

**CLONINGER & NEISLER ATTORNEYS**  
E. Scott Cloninger  
115 W. Mountain Street  
Kings Mountain, NC 28086  
BCR 2717  
(9:11, 18, 25; 10:2)

**PUBLIC HEARING NOTICE**

The following Public Hearing will be held before the Bessemer City Zoning Board of Adjustment on Monday, October 6th, 2003 at 6:00 PM and before the Bessemer City Council on October 20, 2003 at 7:00 PM. The hearings will be held in the Bessemer City Council Chambers, 132 W. Virginia Avenue, Bessemer City, NC.

File # TC03-03: The purpose is to consider a staff initiated text change to Section 155.190 of the Municipal Code concerning the make-up of the Planning and Zoning Commission.

All interested persons are urged to attend the hearing. Related documentation is available for review in the Planning Department during regular business hours.

Kevin L. Krouse  
Planning Director  
BCR 2722 (9:25; 10:2)

**PUBLIC HEARING NOTICE**

The following Public Hearing will be held before the Bessemer City Zoning Board of Adjustment on Monday, October 6, 2003 at 6:00. The hearing will be held in the Bessemer City Council Chambers, 132 W. Virginia Avenue, Bessemer City, NC.

File # SE03-05: The purpose is to hear a request from Mt. Pleasant Baptist Church for a Special Exception. The special exception request is to construct a religious complex. The subject parcel is located on Crowders Mt. Road; Tax ID # 11-035-015.

All interested persons are urged to attend this hearing. Related documentation is available for review in the Zoning/Code Enforcement office during regular business hours.

Kevin L. Krouse  
Planning Director  
BCR 2723 (9:25; 10:2)

**PUBLIC HEARING NOTICE**

File #TC03-03: A public hearing will be held before the Bessemer City Planning Commission on Monday, October 6, 2003 at 6:00 pm, and before the Bessemer City Council on Monday October 20, 2003 at 7:00 pm. The hearings will take place in the Bessemer City Council Chambers, 132 W. Virginia Ave., Bessemer City, NC.

The purpose of the hearings is to consider a staff-initiated text change to Section 150 of the Municipal Code concerning Minimum Housing Regulations.

All interested persons are urged to attend the hearings. Related documentation is available for review in the Planning Department during regular business hours.

Kevin L. Krouse  
Planning Director  
BCR 2725 (9:25; 10:2)

**ADMINISTRATOR-EXECUTOR'S NOTICE**

Having qualified on the 17th day of September, 2003, as Co-Executor of the Estate of James William Wise, deceased, late of Gaston County, North Carolina, this is to notify all persons, firms and corporations hav-

ing claims against the decedent to exhibit the same to the undersigned Timothy Alan Wise, on or before the 19th day of December, 2003, or this notice will be pleaded in bar of their recovery. All persons, firms and corporations indebted to the estate should make immediate payment.

This the 24th day of September, 2003. Timothy Alan Wise, Co-Executor Estate of James William Wise 917 Kenwood Rd. Cherryville, NC 28021 CE 1310 (9:24; 10:1, 8, 15)

**ADMINISTRATOR-EXECUTOR'S NOTICE**

Having qualified on the 10th day of September, 2003, as Administratrix of the Estate of Eva Ramsey Abernathy, deceased, late of Gaston County, North Carolina, this is to notify all persons, firms and corporations having claims against the decedent to exhibit the same to the undersigned Rebecca A. Kirkendall, on or before the 19th day of December, 2003, or this notice will be pleaded in bar of their recovery. All persons, firms and corporations indebted to the estate should make immediate payment.

This the 24th day of September, 2003. Rebecca A. Kirkendall, Administratrix Estate of Eva Ramsey Abernathy 221 Bremen Dr. Lexington, NC 27295 CE 1311 (9:24; 10:1, 8, 15)

**NOTICE OF DATES AND OFFICES PERTINENT TO MUNICIPAL AND DISTRICT ELECTIONS TO BE CONDUCTED ON TUESDAY, NOVEMBER 4, 2003**

NOTICE IS HEREBY GIVEN, pursuant to G.S. 163-33 (8), that the REGISTRATION DEADLINE for the following listed elections is **FRIDAY, OCTOBER 10, 2003.**

The following offices will be submitted to the voters of the DISTRICT or MUNICIPALITY on **TUESDAY, NOVEMBER 4, 2003:**

