

CLASSIFIED / LEGAL NOTICES

(continued from page 2B)

same property conveyed by deed in Deed Book 218, Page 263, said records.

Also conveyed herewith is a 1990 Fleetwood 25x56 manufactured home, Serial Number NCLFK56A05147HPNCLFK-B0514HHP, which is permanently attached to and made a part of the real property.

11-5-4c

NOTICE OF SALE UNDER POWER

Georgia, Wilkes County

This law firm is acting as a debt collector in respect to a debt. Any information obtained will be used for that purpose.

Under and by virtue of the Power of Sale contained in a Security Deed given by Robson Brannen, Jr., to Mortgage Electronic Registration Systems, Inc., dated September 7, 2007, recorded in Deed Book 261, Page 373, Wilkes County, Georgia Records, as last transferred to National City Mortgage, a division of National City Bank by assignment to be recorded in the Office of the Clerk of Superior Court of Wilkes County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of **One hundred fifty-five thousand eight hundred and 0/100 dollars (\$155,800.00)**, with interest thereon as set forth therein, there will be sold at public outcry to the highest bidder for cash before the courthouse door of Wilkes County, Georgia, within the legal hours of sale on the first Tuesday in December, 2009, the following described property. See Exhibit "A" attached hereto and made a part hereof.

The debt secured by said Security Deed has been and is hereby declared due because of among other possible events of default, failure to pay the indebtedness as and when due and in the manner provided in the Note and Security Deed. The debt remaining in default, this sale will be made for the purpose of paying the same and all expenses of this sale, as provided in Security Deed and by law, including attorney's fees (notice of intent to collect attorney's fees having been given.)

Said property will be sold subject to any outstanding ad valorem taxes (including taxes which are a lien, but not yet due and payable.) any matters which might be disclosed by an accurate survey and inspection of the property, any assessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set out above.

The entity that has full authority to negotiate, amend, and modify all terms of the mortgage with the debtor is: National City Mortgage Co., 3232 Newmark Drive, Miamisburg, OH 45342, 800-523-8654. Please under-

stand that the secured creditor is not required by law to negotiate, amend, or modify the terms of the mortgage instrument.

To the best knowledge and belief of the undersigned, the party in possession of the property is Robson Brannen, Jr., and Norma McNeil Mance, or a tenant or tenants and said property is more commonly known as 229 Upton Mill Drive, Washington, Georgia 30673.

The sale will be conducted subject (1) to confirmation that the sale is not prohibited under the U.S. Bankruptcy Code and (2) to final confirmation and audit of the status of the loan with the holder of the security deed.

National City Mortgage, a division of National City Bank as Attorney in Fact for Robson Brannen, Jr. McCalla Raymer, LLC 1544 Old Alabama Road Roswell, Georgia 30076 www.foreclosurehotline.net

MR/ss3 12/1/09

Our file no.

52584909-F11

EXHIBIT "A"

All that tract, lot and parcel of land with improvements thereon, situate, lying and being in the 175th District, G.M. of Wilkes County, Georgia, and fronting on the west side of Upton Mill Drive, and containing 1.00 acres, more or less, and being known as Lot No. 18, Section 2, Upton Mill Plantation Subdivision, and being more particularly described by a plat of survey prepared by James M. Mattison, R.L.S.#2701, dated February 7, 2002, and recorded in Plat Book 12, Page 148, Clerk's Office of Wilkes County Superior Court. Said plat and the official record thereof is incorporated herein for a more complete and accurate description of said tract.

The conveyance is made subject to those protective covenants for Upton Mill Plantation Subdivision, Section 1, dated 3/1/89, recorded in Deed Book 133, Pages 218-227, Wilkes County Superior Court, and modification of protective covenants dated 6/9/89, recorded in Deed Book 134, Pages 14-15, Wilkes County Superior Court deed records, as well as that declaration of restrictive covenants dated 11/16/88, recorded in Deed Book 132, Pages 200-203, Wilkes County deed records; as well as that modification of declaration of restrictive covenants dated 6/9/89 recorded in Deed Book 134, Pages 10-13, Wilkes County Superior Court deed records.

