

LEGAL NOTICE

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 Ray Vance Miller 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 15th day of April 2017 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 18th day of January 2017.
Paul N. Badgley
9 East Main Street, Suite 200
Burnsville, NC 28714
Gregory S. Hildebran, Attorney
Published January 18, 25, February 1, 8, 2017

LEGAL NOTICE NORTH CAROLINA YANCEY COUNTY IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION FILE NO: 16 CVS 102 NOTICE OF SERVICE OF PROCESS BY PUBLICATION JERREMY M. MEADER Plaintiff vs. MARK D. GUNTER and ELIZABETH T. CUELLAR Defendants TO: Elizabeth T. Cuellar; 107 Sleepy Hollow Road; Apt. 2, Burnsville, NC 27848.

PLEASE TAKE NOTICE that a pleading seeking relief against you has been filed in the above-entitled action. The nature of the relief being sought is the recovery of monetary damages for personal injuries sustained in a motor vehicle accident on July 24, 2013 when the vehicle you owned crossed the centerline of the highway and struck the vehicle being operated by Plaintiff on US Highway 19 near Burnsville, North Carolina. You are required to make defense to such pleadings within 40 days after February 1, 2017, being the date of the first publication of this notice, exclusive of said date; and, upon your failure to do so, the party seeking service against you will apply to the Court for the relief sought.

This the 30th day of January, 2017.

s/ M. Braxton Massey, IV
M. Braxton Massey IV
Hardee & Hardee, LLP
202 E. Arlington Blvd., Suite
W
PO Box 924
Greenville, NC 27835-0924
Telephone: (252) 355-1998
Facsimile: (252) 321-2948

NC State Bar No.: 41414
mbm@hardeehandhardee.com
Attorney for Plaintiff
Published February 1, 8, 15, 2017

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

Having qualified as Co-Executors of the Estate of Marian Bennett Laufer 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 02 day of May 2017 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 1st day of February 2017.
Sherry Laufer Ingram,
552 North Fork Road,
Burnsville, NC 28714
Elaine Marie Laufer,
128 Ben Lippen Road,
Asheville, NC 28806
Published February 1, 8, 15, 22, 2017

Times Journal Deadline

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

LEGAL NOTICE ADVERTISEMENT FOR BIDS

Micaville Elementary School Water Line Extension
Sealed bids for the project entitled Micaville Elementary School Water Line Extension will be received by the Town of Burnsville until 2:00 p.m. local time March 2, 2017 in the Town Hall Council Chambers of the Burnsville Town Hall located at 2 Town Square, Burnsville, NC 28714. At said place and time, all Bids that have been duly received, will be publicly opened and read aloud.

The project generally consists of the installation of approximately 2,760 LF of 12" DIP water line, 100 LF of 12" HDPE water line, 1,630 LF of 8" DIP water line, 265 LF of 6" DIP water line, and 185 LF of 2" HDPE water line including road crossings by bore & jack with steel encasement pipe and stream crossings by directional drill, complete with fire hydrants, meters, valves, and appurtenances along US Highway 19E and State Highway 80S in Micaville, North Carolina.

Digital copies of Bid Documents are available for purchase at www.mcgillengineers.com for a fee of \$50.00 per set. These documents may be downloaded by selecting this project from the "Bids" link and by entering Quest Project Number 4818640. For assistance and free membership registration, contact QuestCDN at (952) 233-1632 or info@questcdn.com.

Each bid shall be accompanied with a cash deposit or certified check drawn on a bank or trust company insured by the FDIC or a Bid Bond prepared on the form of Bid Bond contained in the Bidding Documents or a Surety Company's standard form and properly executed by a corporate surety licensed under the laws of North Carolina to execute such bonds. The amount of the bid bond shall be equal to five (5) percent of the total of the bid. The bid deposit shall be retained by the Owner if the successful bidder fails to execute the contract or fails to provide the required bonds, as stated above, within ten (10) days after the proper notice of award of the contract.

Bidders must comply with the requirements of the State of North Carolina and be appropriately licensed as a Contractor as provided in General Statutes Chapter 87.

Neither the Owner nor the Engineer will be responsible for full or partial sets of Bidding Documents, including any Addenda, obtained from any source other than the Owner's representative, McGill Associates, P.A. Each Bidder shall be responsible for the review of all addenda for the project and shall acknowledge the addenda on the bid form.

The Owner reserves the right to reject any and all Bids, to waive informalities, or to reject non-conforming, non-responsive, or conditional bids. The Owner reserves the right to award a contract to the lowest, responsive, responsible bidder or bidders, taking into consideration quality, performance and time.

The Town of Burnsville has adopted a "Minority Business Participation Outreach Plan" (MBPOP). The goal of the Town of Burnsville in adopting its Plan is for the expansion of participation by historically underutilized businesses (HUB) in construction projects as defined in GS 143 -128.2 (g). Equal access and opportunity to participate in all aspects of construction projects shall be provided to HUB. It is the policy of the Town of Burnsville to award public building contracts without regard to race, religion, color, creed, national origin, sex, age or disabling condition. Each bidder shall make a good faith effort and shall document such efforts to utilize minority businesses and comply with the Town of Burnsville's plan.

