

**LEGAL NOTICE
NORTH CAROLINA
YANCEY COUNTY
IN THE GENERAL
COURT OF JUSTICE
SUPERIOR COURT
DIVISION
BEFORE THE CLERK
16 SP 79
IN THE MATTER OF:
The Foreclosure of the
Deed of Trust executed by
Mountain Air Development
Corporation, a North
Carolina corporation,
recorded in Deed of Trust
Book 559, Page 435, as
assigned in Book 657, Page
396 and Book 743, Page 549,
Yancey County Registry.
By: Jennifer Belter
Formichella
Substitute Trustee.
NOTICE OF SALE
NOTICE IS HERE BY
GIVEN**

that under and by virtue of the power of sale contained in the Deed of Trust referred to above, and under and by authority vested in the undersigned as Trustee, default having been made in the payment of the indebtedness secured by the Deed of Trust, the undersigned Trustee will expose for sale at public auction the real property described in said Deed of Trust as more particularly described on Exhibit A attached hereto and incorporated herein by reference.

The real property subject to the foreclosure is located in Princes Creek Township, Yancey County, North Carolina and the record owner thereof is Mountain Air Development Corporation, a North Carolina corporation, as reflected in the records of the Office of the Register of Deeds of Yancey County not more than ten (10) days prior to the posting of this Notice of Sale.

The aforesaid public auction of such real property will be held on February 23, 2017 at 11:00 a.m. at the main door of the Yancey County Courthouse in Burnsville, North Carolina.

Such real property is to be sold for cash subject to all liens, encumbrances, restrictions, easements and rights of way of record as may have priority over the lien of the Deed of Trust, and to all taxes, water rents and special assessments, if any.

If the property is purchased by a third party, that party shall pay the excise tax (deed stamps) required by North Carolina Gen. Stat. § 105-228.30 on the trustee's deed of conveyance, and pay the fees to record the trustee's deed and notice of foreclosure. Said third party shall also pay the clerk of superior court's commission required by North Carolina Gen. Stat. § 7A-308(a)(1).

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/Security Agreement, or both, being foreclosed, nor the officers, directors, attorneys, employees, agents or authorized representatives of either the 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, and any and all responsibilities or liabilities arising out of or in any way relating to any such condition expressly are disclaimed.

If the property being offered pursuant to this notice of sale is residential property containing fewer than 15 units, an order for possession of the property may be issued pursuant to North Carolina Gen. Stat. § 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 upon 10 days' written notice to the landlord. 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.

Pursuant to North Carolina Gen. Stat. § 45-21.10 and the terms of the Deed of Trust,

any successful bidder may be required to deposit with the Trustee immediately upon conclusion of the sale a cash deposit of \$750.00 or 5% of the bid, whichever is greater. Any successful bidder shall be required to tender the full balance of the purchase price so bid in cash at the time the Trustee tenders to him a deed for the real property or attempts to tender such deed, and should said successful bidder fail to pay at that time the full balance of the purchase price so bid, he shall remain liable on his bid as provided for in North Carolina Gen. Stat. § 45-21.30(d) and (e).

This sale shall be held open for upset bids ten (10) days after the filing of the Trustee's report of sale with the Clerk of Superior Court of Yancey County, North Carolina, as required by law.

This the 1st day of February, February 10, 2017.
Jennifer Belter Formichella
Substitute Trustee

**EXHIBIT A
PARCEL 1:
THOSE**

certain tracts or parcels of land located in Princes Creek Township, Yancey County, North Carolina, more particularly described as follows:

