

# LEGAL NOTICE

**LEGAL NOTICE  
NORTH CAROLINA  
YANCEY COUNTY  
Special Proceedings No. 17  
SP 45  
Substitute Trustee: Philip  
A. Glass  
NOTICE OF  
FORECLOSURE SALE  
Date of Sale:  
September 12, 2017  
Time of Sale: 2:00 p.m.  
Place of Sale: Yancey  
County Courthouse  
Description of Property:  
See Attached Description  
Record Owners:  
Anthony F. Hensley  
Address of Property:  
82 Stillwater Springs Road  
Burnsville, NC 28714  
Deed of Trust:  
Book : 684 Page: 247  
Dated: February 14, 2013  
Grantors: Anthony F.  
Hensley and wife,  
Amanda M. Hensley  
Original Beneficiary: State  
Employees' Credit Union  
CONDITIONS OF SALE:  
Should the property be  
purchased by a third party,  
that person must pay the  
tax of Forty-five Cents (45¢)  
per One Hundred Dollars  
(\$100.00) required by  
N.C.G.S. §7A-308(a)(1).**

This sale is made subject to all unpaid taxes and superior liens or encumbrances of record and assessments, if any, against the said property, and any recorded leases. This sale is also subject to any applicable county land transfer tax, and the successful third party bidder shall be required to make payment for any such county land transfer tax.

A cash deposit of 5% of the purchase price will be required at the time of the sale. Any successful bidder shall be required to tender the full balance of the purchase price so bid in cash or certified check at the time the Substitute Trustee tenders to him a deed for the property or attempts to tender such deed, and should said successful bidder fail to pay the full balance purchase price so bid at that time, he shall remain liable on his bid as provided for in North Carolina General Statutes Section 45-21.30 (d) and (e). This sale will be held open ten (10) days for upset bids as required by law.

Residential real 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 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 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 not 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. 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.

Dated: 8/15/17  
Lien K. To, Attorney for  
Substitute Trustee  
Nodell, Glass & Haskell,  
L.L.P.

Posted on 8/15/17  
BEGINNING at an existing iron pin, a common corner with the herein-described tract, lands of Coy Edward as recorded in Deed Book 311, Page 102, and lands of Bennie G. Edwards as recorded in Deed Book 314, Page 379; thence running with the line of Bennie G. Edwards N 51 49 47 W 196.56 feet to an existing iron pin; thence continuing with the line of Bennie G. Edwards N 51 49 47 W 30.22 feet to a point in the centerline of NCSR 1336 (Jacks Creek Road); thence following the centerline said road the following three (3) courses and distances: N 21 33 07 E 24.56 feet to a point; N 25 04 47 E 54.79 feet to a point; N 28 58 14

E 84.44 feet to a point; thence leaving said road and running with the line of Tract 2 on the herein-referenced survey the following four (4) courses and distances: S 65 31 57 E 75.02 feet to an iron pipe set; S 65 31 57 E 86.46 feet to an iron pipe set; S 50 18 39 E 172.40 feet to an iron pipe set; N 62 32 25 E 28.91 feet to a point in the centerline of an existing private gravel road; thence running with the centerline of said road S 10 11 34 W 60.50 feet to a point in the centerline of said road; thence leaving said road and running with the line of Coy Edward the following three (3) courses and distances N 54 36 12 W 81.82 feet to a point; S 47 57 28 W 15.00 feet to a point; and S 47 57 28 W 150.28 feet to the point of BEGINNING, containing 1.19 acres and being designated as Tract 1 according to a survey by William E. Arrowood, Arrowood Surveying, PA, PLS, L-1510, dated 30 July, 2007, and bearing the Drawing No. 07-Y-04-114.

SUBJECT to the right of way for NCSR 1336 (Jacks Creek Road) to its full legal width.

ALSO CONVEYED HEREWITH and SUBJECT to a perpetual and nonexclusive easement and right of way for the existing private road leading from NCSR 1336, along the northeastern boundary of Tract 2 of the herein-referenced survey, to the herein-conveyed premises, together with the right to maintain and improve said private road.