11-5-4c

NOTICE OF SALE UNDER POWER

Georgia, Wilkes County

By virtue of a Power of Sale contained in that certain Security Deed from Edward Charles Echols and Felisha D. Gartrell to The Secretary of Veterans Affairs, an officer of United States of America, dated September 10,

1998, recorded September 10, 1998, in Deed Book 170, Page 381-389, Wilkes County Records, said Security Deed having been given to secure a Note of even date in the original principal amount of **Forty Thousand and 00/100 dollars (\$40,000.00)**, with interest thereon as provided for therein, said Security Deed having been last sold, assigned and transferred to Deutsche Bank National Trust Company f/k/a Bankers Trust Company of California N.A., not in its individual capacity but solely as trustee, or its permitted successors and assigns, on behalf of Vendee Mortgage Trust 1999-1, there will be sold at public outcry to the highest bidder for cash before the courthouse door of Wilkes County, Georgia, within the legal hours of sale on the first Tuesday in December, 2009, all property described in said Security Deed including but not limited to the following described property:

All that certain lot or parcel of land, together with any and all improvements thereon, situate, lying and being in the 164th District, G.M. The City of Washington, Wilkes County, Georgia, which said lot or parcel of land is known and distinguished, designated, and identified as Lot No. 18 in and of Pineview Subdivision, and is more fully shown and delineated according to a certain plat of survey thereof, prepared by John A. McGirl, registered surveyor, under date of July 26, 1995, entitled "Plat for Albert T. Gartrell Jr." a copy of which said plat of survey is of record in the Office of the Clerk, Superior Court, Wilkes County, Georgia, in plat book 11, page 328, and to which said plat of survey and the official record thereof reference is hereby had in aid of and for a more full, complete and accurate description of the lot or parcel of land, with improvements, herein and herby described and conveyed, with respect to metes, bounds, courses, distances and dimensions; and plat of survey and the official record thereof, by this reference, being hereby incorporated herein.

Said property is commonly known as **120 Wilson Way, Washington, GA 30673**.

The indebtedness secured by said Security Deed has been and is hereby declared due because of default under the terms of said Security Deed and Note, including but not limited to the nonpayment of the indebtedness as and when due. The indebtedness remaining in default, this sale will be made for the purpose of paying the same, all expenses of the sale, including attorneys' fees and all other payments provided for under the terms of the Security Deed and Note.

Said property will be sold subject to the following items which may affect the title to said property: all zoning ordinances; matters which would be disclosed by an accurate survey or by an inspection of the property; any outstanding taxes, including but

not limited to ad valorem taxes, which constitute liens upon said property; special assessments; all outstanding bills for public utilities which constitute liens upon said property; all restrictive covenants, easements, rights-of-way and any other matters of record superior to said Security Deed. To the best of the knowledge and belief of the undersigned, the party in possession of the property is Edward Charles Echols and Felisha D. Gartrell, Edward Charles Echols, Felisha D. Gartrell, or tenants(s).

The sale will be conducted subject (1) to confirmation that the sale is not prohibited under the U.S. Bankruptcy Code and (2) to final confirmation and audit of the status of the loan with the holder of the Security Deed. The above law firm is acting as a debt collector. Any information obtained will be used for that purpose.

Deutsche Bank National Trust Company f/k/a Bankers Trust Company of California N.A., not in its individual capacity but solely as trustee, or its permitted successors and assigns, on behalf of Vendee Mortgage Trust 1999-1 as Attorney in Fact for Edward Charles Echols and Felisha D. Gartrell.

Lender Contact: BAC, Loss Mitigation Dept., 7105 Corporate Drive, PTX-A-274, Plano, TX 75024. Telephone number: 800-669-6087.