FIRST TRACT: BEGINNING on an iron pin, the northeastern corner of Lot 11, Unit Four (Book 353, page 133, Yancey County Registry), located N 07-19-55 W 07-19-55 W 4739.95 feet from N.C.g.S. Monument "Keen" [North 240,316.444m, East 307,601.458m, Combined Grid Factor=0.99971988] and running S 23-03-50 W 89.84 feet to an iron pin; thence S 23-03-50 W 99.27 feet to an iron pin; thence S 23-03-50 W 30.67 feet to an iron pin; thence S 24-59-09 W 69.38 feet to an iron pin; thence S 24-59-09 W 101.44 feet to an iron pin; thence S 24-59-09 W 100.06 feet to an iron pin; thence S 24-59-09 W 103.67 feet to an iron pin; thence S 24-59-09 W 100.68 feet to an iron pin; thence S 47-56-22 W 43.63 feet to an iron pin; thence S 47-56-22 W 87.47 feet to an iron pin; thence S 47-47-23 W 57.67 feet to an iron pin; thence S 22-14-35 E 79.20 feet to an iron pin; thence S 37-25-23 E 47.56 feet to an iron pin; thence S 54-00-57 E 104.96 feet to an iron pin in the margin of the right of way for Heritage Ridge Loop Road; thence with the margin of the right of way, 64.65 feet along the arc of a curve to the left having a radius of 125.25 feet and a chord bearing S 03-55-42 W 64.54 feet to a point; thence S 10-50-02 E 44.21 feet to a point; thence 22.38 feet along the arc of a curve to the right having a radius of 10.00 feet and a chord bearing S 53-17-12 W 17.99 feet to a point in the margin of the right of way for Mountain Air Drive at or near its intersection with Heritage Loop Road; thence with the margin of the right of way for Mountain Air Drive, N 62-35-33 W 324.95 feet to a point; thence 101.96 feet along the arc of a curve to the left having a radius of 1533.79 feet and a chord bearing N 64-29-48 W 101.94 feet to a point; thence N 66-24-04 W 42.64 feet to a point; thence 1551.59 feet along the arc of a curve to the right having a radius of 148.27 feet and a chord bearing N 37-06-41 W 145.08 feet to a point; thence N 07-49-18 W 113.65 feet to a point; thence 128.79 feet along the arc of a curve to the left having a radius of 391.20 feet and a chord bearing N 17-15-11 W 128.21 feet to a point; thence N 26-41-05 W 75.06 feet to a point; thence 96.82 feet along the arc of a curve to the right having a radius of 941.03 feet and a chord bearing N 23-44-13 W 96.78 feet to a point; thence N 20-47-22 W 115.06 feet to a point; thence 33.71 feet along the arc of a curve to the right having a radius of 13.65 feet and a chord bearing N 49-57-41 E 25.77 feet to a point; thence S 59-17-16 E 226.74 feet to a point (located S 18-29-34 W 61.39 feet from the Beginning corner of the Second Tract hereinafter described); thence 45.28 feet along the arc of a curve to the right having a radius of 294.21 feet and a chord bearing S 54-52-42 E 45.24 feet to a point; thence S 10-28-07 E 102.98 feet to a point; thence 277.36 feet along the arc of a curve to the left having a radius of 142.80

LEGAL NOTICE

feet and a chord bearing N 73-53-19 E 235.77 feet to a point; thence N 18-14-45 E 114.94 feet to a point; thence 53.64 feet along the arc of a curve to the left having a radius of 433.99 feet and a chord bearing N 14-42-17 E 53.61 feet to a point; thence N 11-09-49 E 36.33 feet to a point; thence leaving the right of way and running N 59-32-12 E 92.49 feet to a point; thence N 38-06-41 E 23.68 feet to a point; thence N 33-01-39 E 18.76 feet to a point; thence N 29-55-54 E 80.03 feet to a point; thence N 70-41-13 E 39.28 feet to a point; thence S 86-55-18 E 172.10 feet to the BEGINNING, containing 8.933 acres.

SECOND TRACT: BEGINNING at a point in the margin of the right of way for Mountain Air Drive (located as referenced in the foregoing First Tract) and running N 30-50-59 E 36.25 feet to a point; thence S 59-09-01 E 22.42 feet to a point; thence N 44-34-39 E 52.00 feet to a point; thence S 45-16-07 E 80.00 feet to a point; thence S 44-43-53 W 57.45 feet to a point; thence S 06-34-40 W 24.28 feet to a point in the margin of the right of way for Mountain Air Drive; thence with the margin of the right of way, N 50-28-07 W 41.79 feet to a point; thence 54.52 feet along the arc of a curve to the left having a radius of 354.18 feet and a chord bearing N 54-52-42 W 54.47 feet to a point; thence N 59-17-17 W 12.99 feet to the BEGINNING, continuing 0.170 acre.

