Public Notice

ESTATE NOTICE

State of Alabama County of Marshall. In the Probate Court of Marshall County, Alabama. Case No. 14-398.

In the matter of the Estate of Daryl Lee Smalley, Deceased.

Notice to Creditors

Take notice, that Letters of Administration having been granted to Cynthia Taylor Freese, as Personal Representative of the Estate of Daryl Lee Smalley, deceased, on the 21 day of November, 2014, by the Honorable Tim Mitchell, Judge of Probate.

Notice is hereby given that all persons having claims against the said Estate are hereby required to present the same within the time allowed by law or the same will be barred.

Cynthia Taylor Freese, as Personal Representative of the Estate of Daryl Lee Smalley, Deceased.

D. Smalley 3W-12/17

Public Notice

NOTICE OF MORTGAGE FORECLOSURE SALE

Default having been made in the payment of the indebtedness secured by that certain Mortgage and Assignment of Rents executed by Atmore-Brewton-Marshall Properties, LLC (the "Mortgagor") on January 29, 2009, in favor of Wachovia Bank, National Association ("Wachovia") and recorded in the Office of the Judge of Probate of Marshall County, Alabama in Mortgage Book 4624, Page 209, and in the Office of the Judge of Probate of Escambia County, Alabama in Mortgage Book 473, Page 635, as modified by, inter alia, that certain Modification of Mortgage executed by Mortgagor on October 28, 2014, and recorded in the Office of the Judge of Probate of Marshall County Alabama in Mortgage Book 5481, Page 229, and in the Office of the Judge of Probate of Escambia County, Alabama in Mortgage Book 586, Page 294 (as modified, the "Mortgage"), which default continues, the undersigned Wells Fargo Bank, N.A., as successor-by-merger to Wachovia, and as the holder of the Mortgage, under and by virtue of the power of sale contained in said Mortgage, will sell at public outcry to the highest bidder for cash, in front of the main entrance of the Marshall County, Alabama Courthouse located in Guntersville, Marshall County, Alabama, on the 30th day of December, 2014, during the legal hours of sale, the following real property situated in Marshall County, Alabama and Escambia County, Alabama, to-wit:

TRACT 1 (Atmore):

All that tract or parcel of land lying and being in the Southeast quarter of the Northwest quarter of Section 32, TIN-R6E, Escambia County, Alabama, containing 8.349 acres and being more particularly described as follows:

To arrive at the true point of beginning, commence at the Northeast corner of the Southeast quarter of the Northwest quarter of Section 32, T1N-R6E, Escambia County, Alabama; thence S 88°57'04"W a distance of 829.05' to a point; thence S 00°22'58" E a distance of 527.81' to a concrete monument; thence South 00°22'58" E a distance of 29.00' to a point and the true point of BEGINNING; thence S 89°49'54" E a distance of 210.00' to a point; thence N 00°22'58" W a distance of 33.10' to a point; thence N 89°02'59" E a distance of 413.50' to a concrete monument; thence S 00°52'41" W a distance of 41.18' to an iron pin, thence S 00°34'17" E a distance of 85.96' to a nail; thence S 89°25'56" W a distance of 113.64' to a nail; thence S 00°27'42" E a distance of 124.47' to a nail; thence S 89°32'25" W a distance of 19.94' to a nail; thence S 00°34'55" E a distance of 93.38' to a nail; thence N 69°28'12" E a distance of 48.45' to a nail; thence S 00°35'14" E a distance of 402.43' to an iron pin on the Northerly line of a 60' right of way of Lindberg Avenue; thence along said right of way line S 89°28'00" W a distance of 358.24' to an iron pin; thence leaving said right of way line N 00°34'13" W a distance of 185.44' to an iron pin; thence S 89°25'42" W a distance of 180.80' to an iron pin; thence N 00°22'58" W a distance of 528.59' to a point and the true point of BEGINNING.

Together with Protective Covenants, Conditions and Restrictions contained in an instrument by and between Bruno, Inc. and Atmore Joint Venture dated October 10, 1989 and recorded at Book 492, Page 42, as modified by instrument dated September 6, 1991 and recorded at Book 540, Page 297.