Attorney Contact: Ruben Lublin Suez Serrano, LLC, 3740 Davinci Court, Suite 100, Norcross, GA 30092. Telephone Number: (888) 890-5309. Case No. BAC-09-34072-1 www.rublinlublin.com/property-listing.php

11-5-4cc

NOTICE OF SALE UNDER POWER

State of Georgia

Under and by virtue of the power of sale within a certain Security Deed from James W. Childers and Sandra D. Childers, Grantor, to Farmers and Merchants Bank, Grantee, dated April 23, 1996, and recorded in Deed Book 159, Page 615, Wilkes County Superior Court Deed Records. The subject Security Deed having been given to secure a Note dated April 23, 1996, in the original principal amount of \$31,000.00, there will be sold by the undersigned at public outcry, during the legal hours of sale before the door of the Courthouse of Wilkes County, Georgia, on the first Tuesday in December, to wit, December 1, 2009, to the highest and best bidder for cash, the following described property:

ALL that tract or parcel of land with improvements thereon, situate, lying and being in the 176th GMD of Wilkes County, Georgia, and fronting on the south side of Lundburg Road, and containing 9.33 acres, more or less, and being more

particularly described by a plat of survey prepared by Larry A. Godfrey, Sr., R.L.S.#1794, dated October 1, 1995, and recorded in Plat Book 11, Page 361, Wilkes County Superior Court Deed Records. Said plat of survey and the official record thereof is incorporated herein for a more complete description of said tract.

Said tract is bounded now or formerly as follows: North by lands of Boyce Hopkins and lands of Ridley DiBenedetto; East by land of Champion International and by lands of Gordon; South by other lands of Gordon and by lands of Piekut, et al; and West by Lundburg Road and by lands of Charles Hopkins and by lands of Davis.

This is that same tract acquired by James W. Childers and Sandra D. Childers from R.A. White by deed dated April 23, 1996, and recorded in Deed Book 159, Page 615, Wilkes County Superior Court Deed Records.

The debt secured by the Security Deed and Note has been and is hereby declared due and payable in full because of default in payment pursuant to the terms of the Security Deed and Note. Notice has been given of intention to enforce provisions for collection of attorney's fees and foreclosure in accordance with legal requirements and the terms of the Security Deed and Note. The indebtedness remaining in default, the sale will be made for the purpose of applying proceeds thereof to the payment of the indebtedness secured by the Security Deed, accrued interest and expenses of the sale and other sums secured by the Security Deed, including attorney's fees; and, the remainder, if any, shall be applied as provided by law.

To the best of the undersigned's knowledge and belief the property is in the possession of James W. Childers and Sandra D. Childers and said property will be sold as the property of said individuals, subject to outstanding ad valorem taxes, street improvements, and easements or restrictions of record, if any. The undersigned will execute a deed to the Purchaser at said sale as provided in the Security Deed.

Charles E. LeGette, Jr. Attorney for Farmers and Merchants Bank, Attorney-in-Fact for James W. Childers and Sandra D. Childers 27 E. Public Square Washington Ga. 30673 (706) 678-3286

11-5-4c

In the Superior Court of Wilkes County State of Georgia

In the matter of the 2009 Tax Digest For City of Tignall, Ga. Civil Action No. 09-CV-0504

Petition for Interim Collection of Taxes Pending Approval of 2009 Tax Digest

Comes now Mayor Richard O. Gammon and Albert Huyck, Charles Bradley, Nobie Keener, Leon Aycock, Tom Jackson, members of the City Council, Tignall, Wilkes County, a political subdivision of the State of Georgia (hereinafter "Petitioners") and petition this Honorable Court pursuant to Official Code of Georgia Annotated 48-5-310(j) to issue an Order authorizing the immediate and temporary collection of taxes, as follows:

1. Petitioners are duly elected members of the City Council of Tignall, Georgia, a political subdivision of the State of Georgia. The City Council of Tignall is the governing body of said municipality.

2. Tignall, Georgia, is authorized under the laws of the State of Georgia to levy and collect ad valorem taxes upon all property located within its jurisdiction.

