

LEGAL NOTICE

LEGAL NOTICE SUBSTITUTE TRUSTEE'S NOTICE OF SALE

WHEREAS, by Deed of Trust dated September 16, 2011, and recorded in the Register's Office for Yancey County at Burnsville, North Carolina, in Book 655, Page 603, Document No. 2011-02045, Roxanna L. Austin and husband Lon Austin, conveyed to Robert A. Phillips, Trustee, the hereinafter described real estate to secure the payment of a note in the original principal amount of \$87,500.00; and

WHEREAS, the undersigned was appointed and substituted as Substitute Trustee under this deed of trust by an Appointment of Substitute Trustee dated March 27, 2017, and recorded in the Register's Office for Yancey County at Burnsville, North Carolina in Book 761, Page 689; and

WHEREAS, default has been made in the payment of said indebtedness and other provisions of the Deed of Trust have been violated, and Eastman Credit Union, the holder of said indebtedness has declared the entire amount due and payable as provided in said Deed of Trust, and the Substitute Trustee has been directed to foreclose the Deed of Trust in accordance with the terms thereof; and

WHEREAS, the public is hereby notified that the undersigned Substitute Trustee will sell the hereinafter described real estate at public auction, to the highest and best bidder, for cash in hand, at the courthouse door of the county courthouse, at 10:00 a.m. on August 3, 2017.

LOCATED IN Prices Creek Township OF YANCEY COUNTY, NORTH CAROLINA TO WIT:

BEGINNING ON AN IRON PIPE DESIGNATED AS "CONTROL CORNER", SAID BEGINNING POINT BEING LOCATED S 15 43 18 E 251.11 FEET FROM THE EASTERN CORNER OF THE ONE-STORY FRAME HOUSE DESCRIBED HEREIN, AND DRUNNING THENCE FROM SAID BEGINNING POINT WITH THE BENJAMIN F. BALL LINE S 33 43 25 W 353.00 FEET TO AN IRON PIN SET IN A EXISTING GRAVEL ROAD; THENCE WITH THE CENTERLINE OF SAID ROAD N 83 17 29 W 23.35 FEET, N 87 10 33 W 17.51 FEET TO A POINT, CORNER OF BALL AND REX MILLER; THENCE CONTINUING WITH THE CENTERLINE OF THE ROAD AND THE MILLER LINE N 87 10 50 W 36.26 FEET, N 77 59 25 W 35.46 FEET, N 73 22 39 W 80.93 FEET, N 80 22 06 W 54.59 FEET, N 82 40 14 W 47.76 FEET, N 74 56 44 W 42.51 FEET TO AN EXISTING NAIL IN THE CENTERLINE OF BANKS CREEK ROAD (NCSR 1117); THENCE WITH THE CENTERLINE LINE OF SAID PUBLIC ROAD, N 09 55 38 E 107.12 FEET, N 00 57 40 E 46.20 FEET, N 26 11 27 E 42.96 FEET TO A POINT AT THE INTERSECTION OF BANKS CREEK ROAD AND PHIPPS CREEK ROAD; THENCE WITH THE CENTERLINE OF PHIPPS CREEK ROAD N 46 43 33 E 47.67 FEET, N 49 17 26 E 230.16 FEET, N 45 45 11 E 45.72 FEET, N 41 20 26 E 40.20 FEET, N 37 58 47 E 51.67 FEET, N 41 34 07 E 49.35 FEET, N 45 17 37 E 18.13 FEET, N 45 17 37 E 30.77 FEET, N 49 43 56 E 45.69 FEET, N 54 48 01 E 36.42 FEET, N 59 58 35 E 40.29 FEET, N 68 35 11 E 42.74 FEET, N 73 48 05 E 38.83 FEET, N 79 44 40 E 46.60 FEET, N 81 39 58 E 155.42 FEET TO A POINT IN THE CENTERLINE OF PHIPPS CREEK ROAD; THENCE LEAVING SAID ROAD AND RUNNING WITH THE ADAM ADAMS' LINE S 19 33 46 E 20.49 FEET TO A SET IRON PIPE, S 19 33 46 E 387.98 FEET TO A SET IRON PIPE, CORNER OF ADAMS, DARRELL YOUNG, WESLEY ROBINSON, AND BALL; THENCE WITH THE BALL LINE S 83 37 08 W 247.81 FEET TO A 12-INCH RED OAK, S 77 51 48 W 148.65 FEET TO THE POINT OF BEGINNING, CONTAINING 7.623 ACRES AND BEING

DESIGNATED AS LOT 1 ON A SURVEY BY JAMES R. HUGHES, REGISTERED LAND SURVEYOR L-3515, DATED 26 AUGUST 1999 WITH A JOB FILE NUMBER OF 990532-C072.

