

LEGAL NOTICE

LEGAL NOTICE 16 SP 60

AMENDED 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 Lee Joseph Mencis and Wendy Kathleen Mencis to J. Todd Bailey, Trustee(s), which was dated January 12, 2006 and recorded on January 18, 2006 in Book 513 at Page 161, 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 April 5, 2017 at 1:00PM, and will sell to the highest bidder for cash the following described property situated in Yancey County, North Carolina, to wit:

All that certain tract or parcel of land situated in Jacks Creek Township, Yancey County, North Carolina, more particularly described as follows:

BEGINNING on an existing iron pin with a tie line of S 37-06-53 W 97.78 feet from the northwest corner of the house located on the herein conveyed lot, a corner with Lot 4; thence with the line of Lot 4 N 03-05-54 W 135.66 feet to an iron pin set; thence the same course 25.80 feet to the center of a 45 foot road right of way; thence leaving the line of Lot 4 and running with the center of the road right of way the following courses and distances; S 85-24-

55 E 8.68 feet, N 68-44-59 E 17.56 feet; N 46-34-13 E 20.13 feet; N 34-53-22 E 30.56 feet; N 47-46-09 E 44.10 feet; N 26-12-11 E 34.11 feet; N 20-32-23 E 35.55 feet to a point where the 45-foot road right of way intersects with a 30-foot road right of way; thence following the center of the 30-foot road right of way and the line of Lot 7 S 40-42-53 E 22.67 feet; S 10-04-40 E 52.29 feet; S 06-48-11 E 22.03 feet; S 03-55-41 W 27.09 feet; S 65-57-29 E 17.79 feet to an iron pin set; thence the same course 51.78 feet to an iron pin set in the line of lands of Linda Wright; thence with the Wright line and the line of Jack Whitson S 20-07-35 W 54.45 feet to an existing iron pin; thence continuing with the Whitson line S 56-29-51 W 72.06 feet; S 62-04-40 W 133.51 feet to the point of BEGINNING, containing 0.69 acres, and being Lot No. 6 as shown on a survey by Arrowood Surveying, dated June 25, 1999, drawing no. 99-Y-04-177.

ALSO CONVEYED herewith and SUBJECT to the road right of ways as shown on the above-referenced plat and leading to and from the herein-conveyed property and NCSR 1352, Patterson Branch Road (Left) SUBJECT to the Declaration of Restrictive and Protective Covenants for Valle Mountain, Inc. as recorded in Book 323, page 703, Yancey County Registry.

ALSO CONVEYED herewith is a perpetual and non-exclusive easement and right to take water from the well and reservoir on adjoining lands and pipe the same via underground transmission lines for domestic single-family use on the herein-conveyed lands, together with rights of ingress and egress for purposes of maintaining, inspecting and repairing said water system.

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

Said property is commonly known as 203 Valle Drive, 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 Lee Joseph Mencis and wife, Wendy Kathleen Mencis.

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.: 15-13478-FC02
Published March 22, 29, 2017.

Under and by virtue of a Power of Sale contained in that certain Deed of Trust executed by Randall E. Gore and Mary E. Palmer to CB Services Corp., Trustee(s), which was dated July 28, 2010 and recorded on August 2, 2010 in Book 634 at Page 548, 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 April 6, 2017 at 11:00AM, and will sell

to the highest bidder for cash the following described property situated in Yancey County, North Carolina, to wit:

LYING AND BEING in Jacks Creek Township, Yancey County, North Carolina, on McKinney Branch Road, State Road No. 1337, and being Lot No. 16 of a subdivision known as River Ridge, and being more particularly described as follows:

BEGINNING at a set iron pin (iron silver), common corner of Lots No. 14, 15, and 16 as shown on a plat and survey entitled "A Survey for Farrell Hughes", with a subheading indicating 30 Lots Located in River Ridge, Map No. 88-181-L-S, dated May 18, 1988, made and prepared by John E. Keen Registered Land Surveyor, L-2991, of Keen Surveying (said plat being hereinafter referred to as the "River Ridge Plat") (said iron pin being located South 02 59 46 East 96.89 feet from the Southeast corner (exclusive of the wooden deck) of a one story wood frame notice with full basement located on said Lot 16; thence from the Beginning point as herein established, and with the Northern property line of Lot No. 14 of the River Ridge Plat, North 64 06 25 West 146.61 feet to a railroad spike set within the right of way of Twin Leaf Lane, a private road with a 30 feet in width right of way; thence continuing with the Northern property line of Lot No. 14, North 64 06 25 West 20.00 feet to a point in the center of the hard surface of Twin Leaf Road, common corner of Lots 13, 14, 16, and 17 of the River Ridge Plat (said point being located South 64 06 25 East 20.00 feet from an existing iron rebar located within the right of way of Twin Leaf Road); thence leaving the property line of said Lot 14, and with the line of said Lot 17 and the center of the hard surface of Twin Leaf Road, seven (7) calls as follows:

(1) North 19 50 20 West 15.09 feet to an unmarked point;
(2) North 20 25 52 East 16.62 feet to an unmarked point;
(3) North 57 20 54 East 16.21 feet to an unmarked point;
(4) North 63 19 33 East 51.54 feet to an unmarked point;
(5) North 41 47 42 East 23.52 feet to an unmarked point;
(6) North 20 23 09 East 22.36 feet to an unmarked point; and
(7) North 28 17 34 East 110.71 feet to a PK nail set in the center of the pavement of Heather Circle Drive, a private road with a 30 feet in width right of way at the point where the projected centerline of the hard surface of Twin Leaf Road intersects with the center line of the pavement of Heather Circle Drive (said PK nail being in the line of Lot 1 and being a common corner of Lots 16 and 17 of the River Ridge Plat);

thence leaving the line of said Lot 17 and with the property line of Lot 1 as shown on said River Ridge Plat and within the right of way of Heather Circle, South 34 05 18 East 103.15 feet to an unmarked point in the pavement of McKinney Road, State Road No. 1377, near the Eastern edge of said pavement (said point being a common corner of Lots 1 and 16 as shown on said River Ridge Plat); thence within the pavement of said State Road No. 1377, South 07 10 27 West 17.00 feet to a railroad spike set at pavement edge (said railroad spike being a common corner of Lot 15 and 16 of said River Ridge Plat); thence crossing the pavement and right of way of said State Road No. 1377, South 14 05 47 West 113.29 feet to a set iron rebar located West of the right of way of said State Road No. 1377; thence South 14 01 15 West 60.01 feet to the point and place of BEGINNING.

Containing 0.60 acres and being designated as Lot 16 as shown on the aforesaid River Ridge Plat. Also containing 0.60 acres according to a plat and survey entitled "Property To Be Conveyed From Farrell Hughes To Vanessa Gore", Map File No 91-234, dated December 10, 1991, made and prepared by John E. Keen, Registered Land Surveyor, L-2991, of Keen Surveying, P. A.

Being a portion of that property described in a Deed dated October 1, 1987 from Vyron Riddle and wife, Helen

Riddle to Farrell Hughes and wife, Anna Lou Hughes and recorded in Deed Book 209 at Page 523 in the office of the Register of Deeds for Yancey County, North Carolina.

ALSO CONVEYED to the Grantee, his heirs and assigns, is a perpetual and non-exclusive easement and road right of way fifteen (15) feet in width for a presently existing road as said road leads to and from the above-described property and State Road No. 1377 together with rights of ingress, egress and regress for purposes of inspecting, maintaining, and repairing the same.

EXCEPTING AND RESERVING unto others, is a perpetual and nonexclusive easement and road right of way fifteen (13) feet in width for a presently existing roadway as said roadway traverses the above-referenced property together with rights of ingress, egress and regress for purposes of inspecting, maintaining and repairing the same.

EXCEPTING AND RESERVING unto others, is the right to install, maintain and inspect utility and water lines and ways on the above referenced property; provided that such utility and water lines and ways are installed and maintained in the most feasible way and manner as to do the least damage to the above described property physically and in value.