3. The City of Tignall and the Wilkes County Tax Commissioner bill and collect taxes based upon valuations in the Wilkes County current and approved tax digest. However, Wilkes County, Georgia's most current and approved tax digest is the 2008 tax digest.

4. The 2009 tax digest for Wilkes County has not been submitted to the State Revenue Commissioner for approval and cannot be submitted due to the large number of appeals of tax reassessments that have been filed by taxpayers in Wilkes County.

5. Due to the large number of appeals filed by taxpayers and the limited staff of the Wilkes County Board of Assessors, it will be unlikely if not impossible to hear and resolve a sufficient number of appeals in time to have the digest submitted and approved by the State Revenue Commissioner to allow for the issuance of tax bills prior to the end of calendar year 2009.

6. Unless the court authorized the immediate temporary collection of the 2009 ad valorem taxes, the governing body of the City of Tignall will not be able to:

(A) Pay the municipality's debts as they mature;

(B) Pay appropriate salaries of employees, other government officials, and other persons entitled to receive either compensation by or funds from the city as provided by law;

(C) Maintain an orderly and normal function of city business and government affairs;

(D) Maintain an adequate, proper, or desirable credit rating either to maintain or affect existing or future interest rates on bonded indebtedness or indebtedness on loans incurred or obligated by the city governing authority; and

(E) Avoid by practical means the suffering of immediate and irreparable injury, loss, damage, or any other significant matter.

7. Petitioners seek authorization for the immediate temporary tax collection of 2009 ad valorem taxes based upon the most current and approved Wilkes County tax digest, that being the 2008 tax digest, and the City's current millage rate, that being 8.9 mills.

8. Petitioners state that the Wilkes County Board of Commissioners and Wilkes County Board of Education sought an Order, which authorized Wilkes County to begin immediate and temporary collection of ad valorem taxes for tax year 2009 based upon the most current and approved 2008 tax digest. See, In the Matter of the 2009 Tax Digest for Wilkes County, Georgia, Civil Action No. 09-CV-0508, Wilkes County Superior Court. The current millage rate of 8.9 mills for the City of Tignall was included in the temporary Wilkes County millage rate for maintenance and operation (incorporated).

WHEREFORE, Petitioners pray to the court as follows:

(a) That the Court enter an order authorizing the immediate and temporary collection of ad valorem taxes by the governing authority of the City of Tignall, Wilkes County, Georgia, for the year 2009 for any property within its jurisdiction;

(b) That, in particular, the Court order said temporary taxes for the City of Tignall to be collected based upon the most current and approved Wilkes County tax digest utilized for collections of 2008 taxes pursuant to O.C.G.A. 48-5-210(f)(2) or, in the alternative, on the basis of any other reasonable method which will do substantial justice to the parties under all the circumstances pursuant to the O.C.G.A. 48-5-310(f)(3);

(c) That the Court set the 2009 incorporated millage rate for the purpose of sales of motor vehicle tags, mobile home decals, and timber sales at the same rate as established for the temporary 2009 ad valorem collections;

(d) That the Court establish the basis on which temporary taxes on each parcel of property shall be levied for the City of Tignall as to the year 2009;

(e) That the Court establish the manner in which the taxes are to be collected and otherwise received;

(f) That the Court direct the time within which to pay taxes, before the taxes will be interest under the temporary procedure, and that the same be 60 days from the date that the tax bills are mailed;

(g) That the Court relieve the Wilkes County Tax Commissioner from any requirements to adjust the 2009 State and County ad valorem taxes or any motor vehicle, trailer, mobile home, and timber sale after the digest is finalized and approved, and declare as final all such taxes paid on such properties pursuant to the Court's authorization for temporary tax collections;

(h) That when the 2009 tax digest is approved, or otherwise enforceable, that the Court relieve the City from any requirement to prepare or mail a revised and final 2009 tax bill, or make other adjustment, after temporary collection, with respect to any taxpayer when the amount of taxes owed by such taxpayer for the year 2009 is within ten dollars (\$10.00) of the amount due under the temporary billing authorized by the Court in this action;

(i) That the Court hold an expedited hearing on this petition not less than 10 days from the date of filing of this petition; and

(j) That the Court grant such other and further relief as it deems lawful and proper.

