

Legal Notices

IN THE GENERAL COURT OF JUSTICE OF NORTH CAROLINA SUPERIOR COURT DIVISION BRUNSWICK COUNTY SP #: 93SP14 Before the Clerk

IN THE MATTER OF THE FORECLOSURE OF a Deed of Trust Executed by Fries Shaffner, Jr. and wife, Judith Shaffner Dated July 21, 1987 and Recorded in Book 0700, at Page 0411, in the Brunswick County Public Registry.

NOTICE OF SALE
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 deed of trust and because of default in the payment of the indebtedness thereby secured and failure to carry out and perform the stipulation and agreements therein contained and, pursuant to demand of the owner and holder of the indebtedness secured by said deed of trust, 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 11:00 am, on March 19, 1993 the following described real estate and any other improvements which may be situated thereon, situated in Brunswick County, North Carolina, and being more particularly described as follows:

Unit B in Building 4 in Swans Quarter Condominium, as designated and described in the Declaration of Condominiums Establishing Swans Quarter Condominiums, under the provisions of Chapter 47A of the North Carolina General Statutes (the "Declaration"), dated June 25, 1986, and recorded in Book 651 at Page 964 in the Office of the Register of Deeds for Brunswick County (See Condominium Plan Book 5, Page 82 through 94, inclusive, for plans.), together with a 6.42 percent undivided interest in the limited and general common areas and facilities declared therein to be appurtenant to said unit, which percentage shall automatically change in accordance with amended declaration as the same are filed of record pursuant to the provisions of the said Declaration and together with additional common areas as such amended declarations are filed of record, in the percentages set forth in such amended declarations, which percentages shall automatically be deemed to be conveyed effective on the recording of each such amended declaration as though conveyed hereby. The lands upon which the buildings and improvements are located is situated on Bald Head Island, Brunswick County North Carolina, and is fully described in the Declarations, the Declaration being incorporated herein by reference.

Grantee, by accepting this Deed, hereby expressly assumes and agrees to be bound by and comply with all of the covenants, terms, provisions and conditions set forth in the Declaration including but not limited to, the obligation to make payments of assessments for the maintenance and operation of the condominium which may be levied against such unit. The unit conveyed hereby shall be used only as provided in the Declaration.

Further, Grantee, by accepting this Deed, expressly assumes and agrees to be bound by and comply with all of the covenants, terms, provisions and conditions contained in the amended and restated Declaration of Covenants, Conditions and Restrictions for Bald Head Island, recorded in Book 498 at Page 260 of the Brunswick County Registry, and the by-laws and rules and regulations made thereunder, including, but not limited to, the obligation to make payment of assessments for the maintenance and operation of the private streets and common areas which may be levied against such unit.

And Being more commonly known as: 4-B Swan Quarter, Bald Head Island, NC 28461.
The record owners of the property, as reflected on the records of the Register of Deeds, are Fries Shaffner, Jr. and wife, Judith Shaffner.
This sale is made subject to all prior liens and encumbrances, and unpaid taxes and assessments for paying, if any. A deposit of 10% of the amount of the bid (up to and including \$1,000) plus 5% of any excess over \$1,000 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.
The date of this Notice is February 25, 1993.

Elizabeth B. Ellis and/or Patricia A. Wallace, Substitute Trustee
301 S. McDowell Street
Suite 408
Charlotte, North Carolina 28204
(704) 333-8107
Mar. 18

ESTATE NOTICE
The undersigned, having qualified as Co-Executors of the Estate of Jean R. Smith, deceased, late of Brunswick County, this is to notify all persons having claims against said estate to present them to the undersigned on or before the 18th day of June, 1993, or this notice will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate payment to the undersigned.
This the 15th day of March, 1993.
Christopher Eric Smith
D4 Thicket Hill Village
Hinsdale, NH 03451
Cynthia A. Smith
P.O. Box 5008
Ocean Isle Beach, N.C. 28469
Co-Executors of the Estate of Jean R. Smith
Apr. 8 pd.