TRACT 2 (Brewton):

Commence at the intersection of the East right of way line of U.S. Highway 31 (Douglas Ave.) with the South line of the Northeast Quarter of the Southwest Quarter of Section 16, Township 2 North, Range 10 East, Escambia County, Alabama; thence run North 03°15'00" West along the East right of way line of U.S. Highway No. 31 for a distance of 1281.41 feet to a point being the point of beginning; thence continuing along said right of way line of U.S. Highway No. 31, run North 03°15'00" West for a distance of 83.39 feet; thence run North 03°35'39" West for a distance of 411.83 feet; thence run North 88°21'12" East and parallel to the South right of way line of Douglas Lane (40 foot right of way) for a distance of 646.56 feet; thence run South 03°08'23" East for a distance of 425.36 feet; thence run North 86°51'37" East for a distance of 45.99 feet; thence run South 03°08'23" East for a distance of 206.00 feet; thence run South 86°51'37" West for a distance of 153.33 feet; thence run North 03°08'23" West for a distance of 153.00 feet; thence run South 86° 51'37" West for a distance of 535.57 feel to the point of beginning.

Together with the easements for the benefit of the herein described property granted by instruments as follows:

Easements and Restrictions Agreement by John T. Douglas, et al dated October 26, 1991 and recorded in Official Record Book 5, Page 396, as amended by instrument dated December 21, 1992 and recorded in Official Record Book 31, Page 60 and corrected by Amendment dated January 1, 1994 and recorded February 10, 1994 in Official Record Book 61, Page 278.

Agreement for Easements and Restrictions by BDKM, Inc., et al, dated October 26, 1991 and recorded in Official Record Book 5, Page 427.

Declaration and Grant of Easements by John T. Douglas, et al, dated October 26, 1991 and recorded in Official Record Book 5, Page 414.

TRACT 4 (1315 Industrial Blvd):

Commence at the NW corner of the SW ¼ - NW ¼, Section 25, T-9-S, R-4-E, and run Southerly along the West line of the SW ¼ - NW ¼ - SW ¼ of said Section 25 a distance of 1460.04 feet; thence deflect 89°45' left and run a distance of 34.27 feet to a point on the East right-of-way line of existing county road which is the point of beginning. From said point of beginning deflect 89°08' right and run Southerly along the East right-of-way line of said county road a distance of 180 feet; thence deflect 89°08' left and run a distance of 1002.06 feet; thence deflect 119°46' left and run Northwesterly along the westerly right-of-way line of the L & N Railroad a distance of 207.34 feet; thence deflect 60°14' left and run a distance of 901.85 feet to the point of beginning.

Said parcel of land being a portion of Tract #3 of the Rolling Acres Subdivision as surveyed by T. K. Davis, Registered Land Surveyor, dated August 11, 1965, according to the survey and plat as found of record in Plat Book 6, Page 12 in the Probate Office for Marshall County, Alabama, lying and being in the NW ¼ - SW ¼, Section 25, T-9-S, R-4-E, Boaz, Marshall County, Alabama, and containing 3.93 acres, more or less.

Description prepared from a plat of a survey made by M.D. Waldrup, Jr., dated September 29, 1977, and from that certain deed recorded in Book 475, Page 904 in said Probate Office.

TRACT 5 11480 US Hwy 431-Builder's Wholesale):

All of Lots 6, 7, 8, and 9 and 6 feet evenly off the Northwest side of Lot 5, all in Block 5 of Sunny Dale Subdivision in Marshall County, Alabama, according to the plat and survey as the same appears of record in Plat Book 6, Page 169 in the Probate Office of Marshall County, Alabama.

TRACT 6:

Commencing at the Northeast corner of the Southeast Quarter of the Northwest Quarter of Section 32, Township 1 North, Range 6 East, Escambia County, Alabama, run South 88° 59' West 829.05 feet to a point; thence run South 00° 21' 02" East 527.61 feet to a concrete monument; thence continuing South 00° 21' 02" East 557.83 feet to the point of beginning of the property herein described; thence continuing South 00° 21' 02" East run 185.0 feet to a point on the North right-of-way line of Lindberg Avenue; thence along said North right-of-way line of Lindberg Avenue run North 89° 28' East 190.0 feet to a point; thence run North 00° 32' West 185.0 feet to a point; thence run South 89° 28' West 189.41 feet to the point of beginning, containing .8057 acre, more or less,

LESS AND EXCEPT any of the following two parcels located within the boundaries of the above described parcel:

All that tract or parcel of land lying and being in the Southeast Quarter of the Northwest Quarter of Section 32, Township 1 North, Range 6 East, Escambia County, Alabama, containing 8.349 acres and being more particularly described as follows:

To arrive at the true point of beginning, commence at the Northeast corner of the Southeast Quarter of the Northwest Quarter of Section 32, Township 1 North, Range 6 East, Escambia County, Alabama; thence South 88° 57' 04" West a distance of 829.05 feet to a point; thence South 00° 22' 58" East a distance of 527.61 feet to a concrete monument; thence South 00° 22' 58" East a distance of 29.00 feet to a point and the true point of beginning; thence South 89° 49' 54" East a distance of 210.00 feet to a point; thence North 00° 22' 58" West a distance of 33.10 feet to a point; thence North 89° 02' 59" East a distance of 413.50 feet to a concrete monument; thence South 00° 52' 41" West a distance of 41.18 feet to an iron pin; thence South 00° 34' 17" East a distance of 85.96 feet to a nail; thence South 89° 25' 56" West a distance of 113.64 feet to a nail; thence South 00° 27' 42" East a distance of 124.47 feet to a nail; thence South 89° 32' 25" West a distance of 19.94 feet to a nail; thence South 00° 34' 55" East a distance of 93.38 feet to a nail; thence North 89° 28' 12" East a distance of 48.45 feet to a nail; thence South 00° 35' 14" East a distance of 402.43 feet to an iron pin on the Northerly line of a 60' right-of-way of Lindberg Avenue; thence along said right-of-way South 89° 28' 00" West a distance of 358.24 feet to an iron pin; thence leaving said right-of-way line North 00° 34' 13" West a distance of 185.44 feet to an iron pin; thence South 89° 25' 42" West a distance of 180.80 feet to an iron pin; thence North 00° 22' 58" West a distance of 528.59 feet to a point and the true point of beginning; and

Commence at the Southwest corner of the Southeast Quarter of the Northwest Quarter of Section 32, Township 1 North, Range 6 East, and run thence in a Northerly direction and along the West boundary line of the said Southeast Quarter of the Northwest Quarter of Section 32, Township 1 North, Range 6 East for a distance of 50.0 feet to a point, said point being the point of beginning of the property herein described and conveyed and lying on the North right of way of Lindberg Avenue in the City of Atmore, Alabama; thence turn left and run in a Westerly direction and along the said North boundary of the right of way of Lindberg Avenue for a distance of 28 feet to a point; thence run North 1° 45' East for a distance of 150 feet to a point; thence turn left and run West and parallel to the South boundary of the Southwest Quarter of the Northwest Quarter of Section 32, Township 1 North, Range 6 East for a distance of 344 feet to a point lying on the East boundary of the right of way of South Main Street, in the City of Atmore, Alabama; thence turn right and run in a Northerly direction and along the said East boundary of the right of way of South Main Street for a distance of 172.5 feet to a point; thence turn right and run East and parallel to the South boundary of the Southwest Quarter of the Northwest Quarter of Section 32, Township 1 North, Range 6 East for a distance of 250 feet to a point; thence turn left and run North and parallel to the West boundary of the Southeast Quarter of the Northwest Quarter of Section 32, Township 1 North, Range 6 East for a distance of 172.5 feet to a point; thence turn left and run West and parallel to the South boundary of Southwest Quarter of Northwest Quarter of Section 32, Township 1 North, Range 6 East for a distance of 100 feet to a point; thence turn right and run North and parallel to the said West boundary of Southeast Quarter of Northwest Quarter of Section 32, Township 1 North, Range 6 East for a distance of 160 feet to a point; thence turn right and run East and parallel with the South boundary of the Southwest Quarter of the Northwest Quarter and the Southeast Quarter of the Northwest Quarter of Section 32, Township 1 North, Range 6 East for a distance of 714 feet to a point; thence turn right and run South 0° 5' West for a distance of 650 feet to a point lying on the North right of way of Lindberg Avenue in the City of Atmore, Alabama; thence turn right and run South 89° 28' West along the North boundary of the right of way of Lindberg Avenue for a distance of 496 feet to the point of beginning, containing 10.2 acres, more or less, and lying in the Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 32, Township 1 North, Range 6 East;

SUBJECT TO easements, restrictive covenants, and reservations of record.

This sale is made for the purpose of paying the indebtedness secured by said Mortgage, as well as the expenses of foreclosure.

Mortgagee:

Wells Fargo Bank, N.A., as successor-by-merger to Wachovia Bank, National Association.

Attorneys for Mortgagee/ Transferee:

D. Christopher Carson, Hanna Lahr, BURR & FORMAN LLP, 420 North 20th Street, Suite 3400, Birmingham, Alabama 35203. Phone: (205) 251-3000. Email: ccarson@burr.com, hlahr@burr.com.