This 20th day of November, 2009.

Respectfully submitted, Michael O. Horgan City Attorney, City of Tignall, Ga. P.O. Box 68 Washington, Ga. 30673 (706) 678-1987 Ga. Bar No. 366767

VERIFICATION PERSONALLY appeared before me, the undersigned at-testing officer, duly authorized by law to administer oaths in the State of Georgia, MAYOR RICHARD O. GAMMON, City of Tignall, who after being duly sworn, deposes and says that the facts contained in the within and foregoing Petition for Interim Collection of Taxes Pending

Approval of 2009 Tax Digest, Wilkes County Superior Court are true and correct to the best of his personal knowledge.

Mayor Richard O. Gammon Sworn to and subscribed before me this 20th day of November, 2009 Michael O. Horgan Notary Public, State of Georgia My Commission Expires: March 16, 2012

In the Superior Court of Wilkes County State of Georgia In the matter of the 2009 Tax Digest For City of Tignall Georgia CIVIL ACTION FILE NO. 09-CV-0504

RULE NISI ORDER

The City of Tignall, Wilkes County, Georgia, having petitioned this Court for an order allowing the interim collection of taxes pending completion and approval of the 2009 tax digest, notice is hereby given that a hearing on said petition shall be held in the Superior Court of Wilkes County, Georgia, on December 3, 2009, at 1:30 p.m., at the Wilkes County Courthouse.

IT IS FURTHER ORDERED that the city governing authority shall cause to be published in the official newspaper of Wilkes County, Georgia, for publication of official notices a copy of the petition as well as this order filed in this action.

It is so ordered this 20th day of November, 2009.

Mildred Peeler, Clerk, Wilkes County Superior Court 11-26-1c

IN THE SUPERIOR COURT OF WILKES COUNTY STATE OF GEORGIA

IN THE MATTER OF THE 2009 TAX DIGEST FOR WILKES COUNTY, GEORGIA CIVIL ACTION FILE NO. 09-CV-0503

PETITION FOR INTERIM COLLECTION OF TAXES PENDING APPROVAL OF 2009 TAX DIGEST

Come now the Board of Commissioners of Wilkes County, a political subdivision of the State of Georgia, and the Wilkes County Board of Education (hereinafter "Petitioners") and petition this Court pursuant to Official Code of Georgia Annotated § 48-5-310 to issue an Order authorizing the immediate and temporary collection of taxes, as follows:

1. The Board of Commissioners of Wilkes County, Georgia, a political subdivision of the State of Georgia. The Board of Commissioners of Wilkes County is the governing body of said county. Said Board of Commissioners voted to seek Interim Collection of Taxes at the November meeting of the Board of Commissioners, to wit, November 12, 2009 and the Board of Education voted to seek the same at its November meeting of the Board of Education, to wit, November 16, 2009.

2. Wilkes County, Georgia (hereinafter referred to as "the County") is authorized under the laws of the State of Georgia to levy and collect ad valorem taxes upon all property located within its jurisdiction, both for itself and for the Wilkes County Board of Education.

3. The Wilkes County Board of Commissioners and the Wilkes County Tax Commissioner, pursuant to O.C.G.A. § 48-3-400 et seq., bill and collect taxes for the Wilkes County Board of Education based upon valuations in the County's current Tax Digest.

4. The 2009 tax digest for Wilkes County has not been submitted to the State Revenue Commissioner for approval and cannot be submitted due to delays arising from the time and labor required to complete the revaluation of all residential properties in the county.

5. Due to the revaluation delays, it will be impossible to complete the 2009 digest in time to have the digest submitted and approved by the State Revenue Commissioner to allow for the issuance of tax bills prior to the end of calendar year 2009.

