

LEGAL NOTICE

LEGAL NOTICE AMENDED NOTICE OF FORECLOSURE SALE 16 SP 46

Under and by virtue of the power of sale contained in a certain Deed of Trust made by Julia McCurry and Darrell McMahan and Nancy McMahan, (Julia McCurry, deceased) (Heirs of Julia McCurry: Penny Ayers, Raymond Ayers, Nancy McCurry McMahan aka Nancy McMahan and Darrell R. McMahan) (PRESENT RECORD OWNER(S): Julia McCurry) to Bill Chase, Trustee(s), dated the 21st day of October, 2005, and recorded in Book 505, Page 662, 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 May 8, 2017 and will sell to the highest bidder for cash the following real estate situated in the County of Yancey, North Carolina, and being more particularly described as follows:

Tract 1:
Beginning on a stake at the road and runs across Mine Fork Creek to a stake in Craig Deyton's line and runs S 80 deg. W across Mine Fork Creek to a stake in Craig Deyton's line; thence S 22 deg. W 104 feet to an iron post below the spring; thence S 85 E 180 feet to a stake at highway 197; thence down with said highway N 2 deg. W 133 feet to the Beginning, containing 1/4 of an acre, more or less.

Subject, however, to the right of Carra Deyton and her heirs, but not her assigns, unless she assigns be the heirs of Carra Deyton, the equal right to the use of the road leading from Highway 197 to the lands of Carra Deyton.

Granted by this instrument is the right of LeRoy McCurry and wife, Julia McCurry, their heirs and assigns, to an equal right of use with Carra Deyton her heirs and assigns, of the water from a spring from which LeRoy McCurry and wife, Julia McCurry are now using water.

Tract 2:
Beginning on a spruce pin on the east side of Mine Fork Creek by side of road and runs west to a stake at bridge over a ditch between the two houses; thence up said ditch and spring branch 8 poles to beech at spring; thence 5 poles with Martha Renfro's line a southwest course to a cherry tree; then S 47 W 50 poles to a small locust, Lurene Laws' corner: thence S 78 E 39 poles to a Spanish oak on top of ridge; then N 23 poles to a dogwood; thence N 8 W 18 poles to a small white oak; then a straight line to Mine Fork Creek; thence with said creek to the Beginning, containing about 8 acres be the same more or less.

Together with improvements located thereon; said property being located at 15 Wood Duck Lane and 65 Wood Duck Lane, Burnsville, North Carolina.

And being the same lands conveyed by Deed dated 11 October 1938 from Guss Edwards and wife, Flora Edwards, to Cora (aka Carra) Deyton and her heirs, recorded in Yancey County Deed Book 82, page 136.

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 (\$.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: 1186869 (FC. FAY)
Published April 26, May 3, 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 Alice Fender of Yancey County, North Carolina, this is to notify all persons and corporations having claims against the Estate of said deceased to present them to the undersigned on or before the 26th day of July 2017 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 26th day of April 2017.
Edd Fender
483 Cane Creek Road
Fletcher, NC 28732
Published April 26,
May 3, 10, 17, 2017

LEGAL NOTICE NOTICE OF MEETINGS OF THE YANCEY COUNTY BOARD OF EQUALIZATION AND REVIEW

Pursuant to N.C.G.S. 105-322, the Yancey County Board of Equalization and Review will meet as required by law.

PURPOSE OF MEETINGS

To hear, upon request, any and all taxpayers who own or control taxable property assessed for taxation in Yancey County, with respect to the valuation of such property, or the property of others, and to fulfill other duties and responsibilities as required by law.

TIME OF MEETINGS

The Board will convene for its first meeting on Monday, May 1, 2017 at 1:00 pm. The Board will adjourn for the purpose of accepting requests for hearing at its meeting on Friday, May 19, 2017 at 1:00 pm.

Meetings will begin promptly at 1:00 PM in the commissioner's meeting room at the Yancey County Courthouse.

Requests for hearing must be received no later than final adjournment, which is scheduled for Friday, May 19, 2017, at 1:00 PM.

In the event of an earlier or a later adjournment, notice to that effect will be published in this newspaper.

The schedule for the hearing of appeals which were timely filed will be posted at the office of the Assessor, serving as Clerk to the Board, and will also be provided to individuals and organizations that have requested notice pursuant to N.C.G.S. 143-318.12.

All requests for hearing should be made to:

Danny McIntosh, Clerk to the Yancey County Board of Equalization and Review
Yancey County Courthouse 110
Town Square, Room 2 Burnsville, N. C. 28714

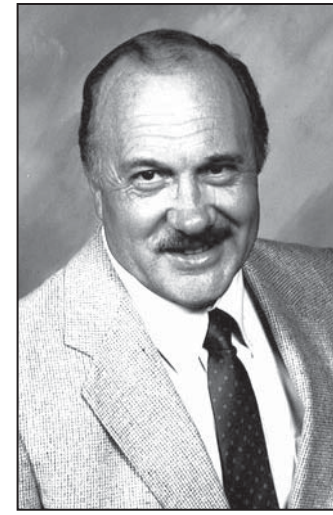
Telephone: 828-682-2198
danny.mcintosh@yancey-countync.gov
Published April 19, 26,
May 3, 2017.