THIS CONVEYANCE is made together with and subject to the right of way of McKinney Road, State Road No. 1377, to its full legal width and length.

THIS CONVEYANCE is made together with and subject to the following restrictions which shall run with the land and shall be and remain binding on the Grantees, their heirs and assigns, for a period of twenty-five (25) years from July 10, 1992, after which time said restrictions shall be automatically extended for successive periods of ten (10) years unless changed or amended by approval of three-fourths (3/4) majority of then owners of lots as shown on the said River Ridge Plat:

1. No Trailer, mobile home, tent, shack, or barn shall be erected or placed on the above-described property.
2. No residential structure which has a heated floor space of less than nine hundred (900) square feet, exclusive of porches, breezeways, steps and garages shall be erected or placed or permitted to remain on the above described property.

Being the same property, easements, and restrictions described in that Deed dated July 10, 1992 from Farrell Hughes and wife, Anna Lou Hughes to Randall E. Gore and wife, Vanessa G. Gore and recorded in Deed Book 235 at Page 209 in the aforesaid Registry.

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

Said property is commonly known as 839 McKinney 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

Randall E. Gore and Mary E. Palmer.

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.: 16-09465-FC01
Published March 22, 29, 2017

Under and by virtue of a Power of Sale contained in that certain Deed of Trust executed by William Wayne Sams 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 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 15th day of March 2017.

Wanda Willis Sams
206 Blue Iris Lane
Burnsville, NC 28714
Published March 15, 22, 29, April 5, 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 Lawrence Duane Smith 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 22nd 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 March 2017.

Jeanette Frances Clark Maddox
664 Bill Allen Branch Road
Burnsville, NC 28714
Published March 22, 29,
April 5, 12, 2017

**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!

**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.

**TOPS Club meets
every Tuesday**

TOPS, Taking Off Pounds Sensibly, meets every week at the Burnsville United Community Bank in the community room on Tuesdays from 5:30 to 6 PM. If you are interested in losing weight, maintaining the weight you have lost, or exploring new options in diet and exercise please come join us. Affordable, informative and fun!

For more information call 828-284-6032.

**MY Meds
Medication
Ministry**

MY Meds Medication and Health Ministry is a local nonprofit 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.

Times Journal Deadline
Noon on Friday for Wednesday's publication. located at 22 North Main Street. Phone 828-682-2120.

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 Christine Clark 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 22nd 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 March 2017.

Jeanette Frances Clark Maddox
664 Bill Allen Branch Road
Burnsville, NC 28714
Published March 22, 29,
April 5, 12, 2017

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YHS Resale Store**

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For more information call 828-284-6032.

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

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 Lawrence Duane Smith 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 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 15th day of March 2017.

LEGAL NOTICE

LEGAL NOTICE NOTICE OF TAX FORECLOSURE SALE

Under and by virtue of an order of the District Court of Yancey County, North Carolina, made and entered in the action entitled "COUNTY OF YANCEY vs. STEVEN D. ROBINSON and spouse, if any, and all possible heirs and assignees of STEVEN D. ROBINSON and spouse, if any, or any other person or entity claiming thereunder, and DARLA ROBINSON and spouse, if any, and all possible heirs and assignees of DARLA ROBINSON, and spouse, if any, or any other person or entity claiming thereunder, et al, 15-CVD-275, the undersigned Commissioner will on the 29th day of March, 2017, offer for sale and sell for cash, to the last and highest bidder at public auction at the courthouse door in Yancey County, North Carolina, Burnsville, North Carolina at 12:00 o'clock, noon, the following described real property, lying and being in South Toe Township, State and County aforesaid, and more particularly described as follows:

All that certain lot or parcel of land situated in South Toe Township, Yancey County, North Carolina, and more particularly described as follows:

Beginning on an iron set in the line of an 8.47 acre parcel or tract of land conveyed by Myrtle Hollifield, to Ray Hollifield and wife, Georgia Hollifield, and a common corner with a 9.90 acre parcel or tract of land conveyed to Shirley Wilson and husband, Martin Wilson and running thence with the Wilson and Hollifield line S. 81 03 48 W. 656.80 feet to an iron pin set; thence S. 03 05 44 E. 208.23 feet to an iron pin set; thence the same course 50.00 feet to a point in the centerline of an existing road; thence along and with the centerline of the road the following courses and distances: N. 75 25 46 W. 220.82 feet to a point, S. 57 04 34 W. 110.19 feet to a point, S. 75 19 20 W. 72.79 feet to a point, S. 86 54 56 W. 56.32 feet to a point, and N. 83 33 24 W. 38.77 feet to a point; thence leaving the centerline of said road and running with the tract of the land of the Grantees described at Deed Book 145, Page 299, N. 03 27 19 W. 60.25 feet to a point; S. 64 43 37 E. 80.90 feet to a point, N. 69 01 23 E. 103.80 feet to a point, N. 01 10 27 E. 134.78 feet to a point in the branch; thence with the branch N. 03 34 59 E. 38.88 feet to a point, N. 30 34 24 E. 42.76 feet to a point and N. 01 08 24 W. 26.84 feet to a point; thence leaving the branch and running N. 49 03 08 E. 15.00 feet to an iron set and thence the same course 1089.52 feet to an iron set in the line of T.C. Hutchinson as described at Deed Book 113, Page 569; thence with the Hutchinson line S. 87 53 50 E. 57.65 feet to an iron set in the line of the 8.47 acre parcel conveyed to Ray Hollifield and wife, Georgia Hollifield; thence with the Hollifield line S. 01 55 42 E. 640.73 feet to the point of beginning, containing 9.47 acres by DMD, according to a map and plat of a survey by Miller & Associates, registered land surveyors, dated 7 March, 1991.

THIS CONVEYANCE is made SUBJECT TO the utilities easement in favor of Shirley Wilson and husband, Martin Wilson described in a deed of even date herewith from the Grantee unto the said Shirley Wilson and husband, Martin Wilson.

THIS CONVEYANCE is made SUBJECT TO the rights of others in and to a 22 foot easement over and upon the existing road, the centerline of which is referenced in the above described description and 11 feet of which traverse the southern boundary of the hereinabove described premises, together with their rights of ingress, egress and regress as described in deeds to Shirley Wilson and husband, Martin Wilson and Ray Hollifield and wife, Georgia Hollifield from the Grantor.

ALSO CONVEYED HERewith by the Grantor unto the Grantees, their heirs, successors and assigns, is a perpetual and nonexclusive easement and road right-of-way to travel over and upon the aforesaid existing roadway leading to and from the public road over and through the lands of others and the lands of the Grantors to the aforesaid 9.47 acre parcel.

Subject to restrictive covenants and easements of record.

Parcel Identification Number: 076700669789.000

The undersigned Commissioner makes no warranties in connection with this property and specifically disclaims any warranties as to title and habitability. This property is being sold as is, without opinion as to title or any other matter.

This sale will be made subject to all outstanding city and county taxes and all local improvement assessments against the above described property not included in the judgment in the above-entitled cause. A cash deposit of 20 percent of the successful bid will be required. In addition, the successful bidder will be required, at the time the Deed is recorded to pay for recording fees and revenue stamps assessed by the Yancey County Register of Deeds.

This sale is subject to upset bid as set forth in N.C.G.S. Section 1-339.25.

This the 28th day of February, 2017.

Mark D. Bardill,
Commissioner
P.O. Box 25
Trenton, NC 28585
Published March 15, 22, 2017.

