

# Kernersville News

# Legal Notices

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Tuesday News, July 19, 2016

## LEGALS

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16 SP 668

### NOTICE OF FORECLOSURE SALE

NORTH CAROLINA, FORSYTH COUNTY

Under and by virtue of a Power of Sale contained in that certain Deed of Trust executed by Linda B. Knott to Patti D. Dobbins, Atty at Law, Trustee(s), which was dated November 19, 2007 and recorded on November 20, 2007 in Book RE 2796 at Page 3095, Forsyth 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 **July 26, 2016 at 10:00AM**, and will sell to the highest bidder for cash the following described property situated in Forsyth County, North Carolina, to wit:

BEING all of Lot No. 60, as shown on a recorded plat entitled "WINDING WOOD, PHASE 2", as developed by the New Fortis Corporation, said map being drawn by Borum, Wade and Associates, P.A., said plat being recorded in Plat Book 38, Page 88 in the Office of the Register of Deeds of Forsyth County, North Carolina, to which reference is hereby made for a more particular description.

Save and except any releases, deeds of release or prior conveyances of record. Said property is commonly known as 2205 Mary Dee Lane, Winston Salem, NC 27127.

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 Linda B. Knott.

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.: 16-07223-FC01

July 12, 19, 2016

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### Notice to Creditors

Having qualified as Executor of the Estate Robert Neil Milman, Robert N. Milman, Robert Milman, late of Forsyth County, North Carolina, the undersigned does hereby notify all persons, firms and corporations having claims against the estate of said decedent to exhibit them to my attorney at 110 Oakwood Drive, Suite 300, Winston-Salem, North Carolina 27103-1958, on or before the 12th day of October, 2016, or this notice will be pleaded in bar of their recovery. All persons, firms and corporations indebted to said estate will please make immediate payment to the undersigned.

This the 12th day of July, 2016.

Joan B. Milman, Executor  
Estate of Robert Neil Milman

Craig Jenkins Liipfert & Walker, LLP

July 12, 19, 26, August 2, 2016

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### NOTICE OF SALE OF REAL ESTATE UNDER CLAIM OF LIEN RE: 16-SP-213

UNDER AND BY VIRTUE of the power granted in the recorded Declarations and North Carolina law (including N.C.G.S Section 47F-3-116) which authorize the foreclosure of the Claim of Lien filed against Brian Page, Trustee 7012 Cain Forest Family Trust by Cain's Way Homeowner's Association, Inc. (hereinafter "Association"), filed 10 November 2015 and filed in Case Number 15-M-1663 in the Office of the Clerk of Superior Court for Forsyth County and because of a failure to make timely payment of assessments and other charges levied by the Association and pursuant to an Order entered by the Clerk of Superior Court and pursuant to demand of the Association, the undersigned will expose for sale at public auction to the highest bidder for cash at the usual place of sale in the Courthouse of Forsyth County, in the **City of Winston-Salem, North Carolina at 10:00 a.m. on the 2nd day of August 2016**, all that certain parcel of real estate, including any undivided interest in common areas and all improvements and fixtures located thereon, in Forsyth County, North Carolina, more particularly described as follows:

BEGINNING at an iron pipe found in the western right-of-way of a private gravel road, Cain Forest Court, said pipe being South 52-09-53 West 394.15 from a tie in the center line of Cain Forest Court and Cain Forest Drive; thence running with Cain Forest Court western right-of-way, South 26-08-22 West a chord distance of 33.32 feet, a curve length of 33.33 feet with a radius of 385.59 feet to an iron pipe found; thence continuing with the western right-of-way of Cain Forest Court, South 23-24-18 West 61.74 feet to an iron pipe found in the western right-of-way of Cain Forest Court and also in the northeastern corner of Lot 272, North 66-27-51 West crossing a 20 foot Sanitary Sewer Easement 140.12 feet to an iron pipe found in the northwest corner of Lot 272 and the eastern line of

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R. Don Cain, Phase 2, Plat Book 32, Page 160, Lot 117; thence running with Cains (Lot 117) eastern line, North 32-44-27 East 107.10 feet to an iron pipe found, Cains (Lot 117) northeast corner; the southeast corner of Lot 118 and the southwest corner of Lot 274; thence running with the southern line of Lot 274, South 61-32-40 East crossing a Sanitary Sewer Easement, 124.82 feet to an iron pipe found in the western right-of-way of Cain Forest Court, the POINT AND PLACE OF BEGINNING. According to a survey for Randall S. Pearman by McAnnally Land Surveying, P.C., dated April 20, 1995 and being Job No. S-5417 and being a survey of Lot 273, Plat of R. Don Cain, Phase 7, Section 2, a re-division of Lot 116 through 119, Plat Book 38, Page 29, Forsyth County Registry.

This conveyance is made SUBJECT to and shall be bound by the Declaration as appears in Book 1876 at Page 181, Forsyth County Registry.

