

# LEGAL NOTICE

## LEGAL NOTICE NOTICE OF FORECLOSURE SALE 16 SP 3

Under and by virtue of the power of sale contained in a certain Deed of Trust made by Rabindar K. Mangat and Bhupinder S. Mangat to TRSTE, Inc., Trustee(s), dated the 30th day of March, 2005, and recorded in Book 487, Page 637, in Yancey County Registry, North Carolina, default having been made in the payment of the note thereby secured by the said Deed of Trust and the undersigned, Substitute Trustee Services, Inc. having been substituted as Trustee in said Deed of Trust by an instrument duly recorded in the Office of the Register of Deeds of Yancey County, North Carolina and the holder of the note evidencing said indebtedness having directed that the Deed of Trust be foreclosed, the undersigned 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, at 3:30 PM on March 6, 2017 and will sell to the highest bidder for cash the following real estate situated in the Township of Princes Creek, in the County of Yancey, North Carolina, and being more particularly described as follows:

That certain condominium unit in Stoney Falls 3 Condominium, located in Mountain Air Country Club in Princes Creek Township, Yancey County, North Carolina, more particularly described as follows:

BEING Building 1, Unit 302 in Stoney Falls 3 Condominium subject to and as defined in "Declaration of Condominium for Stoney Falls 3 Condominium within the Mountain Air Country Club Community" dated 12 December 1997 as same appears of record in Yancey County Deed Book 304, pages 221 et seq, and the plat and plans referenced in the Declaration and reference to such public record appearing in the office of the Yancey County Register of Deeds is hereby made for a more full and complete description of the Condominium Unit the same as is set forth herein. Including the Unit located thereon; said Unit being located at 80 Stoney Falls Loop, Burnsville, North Carolina.

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 225, pages 94 et seq.

The premises hereinabove conveyed are restricted to Land Use Class B-3 under the Covenants.

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

Should the property be purchased by a third party, that party must pay the excise tax, as well as the court costs of Forty-Five Cents (\$0.45) per One Hundred Dollars (\$100.00) required by NCGS §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 representative 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. Also, this property is being sold subject to all taxes, special assessments, and prior liens or encumbrances of record and any recorded releases. Said property is also being sold subject to applicable Federal and State laws.

A deposit of five percent (5%) of the purchase price, 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.

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.

Additional Notice for Residential 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 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 foreclosure 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 this 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.

SUBSTITUTE TRUSTEE SERVICES, INC.

SUBSTITUTE TRUSTEE  
c/o Hutchens Law Firm  
P.O. Box 1028  
4317 Ramsey Street  
Fayetteville, North Carolina 28311

Phone No: (910) 864-3068  
https://sales.hutchenslawfirm.com

Case No: 1173447 (FC. FAY)

Published Febauray 22, March 1, 2017

**LEGAL NOTICE  
STATE OF NORTH  
CAROLINA  
COUNTY OF YANCEY  
IN THE GENERAL COURT  
OF JUSTICE  
SUPERIOR COURT  
DIVISION  
FILE NO.: 08 CVS 278  
EDWIN L. HORST &  
LOIS D. HERB  
Plaintiffs,  
vs.  
DOLPH SILVERS AND  
S.W. Silvers D/B/A  
DOLPH & S.W. SILVERS  
CONSTRUCTION  
& CABINET SHOP,  
Defendants.  
NOTICE OF EXECUTION  
SALE OF REAL  
PROPERTY**

UNDERANDBY 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 and February 9, 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 debtors own or may own in the following described real properties 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 Tuesday, March 14, 2017, at 10:00 o'clock a.m. This

properties are 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 properties being sold are described more particularly described as follows:

Tract 1

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 Edd 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 conveyed to Willie J. Hensley and wife, Jessica E. Hensley, described in that deed recorded on May 23, 2001, in Deed Book 371, Page 348, Yancey County, NC Registry of Deeds, and being a 0.952 acre tract as shown on a survey by Dallas G. Miller, PLS, dated October 11, 2000, drawing number 8992-01D.

