

# LEGAL ADVERTISING

## NOTICE OF FORECLOSURE SALE

08 SP 216  
NORTH CAROLINA, HOKE COUNTY

Under and by virtue of a Power of Sale contained in that certain Deed of Trust executed by Theodore Mack and Kathryn C. Mack, Husband and Wife to Julie Gold, Trustee(s), which was dated April 30, 2007 and recorded on May 2, 2007 in Book 00760 at Page 0124, Hoke 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, Brock & Scott, PLLC, having been substituted as Trustee in said Deed of Trust by an instrument duly recorded in the Office of the Register of Deeds of Hoke 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 of the county courthouse where the property is located, or the usual and customary location at the county courthouse for conducting the sale on October 28, 2008 at 1:00PM, and will sell to the highest bidder for cash the following described property situated in Hoke County, North Carolina, to wit:

Being all of lot 207 in a subdivision known as summerfield east, section three, according to a plat of the same duly recorded in plat cabinet 2, slide 2-82, map 008, hoke county registry, north carolina. Together with improvements located thereon; said property being located at 102 silverberry court, raeford, north carolina.

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

Said property is commonly known as 102 Silverberry Court, Raeford, NC 28376.

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.

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 Theodore Mack and wife, Kathryn C. Mack.

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 upon 10 days' written notice to the landlord. 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.

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.

This is a communication from a debt collector. The purpose of this communication is to collect a debt and any information obtained will be used for that purpose, except in the instance of bankruptcy protection. If you are under the protection of the bankruptcy court or have been discharged as a result of a bankruptcy proceeding, this notice is given to you pursuant to statutory requirement and for informational purposes and is not intended as an attempt to collect a debt or as an act to collect, assess, or recover all or any portion of the debt from you personally.

Substitute Trustee  
Brock & Scott, PLLC  
Jeremy B. Wilkins, NCSB No. 32346  
5431 Oleander Drive Suite 200  
Wilmington, NC 28403  
PHONE: (910) 392-4988  
FAX: (910) 392-8587  
File No.: 08-11563  
31-32C

## AMENDED NOTICE OF FORECLOSURE SALE

08 SP 67  
NORTH CAROLINA, HOKE COUNTY

Under and by virtue of a Power of Sale contained in that certain Deed of Trust executed by Robert L. Sutphen and Mary L. Sutphen to VAN CAMP, MEACHAM & NEWMAN, Trustee(s), which was dated March 24, 2003 and recorded on March 28, 2003 in Book 545 at Page 799, Hoke 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, Lisa S. Campbell, having been substituted as Trustee in said Deed of Trust by an instrument duly recorded in the Office of the Register of Deeds of Hoke 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 of the county courthouse where the property is located, or the usual and customary location at the county courthouse for conducting the sale on October 28, 2008 at 1:00PM, and will sell to the highest bidder for cash the following described property situated in Hoke County, North Carolina, to wit:

### TRACT ONE:

Being all of Lot No. Seven, containing 5.17 acres, as shown on a survey entitled "James R. Nixon, Quewiffle Township, Hoke County, North Carolina," prepared by Leland D. Strother, Registered Land Surveyor, dated April, 1987, and recorded in Map Book 8, Page 118, of the Hoke County Registry, to which reference is hereby made.

Being the same property as described in Deed Book 254, Page 905, Hoke County Registry.

### TRACT TWO:

BEGINNING at an iron pipe in the Nixon line, the northwest corner of a 10.7 acres tract heretofore deeded to the Strugeon's by Strother and wife, by deed duly recorded in Book 173 at Page 565 of the Hoke County Registry; and running from said beginning point with the Nixon line, North 05b deg. 28 min. East 300.64 feet to another iron pipe in the Nixon line; thence South 59 deg. 50 min. East 607.87 feet to an iron pipe; thence North 88 deg. 59 min. West 552.22 feet to the point of BEGINNING, and containing 1.9 acres, and being bounded by other lands of Strother on the North by other lands of Stugreon on the South and by the lands of Nixon on the West.

The above property is a portion of that property deeded to Glen L. Hall and wife, Betty D. Hall, by deed from John Rorie and wife, recorded in Book 169, Page 336, of the Hoke County Registry.

For further reference see deed from Glen L. Hall and wife, Betty D. Hall, to Walter M. Beavers and wife, Patricia G. Beavers, recorded in Book 226, Page 617, Hoke County Public Registry.