CAMA PERMIT NOTICE
Pursuant to NCGS 113A-119(b), the Town of Sunset Beach, a locality authorized to issue CAMA permits in the areas of environmental concern, hereby gives NOTICE that on March 16, 1993, applicant Marvin Braddy applied for a CAMA minor development permit to prepare the lot for building at Block 40C, Lot 15.
The application may be inspected at the below address. Public comments received by March 25, 1993 will be considered. Project modifications may occur based on further review and comments. Notice of the permit decision in this matter will be provided upon written request.
Linda Fluegel
Local CAMA Permit Officer
for Town of Sunset Beach
220 Shoreline Dr. West
Sunset Beach, NC 28468
(919)579-6297
March 18

Legal Notices

STATE OF NORTH CAROLINA COUNTY OF BRUNSWICK IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION BEFORE THE CLERK FILE NO. 93 SP 9

IN RE: Deed of Trust dated October 15, 1988, executed by George H. Brown and wife, J. Delice Brown, to Mason H. Anderson, Trustee, securing indebtedness payable to Ocean Side Corporation in the original principal amount of \$12,800.00, registered in Deed of Trust Book 757, Page 479, of the Register of Deeds of Brunswick County, N.C., said Deed of Trust and Note being assigned to First Investors Savings and Loan, Inc. (now First Investors Savings Bank, SSB) by Assignment recorded in Book 757, page 560; C. Greg Williamson being appointed as substitute trustee by instrument registered in Book 914, Page 191, said office.

NOTICE OF SALE
TIME OF SALE—March 23, 1993, 12:00 Noon.
PLACE OF SALE—Brunswick County Courthouse Door, Bolivia, North Carolina
PURSUANT to an Order entered by DIANA MORGAN, Clerk of Superior Court of Brunswick County on February 23, 1993, after a hearing, which hearing was held pursuant to Chapter 45 of the General Statutes of North Carolina, providing for notice and hearing prior to foreclosure sales; and

UNDER AND BY VIRTUE of the power of sale contained in a certain Deed of Trust executed by George H. Brown and wife, J. Delice Brown, to Mason H. Anderson, Trustee for Ocean Side Corporation, dated October 15, 1988, and recorded in Deed of Trust Book 757, page 479, Brunswick County Registry, said Note and Deed of Trust having been assigned to First Investors Savings and Loan, Inc. (now First Investors Savings Bank, SSB) by Assignment recorded in Book 757, page 560, and default having been made in the payment of the indebtedness thereby secured, and the said Deed of Trust being by the terms thereof subject to foreclosure, and the holder of the indebtedness thereby secured, having demanded a foreclosure thereof for the purpose of satisfying said indebtedness, the undersigned Substitute Trustee will offer for sale at public auction to the highest bidder, for cash at the Brunswick County Courthouse door in Bolivia, North Carolina, at 12:00 Noon on March 23, 1993, the land conveyed in said Deed of Trust, the same lying and being in Brunswick County, North Carolina, and being more particularly described as follows:

BEING all of Lot 59, Block IV of River Run Plantation, a map of which is recorded in Map Book (Cabinet) R, Page 272 of the Brunswick Registry.

THIS FORECLOSURE SALE is being made subject to all prior recorded liens, outstanding taxes and special assessments, if any, and the purchaser will be required to make a deposit in the amount as required by General Statute 45-21.10(b).

This the ___ day of February, 1993.
C. GREG WILLIAMSON,
SUBSTITUTE TRUSTEE
WILLIAMSON & WALTON,
Attorneys at Law
Mar. 18

ESTATE NOTICE
The undersigned, having qualified as Executrix of the Estate of Nancy Law Sargent, deceased, late of Brunswick County, this is to notify all persons having claims against said estate to present them to the undersigned on or before the 11th day of June, 1993, or this notice will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate payment to the undersigned.
This the 5th day of March, 1993.
Doris L. White, Executrix
of the Estate of
Nancy Laws Sargent
P.O. Box 359
Galax, VA 24333
Apr. 1 pd.

ESTATE NOTICE
The undersigned, having qualified as Administratrix of the Estate of Kenneth L. McCoy, deceased, late of Brunswick County, this is to notify all persons having claims against said estate to present them to the undersigned on or before the 11th day of June, 1993, or this notice will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate payment to the undersigned.
This the 2nd day of March, 1993.
Shirley M. McCoy, Administratrix
of the Estate of
Kenneth L. McCoy
156 Sandy Creek Dr.
Sandy Creek, N.C. 28451
Apr. 1 pd.