ALSO CONVEYED HEREWITH and SUBJECT to a perpetual and nonexclusive easement and right of way for the existing private gravel drive that traverses the western portion of Tract 2 of the herein-referenced survey, to the herein-conveyed premises, together with the right to maintain and improve said private road.

TITLE REFERENCE: Deed Book 573, Page 55, Yancey County Registry.

PIN 080002669370000  
Property Address: 82 Stillwater Springs Road, Burnsville, NC 28714.

Published August 30, September 6, 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 Jack Murphy 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 16th day of November 2017 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment. This the 16th day of August 2017.

David Alan Silvers  
423 Ferguson Hill Road  
Burnsville, NC 28714  
Published August 16, 23, 30,  
September 6, 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 Verlin J. Robinson 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 30th day of November 2017 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment. This the 30th day of August 2017.

Carolyn R. Via  
121 Moonlight Way  
Belmont, NC 28012  
Published August 30,  
September 6, 13, 20, 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 Dolph a/k/a Doff 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 23rd day of November 2017 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment. This the 23rd day of August 2017.

Gwen Aldridge  
330 Saw Mill Hollow Road  
Burnsville, NC 28714  
Published August 23, 30,  
September 6, 13, 2017

## LEGAL NOTICE STATE OF NORTH CAROLINA YANCEY COUNTY IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION BEFORE THE CLERK 17-SP-48 PARCEL ID: 0709006187480000

IN THE MATTER OF THE FORECLOSURE OF A CLAIM OF Lien for Assessments under power of sale pursuant to N.C.G.S. § 47F-3-116 N.C.G.S. § 47C-3-116 filed on 2/21/2017 by Mountain Air Property Owners Association, Inc., Petitioner, in File # 17-M-5 in the office of the Clerk of Superior Court, YANCEY County, against The Sully Corporation, Respondent, whether one or more.

### NOTICE OF SALE 2755-056

Pursuant to an order of the Clerk of Superior Court and under and by virtue of the power and authority contained in the above-referenced lien and that Declaration recorded in Book 225, Page 94 of the YANCEY County Registry, and because of default in the payment of the indebtedness thereby secured and failure to carry out and perform the agreements therein contained and, pursuant to demand of the owner and holder of the indebtedness, the undersigned trustee for the Petitioner will expose for sale at public auction to the highest bidder for cash at the YANCEY COUNTY COURTHOUSE AT 110 TOWN SQUARE, BURNSVILLE, NORTH CAROLINA 28714 ON SEPTEMBER 19, 2017 AT 10:00 A.M. the following described real estate and any other improvements which may be situated thereon, and more particularly described as follows:

BEING Lot No. 105 in Mountain Air Country Club as delineated on the hereinafter-referenced survey and located in Prices Creek and Burnsville Townships, Yancey County, North Carolina, more particularly described as follows:

BEGINNING on an iron pin at a corner of Lot No. 104 in the line of Well Site #4 as shown on the hereinafter-referenced survey and running with the Well Site, N 54-35-56 E 28.91 feet to an iron pin; thence N 13-20-35 E 66.07 feet to an iron pin; thence leaving the Well Site and running N 13-20-35 E 83.21 feet to an iron pin in the 16th fairway; thence with the fairway, S 31-32-22 E 105.83 feet to a concrete control corner; thence S 21-49-29 E 164.39 feet to a point in the fairway; thence S 32-47-23 E 137.90 feet to a point in the margin of the right of way for Smoke House Way; thence with the margin of the right of way, 166.97 feet along the arc of a curve to the left, having a radius of 708.23 feet, and a chord bearing N 61-20-19 W 166.59 feet; thence continuing with the right of way, 77.82 feet along the arc of a curve to the right, having a radius of 405.49 feet, and a chord bearing N 62-35-42 W 77.70 feet to an iron pin in the line of Lot No. 104; thence with

the line of Lot No. 104, N 54-05-23 E 13.52 feet to an iron pin; thence N 31-34-53 E 85.85 feet to the BEGINNING, containing 29,203 square feet, more or less. This description is according to a survey and plat by Webb A. Morgan, RLS L-1463, for Webb A. Morgan & Associates, P.A., dated 14 August 1995, revised 5 March 1996, Job File No. 90018-D226.