LESS AND EXCEPT that property conveyed to Harlan Edward and Dianne Silvers, described in that deed recorded on March 30, 1979, in Deed Book 175, page 619, Yancey County, NC, Registry of Deeds, and being a 1.59 acre tract more or less. Excepting the rights of way of Public Road No. SR1225 and the Jacks Creek Public Road. Excepting further a one-half interest in the water from a spring located upon said lands as further described in Deed Book 175, Page 619, Yancey County, NC Registry.

LESS AND EXCEPT that property conveyed to Damon Silvers, described in that deed recorded on December 8, 1991, in Deed Book 187, Page 713, Yancey County, NC, Registry of Deeds, and being 1.57 acres according to a map and plat of a survey by Carl A. Reeves, Registered Land Surveyor, dated September 26, 1981.

LESS AND EXCEPT that property conveyed to Damon Silvers and wife, Pamela Silvers, described in that deed recorded on December 8, 1981, in Deed Book 187, Page 715, Yancey County, NC, Registry of Deeds, and containing 0.74 acres, according to a map and plat of a survey by Carl A. Reeves, Registered Land Surveyor, dated September 26, 1981.

Subject to Easements and Rights-of-Way of record.

Tract 2  
BEGINNING at an iron pin in the edge of the right-of-way of Woodland Avenue, the northeastern corner of Kenneth Hilliard, and running thence along the Hilliard line S 05 06 57 W 125.00 feet to an iron pin in the edge of an alley; thence with the edge of the alley N 84 16 W 150.00 feet to a point 1.04 feet from an axle; thence leaving said alley and running with the line of Steve McClure N 05 06 57 E 125.00 feet to an axel in the edge of the right-

of-way of Woodlawn Avenue; thence with said right-of-way S 84 16 E 150.00 feet to the point and place of BEGINNING, containing .43 acre and being Lots 3, 4 and 5 of Block A of the S. M. Bennett Addition to the Town of Burnsville, as shown on a survey by Carl A. Reeves, Jr., RLS, dated July 29, 1988.

And being that same property described in Deed Book 214, Page 499, Yancey County, NC, Registry.

Tract 3

LOT NO. 38 BEGINNING on a stake on the Northwest side of a 60 foot road, said point being the Southwest corner of Lot No. 39 and the southeast corner of Lot 38, heretofore conveyed, and running thence with the margin of said road S 57 36 56 W. 67.84 feet to the Southwest corner of Lot No. 38, heretofore conveyed and the Southeast corner of Lot No. 37; thence running with the Line of Lot 37, N 48 57 11 W 168.02 feet to the Northeast corner of Lot Nos. 37 and 36; the Northwest Corner of Lot No. 38, heretofore conveyed, and the Southwest corner of Lot No. 40; running thence with the line of Lot No. 40 N 50 42 38 E 127.91 feet to a stake, Northeast corner of Lot 38, heretofore conveyed and likewise being a corner in Lot 39, S. 38 44 23 E 176.78 feet to the Beginning, containing .381 acres. And being that same property described in Deed Book 202, page 757, Yancey County, NC, Registry of Deeds.

Subject to Declaration of Protective and Restrictive Covenants of record.

Subject to easements and rights-of-way of record, if any.

Tract 4  
Parcel 1

BEGINNING on an iron stake in the western margin of a 60 foot road (the New Boone Ridge Road), the same being the northeastern corner of the James C. Evans tract (Deed Book 136, Page 314), and running with the northern margin of the Evans lot N 76 15 W 150 feet to an iron stake; the northwestern corner of the Evans tract; thence N 38 16 W 133.6 feet, N 43, 52 W 161.4 feet to an iron stake; thence S 89 48 E 150 feet to an iron stake on the western margin of said road; thence with the road S 52 45 E 85 feet, S 38 43 E 68 feet, S 34 E 80 feet, S 26 55 E 52 feet, and S 14 57 E 40 feet to the BEGINNING, containing one-half acre, more or less, according to a survey by Ernest Wilson dated October 1969. And being the same property described as Tract 2 in Deed Book 217, Page 224, Yancey County, NC, Registry.

ALSO CONVEYED HEREWITH is the right to use the New Boone Ridge Road as a means of ingress and egress to and from the above premises, together with the right to use the same for water and sewer lines.

Parcel 2

Being all of those lands described in a Deed from Jessie Fay Ramsey et al to Cullenwood Silvers Construction Co. dated January 15, 1987, recorded in Deed Book 206, Page 772, Yancey Registry, consisting of two 1.1 acre lots, together with and subject to all easements and reservations contained therewith. And being the same property described as Tract 3 in Deed Book 217, Page 224, Yancey County, NC Registry.