STATE OF NORTH CAROLINA COUNTY OF BRUNSWICK IN THE GENERAL COURT OF JUSTICE DISTRICT COURT DIVISION FILE # 93 CVD 136 HEALTHTRUST, INC., a Delaware Corporation, doing business as THE BRUNSWICK HOSPITAL, Plaintiff,

VS
JUANITA BRILES and KINDALL W. BRILES, Defendant(s)
TO: JUANITA BRILES and KINDALL W. BRILES

NOTICE OF SERVICE OF PROCESS BY PUBLICATION
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 as follows: the Plaintiff is seeking a judgment against you for monies owed on account by you for hospitalization and/or hospital services.

You are required to make defense to such pleading not later than April 20, 1993, and upon your failure to do so, the Plaintiff will apply to the court for the relief sought.
This the 11th day of March, 1993.
RAMOS AND LEWIS
Mark A. Lewis,
Attorney for Plaintiff
P.O. Box 2019
Shalotte, N.C. 28459
919-754-7557
Mar. 25

ESTATE NOTICE
The undersigned, having qualified as Executrix of the Estate of Gardner King, deceased, late of Brunswick County, this is to notify all persons having claims against said estate to present them to the undersigned on or before the 4th day of June, 1993, or this notice will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate payment to the undersigned.
This the 1st day of March, 1993.
Ora Mae King, Executrix
of the Estate of
Gardner King
5889 Kingtown Rd., NW
Ash, N.C. 28420
Mar. 25 pd.

Curbside Pickups Slated At Holden

Waste Industries Inc. is providing extra trash pickup service at Holden Beach through Friday, according to Town Manager Gary Parker.

Debris, including two-by-fours and yard waste, should be left at curbside.

While the service may be extended to a couple of days next week, said Parker, "if they could get it out there this week that would great."

Legal Notices

STATE OF NORTH CAROLINA COUNTY OF BRUNSWICK IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION FILE NO. 93 SP 23

In the Matter of the Foreclosure of the Deed of Trust of DAVID R. BUTLER and wife, LOUISE MCKAY BUTLER, Grantor

To
GEORGE L. FLETCHER, Substitute Trustee,
As recorded in Book 775 at Page 335 of the Brunswick County Registry. See Substitution of Trustee as recorded in Book 917 at Page 052 of the Brunswick County Registry.

NOTICE OF SUBSTITUTION TRUSTEE'S SALE OF REAL ESTATE

Under and by virtue of the power and authority contained in that certain Deed of Trust executed and delivered by David R. Butler and wife, Louise McKay Butler, dated July 13, 1989, and recorded in the Office of the Register of Deeds for Brunswick County, North Carolina, in Book 775 at Page 335 and because of default in the failure to carry out or perform the stipulations and agreements therein contained and pursuant to the demand of the owner and holder of the indebtedness occurred by said Deed of Trust, and pursuant to the Order of the Clerk of Superior Court for Brunswick County, North Carolina, entered in this foreclosure proceeding, the undersigned, George L. Fletcher, Substitute Trustee, will expose for sale at public auction on the 31st day of March, 1993, at 12:00 Noon on the steps of the Brunswick County Courthouse, Bolivia, North Carolina, the following described real property (including any improvements thereon):

Being all of Condominium Unit Number B3203 of Building Number 3, sometimes referred to as Unit Number 3203, in Mariners Wache Condominium, said Unit being more particularly described in the Declaration of Condominium recorded in Book 628 Page 539, Brunswick County Register of Deeds Office.
The address for the property is 1910 Goose Creek Road S.W., Unit 3203, Ocean Isle Beach, NC 28469.

The sale will be made subject to all prior liens, unpaid taxes, restrictions and easements of record and assessments, if any.

The record owner of the above-described real property as reflected on the records of the New Hanover County Register of Deeds not more than ten (10) days prior to the posting of this Notice is David R. Butler and wife, Louise McKay Butler.