- TOWN OF BELWOOD--** OFFICE OF MAYOR 2 Council Seats
- TOWN OF BOILING SPRINGS--** 3 Commissioner Seats
- TOWN OF FALLSTON--** 2 Council Seats
- TOWN OF GROVER OFFICE OF MAYOR** 2 Commissioner Seats
- CITY OF KINGS MOUNTAIN--** Office of Mayor 2 At-Large Council Seats
- 5 Council Seats from WARDs: 1, 2, 3, 4, 5**
- TOWN OF LATTIMORE--** Office of Mayor 3 Council Seats
- TOWN OF LAWDALE--** 3 Commissioner Seats
- TOWN OF MOORESBORO--** OFFICE OF MAYOR- 3 Council Seats
- TOWN OF PATERSON SPRINGS--**

2 Commissioner Seats  
**TOWN OF POLKVILLE--** OFFICE OF MAYOR 2 Council Seats  
**TOWN OF WACO--** OFFICE OF MAYOR 2 Alderman Seats  
**CLEVELAND COUNTY SANITARY DISTRICT--** 4 Commissioner Seats  
**KINGS MOUNTAIN BOARD OF EDUCATION--**

2 'INSIDE' Board Member Seats  
**SHELBY CITY BOARD OF EDUCATION DISTRICT--3** Board Member Seats  
**CITY OF SHELBY--** Run-Off Election, if necessary

**TOWN OF KINGSTOWN--**

Run-Off Election, if necessary  
**ABSENTEE VOTING** will be permitted in all municipal and district elections, except the following:  
**TOWN OF BELWOOD, TOWN OF WACO, The ABSENTEE VOTING PERIOD is from FRIDAY, OCTOBER 3, 2003 to MONDAY, NOVEMBER 3, 2003. ONE-STOP/NO-EXCUSE ABSENTEE VOTING begins THURSDAY, OCTOBER 16, 2003, 10:00 A.M. and continues through SATURDAY, NOVEMBER 1, 2003 at 1:00 P.M. ONE STOP ABSENTEE VOTING HOURS ARE FROM 10:00 A.M. UNTIL 5:00 P.M. EVERYDAY BUT SUNDAYS FOR THE VOTING PERIOD. ONE-STOP VOTING WILL BE CONDUCTED IN THE BASEMENT OF THE FORMER SENIOR CENTER BUILDING, 408 EAST MARION STREET, SHELBY, N.C.**

**THE POLLS** will be open from 6:30 A.M. UNTIL 7:30 P.M. on the day of the Elections. **THE FOLLOWING POLLING SITES will be open on Election Day, TUESDAY, NOVEMBER 4, 2003:**

- BETHWARE PRECINCT:** El-Bethel United Methodist Church Fellowship Hall
- BOILING SPRINGS PRECINCT:** Boiling Springs Town Hall
- CASAR PRECINCT:** Casar Fire Station
- FALLSTON PRECINCT:** Fallston Community Volunteer Fire Department
- GROVER PRECINCT:** Grover Town Hall
- KINGS MOUNTAIN #1 PRECINCT:** Second Baptist Church
- KINGS MOUNTAIN #2 PRECINCT:** Boyce Memorial ARP Fellow.Hall
- KINGS MOUNTAIN #3 PRECINCT:** First Baptist Ch. Ministry Cnt.
- KINGS MOUNTAIN #4 PRECINCT:** Mauney Memorial Library
- LINGSTOWN PRECINCT:** Palmer Grove Baptist Church Fellowship Hall
- LATTIMORE PRECINCT:** Lattimore Town Hall
- LAWDALE PRECINCT:** Community Center

Building  
**M R B - Y O PRECINCT:** Trinity Community Building

**MULLS PRECINCT:** Belwood Community Building

**O A K G R O V E PRECINCT:** Oak Grove Baptist Church Fellowship Hall

**P O L K V I L L E PRECINCT:** Fire Department

**RIPPY PRECINCT:** Patterson Springs Town Hall

**S H A N G H A I P R E C I N C T :** Shanghai Fire Department

**SHELBY #1 PRECINCT:** Grover Street Fire Department

**SHELBY #2 PRECINCT:** Cleveland County Volunteer Fire Department

**SHELBY #3 PRECINCT:** Shelby City Park

**SHELBY #4 PRECINCT:** Ryburn Memorial Presbyterian Church Fellowship Hall

**SHELBY #5 PRECINCT:** Cleveland County Office Build. Auditorium

**SHELBY #6 PRECINCT:** Putnam Memorial Baptist Church Fellowship Hall

**SHELBY #7 PRECINCT:** Westview Baptist Church Fellow. Hall

**SHELBY #8 PRECINCT:** Ross Grove Baptist Church Fellow. Hall

**WACO PRECINCT:** Waco Town Hall

**THE DESIGNATED HANDICAP POLLING SITE** is located at the **CLEVELAND COUNTY BOARD OF ELECTIONS OFFICE, 310 East Dale Street, Shelby, N.C.,** located off Patton Drive, and behind the Law Enforcement Center.