Address of Property: 7012 Cain Forest Court, Walkertown, NC 27051  
Present Owner of Record: Brian Page, Trustee 7012 Cain Forest Family Trust

BEING THE SAME PROPERTY described in the deed recorded in Deed Book 2256 at Page 574 in the Forsyth County Registry.

The terms of the sale are that the property will be sold for cash to the highest bidder and a cash deposit not to exceed the greater of five percent (5%) of the amount of the bid, or Seven Hundred and Fifty (\$750.00) may be required at the time of the sale. The property to be offered pursuant to this Notice of Sale is being offered for sale, transfer and conveyance "As Is, Where Is". The Cain's Way Homeowner's Association, Inc. does not 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 conditions are expressly disclaimed. The property will be sold subject to restrictions and easements of record, any unpaid taxes, prior liens and special assessments, any transfer tax associated with the foreclosure, and any tax required to be paid by N.C.G.S. Section 7A-308(a)(1). The sale will be held open for ten days for upset bids as required by law.

That an order for possession of the property may be issued pursuant to N.C.G.S. Section 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 upon ten (10) days written notice to the landlord. 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.

July 19, 26, 2016

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### Notice to Creditors

Having qualified as Co-Executors of the Estate of Leona D. Kecseti, Leona Kecseti, Leona Nau Kecseti, Leona Dee Kecseti, Lee Kecseti, late of Forsyth County, North Carolina, the undersigned does hereby notify all persons, firms and corporations having claims against the estate of said decedent to exhibit them to my attorney at 110 Oakwood Drive, Suite 300, Winston-Salem, North Carolina 27103-1958, on or before the 28th day of September, 2016, or this notice will be pleaded in bar of their recovery. All persons, firms and corporations indebted to said estate will please make immediate payment to the undersigned.

This the 28th day of June, 2016.

Frank Charles Kecseti & Michael  
William Kecseti, Co-Executors  
Estate of Leona D. Kecseti

Craig Jenkins Liipfert & Walker, LLP

June 28, July 5, 12, 19, 2016

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## LEGALS

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### NOTICE OF INTENT TO CLOSE A STREET/ROAD AND SETTING DATE AND TIME OF PUBLIC HEARING TO CONSIDER CLOSING ALL OF THAT 0.826 ACRES, CONSISTING OF TWO TRACTS OF LAND BEING PORTIONS OF SOUTH CHERRY STREET

WHEREAS, the Town of Kernersville, is acting in accord with the June 7, 2016, Resolution of its Board of Aldermen, that all of that 0.826 acres, consisting of two tracts of land being portions of South Cherry Street which is located within the Town of Kernersville, Forsyth County, North Carolina, and bounded by natural boundaries and/or lands owned by and/or in possession of persons, as follows: on the north and south by Main Street Market, on the east by Southern Street, on the southwest by Old Winston Road, and on the southeast and northwest by Greenfield Meadow Way, be closed; and

WHEREAS, the Town of Kernersville, for sufficient and good cause, has shown that it is for the betterment of the Town that all of that 0.826 acres, consisting of two tracts of land being portions of South Cherry Street which is located within the Town of Kernersville, Forsyth County, North Carolina, and bounded by natural boundaries and/or lands owned by and/or in possession of persons, as follows: on the north and south by Main Street Market, on the east by Southern Street, on the southwest by Old Winston Road, and on the southeast and northwest by Greenfield Meadow Way, be closed to the public; and

**TAKE NOTICE** that the Board of Aldermen of the Town of Kernersville has adopted the following Resolution:

(1) That conditioned upon the North Carolina Department of Transportation approving closing the same, it is the intent of the Board of Aldermen of the Town of Kernersville to close the aforementioned 0.826 acres, consisting of two tracts of land being portions of South Cherry Street which is located within the Town of Kernersville, Forsyth County, North Carolina, and bounded by natural boundaries and/or lands owned by and/or in possession of persons, as follows: on the north and south by Main Street Market, on the east by Southern Street, on the southwest by Old Winston Road, and on the southeast and northwest by Greenfield Meadow Way, lying within the Town of Kernersville as shown on a map available in the office of the Town Clerk.

(2) That the date and time of Public Hearing on this matter is hereby set to be held on the 2nd day of August, 2016, at 7:00 P.M. in the Council Chambers/District Courtroom, Town Hall, Kernersville, Forsyth County, North Carolina; and

(3) That notice of said Public Hearing shall be posted in two appropriate places along the said portions of South Cherry Street; and

(4) That Notice of the said Public Hearing also be sent by certified mail to all adjoining land owners of the said portions of South Cherry Street adjoining the road property proposed to be closed including the North Carolina Department of Transportation; and

(5) That this notice be published once a week for four successive weeks prior to the date of said Public Hearing in a newspaper having general circulation within the Town of Kernersville; and

(6) That a copy of the Resolution be mailed to Main Street Market and the North Carolina Department of Transportation.

This the 7th day of June, 2016.

Dawn H. Morgan, Mayor

Attested to:  
Keith Hooker, Town Clerk

July 5, July 12, July 19, July 26

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