Pursuant to North Carolina General Statute Section 45-21.10(b), and the terms of the Deed of Trust, any successful bidder may be required to deposit with the Substitute trustee immediately upon conclusion of the sale a cash deposit of ten (10%) percent of the bid up to and including \$1,000 plus five (5%) percent of any excess over \$1,000. 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 of the purchase price so bid at that time, he shall remain liable on his bid as provided for in North Carolina General Statute Sections 45-21.30 (d) and (e).

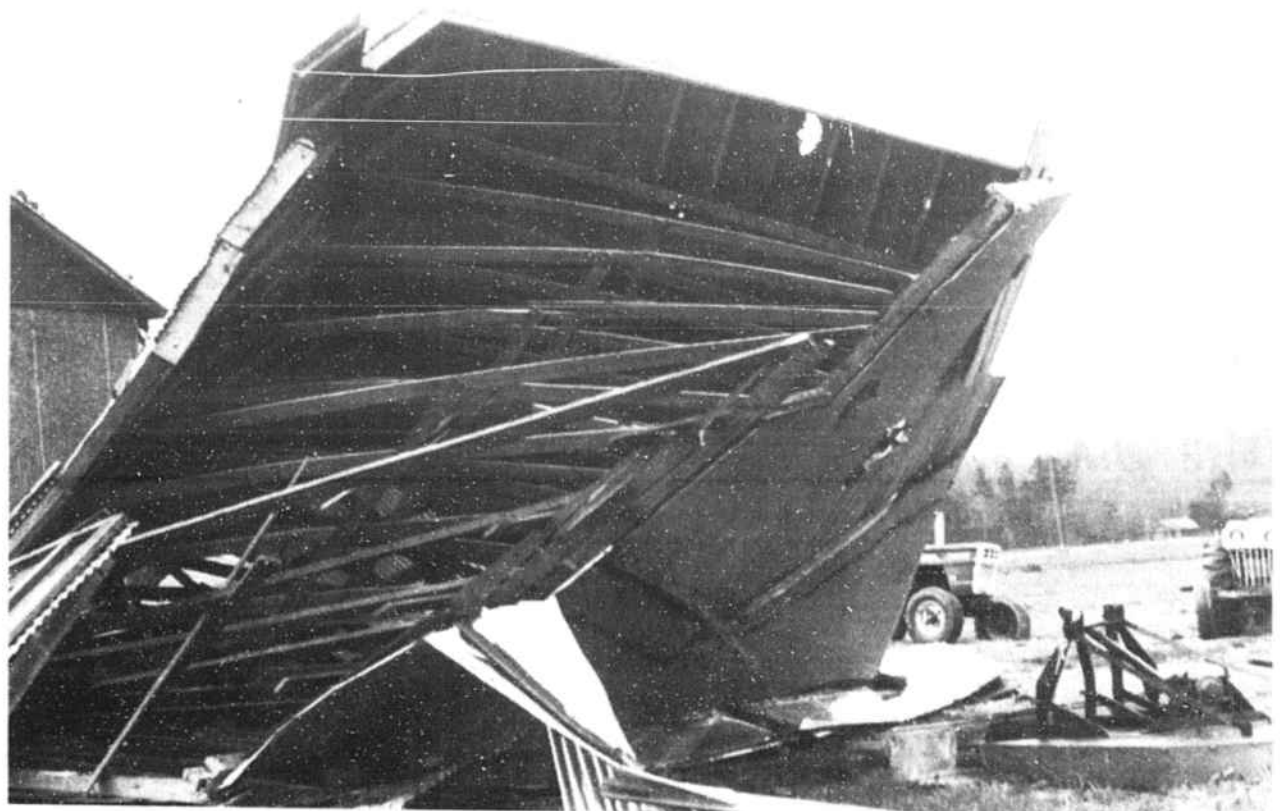
This sale will be held open ten (10) days for upset bids as required by law.
This the 10 day of March, 1993.
George L. Fletcher,
Substitute Trustee
115 North 3rd Street, Suite 306
Wilmington, N.C. 28403
Telephone: (919) 251-9900
Mar. 25



STAFF PHOTO BY EDDIE SWEATT

Not Much Of A Party

Virgil Batten's "Party Barge" had a hangover from this weekend's winter storm. Saturday afternoon, hurricane-strength winds picked up the 24-foot vessel, which was parked on and strapped to the trailer, and turned both boat and trailer upside down. Batten purchased the boat a few months ago and was working to get it ready to launch. He is shown removing a side panel which was crushed when the boat was overturned. A resident of the Oakyaupon Harbor subdivision on the waterway across from Holden Beach, Batten is Brunswick County's Veterans Service Officer.



