may be situated thereon, in Yancey County, North Carolina, and being more particularly described as follows:

Beginning at a 10-inch Poplar and a fence line, a corner with the William H. Tuller tract described at Deed Book 144, Page 189 of the Yancey County Deed Registry at running thence with said fence and the line of a tract of land now or formerly owned by James P. Dees described at Deed Book 130, Page 561 of the Yancey County Deed Registry, N 05 16 02 East 172.00 feet to an iron set at an old fence corner and wooden stake, a corner with another tract of land of William H. Tuller described in the Yancey County Deed Registry at Deed Book 151, Page 277; thence with the Tuller line of the tract described at Deed Book 151, Page 277 S 80 45 41 East 218.70 feet to an iron set in the Loyless line as the same is described at Deed Book 160, Page 343; thence with the Loyless line S 21 41 40 East 27.32 feet to an iron pipe found; S 42 03 40 East 100.00 feet to an iron set; thence with the new line of the Grantors S 30 08 54 West 57.88 feet to an iron set at a corner between the Grantors and the William H. Tuller tract described at Deed Book 144, Page 189; thence with said Tuller tract N 87 13 58 West crossing a gravel drive 280.00 feet to the point of beginning, containing 0.97 acre, according to a map and plat of survey by Keen Surveying, Registered Land Surveyors, dated November 4, 1988.

Also conveyed herewith is a perpetual and nonexclusive easement and right to take and use water from the existing spring, reservoir and water transmission system leading to the house located on the hereinabove described premises and lands now owned by William H. Tuller, together with rights of ingress, egress and regress for purposes of maintenance, inspection, improvement and repair of said spring, reservoir and water transmission system.

Also conveyed herewith is a perpetual and nonexclusive easement and road right-of-way over and upon the existing gravel drive leading to and from the hereinabove described premises and N.C.S.R. 1155,

said easement and road right-of-way to be sixteen (16) feet in width as measured eight (8) feet on either side of the existing centerline of said drive, together with rights of ingress, egress and regress for purposes of maintenance, inspection, improvement and repair of the roadway located thereon.

This conveyance is made subject to the rights of William H. Tuller and others to use the aforesaid existing drive as the same leads to and from the hereinabove described parcel of land, over and through said parcel of land and thence to the lands of William H. Tuller lying to the north of said parcel described at Deed Book 151, Page 277.

This conveyance is made subject to a utility easement in favor of the French Board Electric Membership Cooperative for the existing utility line leading to and from the hereinabove described parcel or tract of land.

And Being more commonly known as: 120 Beverly Ln, Burnsville, NC 28714

The record owner(s) of the property, as reflected on the records of the Register of Deeds, is/are Estate of Charles T. Alexander.

The property to be offered 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 physical, 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 resale. 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 written 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 mortgagor 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 October 5, 2016.

Grady I. Ingle or Elizabeth B. Ells

Substitute Trustee
 10130 Perimeter Parkway,
 Suite 400

Charlotte, NC 28216
 (704) 333-8107
<http://shapiroattorneys.com/>

nc/
 16-078272

Published November 30,
 December 7, 2016

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 Ledford 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 2nd day of March 2017 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 30 day of November 2016.

Barbara Robinson
 59 Robinson Lane
 Burnsville, NC 28714
 Published November 30,
 December 7, 14, 21, 2016

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 William J. Morris 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 16th day of February 2017 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 16th day of November 2016.

Sharron Stroud
 504 Chandler Branch Road
 Mars Hill, NC 28754
 Published November 16, 23, 30,
 December 7, 2016

LEGAL NOTICE

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

Having qualified as Co-Administrators of the Estate of Rebecca Fender 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 23rd day of February 2017 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 23rd day of November 2016.

Lauren Fender Deyton
 191 Bear Wallow Road
 Burnsville, NC 28714
 Michael Leonard Fender
 85 Pine Tree Lane
 Burnsville, NC 28714
 Published November 23, 30,
 December 7, 14, 2016

Barkin' Basement

YHS Resale Store

The Barkin' Basement Resale Store financially supports the Yancey Humane Society. When you shop at the Barkin' Basement you can be assured that a very high percentage of your dollars go to fund YHS, and all the good they do. The store is run and staffed by volunteers, and everything in the store has been donated by the good people of our area.

The Barkin' Basement is located on the bypass between Go Grocery and Fred's. The phone number is 828-208-9510. We accept clean, gently used items in good working order. Call the store if you have large items that need to be picked up, or for more information. The hours are Monday through Saturday from 10 a.m. to 4 p.m.

Yancey Humane Society is a 501(c)(3) nonprofit organization. If you would like to help the lost or abused animals of Yancey County, come volunteer at the Barkin' Basement!

Volunteers needed

Meals on Wheels needs volunteers to deliver meals weekdays from 10:30 to noon. Call the Senior Center at 682-6011.