6. Unless the court authorizes the immediate temporary collection of the 2009 ad valorem taxes, the governing body of Wilkes County and the Wilkes County Board of Education will each respectively not be able to:

(A) Pay the county's and school system debts as they mature;

(B) Pay appropriate salaries of employees, other government officials, and other persons entitled to receive either compensation by or funds from the county as provided by law;

(C) Maintain an orderly and normal function of county business and government affairs;

(D) Maintain an adequate, proper, or desirable credit rating either to maintain or affect existing or future interest rates on bonded indebtedness or indebtedness on loans incurred or obligated by the county governing authority; and

(E) Avoid by practical means the suffering of immediate and irreparable injury, loss, damage, or any other significant matter.

WHEREFORE, petitioners pray to the court as follows:

(1) That the Court enter an order authorizing the immediate and temporary collection of ad valorem taxes by the governing authority of Wilkes County, Georgia and by the Wilkes County Board of Education for the year 2009;

(2) That the Court set the 2009 incorporated and unincorporated millage rates for the purpose of sales of motor vehicle tags and mobile home decals and timber tax at the same rate as established for 2008 ad valorem collections.

(3) That the Court establish the basis on which temporary taxes on each parcel of property shall be levied for the County and the Wilkes County Board of Education as to the year 2009;

(4) That the Court establish the manner in which the taxes are to be collected and otherwise received;

(5) That, in particular, the Court order set temporary taxes for the County and the Wilkes County Board of Education to be collected based upon the tax digest utilized for collections of 2008 taxes pursuant to the Official Code of Georgia Annotated § 48-5-310 (f) (2) or, in the alternative, on the basis of any other reasonable method which will do substantial justice to the parties under all the circumstances pursuant to the Official Code of Georgia Annotated § 48-5-310 (f) (3);

(6) That the Court direct that the time within which to pay taxes, before the taxes will be interest under the temporary procedure, and that the same be 60 days from the date that the tax bills are mailed;

(7) That the Court relieve the Tax Commissioner from any requirements to adjust the 2009 State and County ad valorem taxes on any motor vehicle, trailer, mobile home and timber sale after the digest is finalized and approved, and declare as final all such taxes paid on such properties pursuant to the Court's authorization for temporary tax collections;

(8) That when the 2009 tax digest is approved, or otherwise enforceable, that the Court relieve the County from any requirement to prepare or mail a revised and final 2009 tax bill, or make any other adjustment, after temporary collection, with respect to any taxpayer when the amount of taxes owed by such taxpayer for the year 2009 is within ten dollars (\$10.00) of the amount due under the temporary billing authorized by the Court in this action;

(9) That the Court direct publication of this petition and set a time and date, not less than 10 days from the date of filing this petition, for an expedited hearing on this petition; and

(10) That the Court grant such other and further relief as the Court may deem just and proper.

Respectfully Submitted 27 E. Public Square Washington, Georgia 30673 Charles E. LeGette, Jr. (706) 678-3286 County Attorney Ga. Bar #445575

P.O. Box 128 Washington, Georgia 30673 James I. Roberts (706) 678-2448 Board of Education Attorney Ga. Bar #608575

IN THE SUPERIOR COURT OF WILKES COUNTY STATE OF GEORGIA

IN THE MATTER OF THE 2009 TAX DIGEST FOR WILKES COUNTY, GEORGIA CIVIL ACTION FILE NO. 09-CV-0503

RULE NISI ORDER

The Wilkes County Board of Commissioners and the Wilkes County Board of Education having petitioned this Court for an order allowing the interim collection of taxes pending completion and approval of the 2009 tax digest, IT IS HEREBY ORDERED that a hearing on said petition shall be held in the Superior Court of Wilkes County, Georgia on December 3, 2009 at 1:30 PM in the Wilkes County Superior Court courtroom.

IT IS FURTHER ORDERED that the county governing authority shall cause to be published in the official newspaper of Wilkes County, Georgia for publication of official notices a copy of the petition as well as this order filed in this action.

IT IS SO ORDERED this 16th day of November, 2009

HAROLD A. HINESLEY, JUDGE Wilkes County Superior Court Toombs Judicial Circuit 11-26-1c

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