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., including the golf course maintenance easement set forth therein.

The premises are restricted to Land Use Class B-1 and D-5 under the covenants.

And being more commonly known as Lot 105, Smoke House Way, Burnsville, NC 28714.

The record owner of the property, as reflected on the records of the Register of Deeds at the time of this Notice, is The Sully Corporation.

The property to be offered pursuant to this Notice of Sale is being offered for sale "AS IS, WHERE IS." Neither the Petitioner nor the trustee, nor the officers, directors, attorneys, employees, agents or authorized representative of either the Petitioner, the trustee or the holder of the debt 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 are expressly disclaimed. The sale is made subject to all prior liens and encumbrances, and unpaid taxes and assessments including but not limited to any transfer tax associated with foreclosure, if any.

A deposit of five percent (5%) or \$750.00, whichever is greater, in cash or certified funds, will be required of any winning third-party bidder at the time of the sale. The sale will be held open for ten (10) days for upset bids as required by law.

This the 17th day of August, 2017.

Benjamin C. Karb  
N.C. State Bar No. 39802  
MORETZ & SKUFCA,  
PLLC, Trustee  
300 McGill Ave. NW, Suite  
100  
Concord, N.C. 28027  
Telephone (704) 721-3500  
Facsimile (704) 721-3555  
Published September 6, 13,  
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.

### 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!

## Penland School discounts for area residents announced

Penland School of Crafts has open spaces in its upcoming eight-week session available at half tuition to area residents. These long workshops are an unusual opportunity to spend two months working with first-rate instructors in professionally-equipped studios.

The discount is available to residents of the following Western North Carolina counties: Ashe, Avery, Buncombe, Burke, Caldwell, Cherokee, Graham, Clay, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Polk, Rutherford, Swain, Transylvania, Watauga, and Yancey; and the following counties in East Tennessee: Carter, Cocke, Greene,

Johnson, Sullivan, Unicoi, and Washington. Regular room and board charges apply, but students are not required to stay on campus.

The session runs from September 24 through November 17 with openings in clay, glass, metals, photography, and wood, and mixed media.

All of these workshops are open to students of all skill levels: beginners welcome. For info, visit the Penland website: www.penland.org. To enroll, call the Penland registrar at 828-765-2359, ext 1106.

Discounts to area residents who take unfilled spaces in Penland classes shortly before the classes begin are offered.

## Organic Growers School is set

Organic Growers School's Farm Beginnings® Farmer Training is entering its third year, having graduated 45 farmers in the last 2 years. Farm Beginnings® Farmer Training is a 12-month training that uses a mix of farmer-led classroom sessions, on-farm tours, and an extensive farmer network, tapping into the knowledge of the most innovative & skilled farmers in Western NC.

Organic Growers School (OGS) will begin this year's program on October 15, 2017 and is currently accepting applications. New in the 2017-18 program is a 15+ hour Mentorship Program offering each student a farmer mentor to guide them in farm development, offer problem solving, provide support and guidance, as well as practical advice.

Lori Burra and Rich Steinhoff graduated from OGS's Farm Beginnings® Farmer Training in 2016. They are the co-owners of Greenheart Gardens, a medicinal herb farm and business in Candler. According to Lorri, "I learned more of the business end and how to plan for profit [with Farm Beginnings]. Organic Growers School and their Farm Beginnings Program has helped me become a profitable, sustainable, organic farmer."