Bidders must comply with the President's Executive Order No. 11246 as amended, which prohibits discrimination in employment regarding race, creed, color, sex or national origin. Bidders must comply

with Title VI of the Civil Rights Act of 1964, the Davis-Bacon Act, the Anti-Kickback Act, the Contract Work Hours Standard Act, and 40 CFR 33.1016, and 40 CFR 60-4.

Published February 1, 2017.

LEGAL NOTICE NOTICE OF PUBLIC HEARING

PURSUANT TO NCGS 160a-364: The public shall take notice that on February 2, 2017 at 6:00 p.m., the Burnsville Town Council will hold a public hearing in the Town Center in Burnsville, North Carolina. The purpose of the public hearing is to take public comment on proposed amendments to the Zoning Ordinance for the Town of Burnsville. The Public Hearing will take place in the Burnsville Town Center on February 2, 2017 during the Regular Business Meeting of the Burnsville Town Council beginning at 6:00 p.m.

The proposed amendments are as follows:

The addition of a New Zoning Ordinance Article 16 regulating sidewalk dining and sidewalk merchandise/displays/signage and furnishings in the Town of Burnsville;

Amendments to Article 8, USE REQUIREMENTS BY DISTRICT. Specifically, amending some square footage requirements and some permitted uses and non-permitted uses in Section 801. C-1 Central Business district; Section 802. C-2 General Business District; 803. 1-1 Industrial District; and 804 C-3 East/West Main Street Business District.

A copy of the proposed amendments under consideration are available for review at Town Hall.

All interested parties are encouraged to attend. Individuals requiring special accommodations for this meeting, or for other questions and concerns, please contact the Town Clerk at (828) 682-2420.

Published January 25, February 1, 2017.

LEGAL NOTICE STATE OF NORTH CAROLINA COUNTY OF YANCEY IN THE GENERAL COURT OF JUSTICE DISTRICT COURT DIVISION

FILE NO. 16 JT 01
NOTICE OF SERVICE
BY PROCESS
PUBLICATION
IN THE MATTER OF:
HEIDI TAYLOR ALLEN
DOB: 04/22/09
Petitioner: Christin
Danielle Wardlaw

To: Any unknown fathers to a female juvenile born on 22 April, 2009 in Buncombe County, North Carolina

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 child named above pursuant to NCGS 7B-1100 et. seq.

You are required to answer this petition not later than 10 February, 2017, being 30 days from the date of first publication of this Notice, exclusive of said date, and upon your failure to do so, the petitioner will seek the relief sought by the petition.

This the 6th day of January, 2017.

DONNY J. LAWS
Attorney at Law
P.O. Box 397
Burnsville, NC 28714
828-682-9645
Published January 11, 18, 25, 2017

MY Meds Medication Ministry

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 Administrator of the Estate of Ruby Honeycutt 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 15th day of April 2017 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 18th day of January 2017.
Claudette McCurry
288 Stony Fork Road
Burnsville, NC 28714
Published January 18, 25,
February 1, 8, 2017

LEGAL NOTICE NORTH CAROLINA YANCEY COUNTY IN THE GENERAL COURT OF JUSTICE DISTRICT COURT DIVISION FILE NO. 12-CVD-131 NOTICE OF SERVICE OF PROCESS BY PUBLICATION COUNTY OF YANCEY Plaintiff, vs. STEVE HUGHES, TRUSTEE FOR CHRIS HUGHES, et al Defendants.

TO: CHRIS HUGHES and spouse, if any, and ANY HEIRS, ASSIGNS, and DEVISEES of CHRIS HUGHES and spouse, if any, and 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 January 18, 2017.

The nature of the relief being sought is as follows: Foreclosure 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 January 18, 2017, or by February 27, 2017, 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 9th day of January, 2017.

MARK D. BARDILL
Attorney for Plaintiff
310 W. Jones St.
P. O. Box 25
Trenton, North Carolina
28585
(252) 448-4541
Published January 18, 25,
February 1, 2017.

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 Chloe Hughes 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 25th day of April 2017 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 25th day of January 2017.
Timothy Mark Hughes
12 Galley Street
Burnsville, NC 28714
Published January 25,
February 1, 8, 15, 2017

Meals on Wheels needs volunteers

Meals on Wheels needs volunteers to deliver meals. For information call the Senior Center at 682-6011.

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 2:00PM on February 9, 2017 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 December 14, 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 January 25,
February 1, 2017

Volunteers needed at Brian Center in Spruce Pine

Would you like to bring joy and love to an elderly person in our facility? Volunteers are needed at our facility to spend time and share memories with our residents. With your help we can alleviate loneliness and bring joy to an elderly person's life.

Do you want to make a difference in someone's life? If you do, please call 537-4179 or contact the Activity Department at Brian Center in Spruce Pine at 828-765-7312 for more information. Thank you for considering this opportunity to make a difference in someone's life.