The foregoing description are according to a survey and plat by Gerald W. Stevenson, PLS L-2669, for Webb A. Morgan & Associates, P.A., dates 8 May 2007, Job File No. 90018-C-1029. Distances are horizontal ground measurements.

LESS & EXCEPT the following described property:

Tract One: That certain tract or parcel of land located in Princes Creek Township, Yancey County, North Carolina, being Unit No. 1 of Waterfall, a Neighborhood District within the Mountain Air Country Club Community, described as follows:

BEGINNING on an iron pin the margin of the right of way for Mountain Air Drive, the southeastern corner of Parcel F in Camps at Creekside Condominium (located N 17-02-55 W 4654.71 feet from NCGS Monument "Keen," North 240,316.44m East 307,601.458m, Combined Grid Factor=0.99971988, from Exhibit in Book 439, page 511, Yancey County Registry) and running with the line of Camps at Creekside Condominium, N 30-42-44 E 104.27 feet to an iron pin; thence with other lands of Mountain Air Development Corporation, S 59-19-08 E 162.26 feet to an iron pin; thence S 28-09-19 W 119.48 feet to an iron pin in the margin of the right of way for Mountain Air Drive; thence with the margin of the right of way, N 50-28-07 W 70.56 feet to a point; thence 54.52 feet along the arc of a curve to the left having a radius of 354.21 feet and a chord bearing N 54-52-42 W 54.57 feet to a point; thence N 59-17-16 W 43.56 feet to the BEGINNING, containing 0.411 acre. The foregoing description is according to a survey and plat by Gerald W. Stevenson, PLS L-2669, for Webb A. Morgan & Associates, P.A., dated 12 December 2007 (last revised December 2007, Job File No. 90018-C-1055). Distances are horizontal ground lengths.

Tract Two: BEGINNING on an iron pin, the northeastern corner of Lot No. 4, Unit four (Book 358, page 428, Yancey County Registry) and running with the proposed boundary for Unit 14 in Waterfall, N 53-41-42 W 61.28 feet to a point in the margin of a common area provided for neighborhood roads; thence with the margin of the common area, N 46-01-34 E 5.43 feet to a point; thence 33.96 feet along the arc of a curve to the left having a radius of 101.00 feet and a chord bearing N 36-23-35 E 33.80 feet to a point; thence N 26-45-37 E 47.65 feet to a point; thence 11.74 feet along the arc of a curve to the right having a radius of 189.000 feet and a chord bearing N 28-32-23 E 11.74 feet to a point;

thence N 30-19-09 E 38.84 feet to a point; thence 55.12 feet along the arc of a curve to the left having a radius of 101.00 feet and a chord bearing N 14-41-09 E 54.44 feet to a point; thence N 00-56-52 W 47.13 feet to a point; thence 79.38 feet along the arc of a curve to the right having a radius of 139.00 feet and a chord bearing N 15-24-41 E 78.30 feet to a point; thence N 31-46-14 E 36.00 feet to a point; thence 45.36 feet along the arc of a curve to the right having a radius of 489.000 feet and a chord bearing N 34-25-40 E 45.34 feet to a point; thence N 37-05-06 E 29.74 feet to an iron pin; thence with the proposed boundary for Unit 2 in Waterfall, S 33-27-19 E 103.40 feet to an iron pin set in the line of Lot 8, Unit Four, thence with the line of Lot 8, Unit Four, S 24-59-09 W 32.24 feet to an iron pin; thence with the line of Lot 7, Unit Four S 24-59-09 W 100.06 feet to an iron pin; thence with the line of Lot 6, Unit Four, our, S 24-59-09 W 103.67 feet to an iron pin; thence with the line of Lot 5, Unit Four, S 24-59-09 W 100.68 feet to an iron pin; thence with other lands of Mountain Air Development Corporation, S 47-56-22 W 43.63 to the BEGINNING, containing 0.754 acre. The foregoing description is according to a survey and plat by Gerald W. Stevenson, PLS L-2669, for Webb A. Morgan & Associates, P.A., dated 13 December 2007, Job File No. 90018-B-951. Distances are horizontal ground lengths.