Farm Beginnings® Farmer Training is designed to offer beginning and expanding farmers the practical skills and knowledge needed to start and grow successful long-term farm businesses. With a focus on sustainable agriculture practices, the course is taught by established farmers and agricultural entrepreneurs from across Western NC, such as Flying Cloud Farm, Green Toe Ground, Rayburn Farm, Bluebird Farm and A Way of Life Farm. The course is open to aspiring, beginning and expanding farmers in Western NC and surrounding Southern Appalachian states – Tennessee, Virginia, Georgia, and South Carolina. According to graduates, Stephen Rosenthal and Krista Fayette, in their first season at New Roots Market Garden, "The connections that we have created through Farm Beginnings is what we cherish the most. Many different farmers took the time to share their stories, mistakes, successes and business models with us. These stories helped us in making many of our own first-time decisions. We now have a network of dear friends whom we can call on if we ever have a problem, need assistance, or just simply to talk, vent, and relate."

Farmer Training was developed to address the needs of

the regional farming community and offer a comprehensive farmer-led training course to better prepare the next generation of farming professionals in Western NC. It is a part of the national Farm Beginnings® Collaborative, recognized as "a model that is creating strong new farm businesses across the country" by Kathleen Merrigan, former U.S. Deputy Secretary of Agriculture (in her 2012 remarks to the Beginning Farmer and Rancher Development Program directors).

The one-year farming training program consists of 200+ hours of training time including: 60 hours of whole farm business planning sessions; 45 hours of production training through field days on sustainable farms around WNC and on the Southern Appalachian Highlands Conservancy Incubator Farm; 40+ hours of classes at Organic Growers School's Annual Spring and Harvest Conferences; and 8 hours at ASAP's Business of Farming conference. The newly added mentorship component adds an additional 15+ hours of one-on-one guidance from an experienced farmer mentor.

Nicole DelCogliano, Farm Beginnings® Farmer Training Coordinator, states, "I am really excited as we enter our third year of Farm Beginnings. As participants graduate they are asking deeper questions and have a more fine tuned sense of what to look for, assess and think about as they plan their farming future. Training beginning farmers not only in production methods, but in systems assessment, business and financial management, is vitally important to the resilience of our farming community"

Applications are being accepted for the program until September 15th, 2017. The program fee for the one-year, 200-hour program is \$3000, similar to other national and regional year long training courses.

Scholarships and payment plans are available. For more information and to apply for Farm Beginnings® Farmer Training visit: www.organicgrowersschool.org/farm-beginnings

Organic Growers School (OGS) is the premiere provider of practical and affordable organic education in the Southern Appalachians, building a vibrant food & farming community by boosting the success of organic home growers and farmers in our region. A 501c3 non-profit, OGS is based in Asheville, NC, and has been serving the region since 1993.

## Advance tickets for 2017 N.C. Mountain State Fair now on

The 2017 N.C. Mountain State Fair is just around the corner, but fair lovers can save now on admission and ride tickets by purchasing them in advance.

"One of the easiest ways to save money at the fair is to buy advance tickets," said fair manager Matt Buchanan. "Fairgoers can save about 40 percent when they purchase their gate admission and ride tickets early."

Advance tickets are on sale at the WNC Agricultural Center and WNC Farmers Market. Starting Aug. 5, shoppers also will be able to buy advance tickets at more than 50 area Ingles stores. Advance tickets will be sold until Sept. 7. Visitors can save \$2 on admission by pur-

chasing tickets early. Advance admission tickets are \$7 for adults, \$3 for children ages 6-12 and seniors 65 and older. Children ages 5 and under get free admission. Ride enthusiasts also can save money by purchasing ride tickets early.

Ride tickets will be sold in sheets of 21 for \$12 in advance. These same sheets will be sold for \$20 once the fair opens.

The 2017 N.C. Mountain State Fair runs Sept. 8-17 at the WNC Agricultural Center in Fletcher. The fair features livestock competitions, free entertainment, live music, a full carnival and more. More details are available at www.mountainfair.org.