LEGAL NOTICE NOTICE OF TAX FORECLOSURE SALE

Under and by virtue of an order of the District Court of Yancey County, North Carolina, made and entered in the action entitled "COUNTY OF YANCEY vs. BRADLEY CARROLL and spouse, if any, and all possible heirs and assignees of BRADLEY CARROLL and spouse, if any, or any other person or entity claiming thereunder, and DAVID CARROLL and spouse, if any, and all possible heirs and assignees of DAVID CARROLL, and spouse, if any, or any other person or entity claiming thereunder, et al, 16-CVD-163, the undersigned Commissioner will on the 29th day of March, 2017, offer for sale and sell for cash, to the last and highest bidder at public auction at the courthouse door in Yancey County, North Carolina, Burnsville, North Carolina at 12:00 o'clock, noon, the following described real property, lying and being in South Toe Township, State and County aforesaid, and more particularly described as follows:

All that certain tract or parcel of land lying and being in South Toe Township, Yancey County, North Carolina, and being more particularly described as follows:

BEGINNING on a set iron pin, northeast corner of Wade Carroll, et. ux. (Deed Book 145, Page 395, Yancey County Registry) and being located N 70 08 06 W 24.63 feet from the northwest corner of a mobile home, and running with the Carroll line S 68 00 00 W 26.61 feet to a point in a gravel drive, S 68 00 00 W 11.69 feet to a set iron pin; thence leaving the Carroll line a new line N 01 06 23 E 19.52 feet to a point in a gravel drive, N 01 06 23 E 185.69 feet to a set iron pin in the line of Floyd Chrisawn et. ux. (Deed Book 181, Page 273, Yancey County Registry); thence with the Floyd Chrisawn line N 82 55 00 E 176.49 feet to a set iron pin in the line of Stuart Rosenfield (Deed Book 354, Page 677, Yancey County Registry); thence with the Rosenfield line S 11 36 30 W 322.79 feet to a set iron pin; thence leaving the Rosenfield line and running with the Carroll line N 49 00 10 W 61.49 feet to a set iron pin, N 27 00 00 W 71.00 feet to the point of BEGINNING, containing 0.856

acres, according to a map and plat of a survey by Jim Hughes & Associates, PLS, L-3515, with a seal date of 15 April, 2005 and being job file no. 05050-B584 and being designated as Tract 1 of said map and plat.

ALSO CONVEYED unto the Grantees, their heirs and assigns is a perpetual and non exclusive easement and right of way over the existing roadway as the same leads to and from the above described property and Upper Brown's Creek Road (NCSR 1154) for the purposes of ingress, egress and regress, together with the right to inspect, maintain, improve and repair the same.

EXCEPTING AND RESERVING unto the Grantors, their heirs and assigns is a perpetual and non exclusive easement and right of way over the existing roadway as the same traverses the above described property leading to and from other property of the Grantors and Upper Brown's Creek Road (NCSR 1154) for the purposes of ingress, egress and regress, together with the right to inspect, maintain, improve and repair the same.

THIS CONVEYANCE IS SUBJECT TO the existing roadway traversing the southern portion of the above-described property and the rights of others to the use of the same as shown on the above-referenced map and plat.

Subject to restrictive covenants and easements of record.

Parcel Identification Number: 074800825158.000

The undersigned Commissioner makes no warranties in connection with this property and specifically disclaims any warranties as to title and habitability. This property is being sold as is, without opinion as to title or any other matter.

This sale will be made subject to all outstanding city and county taxes and all local improvement assessments against the above described property not included in the judgment in the above-entitled cause. A cash deposit of 20 percent of the successful bid will be required. In addition, the successful bidder will be required, at the time the Deed is recorded to pay for recording fees and revenue stamps assessed by the Yancey County Register of Deeds.

This sale is subject to upset bid as set forth in N.C.G.S. Section 1-339.25.

This the 28th day of February, 2017.

Mark D. Bardill,
Commissioner
P.O. Box 25
Trenton, NC 28585
Published March 15, 22, 2017.

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 Kimberly Bagwell 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 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 15th day of March 2017.

Montana Riddle
29 Cattail Creek Road
Burnsville, NC 28714
Stormy Riddle
474 Lickskilllet Road
Burnsville, NC 28714
Published March 15, 22, 29, April 5, 2017

Times Journal Deadline

Deadline for news copy, pictures, classified advertisements is 12:00 on Friday for Wednesday's publication. Copy should be brought by the office located at 22 North Main Street or mailed to Times Journal, 22 North Main Street, Burnsville, N.C. 28714.