**IF QUESTIONS ARISE** as to a voter's polling place, please call the Cleveland County Board of Elections Office: 704-484-4858; office hours are: 8:00 - 5:00, Monday through Friday. E-mail address: www.clevelandcounty.com/public/boe/boe-home.htm

This is the 15th day of September, 2003.

**CLEVELAND COUNTY BOARD OF ELECTIONS** KMH 2720 (9:18, 25; 10:2, 9)

**STATE OF NORTH CAROLINA COUNTY OF CLEVELAND IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION 03-SP-349 NOTICE OF SUBSTITUTE TRUSTEE'S FORECLOSURE SALE OF REAL PROPERTY IN THE MATTER OF THE FORECLOSURE OF DEED OF TRUST executed by Plastic Oddities, Inc. dated July 3, 2001 and recorded on July 8, 2001 in Book 1301 at Page 2387 of the Cleveland County Public Registry by James Christian**

Stevenson (Substitute Trustee). Under and by virtue of the power and authority contained in a certain Deed of Trust executed and delivered by Plastic Oddities, Inc. dated July 3, 2001 and recorded on July 8, 2001 in Book 1301 at Page 2387 of the Cleveland County Public Registry (the "Deed of Trust") and because of default in the payment of the indebtedness thereby secured and 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 secured by said Deed of Trust, and pursuant to the Order of the Clerk of Superior Court for Cleveland County, North Carolina, entered in this foreclosure proceeding, the undersigned, James Christian Stevenson, Substitute Trustee, will expose for sale at public auction on the 7th day of October, 2003, at 12 o'clock p.m., at the appropriate place for foreclosure sales at the Cleveland County Courthouse, 100 Justice Place, Shelby, North Carolina, the real property (including any improvements thereon) which is more particularly described on Exhibit A attached hereto and incorporated herein. This sale shall not include any portion of the real property that has been released by recorded releases. The sale will be subject to any and all superior mortgages, deeds of trust and liens, including without limitation, the lien of unpaid taxes and assessments, easements, conditions, restrictions and matters of record.

**EXHIBIT A** (Tract #1 Plant, Distribution and Machine Shop): Property located in Township No. 2 of Cleveland County, North Carolina, being more particularly described as follows:

To find the Point of Beginning proceed the following courses and distances from a railroad spike located in the intersection of Thore Road (S.R. 1143) and Burke Road (S.R. 1148, having a 60-foot right-of-way width): from the railroad spike in the aforesaid intersection, run Southwesterly with the center of Burke Road, South 22° 28' 39" West 21.19 feet to a railroad spike; thence continuing with the center of Burke Road, South 19° 35' 20" West 30.46 feet to an iron pin found, and being the

Southwestern corner of property of Michael E. Rippy as described in Deed Book 1114, Pages 1601 and 1603 of the Cleveland County, North Carolina Register of Deeds Office (the "Registry") and the True POINT OF BEGINNING.

Thence from the True POINT OF BEGINNING as thus established, and with the Southern line of Rippy, North 74° 36' 34" East 285.01 feet to an iron pin found, being the Westernmost corner of property of Plastic Oddities, Inc. as described in Deed Book 1082, Page 634 of the Registry; thence leaving the Southern line of Rippy and with the Southern line of Plastic Oddities, Inc., South 65° 46' 03" East 441.22 feet to an iron pin found, the Southeast corner of Plastic Oddities, Inc.; thence North 24° 15' 51" East 365.25 feet to an iron pin found in the Southern line of property of Sue G. Rippy as described in Deed Book 15-Z, Page 268 of the Registry; thence with the Southern line of Rippy, North 74° 37' 18" East 304.93 feet to an existing stone, a corner of property of Orando Quintero as described in Deed Book 1134, Page 254 of the Registry; thence leaving the Southern line of Rippy and with the Western line of Quintero and the Western line of property of Michael Wayne Smith as described in Deed Book 1113, Page 254 of the Registry, South 24° 11' 04" West, passing an iron pin at 1,034.99 feet, a total distance of 1,400.32 feet to a rebar at a stone, the Southwest corner of Smith; thence leaving the Western line of Smith, North 8° 17' 30" West 809.93 feet to an iron pin found, located near the Eastern margin of Burke Road, said pin being located South 81° 17' 30" East 82.46 feet from an iron pin set on the Western margin of Burke Road being the Southeastern corner of the property of Gerald Conn as described in Deed Book 16-V, Page 475 and Deed Book 16-X, Page 27, of the Registry; thence in the right of way of Burke Road North 16° 38' 39" East, passing an existing iron pin at 418.45, a total distance of 883.41 feet to a railroad spike, the True POINT OF BEGINNING.