This the 17th day of February, 2017.

Gary Banks, Sheriff  
By: Lt. Daniel Hughes  
Published March 1, 8, 2017

**Hospice and Palliative  
Care of Yancey needs  
volunteers**

Hospice and Palliative Care of Yancey County is seeking individuals to volunteer with patients in their private homes and in local nursing facilities. Volunteers spend time reading, recording stories, or just provide a listening ear to our patients. Volunteers may also provide a time for exhausted caregivers to be able to run errands.

For more information please contact Angie Higgins, Volunteer Director at 682-9675.

**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. Helmlle 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  
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 Executrix of the Estate of Grace T. Woody 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 7th day of June 2017 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment. This the 22nd day of February 2017.

Diane Patricia Fink,  
Executrix  
846 Veterans Drive  
Marion, NC 28752  
Published February 22,  
March 1, 8, 15, 2016

**LEGAL NOTICE  
NOTICE OF  
EXECUTRIX**

Having qualified before the Clerk of the Superior Court of Yancey County as Executrix of the Estate of Jack Randall Riddle, deceased, this is to notify all persons having claims against the estate of said decedent to present them, duly itemized and verified, to the undersigned on or before Friday, June 2, 2017, or this notice will be pleaded in bar of their recovery.

All persons indebted to the estate of said decedent are hereby requested to make prompt settlement with the undersigned.

This 1st day of March, 2017.  
Holly Marlene Hobbs,  
Executrix of the  
Estate of Jack Randall Riddle,  
deceased  
c/o Dale Hensley, Attorney  
P. O. Box 1570  
Burnsville, NC 28714  
Published March 1, 8, 15,  
22, 2017.

**Times Journal Deadline**

Deadline for newscopy, pictures, classified advertisements is 12:00 on Friday. Office located at 22 North Main Street Burnsville, N.C. 28714.

**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

**LEGAL NOTICE  
STATE OF  
NORTH CAROLINA  
COUNTY OF YANCEY  
GENERAL COURT  
OF JUSTICE  
DISTRICT COURT  
DIVISION  
FILE NOS: 17JT5 & 17JT6  
NOTICE OF SERVICE  
OF PROCESS  
BY PUBLICATION  
IN THE MATTERS OF:  
SJR & SKR, minor children  
DOB:**

**Petitioner: CHRISTIE  
ROSALES GOMEZ  
TO: JOSE LUIS ROSALES  
DELEON, Respondent.**  
TAKE NOTICE that a pleading seeking relief against you has been filed in the above entitled proceedings. 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 April 10, 2017, being 40 days from the date of the first publication of this Notice and upon your failure to do so, the petitioner will seek the relief sought by the petition.

This the 1st day of March, 2017.  
Nycole R. Howard  
Attorney for Petitioner  
Post Office Box 746  
Burnsville, North Carolina 28714  
Published March 1, 8, 15, 2017

**LEGAL NOTICE  
NOTICE OF  
NONDISCRIMINATORY  
POLICY AS TO STUDENTS**

The Yancey County Christian School admits students of any race, color, national and ethnic origin to all the rights, privileges, programs, and activities generally accorded or made available to students at the school. It does not discriminate on the basis of race, color, national and ethnic origin in administration of its educational policies, admissions policies, scholarship and loan programs, athletic and other school-administered programs.

Administrator  
Logan Buchanan  
Published March 1, 2017

**Volunteers needed**  
Meals on Wheels needs volunteers to deliver meals. Call the Senior Center at 682-6011.

**Senior Center  
needs volunteers**

The Yancey Senior Center is in need of dedicated volunteers to deliver meals to the homebound. Meals are delivered Monday - Thursday from 10:30 until noon.

You can choose which day or day(s) that you would like to volunteer.

The Senior Center could not offer the Meals on Wheels program without its dedicated volunteers. Without this service, many of the elderly would not receive a hot, nutritious meal every day.

So, if you enjoy meeting new people and helping others, please call 682-6011, ext. 14. The staff looks forward to working with you and appreciates your willingness to make a difference in the lives of so many people.