Tract Three: That certain tract or parcel of land located in Princes Creek Township, Yancey County, North Carolina, being Unit No. 8 of Waterfall, a Neighborhood District within the Mountain Air Country Club Community, described as follows:

BEGINNING on an iron pin [located N 14-56-49 W 4182.20 feet from NCGS Monument "Keen" North 240,316.444m, East 307,601.458m, Combined Grid Factor=0.99971988] in the margin of a common area provided for a neighborhood road and running with the line of Unit 10, N 10-23-36 W 218.72 feet to an iron pin in the margin of the right of way for Mountain Air Drive; thence with the margin of the right of way, 13.73 feet along the arc of a curve to the left having a radius of 142.80 feet and a chord bearing N 74-07-27 E 13.73 feet to an iron pin; thence with the line of Unit 7, S 49-36-56 E 161.94 feet to an iron pin; thence S 69-34-56 E 29.06 feet to an iron pin in the margin of the neighborhood road; thence with the margin of the road, S 26-45-37 W 32.11 feet to a point; thence 26.56 feet along the arc of a curve to the right having a radius of 79.00 feet and a chord bearing S 36-23-35 W 26.44 feet to a point; thence S 46-01-34 W 30.03 feet to a point; thence 25.98 feet along the arc of a curve to the right having a radius of 69.00 feet and a chord bearing S 56-48-45 W 25.83 feet to a point; thence S 67-35-57 W 23.95 feet to a point; thence S 70-28-35 W 30.18 feet to the BEGINNING, containing 0.409 acre. The foregoing description is according to a survey and plat by Gerald W. Stevenson, PLS L-2699, for Webb A. Morgan & Associates, dated 8 May 2007 and revised 10 March 2010, Job File No. 90018-B-953. Distances are horizontal ground lengths.

Published February 15, 22, 2017

**LEGAL NOTICE
PUBLIC NOTICE
PUBLIC SALE**

In Town Mini Storage will hold a public sale for the following storage unit(s) due to default of rental payments on: March 4, 2017 at 11:00 a.m. Owner may claim their items by paying all rent and fees prior to sale in cash or money order. Unit #7 Owner of unit(s): Kelly Hensley Heard Published February 15, 22, 2017

Times Journal Deadline

Deadline for news copy, pictures, classified advertisements is 12:00 on Friday. Copy should be brought by office located at 22 North Main Street, Burnsville, N.C. 28714.

**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@hardeeanhardee.com
Attorney for Plaintiff
Published February 1, 8, 15, 2017

**LEGAL NOTICE
STATE OF NORTH
CAROLINA
COUNTY OF YANCEY
IN THE GENERAL
COURT OF JUSTICE
SUPERIOR COURT
DIVISION
FILE NO.: 08 CVS 278
NOTICE OF EXECUTION
SALE OF REAL
PROPERTY**

**EDWIN L. HORST &
LOIS D. HERB
Plaintiffs,
vs.
DOLPH SILVERS, D/B/A
DOLPH, &
S.W. SILVERS
CONSTRUCTION, ET AL.
Defendants.**

UNDER AND BY VIRTUE of an Order executed by Honorable Rebecca Eggers-Gryder dated December 13, 2016 and by a Writ of Execution issued by the above-named court in the above-entitled action on January 12, 2017, directed to the undersigned Sheriff from the Superior Court of Yancey County, I will offer for sale to the highest bidder for cash whatever right, title, and interest, the judgment debtor owns or may own in the following described real property which is subject to sale under execution based on the Judgment on Referee's Report in the amount of \$265,000.00, plus interest and costs as provided by law. This sale shall be held at the following location: Yancey County Courthouse entrance, 110 Towne Square, Burnsville, North Carolina 28714, as designated by the Clerk of Superior Court on Friday, February 17, 2017 at 10:00 o'clock a.m. This property is being sold "AS IS, WHERE IS" and said sale shall be subject to all superior liens, mortgages, easements, encumbrances, unpaid taxes and special assessments which were or became effective on the record prior to the lien of the judgment under which this sale is being held. The sale shall be held open for ten (10) days for the filing of upset bids as required by law. No sale is final until confirmed by the Clerk of Superior Court of the issuing county. The real property being sold is described as that certain tract(s) of land lying and being at 1710 Bailey Branch