Said property being shown and depicted as two tracts, one of 17.574 acres (less an area shown as "Question of Ownership" containing 0.325 acre) and one of

1.381 acres, (18.630 acres in the aggregate) on that plat of Survey for Plastic Oddities, Inc., dated October 10, 1995, prepared by T. Scott Bankhead, Professional Land Surveyor Seal No. L-3001, and designated as Drawing No. D3 M 12, which reference is made hereto in order to incorporate the survey as a part of this legal description.

**LESS AND EXCEPT FROM THE ABOVE-DESCRIBED PROPERTY:** Tract #2 ("Rep House"): Property located in Township No. 2 of Cleveland County, North Carolina, being more particularly described as follows:

To find the Point of Beginning proceed the following courses and distances from a railroad spike located in the intersection of

Thore Road (S. R. 1143) and Burke Road (S. R. 1148, having a 60-foot right-of-way width): from the railroad spike in the aforesaid intersection, run Southwesterly with the right of way of Burke Road, South 22° 41' 49" West 21.36 feet to a railroad spike; thence with the right of way of Burke Road, South 19° 34' 32" West 30.50 feet to railroad spike; thence continuing with the right of way of Burke Road, South 18° 45' 27" West 428.09 feet to railroad spike in the center of Burke Road, being the Northeast corner of property of Trustees of Manna Baptist Church as described in Deed Book 16-U, Page 674 and Deed Book 19-B, Page 123 of the Registry; thence with the center of Burke Road, South 18° 54' 22" West 16.05 feet to railroad spike, the True

Point of Beginning. The following courses and distances from a railroad spike located in the intersection of

Thore Road (S. R. 1143) and Burke Road (S. R. 1148, having a 60-foot right-of-way width): from the railroad spike in the aforesaid intersection, run Southwesterly with the center of Burke Road, South 22° 28' 39" West 21.19 feet to a railroad spike; thence continuing with the center of Burke Road, South 19° 35' 20" West 30.46 feet to an iron pin found, and being the

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Thence from the True POINT OF BEGINNING as thus established, and with the Southern line of Rippy, North 74° 36' 34" East 285.01 feet to an iron pin found, being the Westernmost corner of property of Plastic Oddities, Inc. as described in Deed Book 1082, Page 634 of the Registry; thence leaving the Southern line of Rippy and with the Southern line of Plastic Oddities, Inc., South 65° 46' 03" East 441.22 feet to an iron pin found, the Southeast corner of Plastic Oddities, Inc.; thence North 24° 15' 51" East 365.25 feet to an iron pin found in the Southern line of property of Sue G. Rippy as described in Deed Book 15-Z, Page 268 of the Registry; thence with the Southern line of Rippy, North 74° 37' 18" East 304.93 feet to an existing stone, a corner of property of Orando Quintero as described in Deed Book 1134, Page 254 of the Registry; thence leaving the Southern line of Rippy and with the Western line of Quintero and the Western line of property of Michael Wayne Smith as described in Deed Book 1113, Page 254 of the Registry, South 24° 11' 04" West, passing an iron pin at 1,034.99 feet, a total distance of 1,400.32 feet to a rebar at a stone, the Southwest corner of Smith; thence leaving the Western line of Smith, North 8° 17' 30" West 809.93 feet to an iron pin found, located near the Eastern margin of Burke Road, said pin being located South 81° 17' 30" East 82.46 feet from an iron pin set on the Western margin of Burke Road being the Southeastern corner of the property of Gerald Conn as described in Deed Book 16-V, Page 475 and Deed Book 16-X, Page 27, of the Registry; thence in the right of way of Burke Road North 16° 38' 39" East, passing an existing iron pin at 418.45, a total distance of 883.41 feet to a railroad spike, the True POINT OF BEGINNING.