Being the same property as described in Deed Book 254, Page 36, Hoke County Registry.

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

Said property is commonly

known as 231 Private Lane and, 5.17 acres adjacent to 231 Private Lane, Aberdeen, NC 28315.

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.

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 Mary L. Sutphen.

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 upon 10 days' written notice to the landlord. 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.

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.

This is a communication from a debt collector. The purpose of this communication is to collect a debt and any information obtained will be used for that purpose, except in the instance of bankruptcy protection. If you are under the protection of the bankruptcy court or have been discharged as a result of a bankruptcy proceeding, this notice is given to you pursuant to statutory requirement and for informational purposes and is not intended as an attempt to collect a debt or as an act to collect, assess, or recover all or any portion of the debt from you personally.

Lisa S. Campbell  
Substitute Trustee  
PO Box 4006  
Wilmington, NC 28406  
PHONE: 910-392-4971  
FAX: 910-392-8051  
File No.: 08-03358  
31-32C

## NOTICE OF SALE IN THE GENERAL COURT OF JUSTICE OF NORTH CAROLINA SUPERIOR COURT DIVISION HOKE COUNTY

08 SP 229

In the matter of the foreclosure of a deed of trust executed by Charles P. Korn, III and Diana L. Korn dated January 24, 2003 and recorded in Book 537 at Page 659 in the Hoke County public registry, North Carolina

Pursuant to a Court order and under and by virtue of the power and authority contained in the above-referenced deed of trust and because of default in the payment of the secured indebtedness and failure to perform the stipulation and agreements therein contained and, pursuant to demand of the owner and holder of the secured debt, the undersigned substitute

trustee will expose for sale at public auction to the highest bidder for cash at the usual place of sale at the county courthouse of said county at 11:30 AM on October 29, 2008 the following described real estate and any other improvements which may be situated thereon, in Hoke County, North Carolina, and being more particularly described as follows:

Being all of Lot(s) 68, Spring Valley, Section 2, according to a plat of same duly recorded in Plat Cabinet 2, Slide 2-44, Map 3, Hoke County Registry, North Carolina, This conveyance is made subject to restrictive covenants, easements, and rights-of-way of record.

And Being more commonly known as: 256 Heartwood Dr, Raeford, NC 28376

The record owner(s) of the property, as reflected on the records of the Register of Deeds, is/are Diana L. Korn and Dan Ridgen.

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, being foreclosed, nor the officers, directors, attorneys, employees, agents or authorized representative of either 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. Any and all responsibilities or liabilities arising out of or in any way relating to any such condition expressly are disclaimed. This 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 the foreclosure. A deposit of five percent (5%) of the amount of the bid 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. This sale will be held open ten days for upset bids as required by law. Following the expiration of the statutory upset period, all remaining amounts are IMMEDIATELY DUE AND OWING. Failure to remit funds in a timely manner will result in a Declaration of Default and any deposit will be frozen pending the outcome of any re-sale.

SPECIAL NOTICE FOR LEASEHOLD TENANTS: If you are a tenant residing in the property, be advised that an Order for Possession of the property may be issued in favor of the purchaser. Also, if your lease began or was renewed on or after October 1, 2007, be advised that you may terminate the rental agreement upon 10 days written notice to the landlord. You may be liable for rent due under the agreement prorated to the effective date of the termination.

The date of this Notice is October 8, 2008.

Grady Ingle  
Substitute Trustee  
8520 Cliff Cameron Drive, Suite 300  
Charlotte, NC 28269  
(704) 333-8107  
<http://shapiroattorneys.com/nc/>  
08-108055  
31-32C

## LEGAL NOTICE NOTICE OF PUBLIC HEARING HOKE COUNTY, NORTH CAROLINA

NOTICE IS HEREBY GIVEN, pursuant to G.S. 153A-323, that the following Public Hearings will be held before the Hoke County Planning Board at the Pratt Building, 227 N. Main Street, Raeford, NC, on Thursday, November 13, 2008, at 7:00 pm for the purpose of hearing the following:

A. Application for Conditional Use Permit CU-08-30 submitted by Joyce Hilton, to be granted a conditional use permit to operate a home daycare, (small) located at 257 Ranier Drive, Raeford, NC, more specifically identified by the Hoke County Tax Records as PIN 494760001629. The property is located in an R-8 Residential District which allows a home daycare, (small) as a conditional use.