Road, Burnsville, NC 28714, Yancey County, North Carolina, and being more particularly described as follows:

BEGINNING on a stake at the branch near the spring and crib and runs a straight line a Northerly course to a Black Walnut; thence a Westerly course a straight line to an Elm; thence a northerly course a straight line to an Oak on the top of the mountain in the Honeycutt line; thence an Easterly course with the Honeycutt line to a stake in Jack Silvers line; thence continuing as Easterly course with Jack Silvers line to an Apple Tree in Jack Silvers line; thence a Southerly course with Jack Silvers line to the creek; then crossing the creek and road with Hollis Silvers line to Ed Higgins lines; thence with Edd Higgins line to Bob Higgins line; thence with Bob Higgins line to Roy Fender's line; thence with Roy Fender's line to Ansel Bailey's line; thence with Ansel Bailey's line down the hill to an Oak on the ridge; thence down and with the height of the ridge to the creek the BEGINNING corner, containing 35 acres, more or less, and being the entire share of S. W. Silvers in the lands described in a deed from Silas Silvers, August 28, 1958 to Dewey Silvers and S. W. Silvers, wrongfully called S. A. Silvers in said Deed, which Deed is recorded in the Office of the Register of Deeds for Yancey County in Deed Book 120, Page 469.

LESS AND EXCEPT that property described in that deed recorded on May 23, 2001, in Deed Book 371, Page 348, Yancey County, NC Registry of Deeds, and being a .952 acre tract as shown on a survey by Dallas G. Miller, PLS, dated October 11, 2000, drawing number 8992-01D.

This the 31st day of January, 2017.

Gary Banks, Sheriff
By: Lt. Daniel Hughes
Published February 8, 15, 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

**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 Mary F. Helmle 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 10th 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 8th day of February 2017.

J Todd Bailey
PO Box 217
Burnsville, NC 28714
Published February 8, 15, 22,
March 1, 2017

**LEGAL NOTICE
PUBLIC NOTICE
PUBLIC SALE**

In Town Mini Storage will hold a public sale for the following storage unit(s) due to default of rental payments on: March 4, 2017 at 11:00 a.m. Owner may claim their items by paying all rent and fees prior to sale in cash or money order. Unit #27 Owner of unit(s) is unknown Published February 15, 22, 2017

CLASSIFIED ADVERTISEMENT DEADLINE / COST

DEADLINE for classified ads and news copy is 12:00 noon on Friday for Wednesday's publication.

COST is \$7.00 for the first 20 words, 25¢ for each word over 20, 50 word limit.

Classifieds

LEGAL NOTICE

NORTH CAROLINA YANCEY COUNTY IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION BEFORE THE CLERK 16 SP 80 IN THE MATTER OF: The Foreclosure of the Deed of Trust executed by Mountain Air Development Corporation, a North Carolina corporation,

recorded in Deed of Trust Book 575, Page 1, as assigned in Book 657, Page 393 and Book 743, Page 549, Yancey County Registry. By: Jennifer Belter Formichella Substitute Trustee. NOTICE OF SALE NOTICE IS HEREBY GIVEN that under and by virtue of the power of sale contained in the Deed of Trust referred to above, and under and by authority vested in the undersigned as Trustee, default having been made in the payment of the indebtedness secured by the

LEGAL NOTICE

Deed of Trust, the undersigned Trustee will expose for sale at public auction the real property described in said Deed of Trust as more particularly described on Exhibit A attached hereto and incorporated herein by reference.

The real property subject to the foreclosure is located in Prices Creek Township, Yancey County, North Carolina and the record owner thereof is Mountain Air Development Corporation, a North Carolina corporation, as reflected in the records of the Office of the Register of Deeds of Yancey County not more than ten (10) days prior to the posting of this Notice of Sale.

The aforesaid public auction of such real property will be held on February 23, 2017 at 11:00 a.m. at the main door of the Yancey County Courthouse in Burnsville, North Carolina.

Such real property is to be sold for cash subject to all liens, encumbrances, restrictions, easements and rights of way of record as may have priority over the lien of the Deed of Trust, and to all taxes, water rents and special assessments, if any.