RESERVING AND EXCEPTING UNTO THE GRANTORS HEREIN, THEIR HEIRS AND ASSIGNS, IS A PERPETUAL AND NON-EXCLUSIVE EASEMENT AND RIGHT TO TAKE WATER FROM THE SPRING LOCATED WEST OF THE FRAME HOUSE LOCATED HEREON AND TO TRANSPORT SAID WATER THEREFROM VIA UNDERGROUND PIPELINES TO THE ADJOINING LOT 2 CONTAINING 1.542 ACRES AND THE ADJOINING LOT 3 CONTAINING 6.422 ACRES AS SHOWN ON THE ABOVE-REFERENCED SURVEY, TOGETHER WITH RIGHTS OF INGRESS, EGRESS, AND REGRESS FOR THE PURPOSES OF REPAIRING, MAINTAINING, AND CONSTRUCTING A WATER SYSTEM FOR THE USE OF SAID SPRING. THE WATER RIGHTS RESERVED AND EXCEPTED HEREIN TO EXIST FOR SO LONG AS A PERSON WHO IS OF DIRECT LINEAGE OF JOHN ROBERT AND JUNE ANGLIN OWNS EACH OF LOT 2 AND 3, REFERENCED HEREIN ABOVE.

EXCEPTING FROM THIS CONVEYANCE IS THE RIGHT TO LOCATE UTILITY LINES ACROSS THE ABOVE-DESCRIBED PROPERTY LEADING TO THE ADJOINING LOT 6, CONTAINING 5.864 ACRES, AS SHOWN ON THE ABOVE-REFERENCED SURVEY.

The sale will be made without covenant or warranty regarding title, possession, or encumbrances, in bar of all rights and equity of redemption waived in the Deed of Trust, and subject to all unpaid real estate taxes, special assessments and all other rights or exemptions of the grantors in said Deed of Trust. The property is not being sold subject to or together with any subordinate rights or interests.

A cash deposit of five percent (5%) of the purchase price is due at the sale with the remaining balance due within thirty (30) days of the sale.

An order for possession of the property may be issued pursuant to N.C. Gen. Stat. Ann. § 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 this Notice of Sale, provided that the Mortgagor has not cured the default at the time the tenant provides the notice of termination. The notice shall also state that 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.

This 14th day of July, 2017.
 Mark S. Hanor, Substitute Trustee
 Interested parties: N/A
 Published July 19, 26, 2017

LEGAL NOTICE YANCEY COUNTY NORTH CAROLINA PUBLIC NOTICE

If you have anything at Ronnie Riddles or Nealy Silvers Garage located at 792 Westside Road, Burnsville, NC 28714, it must be picked up or it will be sold for salvage by July 28, 2017.
 Published July 26, 2017

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 Co-Administrators of the Estate of Johnnie Floyd Honeycutt of Yancey County, North Carolina, this is to notify all persons and corporations having claims against the Estate of said deceased to present them to the undersigned on or before the 19th day of October 2017 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.
 This the 19th day of July 2017.
 Warren Roger Honeycutt
 5260 Tilford Road
 Richmond, VA 23225
 Helen Duvall
 1012 Dejarnette Street
 Elizabethton, TN 37643
 Published July 19, 26,
 August 2, 9, 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 Rufus Pate 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 12th day of October 2017 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.
 This the 12th day of July 2017.
 Arnold Paul Pate
 PO Box 1241
 Burnsville, NC 28714
 Published July 12, 19, 26,
 August 2, 2017

LEGAL NOTICE THE GREAT STATE OF NORTH CAROLINA IN THE COUNTY OF YANCEY IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION, BEFORE THE CLERK 17 E 120 In the Matter of the Estate of J. B. WILSON, Deceased NOTICE TO CREDITORS