LEGAL NOTICE NOTICE OF TAX FORECLOSURE SALE

Under and by virtue of an order of the District Court of Yancey County, North Carolina, made and entered in the action entitled "COUNTY OF YANCEY vs. BLUE SUN ENTERPRISES, INC., and all possible assigns and successors of BLUE SUN ENTERPRISES, INC., or any other person or entity claiming thereunder, et al, 14-CVD-269, the undersigned Commissioner will on the 29th day of March, 2017, offer for sale and sell for cash, to the last and highest bidder at public auction at the courthouse door in Yancey County, North Carolina, Burnsville, North Carolina at 12:00 o'clock, noon, the following described real property, lying and being in South Toe Township, State and County aforesaid, and more particularly described as follows:

All that certain parcel of land situated in South Toe Township, Yancey County, North Carolina and more particularly described as follows:

LOT NO 1: BEGINNING on a found iron, the northernmost corner of the herein described lot, a corner with lands of Donald Crutchfield, as described at Deed Book 525, Page 520, Yancey County Registry; thence and running with the Crutchfield line S 10 48 25 E 46.48 to a found iron pin; S 36 30 42 E 55.22 feet to a found iron; S 22 32 44 E 132.37 feet to a found iron; and S 08 08 21 E 138.60 feet to a p.k. nail set, the easternmost corner of the herein-described lot; thence running S 63 22 59 W 13.44 feet to a point in a small branch; thence running with the center of the branch S 58 07 17 W 18.45 feet to a point; S 51 51 04 W 23.88 feet to a point; S 59 17 52 W 64.11 feet to a point; S 88 28 52 W 12.56 feet to a point; S 84 11 29 W 1.76 feet to a point near a 16" Hard Maple, the southernmost corner of the herein-described lot; thence leaving the branch running with the line of lands designated as Lot 2 on the herein-referenced survey, N 44 26 46 W 8.56 feet to a point; thence continuing with the line of Lot 2 the same course the following three distances: 37.55 feet to a point in the center of a private road; 252.78 feet to a monument set; and 33.34 feet to a point in the line of Jean W. Cooke as described at Deed Book 235, Page 676, Yancey County Registry; thence continuing with the Cooke line and the center of a branch the following nine courses and distances: N 40 15 57 E 3.89 feet to a point; N 25 18 21 E 34.74 feet to a point; N 57 55 54 E 15.91 feet to a point; N 65 43 31 E 35.92 feet to a point; N 61 33 39 E 57.73 feet to a point; N 50 47 22 E 30.43 feet to a point; N 64 07 21 E 14.59 feet to a point; N 59 56 35 E 42.21 feet to a point; N 44 05 30 E 35.59 feet to a found iron; thence running with new line of Grantor N 52 21 56 E 30.60 feet to the point and place of BEGINNING, and BEING Lot 1, containing 1.78 acres according to a map and plat of a survey by Dallas G. Miller, PLS, L-1445, dated 15 May, 2007, and designated as Drawing No. 07150-01D.

LOT NO. 2: BEGINNING on a found iron, the westernmost corner of the herein-described lot and running with the line of lands of Jean W. Cooke, as described at Deed Book 235, Page 676, Yancey County Registry, the following seven courses and distances: N 23 46 20 E 12.92 feet to a point in the center of a branch; thence with the center of the branch N 54 56 14 E 41.37 feet to a point; N 46 24 28 E 36.29 feet to a point; N 56 31 21 E 36.59 feet to a point; N 26 32 06 E 73.18 feet to a point; N 50 45 48 E 21.87 feet to a point; and N 40 15 57 E 10.99 feet to a point, the northernmost corner of the herein-described lot; thence running with the line of Lot 1, S 44 26 46 E 33.34 feet to a monument found; thence continuing with the line of Lot 1 the same course the following three distances: 252.78 feet to a point; 37.55 feet to a point; and 8.56 feet to a point near a 16" Hard Maple, the easternmost corner of the herein-described