If the property is purchased by a third party, that party shall pay the excise tax (deed stamps) required by North Carolina Gen. Stat. § 105-228.30 on the trustee's deed of conveyance, and pay the fees to record the trustee's deed and notice of foreclosure. Said third party shall also pay the clerk of superior court's commission required by North Carolina Gen. Stat. § 7A-308(a)(1).

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/Security Agreement, or both, being foreclosed, nor the officers, directors, attorneys, employees, agents or authorized representatives of either the 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, and any and all responsibilities or liabilities arising out of or in any way relating to any such condition expressly are disclaimed.

If the property being offered pursuant to this notice of sale is residential property containing fewer than 15 units, an order for possession of the property may be issued pursuant to North Carolina Gen. Stat. § 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 upon 10 days' written notice to the landlord. 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.

Pursuant to North Carolina Gen. Stat. § 45-21.10 and the terms of the Deed of Trust, any successful bidder may be required to deposit with the Trustee immediately upon conclusion of the sale a cash deposit of \$750.00 or 5% of the bid, whichever is greater. Any successful bidder shall be required to tender the full balance of the purchase price so bid in cash at the time the Trustee tenders to him a deed for the real property or attempts to tender such deed, and should said successful bidder fail to pay at that time the full balance of the purchase price so bid, he shall remain liable on his bid as provided for in North Carolina Gen. Stat. § 45-21.30(d) and (e).

This sale shall be held open for upset bids ten (10) days after the filing of the Trustee's report of sale with the Clerk of Superior Court of Yancey County, North Carolina, as required by law.

This the 1st day of February, February 10, 2017.

Jennifer Belter Formichella Substitute Trustee

EXHIBIT A
That certain tract or parcel of land located in Prices Creek Township, Yancey County, North Carolina, more particularly described as follows:

BEGINNING at a point in the margin of the right of way for Andrew Banks Road, the northeastern corner of Lot 29, Unit Six [located S 74-04-57] W 3062.73 feet from N.C.G.S. Monument "Keen" NAD 83.86, North 240,316.44m, East 307.601,458m, Combined Grid Factor=0.99971088 and running with the line of Lot 29, Unit Six, N 88 31-16 W 184.19 feet (passing the beginning of the center of a right of way traversing the premises as hereinafter referenced at 99.23 feet) to an iron pin; thence with other lands of Mountain Air Development Corporation, N 12-39-41 W 397.03 feet to an iron pin; thence N 55-36-33 E 382.47 feet to an iron pin; thence with the line of Lot 23, Unit Six (Book 531, page 397, Yancey County Registry), S 52-56-22 E 108.64 feet to an iron pin; thence S 58-41-43 E 74.61 feet to an iron pin in the margin of the right of way for Andrew Banks Road; thence with the margin of the right of way, 124.05 feet along the arc of a curve to the right having a radius of 407.44 feet and a chord bearing S 02-45-15 W 123.57 feet to a point; thence 112.35 feet along the arc of a curve to the right having a radius of 830.03 feet and a chord bearing S 15-21-15 W 112.26 feet to a point; thence S 19-13-55 W 30.00 feet to a point; thence S 22-16-37 W 71.57 feet to a point; thence S 18-24-22 W 128.33 feet (passing the terminus of the center of the right of way traversing the premises as hereinafter referenced at 89.41 feet) to the BEGINNING, containing 3.423 acres. The foregoing description if according to a survey and plat by Gerald W. Stevenson, PLS L-2669, for Webb. A. Morgan & Associates, P.A., dated 8 June 2007, last revised 20 August 2007, Job File No. 90018-C-1033.

EXCEPTING and **RESERVING** from the foregoing is a perpetual easement and right of way for a road and cart part, being twenty (20) feet in width, located ten (10) feet on each side of the center of a line traversing the foregoing premises, beginning at the point referenced in the foregoing description and running S 67-52-36 W 29.72 feet to a point;

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thence S 72-37-51 W 33.58 feet to a point; thence S 76-46-00 W 43.00 feet to a point; thence S 71-46-41 W 10.57 feet to the terminus referenced in the foregoing description, together with the right to locate, construct, maintain, improve, and repair a roadway and cart path within the area of the easement and right of way.