ABM Properties 3W-12/17

Public Notice

ESTATE NOTICE

In the Probate Court of Marshall County, Alabama. Case No. 14-393.

In Re: The Estate of Oma Ellard, Deceased.

Notice to Creditors

Take notice that Letters Testamentary having been granted to Cathy Pope, as Personal Representative of the Estate of Oma Ellard, Deceased, on the 20 day of November, 2014, by the Honorable Tim Mitchell, Probate Judge.

Notice is hereby given that all persons having claims against the said Estate are hereby required to present the same within the time allowed by law or the same will be barred.

Tim Mitchell, Probate Judge.

O. Ellard 3W-12/13

Public Notice

NOTICE OF FORECLOSURE

Default having been made in the payment of the indebtedness secured by that certain mortgage dated December 15, 2003, executed by Andy C. Foxx, joined by his wife, Stephanie A. Foxx, to Mortgage Electronic Registration Systems, Inc. solely as nominee for Molten, Allen & Williams Mortgage Co. LLC, which mortgage was recorded on December 19, 2003, in Book 2842, Page 292 and modified in that certain Loan Modification Agreement recorded on March 20, 2009 in Book 4629, Page 346 and further modified in that certain Loan Modification Agreement recorded on October 21, 2013 in Book 5334, Page 312, of the mortgage records in the Office of the Judge of Probate of Marshall County, Alabama, which mortgage was, duly transferred and assigned to JPMorgan Chase Bank, National Association, notice is hereby given that pursuant to law and the power of sale contained in said mortgage, the undersigned will sell at public outcry, to the highest bidder for cash, in front of the Gunter Avenue entrance to the Marshall County Courthouse at Guntersville, Alabama, during the legal hours of sale on January 6, 2015, the following described real estate, situated in Marshall County, Alabama, to-wit:

Lot 2 of the Chambers Lane Subdivision to Boaz, Alabama as recorded at Plat Book 8, Page 113 in the Probate Office of Marshall County, Alabama, and being subject to an ingress/egress easement and utility easement of 30 feet off the East side thereof as shown on said Plat.

AND ALSO: an easement for ingress/egress and utilities being 30 feet off the East side of Lot 3 of said Chambers Lane Subdivision.

This sale is made for the purpose of paying the indebtedness secured by said mortgage as well as expenses of foreclosure.

JPMorgan Chase Bank, National Association, Transferee.

Robert J. Wermuth/cls, Attorney for Mortgagee, Stephens Millirons, P.C., P.O. Box 307, Huntsville, Alabama 35804.

A. Foxx 3W-12/17

Public Notice

ESTATE NOTICE

In the Probate Court of Marshall County, Alabama. Case No. 14-340.

In the Matter of the Probate of the Will of Ambers Ottis Harden, Jr., Deceased.

Notice of Hearing of Petition to Probate Will

To: The heirs and next of kin of Ambers Ottis Harden, Jr., Deceased, and all other persons in interest.

Brenda Gail Harden having filed a petition in writing and under oath praying for an order of this Court admitting to probate an instrument purporting to be the Last Will and Testament of Ambers Ottis Harden, Jr., Deceased, and for the appointment of Petitioner as Executor thereof, and the 27 day of January, 2015, at 2:00 o'clock P.M., having been set as the day and time for the hearing of said petition, you are hereby notified to be and appear in this Court on said day and at said time to contest said petition if you think proper so to do.

This 20th day of November, 2014.

Tim Mitchell Judge of Probate.

A. Harden 3W-12/13

Public Notice

ESTATE NOTICE

In the Probate Office of Marshall County, Alabama. In Re: The Estate of Barbara Jones, Deceased. Case No. 14-279.

Personal Representative's Notice to File Claims

Letters of Administration on the Estate of Barbara Jones, deceased, having been granted to Kathy Orr, Personal Representative, on the 22nd day of October, 2014, by the Honorable Tim Mitchell, Judge of Probate of said County, notice is hereby given that all persons having claims against said estate are hereby required to present the same within the time allowed by law, or the same will be barred.

Kathy Orr, Personal Representative.