STAFF PHOTOS BY CECELIA GORE

Storm Hits Hard In The Country

Damage from Saturday's winter storm was by no means confined to waterfront areas. In photo above, a tobacco barn at Leo Smith's Ash farm is topped with winds gusting above hurricane force. Below, the Waccamaw home of Mr. and Mrs. Roger Gore has its porch ripped away and satellite dish uprooted.



NOTICE INVITATION FOR BIDS RECYCLING SERVICES

The Town of Calabash will receive sealed proposals for recycling services at the Town Hall until 4:30 p.m., Friday, April 9, 1993.

Bids will be publicly opened and read April 13, 1993. Bid forms are available at Town Hall. The Town Board of Commissioners reserves the right or reject any or all bids.
This the 18th day of March, 1993.

Town of Calabash
Calabash, North Carolina
Janet Thomas, Town Clerk

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Town of Calabash will hold a public hearing to consider the following new and amended sections of the Calabash Zoning Ordinance on March 23, 1993, at 6:30 P.M. at the Calabash Town Hall.

The effected area consists of the Town of Calabash and the one mile extraterritorial jurisdiction.

1. Section 15: Off street parking and loading standards.
2. Section 8: Zoning districts and regulations.

These ordinances are available for public inspection at the Town Hall, during normal working hours.
Janet Thomas, Town Clerk
Town of Calabash

FAX A BEACON CLASSIFIED AD-754-5407

NOTICE OF RIGHT TO NOMINATE BY PETITION

The Farmers Home Administration (FmHA) is accepting nominations for County Committee elections for Brunswick County. This notice is issued to inform eligible voters of the right to nominate candidates by petition. Copies of the petition and instructions on its completion can be obtained from your local FmHA office.

Persons nominated should have an interest in a farm as an owner, tenant or sharecropper within the county or area in which activities of the county or area committee are carried out. They must be citizens of the United States or aliens lawfully admitted to the United States for permanent residence, and be well qualified for committee work. Spouses of those persons who meet the eligibility criteria are also eligible for nomination for election to the county committee. Nominations must be received in FmHA office, Shalotte, no later than Monday, April 19. FmHA committee elections are open to all eligible voters without regard to race, color, religion, national origin, age, political affiliation, marital status, sex and/or handicap.

PUBLIC INVOLVEMENT PUBLIC HEARING NOTICE

This is to inform the public of the opportunity to request a public hearing on the proposed Section 16 Application to be submitted to the North Carolina Department of Transportation by Brunswick Interagency Transportation System.

Those members of the public, including public or private for-profit transit operators within the service area, who are interested in attending a public hearing on this application should contact Don Eggert, Program Manager at 800-621-0609 on or before April 9, 1993. If no interest is indicated, then no public hearing will be held. Those interested in attending, but have not requested a hearing, should contact Don Eggert, Program Manager at 800-621-0609 to determine whether a public hearing will be held. If interest is indicated, a public hearing will be held on April 15, 1993, 2 P.M. in the Conference Room at the Planning Building at the Brunswick County Government Center, Bolivia.

The objective of the Section 16 program is to improve the mobility of elderly and disabled persons served by private, non-profit or public organizations where existing transportation services are unavailable, insufficient or inappropriate; and to provide capital assistance in Brunswick County. These services are currently provided using vans.

The total amount requested for capital assistance for July 1, 1993 through June 30, 1994 includes \$72,170 in federal funds and \$15,465 in state funds. The local matching share is \$15,465. The application may be inspected at Brunswick County Planning Department Government Center from weekdays from 8:30 A.M. to 5:00 P.M. Written comments should be directed to Don Eggert, Brunswick County Planning Department, PO Box 249, Bolivia, NC 28422.