HAVING QUALIFIED as Executrix of the Estate of J. B. Wilson, deceased, of Yancey County, North Carolina, this is to notify all persons, firms, and corporations having claims against the estate of said decedent to present them to the undersigned on or before 10 October 2017, or this notice will be pled in bar of their recovery. All persons indebted to the said estate please make immediate payment.
 This the 12th day of July 2017.
 Lavonia Buchanan
 549 Smith Johnson Road
 Green Mtn., N.C. 28740
 Published July 12, 19, 26,
 August 2, 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 Alan Glen 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 19th day of October 2017 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.
 This the 19th day of July 2017.
 Christen Snyder Bagwell
 81 CRC Road
 Burnsville, NC 28714
 Daniel M. Hockaday
 Attorney
 Published July 19, 26,
 August 2, 9, 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 Carol Ezzell Clack 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 October 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 July 2017.
 Christopher Blake Clack
 4 Wappoo Court
 Taylors, SC 29687
 Gregory Hunter Clack
 353 Spring Meadows Drive
 Aberdeen, NC 28315
 Published July 26,
 August 2, 9, 16, 2017

LEGAL NOTICE NORTH CAROLINA YANCEY COUNTY IN THE GENERAL COURT OF JUSTICE DISTRICT COURT DIVISION FILE NO. 17-CVD-10 NOTICE OF SERVICE OF PROCESS BY PUBLICATION COUNTY OF YANCEY

Plaintiff,
 vs.
**JO ANN WHITSON
 SHEPHERD, et al**
Defendants.

TO: THE HEIRS, ASSIGNS AND DEVISEES OF STEVE WHITSON and spouse, if any, and any other person or entity claiming thereunder, AMBER WHITSON and spouse, if any, and ANY HEIRS, ASSIGNS, and DEVISEES of AMBER WHITSON and spouse, if any, and any other person or entity claiming thereunder, BRANDON WHITSON and spouse, if any, and ANY HEIRS, ASSIGNS, and DEVISEES of BRANDON WHITSON and spouse, if any, and any other person or entity claiming thereunder, THE HEIRS, ASSIGNS AND DEVISEES OF HUGH WHITSON and spouse, if any, FRANCES WHITSON and spouse, if any, and ANY HEIRS, ASSIGNS, and DEVISEES of FRANCES WHITSON and spouse, if any, and any other person or entity claiming thereunder, and GAIL WHITSON and spouse, if any, and ANY HEIRS, ASSIGNS, and DEVISEES of GAIL WHITSON and spouse, if any, and any other person or entity claiming thereunder.

A pleading seeking relief against you has been filed in the above-entitled action and notice of service of process by publication began on July 26, 2017.

The nature of the relief being sought is as follows: Foreclosure on tax parcel(s) more completely described in the Complaint, to collect delinquent ad valorem taxes (assessments). Plaintiff seeks to extinguish any and all claim or interest that you may have in said property.

You are required to make defense to such pleading not later than forty (40) days after the date of the first publication of notice stated above, exclusive of such date, being forty (40) days after July 26, 2017, or by September 4, 2017, and upon your failure to do so, the party seeking service of process by publication will apply to the Court for relief sought.

This the 21st day of July, 2017.
 MARK D. BARDILL
 Attorney for Plaintiff
 310 W. Jones St.
 P. O. Box 25
 Trenton, North Carolina
 28585
 (252) 448-4541
 Published July 26, August
 2, 9, 2017.

Volunteers needed

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

Obituaries

more obituaries on page 10



Dorothy H. Sparks

Mrs. Dorothy H. Sparks, age 96, of Crawfordsville, IN, joined her family in Heaven on Thursday evening July 20, 2017 while a resident of Bickford Cottage, Crawfordsville, IN.

Dorothy was born on December 14, 1920 the daughter of John and Minnie (nee: Buchanan) Howell in Bandana, North Carolina. She married Gaw J. Sparks on January 12, 1946 and they started their married life in the Pleasant Grove Community of Yancey County, NC. before moving to Johnson City, TN, where they lived for 44 years. After her husband's passing, Dorothy moved to Waynetown, IN in 2004 and finally to Crawfordsville, IN in 2016.

Dorothy is survived by her two sons and daughters-in-law: Allen and Diane Sparks of Crawfordsville, IN. and Gary and Melody Sparks of Johnson City, TN. Also she has a brother-in-law: Elden Beaver of Rock Hill, SC. and a sister-in-law Thula Sparks of Micaville, NC. Two sisters: Jean (Charles) Usery of Lowell, NC. and Jo (Max Dean) Garland of Valdese, NC. She is also survived by 7 grandchildren and 8 great grandchildren. She was preceded in death by her husband in 2002, three infant brothers and 6 sisters.