B. Application for Conditional Use Permit CU-08-32 submitted by Gina R. Hall, to be granted a conditional use permit to operate a home daycare, (large) located at 7046 Phillippi Church Road, Raeford, NC, more specifically identified by the Hoke County Tax Records as PIN 494750001205. The property is located in an RA-20 Residential-Agricultural District which allows a home daycare, (large) as a conditional use.

C. Application for Rezoning RZ-08-11 submitted by A.K. Leach, Jr. for 3-L Investments, Inc. to rezone the property more specifically identified by the Hoke County Tax Records as PINs 794430001038, and 794430001058, from RA-20 Residential-Agricultural District to Industrial District.

D. Application for Rezoning RZ-08-12 submitted by A.K. Leach, Jr. for Farm Chemicals, Inc., to rezone the property more specifically identified by the Hoke County Tax Records as PINs 794430001001, 794430001039, 794430001047, 794430001052, and 794430001053, from RA-20 Residential-Agricultural District to Industrial District.

All interested citizens are invited to attend these hearings and be heard. Changes may be made in the advertised proposal, which reflect information presented at the hearing. The above listed items may be viewed in the Planning Department, 423 E. Central Avenue, Raeford, NC.

Linda Revels, Clerk to the Board  
31-32C

## LEGAL NOTICE

NOTICE OF

UBLIC HEARING

HOKE COUNTY,

NORTH CAROLINA

NOTICE IS HEREBY GIVEN, pursuant to G.S. 153A-323, that the following Public Hearings will be held before the Hoke County Board of Commissioners at the Pratt Building, 227 N. Main Street, Raeford, NC, on Monday, November 1, 2008, at 7:00 pm for the purpose of hearing the following:

A. Application for Conditional Use Permit CU-08-25 submitted by Audrey B. & James E. Hall, to be granted a conditional use permit to operate a cemetery located at 335 Wood Lane, more specifically identified by the Hoke County Tax Records as PIN 294400001004. The property is located in a RMH Residential Manufactured Homes District which allows a cemetery as a conditional use.

B. Application for Rezoning RZ-08-10 submitted by Charles Morris, to rezone the property more specifically identified by the Hoke County Tax Records as a portion of PIN 494560301008, from RA-20 Residential-Agricultural District to Highway Commercial District.

All interested citizens are invited to attend these hearings and be heard. Changes may be made in the advertised proposal, which reflect information presented at the hearing. The above listed items may be viewed in the Zoning Department, 423 E. Central Avenue, Raeford, NC.

Linda Revels, Clerk to the Board  
31-32C

# LEGAL ADVERTISING

## NOTICE OF FORECLOSURE SALE

Under and by virtue of the power of sale contained in a certain Deed of Trust made by Donna A. Buchanan to Michael Lyon, Trustee(s), dated the 2nd day of March, 2004, and recorded in Book 00603, Page 0713, Hoke 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 Hoke 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 Raeford, Hoke County, North Carolina at 10:30 am on October 23, 2008 and will sell to the highest bidder for cash the following real estate situated in the County of Hoke, North Carolina, and being more particularly described as follows:

Being all of Lot 13 in a subdivision known as Quail Hollow West, according to a plat of the same duly recorded in Plat Cabinet 2, Slide 2-85, Map 008, Hoke County Registry, North Carolina. Together with improvements located thereon; said property being located at 106 Sugar Cane Drive, Raeford, North Carolina.

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 person must pay the tax of Forty-Five Cents (\$0.45) 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 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.

A cash deposit or cashier's check (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.

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 upon 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.

**THIS IS A COMMUNICATION FROM A DEBT COLLECTOR. THE PURPOSE OF THIS COMMUNICATION IS TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE, except as stated below in the instance of bankruptcy protection.**

**IF YOU ARE UNDER THE PROTECTION OF THE BANKRUPTCY COURT OR HAVE BEEN DISCHARGED AS A RESULT OF A BANKRUPTCY PROCEEDING, THIS NOTICE IS GIVEN TO YOU PURSUANT TO STATUTORY REQUIREMENT AND FOR INFORMATIONAL PURPOSES AND IS NOT INTENDED AS AN ATTEMPT TO COLLECT A DEBT OR AS AN ACT TO COLLECT, ASSESS, OR RECOVER ALL OR ANY PORTION OF THE DEBT FROM YOU PERSONALLY.**