LEGAL NOTICE IN THE GENERAL COURT OF JUSTICE, YANCEY COUNTY NORTH CAROLINA SUPERIOR COURT DIVISION BEFORE THE CLERK FILE NO. 2017 E74 EXECUTOR'S NOTICE

Having qualified as the Executrix of the Estate of Jean M. Gresens of Yancey County, North Carolina, this is to notify all persons, firms and corporations having claims against the Estate of the deceased to present them to the undersigned on or before 3 August, 2017, or this notice will be plead in bar of their recovery. All persons indebted to said estate please make immediate payment. This the 12th day of April 2017.
Wanda Proffitt, Executrix
153 Wildberry Lane
Burnsville, NC 28714
Published April 12, 19, 26, May 3, 2017

LEGAL NOTICE Individuals with Disabilities Education Act Public Notice

The Individuals with Disabilities Education Act (IDEA-Part B, Public Law 108.446) Project is presently being amended. The Project describes the special education programs that Yancey County Schools proposes for Federal funding for the 2017-2018 School Year. Interested persons are encouraged to review amendments to the Project and make comments concerning the implementation of special education under this Federal Program. All comments will be considered prior to submission of the amended Project to the North Carolina Department of Public Instruction in Raleigh, North Carolina. The IDEA-Part B Project is open to the public for review and comments on May 10th from 1:00-4:00 in the office of Angie Anglin, Exceptional Children's Director, located at 100 School Circle, Burnsville NC.
Published April 26, May 3, 2017



Ronald Tomberlin

Ronald Tomberlin, 74, of the Micaville Community, passed away Saturday, April 1, 2017 at his home. Born in Yancey County on 6 February 1943, he was the son of the late Oval and Pauline English Tomberlin, and the step-son of Henrietta Rhoden Tomberlin of Burnsville. Ronald was a member of Micaville Presbyterian Church and Sunday School Superintendent. A US Air Force Veteran of the Vietnam Era, he retired from Coats America, formerly American Thread, and the NC Dept. of Correction.

Surviving are his wife of 51 years, Mary Louise Johnson Tomberlin, of the home, a daughter: Sherry Tomberlin of Marion, a sister: Scarlett Tomberlin Bradley and nephew: Tony Bradley of Arden, and a special cousin: Gwen Tomberlin Minton and husband Tommy of Millers Creek. Several other cousins and half brothers and sisters also survive.

A Celebration of Life Service will be held 2:00 P.M. Sunday, May 7, 2017 in the Micaville Presbyterian Church with Military Honors by Sgt. E.L. Randolph Chapter 57 D.A. V., of which he was a member. Private burial will be in the Swiss Cemetery.

Memorials may be made to the Micaville Presbyterian Church, 587 Micaville Loop, Burnsville, NC 28714.

Holcombe Brothers is assisting the Tomberlin Family

MY Meds Medication Ministry

MY Meds Medication and Health Ministry is a local non-profit organization that provides help to Mitchell and Yancey County residents who have no prescription health plan.

If you need help paying for needed prescription medications call MY Meds office at 766-6337.

Volunteers needed

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

Good Shepherd Sunday held at St. Thomas Church on May 7

Features Real Live Sheep and Shepherds! On the fourth Sunday of Easter (this year, May 7), many Christian churches reflect upon one of the oldest and most deeply loved images for the meaning of the resurrection story. This is called this Good Shepherd Sunday. In recognition of the Christian understanding of Jesus as "the Good Shepherd," congregations will hear the beloved 23rd Psalm, and all of the Scripture lessons for the day include images of sheep and shepherds.

On this date at St. Thomas Episcopal Church, as a part of the worship service, we will hear a beautiful parable of the Good Shepherd told in a Montessori teaching format that invites us to wonder about the spiritual importance of sheep and shepherds in today's world. And immediately following, we'll meet a real live ewe and lamb and learn about the vocation of shepherding from shepherds at Goldfinch Gardens in Celso!

Shepherding, of course, was one of the earliest occupations and even today the presence of flocks and herds is a prominent feature of many rural societies. The earliest an-

Obituaries

More obituaries on page 10



Lawrence Bolick

Lawrence Bolick, age 72, of Burnsville, went home to be with the Lord on Sunday, April 30th, 2017 at Smoky Ridge Health and Rehabilitation. A native of Yancey County, he was a son of the late Lucille Bolick. He was also preceded in death by a granddaughter, Natasha Bolick; step-daughter, Missy Edwards and three brothers: Harold Bolick, Jerry Gurley and Joe Gurley. Lawrence worked at American Thread for over 30 years but mostly loved running heavy equipment and playing softball, where he was always known as "Big L". He also coached a women's softball team for many years.