B. Jones 3W-12/24

Public Notice

NOTICE OF FORECLOSURE

Default having been made in the payment of the indebtedness secured by that certain mortgage dated September 29, 2010, executed by Jonathan K. Riggins, a married man, and joined herein by Jodi S. Riggins, his wife to Taylor Mortgage, Inc., which mortgage was recorded on September 30, 2010, in Book 4869, Page 65, of the mortgage records in the Office of the Judge of Probate of Marshall County, Alabama, which mortgage was, duly transferred and assigned to JPMorgan Chase Bank, National Association, notice is hereby given that pursuant to law and the power of sale contained in said mortgage, the undersigned will sell at public outcry, to the highest bidder for cash, in front of the Gunter Avenue entrance to the Marshall County Courthouse at Guntersville, Alabama, during the legal hours of sale on January 20, 2015, the following described real estate, situated in Marshall County, Alabama, to-wit:

That part of the SW 1/4 of the SW 1/4 of Section 19, Township 9 South, Range 4 East in Marshall County, Alabama, being particularly described as follows: Commencing at the SE corner of the SE 1/4 of the SW 1/4 of said Section 19; thence South 89 degrees 51 minutes West along the South line of said forty a distance of 112.1 feet to a metal marker, the point of beginning for the parcel herein described; thence continue South 89 degrees 51 minutes West along the above South line a distance of 100.00 feet to a metal marker; thence leaving the above South line North 00 degrees 17 minutes East a distance of 192.7 feet to a metal marker; thence North 89 degrees 19 minutes East a distance of 100.00 feet to a metal marker; thence South 00 degrees 17 minutes West a distance of 193.7 feet to the point of beginning. Subject to outstanding road and utility easements.

This sale is made for the purpose of paying the indebtedness secured by said mortgage as well as expenses of foreclosure.

JPMorgan Chase Bank, National Association, Transferee.

Robert J. Wermuth/cls, Attorney for Mortgagee, Stephens Millirons, P.C., P.O. Box 307, Huntsville, Alabama 35804.

J. Riggins 3W-12/24

Public Notice

TERMINATION OF PARENTAL RIGHTS

In the Juvenile Court of Marshall County, Alabama.

In Re: R.L.W., a dependent minor child.

DOB: 9-24-08.

JU-2010-300205.03

Notice of Filing of Motion

Take notice that a Petition to Terminate Parental Rights and for Permanent Custody has been filed by the Marshall County Department of Human Resources and a hearing is set for the 14th day of January, 2014. Notice is hereby given to Father Unknown of the filing of this Motion and that they must respond to this Notice of Filing of Motion to terminate parental rights within fourteen (14) days from the date of the last publishing of this notice. A written response may be filed in the Juvenile Court of Marshall County, Alabama, with either the Juvenile Clerk or the Juvenile Judge.

You are entitled to be present at all hearings and state any approvals or objections that you may have to the motion as submitted. You are entitled to be represented by an attorney at said hearings. You are also entitled to waive your presence at the hearing by execution of a properly executed notice of waiver. You are entitled to not be present at the said hearing. You are entitled to submit any statements that you may have pertaining to this matter in writing to the Juvenile Judge of Marshall County, Alabama, provided that said submittals are received prior to the date of any hearing that is set in this matter.

/s/: James R. Berry

James R. Berry (BER016), Attorney for Marshall County, Department of Human Resources.

RLW 4W 12/10

Public Notice

NOTICE OF FORECLOSURE

Default having been made in the payment of the indebtedness secured by that certain mortgage dated August 31, 2004, executed by Sheldon Shack and Josetta S. Shack, husband and wife, to Allied Home Mortgage Capital Corporation, which mortgage was recorded on September 2, 2004, in Book 2993, Page 174, of the mortgage records in the Office of the Judge of Probate of Marshall County, Alabama, which mortgage was, duly transferred and assigned to Chase Manhattan Mortgage, notice is hereby given that pursuant to law and the power of sale contained in said mortgage, the undersigned will sell at public outcry, to the highest bidder for cash, in front of the Gunter Avenue entrance to the Marshall County Courthouse at Guntersville, Alabama, during the legal hours of sale on January 13, 2015, the following described real estate, situated in Marshall County, Alabama, to-wit:

Lot 3 in Block 4 of the Meadowbrook Subdivision in the City of Albertville, Marshall County, Alabama, being a part of Section 3, Township 9 South, Range 4 East in Marshall County, Alabama, according to the plat and survey prepared by G.M. Phillps, Jr., recorded in Plat Book 4 Page 35 in the Probate Office of Marshall County, Alabama, lying and being in the City of Albertville, Marshall County, Alabama.

This sale is made for the purpose of paying the indebtedness secured by said mortgage as well as expenses of foreclosure.

JPMorgan Chase Bank, National Association, Transferee.

Robert J. Wermuth/cls, Attorney for Mortgagee, Stephens Millirons, P.C., P.O. Box 307, Huntsville, Alabama 35804.