This 2nd day of October, 2008. SUBSTITUTE TRUSTEE SERVICES, INC. SUBSTITUTE TRUSTEE BY: Attorney at Law The Law Firm of Hutchens, Senter & Britton, P.A. Attorneys for Substitute Trustee Services, Inc. P.O. Box 1028 4317 Ramsey Street Fayetteville, North Carolina 28311 <http://www.fc-sales.com> Case No: 430.134938 30-31C

## NOTICE OF SALE IN THE GENERAL COURT OF JUSTICE OF NORTH CAROLINA SUPERIOR COURT DIVISION HOKE COUNTY 08SP217

In the matter of the Foreclosure of a Deed of Trust executed by Leroy Jones, Jr. and Angela M. Jones dated May 21, 2004 and recorded in Book 618 at Page 715 in the Hoke County Public Registry, North Carolina

Pursuant to a Court order and under and by virtue of the power and authority contained in the above-referenced deed of trust and because of default in the payment of the secured indebtedness and failure to perform the stipulation and agreements therein contained and, pursuant to demand of the owner and holder of the secured debt, the undersigned substitute trustee will expose for sale at public auction to the highest bidder for cash at the usual place of sale at the county courthouse of said county at 10:30 AM on October 17, 2008 the following described real estate and any other improvements which may be situated thereon, in Hoke County, North Carolina, and being more particularly described as follows:

Being all of Lot No. 77 in a Subdivision known as McDougald Downs, Section Seven, according to a map of Same duly recorded in Slide 350, Map 2 of the Hoke County Registry, North Carolina.

And Being more commonly known as: 1916 McGregor Dr, Raeford, NC 28376

The record owner(s) of the property, as reflected on the records of the Register of Deeds, is/are Leroy Jones, Jr. and Angela M. Jones.

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, being foreclosed, nor the officers, directors, attorneys, employees, agents or authorized representative of either 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. Any and all responsibilities or liabilities arising out of or in any way relating to any such condition expressly are disclaimed. This 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 the foreclosure. A deposit of five percent (5%) of the amount of the bid 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. This sale will be held open ten days for upset bids as required by law. Following the expiration of the statutory upset period, all remaining amounts are IMMEDIATELY DUE AND OWING. Failure to remit funds in a timely manner will result in a Declaration of Default and any deposit will be frozen pending the outcome of any re-sale.

**SPECIAL NOTICE FOR LEASEHOLD TENANTS:** If you are a tenant residing in the property, be advised that an Order for Possession of the property may be issued in favor of the purchaser. Also, if your lease began or was renewed on or after October 1, 2007, be advised that you may terminate the rental agreement upon 10 days written notice to the landlord. You may be liable for rent due under the agreement prorated to the effective date of the termination.

The date of this Notice is September 26, 2008. 08-107687 Grady Ingle Substitute Trustee 8520 Cliff Cameron Drive, Suite

300 Charlotte, NC 28269 (704) 333-8107 <http://shapiroattorneys.com/nc/> 30-31C

## NOTICE OF SUBSTITUTE TRUSTEE'S FORECLOSURE SALE OF REAL PROPERTY 08-SP-211

UNDER AND BY VIRTUE OF the power and authority contained in that certain Deed of Trust executed and delivered by Rebecca J. Hernandez & David Hernandez, Wife and Husband, dated June 1, 2005 and recorded in the Office of the Register of Deeds of Hoke County, North Carolina, recorded on June 3, 2005, in Book 671 at Page 697; and because of default in the payment of the indebtedness secured thereby and failure to carry out and perform the stipulations and agreements contained therein and, pursuant to demand of the owner and holder of the indebtedness secured by said Deed of Trust, the undersigned Substitute Trustee will place for sale, at public auction, to the highest bidder for cash at the usual place of sale at Hoke County Courthouse, in Raeford, North Carolina at 10:00 AM on Wednesday, October 22, 2008, that parcel of land, including improvements thereon, situated, lying and being in the City of Raeford, County of Hoke, State of North Carolina, and being more particularly described as follows:

BEING all of Lot 4 in a subdivision known as EAST OAKS, a plat of which is duly recorded in Slide 340, Maps 2 & 3, Hoke County Registry, North Carolina.