This conveyance is made **SUBJECT** to the provisions of the Land Use Covenants, Conditions and Restrictions for the Mountain Air Country Club Community filed for public record in the office of the Register of Deeds for Yancey County on 13 August 1990, appearing of record in Yancey County Deed Book 25, pages 94 et seq as amended by Instrument recorded in Book 545, page 595, Yancey County Registry. The premises are restricted to Land Use Class B-3 under the Covenants.

LEGAL NOTICE

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

BEFORE THE CLERK FILE NO. 2017 E 28 EXECUTOR'S NOTICE

Having qualified as Executrix of the Estate of Joan Higbee 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 10th 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 8th day of February 2017.

Patricia Ann Bradley, Executrix
In care of Staunton Norris, Resident Process Agent
PO Box 548
Burnsville, NC 28714
Published February 8, 15, 22, March 1, 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

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 Kittie 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 10th 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 8th day of February 2017.

Marilyn Hughes Beinke
PO Box 344
Micaville, NC 28755
Published February 8, 15, 22, March 1, 2017

EMPLOYMENT



Assistant Mechanic-Some mechanical experience preferred but will train the right person. Must be available to work some weekends and holidays.(40 hours per week).
Hiring: Grounds keeper-Seasonal, April-November, Must be available to work some weekends and holidays.(40 hours per week)
Email:
speterson@mtnaircc.com or 828-682-4155

EMPLOYMENT

Yancey Home Care is hiring for a full time/part time Customer Service Rep. Duties will include customer service, intake, billing and dispatching. Basic computer skills and good communication skills are required. Rotating schedule Monday-Saturday.
Submit application by email to latasha @yanceyhomecare.com or fax 828-678-3404.

EMPLOYMENT



Taking applications for Laborers & Operators
828-682-9808
222 FERGUSON HILL ROAD, BURNSVILLE, NC 28714
EQUAL OPPORTUNITY EMPLOYER

EMPLOYMENT



Yancey County Library Staff Part-time Position Open
People oriented person, who is courteous and tactful when working with the public; excellent interpersonal communication skills, with basic knowledge of computer operations, including internet and Microsoft Office knowledge. Preference is given to someone who is motivated to contribute to library programming and grow with a team of innovative, creative professionals. A high school diploma or GED is required. Additional degree and Spanish Language is certainly welcomed and preferred. Part-time (up to 14 hours per week) with no benefits. Saturday mornings and evenings required. Background and drug test required before contract signed.
Please submit by March 1st: (1) letter of application, (2) a brief resume, (3) three references from former employers (no family members, ministers, or friends please). **Incomplete applications will not be considered.** Send to Amber Westall Briggs, PO Drawer 310, Burnsville, NC 28714 or preferable, please send as attachments to director@amyregionallibrary.org Call 828-682-4476 for questions.

FOR SALE

Affordable & Move-in Condition 2BR/3BA Home w/covered front porch, side deck, garage & additional finished room on lower level offered for low price of \$149,000!!! #28840
Please call us at **Carolina Mountain Realty, Inc.**
(828) 682-6166

FOR RENT

LONG RANGE BREATH-TAKING YEAR-ROUND SCENIC VIEW!
Mountain Air Community Hemlock Bluff Unit Private, Gated Community 3BR/3BA Furnished Condo. Open, Luxurious floor plan, hard wood floors, fireplace in living room & master bedroom, enclosed porch, storage building.
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Contact: 704 7690823 or 704 244 0623

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Come Join Our TEAM
Sign-On Bonuses!
\$1,000 for CNAs and \$2,000 for Nurses!
(after 90 days employment)

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- Storms of Life Foundation to assist employees in times of crisis
- CAREER CONNECTION for CNAs - earn points for coming to work and doing your job -- shop online for name brand products using your points. Employee of Month Program
- Idea Box Program
- Blue Ribbon Competition with rewards

Interested?
Contact Cindy Coates or Rebecca Ramsey at (828) 645-4297 for additional information

Brian Center Health & Rehabilitation Center / Weaverville
SavaSeniorCare
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Large basement with 3BA available. \$249,900
828-682-2587 or 828-208-6678.