lot; thence running S 84 11 29 W 35.78 feet to a point; thence S 50 03 07 W 21.98 feet to a point; thence S 71 12 45 W 27.88 feet to a point; thence S 77 24 33 W 21.97 feet to a point; thence S 71 13 57 W 18.73 feet to a point; thence S 47 17 00 W 19.16 feet to a point; thence S 64 29 44 W 21.89 feet to a point; thence S 81 22 39 W 8.91 feet to a point; thence running with the line of Lot 3, N 59 56 21 W 23.31 feet to a monument found; thence continuing with the line of Lot 3 the same course 73.37 feet to a point; and the same course 162.81 feet to a found iron, the point and place of BEGINNING, and BEING Lot 2, containing 1.22 acres according to a map and plat of a survey by Dallas G. Miller, PLS, L-1445, dated 15 May, 2007, and designated as Drawing No. 07150-01D.

ALSO CONVEYED HERewith and SUBJECT TO the rights of others, is a perpetual and nonexclusive easement and road right of way for the existing private roads which connects the herein-conveyed premises and the public road, NCSR 1154 (Upper Browns Creek Road).

SUBJECT to the existing gravel roads which traverse the above-described property as shown on the above referenced plat, for the benefit of adjoining tracts, together with the right to maintain and improve said private roads.

SUBJECT to a Right of Way Deed dated 12 September, 2006 from Harold McAnulty and wife Shelvia McAnulty, et al To Kelly D. Hughes as recorded in Deed Book 534, Page 739.

Subject to restrictive covenants and easements of record.

Parcel Identification Numbers: 074800605845.000 & 074800605848.001

The undersigned Commissioner makes no warranties in connection with this property and specifically disclaims any warranties as to title and habitability. This property is being sold as is, without opinion as to title or any other matter.

This sale will be made subject to all outstanding city and county taxes and all local improvement assessments against the above described property not included in the judgment in the above-entitled cause. Specifically, but without limiting the foregoing provisions, this sale is subject to 2016 ad valorem taxes and the interest that has accrued against the delinquent taxes since the filing of the Judgment on June 1, 2016. A cash deposit of 20 percent of the successful bid will be required. In addition, the successful bidder will be required, at the time the Deed is recorded to pay for recording fees and revenue stamps assessed by the Yancey County Register of Deeds.

This sale is subject to upset bid as set forth in N.C.G.S. Section 1-339.25.

This the 28th day of February, 2017.

Mark D. Bardill,
Commissioner
P.O. Box 25
Trenton, NC 28585
Published March 15, 22, 2017.

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

**ADMINISTRATOR/
EXECUTOR NOTICE**

File No. 17E45

Having qualified as Executor of the Estate of Clyde Bartlett 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 8th 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 8th day of March 2017.

Jerry Duane Bartlett
61 Winchester Lane
Burnsville, NC 28714
Published March 8, 15, 22, 29, 2017

LEGAL NOTICE NOTICE TO CREDITORS

Having this day qualified as Executor of the Estate of James M. McCool, late of Yancey County, State of North Carolina, this is to notify all persons, firms and corporations having claims against said estate to present them to the undersigned, duly verified, on or before the 13th day of June, 2017, or this Notice will be pleaded in bar of recovery. All persons, firms and corporations indebted to said estate will please make immediate payment to the undersigned.

This the 7th day of March, 2017.

Ann McCool, Executor
3129 Crabtree Road
Spruce Pine, NC 28777
and
William H. Christy, Attorney
Stone & Christy, P.A.
110 N. Dougherty Street
Black Mountain, NC 28711
Published March 15, 22, 29, April 5, 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 Mary Rose Silvers 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 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 15th day of March 2017.

Fuller F. Pittman
217 Ferguson Hill Road
Burnsville, NC 28714
Wanda Pittman Burleson
32 N Pershing Road
Asheville, NC 28805
Published March 15, 22, 29, April 5, 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 Wade Wilson 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 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 15th day of March 2017.

Anthony Wade Wilson
443 Deacon Road
Burnsville, NC 28714
Jeffery Russell Wilson
359 Deacon Road
Burnsville, NC 28714
Published March 15, 22, 29, April 5, 2017

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.