Address of property: 1 2 9 East Twelve Oaks Rd, Raeford, NC 28376

Present Record Owners: David Hernandez and Rebecca Hernandez, a/k/a Rebecca J Hernandez

The terms of the sale are that the real property hereinbefore described will be sold for cash to the highest bidder. The Substitute Trustee reserves the right to require a cash deposit or a certified check not to exceed the greater of five percent (5%) of the amount of the bid or Seven Hundred Fifty Dollars (\$750.00). In the event that the Owner and Holder is exempt from paying the same, the successful bidder may also be required to pay revenue stamps on the Trustee's Deed, any Land Transfer Tax, and the tax required by N.C.G.S. §7A-308 (a) (1).

The real property hereinabove described is being offered for sale "AS IS, WHERE IS" and will be sold subject to all superior liens, unpaid taxes, and special assessments. Other conditions will be announced at the sale. The sale will be held open for ten (10) days for upset bids as by law required.

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 sale and reinstatement of the loan without the knowledge of the Trustee(s). If the validity of the sale is challenged by any party, the Trustee(s), in their sole discretion, if they believe the challenge to have merit, may declare the sale to be void and return the deposit. The purchaser will have no further remedy.

Additional Notice Where the Real Property is Residential With Less Than 15 Rental Units:

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 upon 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. Dated: October 7, 2008 Kellam & Pettit, P.A. Substitute Trustee 30-31C

## NOTICE OF FORECLOSURE SALE

08 SP 220 NORTH CAROLINA, HOKE COUNTY

Under and by virtue of a Power of Sale contained in that certain Deed of Trust executed by Channetta Bryant & Jermaine A Bryant aka Jermaine Bryant to Philip R Mahoney, Trustee(s), which was dated May 12, 2006 and recorded on May 18, 2006 in Book 00714 at Page 0893, Hoke 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, Brock & Scott, PLLC, having been substituted as Trustee in said Deed of Trust by an instrument duly recorded in the Office of the Register of Deeds of Hoke 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 of the county courthouse where the property is located, or the usual and customary location at the county courthouse for conducting the sale on October 16, 2008 at 12:30PM, and will sell to the highest bidder for cash the following described property situated in Hoke County, North Carolina, to wit:

Being all of Lot 56, in a subdivision known as Creekside, according to a plat of same being duly recorded in Plat Cabinet 2, Slide 2-6, Page 005, Hoke County Registry, North Carolina.

This conveyance is subject to restrictive covenants, easements, rights-of-way of record.

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

Said property is commonly known as 106 Hillcreek Drive, Parkton, NC 28371.

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.

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 Channetta R. Bryant.

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 upon 10 days' written notice to the landlord. 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.

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.

This is a communication from a debt collector. the purpose of this communication is to collect a debt and any information obtained will be used for that purpose, except in the instance of bankruptcy protection. If you are under the protection

of the bankruptcy court or have been discharged as a result of a bankruptcy proceeding, this notice is given to you pursuant to statutory requirement and for informational purposes and is not intended as an attempt to collect a debt or as an act to collect, assess, or recover all or any portion of the debt from you personally. Substitute Trustee Brock & Scott, PLLC Jeremy B. Wilkins, NCSB No. 32346 5431 Oleander Drive Suite 200 Wilmington, NC 28403 PHONE: (910) 392-4988 FAX: (910) 392-8587 File No.: 08-11556 30-31C

## CREDITOR'S NOTICE IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION BEFORE THE CLERK IN THE MATTER OF THE ESTATE OF HALLY EILEEN ORIAN

All persons, firms and corporations having claims against Hally Eileen Orians, deceased, are hereby notified to exhibit them to Frank J. Orians as Executor of the Estate of the decedent at 203 North Bethel Road, Raeford, NC 28376 on or before the 29th day of December, 2008, or be barred from their recovery. Debtors of the decedent are asked to make immediate payment to the above named Executor

This the 1st day of October, 2008.

Frank J. Orians, Executor of the Estate of Hally Eileen Orians 203 N. Bethel Rd Raeford, NC 28376 29-32P

## CREDITOR'S NOTICE IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION BEFORE THE CLERK IN THE MATTER OF THE ESTATE OF R. PALMER WILLCOX

All persons, firms and corporations having claims against R. Palmer Willcox, deceased, are hereby notified to exhibit them to Pat L. Willcox as Executrix of the Estate of the decedent at 404 North Main Street, Raeford, North Carolina 28376 on or before the 20th day of January, 2009, or be barred from their recovery. Debtors of the decedent are asked to make immediate payment to the above named Executrix.