Surviving is his loving wife of 39 years, Charlene Bolick; daughter, Michelle Hill of Burnsville; step-daughters: Angela Miller and husband, Tony, of Poplar, Patricia Harmon and husband, Joey, of Spruce Pine and Tammy Wilson and husband, Arlen, of Green Mountain; sisters: Wanda Wall of Swannanoa, Marsha Miller of Swannanoa, Betty Huskins and husband, Benny, of South Toe, Barbara Mains of Garden City, SC, Aileen Paige and husband, Ken, of Garden City, SC and Ruby Joe Ramsey of South Toe; brothers: Larry Gurley and wife, Karen, of Marion and William Carroll and wife, Amanda, of Morganton; sisters-in-law: Barbara Bolick of Burnsville, Sandra Gurley of Swannanoa and Barbara Gurley of Swannanoa; grandchildren, Trisha Laws, they raised as their own, Nick Bolick, Travis Wilson, Audrea Miller, Kristina White, Justin Wilson, Ethan McKinney, Candance Woody, John Edwards, Ryan Edwards and Christopher Robinson and 9 great-grandchildren. Several nieces and nephews also survive.

Funeral services were held at 7 p.m. on Tuesday, May 2nd in the Chapel of Yancey Funeral Services. Rev. Tommy Murphy and Rev. Clyde Thomason officiated. A graveside service will be held at 11 a.m. on Wednesday in the Eddie McMahan Cemetery.

The family would like to thank the staff of Hospice of Yancey County and the staff at Smoky Ridge for the wonderful care given to Lawrence. To send online condolences, please visit our website at www.yanceyfuneralservice.com.



Mary Sue Hunter McCurry

Mary Sue Hunter McCurry, of Lenoir, passed away on Sunday, April 23, 2017 at the age of 90. She was born on June 2, 1926 in Yancey County, N.C., the daughter of the late J.C. Hunter and Ethel Bailey Hunter. In addition to her parents, she was preceded in death by her husband, John L. McCurry; two brothers, Cedric and Leroy Hunter; and two sisters, Jennie Hunter Gill and Dorothy Hunter Dillard.

She graduated from Appalachian State Teachers College and taught public school for more than 40 years. She began at North Cove High School in McDowell County, but spent most of her career in Caldwell County, starting at Gamewell High School, moving on to Oak Hill High School, Lower Creek Elementary, and William Lenoir Middle School. She began her career teaching home economics, but later focused on science and mathematics. Her Mathematics teams at William Lenoir won numerous State awards.

She was a long-time member of Lenoir Presbyterian Church, where she was active as a volunteer following her retirement. She had an active retirement participating, along with her late husband, in the North Carolina Senior Games, volunteering for Habitat for Humanity, and traveling across the U.S. In her later years, she enjoyed painting and quilting.

Survivors include two sons, John McCurry and wife Ginny of Cumming, Ga. and Tim McCurry and wife Myra Lynn of Duluth, Ga.; three grandchildren, Mitchell and Madeline McCurry of Duluth, Ga., and Sarah Appel of Augusta, Ga.; and one brother, Cecil Hunter of Douglasville, Ga.

A memorial service was held Thursday, April 27, 2017 at 3 P.M. at Lenoir Presbyterian Church conducted by Rev. Rob Hinman.

In lieu of flowers, memorial contributions may be made to the West Lenoir Elementary Reading Program, c/o Lenoir Presbyterian Church, 1002 Kirkwood Avenue, NW, Lenoir, N.C. 28645.

cestors of the people of Israel who gave us Judeo-Christian Scripture were nomads, owning no property, bound to no one location but traveling with their flocks and herds wherever there was pasture land for the animals to graze on. Generations later, their descendants became farmers and, still later, artisans and merchants. But they never forgot their origins, telling stories of Abraham, Moses, and David tending their sheep. Long after they stopped being shepherds themselves, they retained the mind-set of the shepherd guarding a flock with love for every tender lamb, dedicated to protecting them from the world's dangers. And in their poetry and song, they pictured God as a shepherd.

At St. Thomas Episcopal Church on May 7 at 10:30 a.m., we will remember that, in some way, each of us is a shepherd for someone: For someone who finds herself in need of being brought into a loving, safe community. For someone who needs healing or protection through prayer or human touch. For someone who needs to know that he is not one, lone, resource-less sheep but rather a part of a flock, a community that shares and cares for all sheep both within and beyond the borders of the flock.

Every one of us is a shepherd for someone. St. Thomas Church is located at 372 Reservoir Road, up the hill behind CVS and overlooking the town of Burnsville.

Revival at Bolens Creek Baptist Church

Revival Services beginning Sunday, May 21 thru Wednesday, May 24 at Bolens Creek Baptist Church. Services will begin at 7:00 p.m.

Director of Missions, Joe Miller will be conducting the services.

Ramp Dinner at Bolens Creek Church

Ramp dinner to benefit the Youth Missions at Bolens Creek Church Fellowship Hall on May 6 at 2:00 pm. Cost is \$10.00 a plate.

Times Journal Deadline

Noon on Friday for Wednesday's publication. Street. 828-682-2120.