A memorial service was held for Dorothy on Sunday July 23rd at 6:00pm at Liberty Chapel Church, 3942 West 500 North, Crawfordsville, IN, and officiated by Pastor Allen Sparks and Pastor Derrick Tamm. Locally memorial donations may be made to Liberty Chapel Church.

On Tuesday July 25th a graveside service was held at 12 noon at the Pleasant Grove Baptist Cemetery in the Brush Creek community of Yancey County, NC with her sons Allen Sparks and Gary Sparks officiating.

Memorial donations may be made to the Pleasant Grove Baptist Church, Shoemaker Funeral Home of Waynetown, IN, and Holcomb Brothers Funeral Home of Burnsville, NC. are assisting the family with these arrangements.

Shelby Walker

Shelby Walker, age 67, of Johnson City, TN, went home to be with the Lord on Wednesday, July 19th, 2017 at her home. A native of Mitchell County, she was a daughter of the late Bertie Street Lingerfelt. She was also preceded in death by a brother, Dennis Street. Shelby will be remembered for the love and adoration she had for her grandchildren and great-grandchildren.

Surviving is her husband, Richard Walker; daughter, Vicki Bradshaw of Johnson City; son, Randall Street and wife, Janet, of Bakersville; grandchildren: Amber Bradshaw of Johnson City, TN, Nicholas Bradshaw of Bakersville, Rebecca Street of Bakersville and Alexander Garland of Johnson City, TN; great-grandchildren: Mickia Roberts, Oakley Bradshaw and McKinnley Bradshaw; siblings: Carolyn Richardson and husband, Roger, of Bakersville, Doris Lingerfelt and wife, Betty, of Bakersville, Tina Hughes and husband, Paul, of Bakersville, Sue Hoilman and husband, David, of Unicoi, TN, Jessie Lingerfelt and wife, Lesa, of Bakersville and Kenneth Lingerfelt and wife, Tammy, of Bakersville and special niece, Holly Morton. Several more nieces, nephews and cousins also survive.

Funeral services were held at 1 p.m. on Saturday, July 22nd in the Chapel of Yancey Funeral Services. Rev. Randy English officiated. Burial followed in the Garland Parker Cemetery.

To send online condolences, please visit our website at www.yanceyfuneralservice.com.

YCS offers myON Reading free to all K-5 students

For the second consecutive summer, all Yancey County Schools students in Grades K-5 have access to thousands of digital book titles for reading during the summer vacation months.

This is made possible by a partnership between NC Department of Public Instruction and myON Reading, an online literacy program from Capstone Education.

Students will be able to use this tool during the summer months to select from thousands of titles and download free books that are well matched to their reading level and personal interests.

As an added bonus, parents, teachers and others can access data from this tool on how many pages and hours students spend reading.

There is even a feature to help measure students' literacy growth while they are away from the classroom. "Research has proven time and again that students that do not continue to read over the summer vacation months will often lose up to a quarter of a year's worth of reading growth from the previous school year.

Hazardous tree removal set

The Appalachian Ranger District will be removing hazardous trees along National Forest Road #74 Big Ivy, NFR #2074 Neal's Creek, and NFR #472 South Toe over the next 60 days.

Numerous dead trees can be found along open forest service roads as a result of the deadly Hemlock Woolly Adelgid. These weakened trees can fall unannounced and pose a safety hazard for forest visitors and personnel traveling these roads.

All roads will remain open to the public except Neal's Creek, but forest users can expect temporary delays while

When student's return in August, it is discouraging for sure to see student's starting behind, negating much of the hard work from the year before," says Shane Cassida, Curriculum/Instruction Director for Yancey County Schools. Cassida continued, "This program along with each of our K-5 schools opening their media centers up for Summer Family Literacy days will be an effective way for our families to prevent this loss from occurring."

Each student had an account prepared for them by the district with a unique username and password.

This information came home with each student during the last week of school. If you cannot locate that information or need assistance in accessing their account information, either call your child's school or contact the principal by email.

For assistance in logging in the first time, parents and students can access a Student and Parents Quick Reference Guide for myON Reading on the home page for Yancey County Schools, http://www.yanceync.net/.

road ways are being cleared. This removal project is essential to provide safe access to areas on the district, as well as protection of forest resources.

As always, it is crucial to continue to exercise caution on mountain roads.

Be aware of your surroundings as trees can fall without warning, and be particularly watchful when windy. If you are in the forest when winds kick up, head to a clearing out of reach of any potentially falling trees. Avoid parking or camping in areas where trees could fall.

Park close to a main road to avoid being trapped if a tree falls across the road.