Said property being shown and depicted as two tracts, one of 17.574 acres (less an area shown as "Question of Ownership" containing 0.325 acre) and one of

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**WATER & SEWER EXTENSION NC 150 ANNEXATION AREA NOTICE TO BIDDERS GASTON COUNTY, NORTH CAROLINA**

Sealed bids will be received by City of Cherryville, North Carolina, in the Fire Department Training Room, City Hall, 116 South Mountain St., Cherryville, North Carolina until 2:00 p.m. local prevailing time on **October 9th, 2003** and then at said time be publicly opened and read aloud for the following: **WATER & SEWER EXTENSION NC 150 ANNEXATION AREA** - This contract consists of approximately 7,858' of 8" gravity sewer and 1,735' of 6" water line located southwest of Lincolnton, North Carolina.

Each bid must be made on the blank forms provided in the bound copies of the CONTRACT DOCUMENTS and must be enclosed in a sealed envelope and addressed to City of Cherryville as owner. The name and address of the Bidder must be plainly written on the outside of the envelope, and the envelope marked "WATER & SEWER EXTENSION NC 150 ANNEXATION AREA". No bid shall be considered or accepted by the OWNER unless at the time of its filing the same shall be accompanied by a deposit with the OWNER a certified check drawn on a bank or trust company insured by the Federal Deposit Insurance Corporation, in an amount equal to not less than five percent (5%) of each Proposal. In lieu of making the deposit as above provided, each Bidder may file a Bid Bond executed by a corporate surety, licensed under the laws of North Carolina to execute such bonds; conditioned that the surety will upon demand forthwith make payment to the Owner upon said bond if the Bidder fails to execute the Contract in accordance with the Bid Bond. If upon acceptance of his Bid, a Bidder fails to enter into a Contract with the OWNER, the Bid deposit shall be forfeited to and become the property of the OWNER. No Bidder may withdraw his Bid within 60 days after the date of Bid opening.

A separate performance bond and payment bond each in an amount equal to one hundred percent (100%) of the Contract price will be required. Carriers must be authorized to do business in North Carolina.

Bidders must conform to the provisions of the N.C. Contractors' GS Ref. Licensing Act of 1925, as amended (Article 1 and Article 10 of Chapter 87 of the North Carolina General Statutes).

The OWNER reserves the right to reject any proposal for failure to comply with all requirements of this Notice or of any of the Contract documents; however, it may waive any minor defects or informalities at its discretion. The OWNER further reserves the right to reject any and all proposals or to award the Contract which in its judgment is in the best interest of the Owner.

Contract Documents may be examined at the following locations:  
Associated General Contractors Asheville, High Point, Charlotte, North Carolina

City of Cherryville  
116 South Mountain Street  
Cherryville, N.C. 28021  
(Fire Department Training Room)

Dodge Plan Room  
Charlotte, North Carolina  
  
Wright & Associates  
4190 Hwy 16, South  
Newton, North Carolina 28658

Copies of the Contract Documents may be obtained at the office of Wright & Associates, 4190 Hwy 16 South, Newton, North Carolina 28658, upon receipt of \$50.00 plan cost. Additional full-size prints are available for \$2.00 each, and specification pages for \$0.15 each. Each application must be accompanied by a check made payable to Wright & Associates.

Bids may be mailed to City of Cherryville, 116 South Mountain Street, Cherryville, NC 28021.

Small, female, and minority firms are encouraged to bid on this project.  
"The Contractor shall comply with the provisions of the Americans with Disabilities Act (ADA) and all rules and regulations promulgated thereunder. The contractor hereby agrees to indemnify the County from and against all claims, suits, damages, costs, losses and expenses in any manner arising out of or connected with the failure of the Contractor, its subcontractors, agents, successors, assigns, officers or employees to comply with provisions of the ADA or the rules and regulations promulgated thereunder."

David Hodgkins, City Manager  
CE 1312 (10:1)

**Serving Kings Mountain For Over 17 Years. "You'll Feel Right At Home With Me!"**  
email: sandra@gatewaycarolina.com  
  
**GATEWAY PROPERTIES** Office: 704-730-9991 Home: 704-739-9479

**Life insurance for kids?**  
Yes! It's a sound financial decision for those who are most important to you.  
• Coverage, Premiums & Cash Values are guaranteed to age 100.  
• Policy limits increase automatically at age 18, and again at 25 - with 1