This the 8th day of October, 2008.

Pat L. Willcox, Executrix of the Estate of R. Palmer Willcox Willcox, McFadyen, Fields & Sutherland Attorneys At Law 112 E. Edinborough Avenue Raeford, North Carolina 28376 30-33C

## NOTICE OF SERVICE OF PROCESS BY PUBLICATION IN THE GENERAL COURT OF JUSTICE DISTRICT COURT DIVISION FILE NUMBER: 08CVD767 STATE OF NORTH CAROLINA COUNTY OF HOKE DAMIEN MCLEAN PLAINTIFF VERSUS MARQUITA ABBOTT DEFENDANT TO: MARQUITA ABBOTT

TAKE NOTICE that a pleading seeking relief against you has been filed in the above entitled action. The nature of the relief being sought is custody.

You are required to make a defense to this pleading not later than November 24, 2008 and upon your failure to do so, the party seeking service against you will apply to the Court for the relief sought.

This is the 26th day of September 2008. Debbie G. Baker, Attorney for Plaintiff 123 West Elwood Avenue Post Office Box 726 Raeford, NC 28376 Telephone: (910) 904-5585 Fax: (910) 904-5589 31-32C

## NOTICE OF PUBLIC HEARING HOKE COUNTY, NORTH CAROLINA

NOTICE IS HEREBY GIVEN, pursuant to G.S. 153A-323, that the following Public Hearing will be held before the Hoke County Board of Adjustment at the Pratt Building, 227 N. Main Street, on Thursday November 6, 2008 at 7:00 PM for the purpose of hearing the following:

A. Application for Conditional Use Permit CU-08-29 submitted by James and Ginny Poche for a Class B manufactured home to be located at 364 Tyehimba Ln. The property is more specifically identified by the Hoke County Tax Records as PIN 384920001085 and is located in an RA-20 Residential-Agricultural District, which allows Class B manufactured homes as a conditional use.

B. Application for Conditional Use Permit CU-08-31 submitted by Clyde Sellers for a Class B manufactured home to be located at 6753 Pittman Grove Church Rd. The property is more specifically identified by the Hoke County Tax Records as PIN 494730001059 and is located in an RA-20 Residential-Agricultural District, which allows Class B manufactured homes as a conditional use.

All interested citizens are invited to attend this hearing and be heard. Changes may be made in the advertised proposal, which reflect information presented at the hearing. The above listed items may be viewed in the Zoning Department, 423 E. Central Avenue, Raeford, NC.

Billy Cox, Manager Inspections & Zoning 30-31C

## CREDITOR'S NOTICE IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION BEFORE THE CLERK IN THE MATTER OF THE ESTATE OF JAMES THOMAS DOVER

All persons, firms and corporations having claims against James Thomas Dover, deceased, are hereby notified to exhibit them to James Thomas Dover, Jr. as Executor of the Estate of the decedent at 916 E. Prospect Ave., North Carolina 28376 on or before the 22nd day of December, 2008, or be barred from their recovery. Debtors of the decedent are asked to make immediate payment to the above named Administratrix.

This the 1st day of October, 2008.

James Thomas Dover, Jr. of the Estate James Thomas Dover 916 E. Prospect Raeford, NC 28376 29-32P

## CREDITOR'S NOTICE IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION COUNTY OF HOKE BEFORE THE CLERK IN THE MATTER OF SWANNIE FURMAGE MCBRYDE

All persons, firms and corporations having claims against Swannie Furrage McBryde, deceased, are hereby notified to exhibit them to Charles Furrage McBryde, Executor of the Estate of the decedent at PO Box 3216, N. Myrtle Beach, SC, 29582 on or before the 16th day of January, 2009, or be barred from their recovery. Debtors of the decedent are asked to make immediate payment to the above named Executor.

This the 15th day of October, 2008.

Charles Furrage McBryde of the Estate of Swannie Furrage McBryde PO Box 3216 N. Myrtle Beach, SC 29582 31-34P

LEGAL DEADLINE: NOON, FRIDAY.

E-MAIL ADDRESS:

legals@the news-journal.com