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Legals

IN THE CIRCUIT COURT OF LOWNDES COUNTY, ALABAMA

JOHN C. HAMILTON VS/AND ELIZABETH HAMILTON. DR-2012-36

Elizabeth Hamilton whose whereabouts are unknown is required to answer John C. Hamilton petition for divorce and/or other relief by 10/29/12, or thereafter, a judgment by default may be rendered against the said defendant in the above styled cause.

Done this after 28th day of August, 2012.

Ruby Jones-Thomas
Circuit Clerk

Will R. Kelly
Attorney for plaintiff

The Lowndes Signal
9/6/12, 9/13/12, 9/20/12, & 9/27/12

Effective September 1, 2012, South Central Alabama Regional Housing Authority will close the waiting list for all of the counties for which it covers. No applications will be taken on or after this date.

NOTICE OF COMPLETION

Gulf Equipment Corporation hereby gives notice of completion of contract with the State of Alabama for construction of Project No. NH-STPAA CN11(900) in Montgomery, Autauga, Dallas, Elmore, & Lowndes counties. This notice will appear for four consecutive weeks beginning on September 6, 2012 and ending on September 27, 2012. All claims should be filed at 5540 Business Parkway, Theodore, AL 36582 during this period.

The Lowndes Signal
9/6, 9/13, 9/20, & 9/27/12

NOTICE OF MORTGAGE FORECLOSURE SALE ALABAMA, LOWNDES COUNTY

Default having been made pursuant to the terms of that certain mortgage executed by Willie J. Saffold to Mortgage Electronic Registration Systems Inc acting solely as nominee for New South Federal Savings Bank, its successors and assigns dated October 14, 2008, said mortgage being recorded in Book 2008, Page 2607 in the Office of the Judge of Probate of Lowndes County, AL. said Mortgage was last sold, assigned and transferred to Cenlar FSB . Cenlar FSB, under and by virtue of the power of sale contained in said mortgage, will sell at public outcry to the highest bidder for cash before the courthouse door of Lowndes County, AL during the legal hours of sale, on September 20, 2012 the following real estate, situated in Lowndes County, AL, to-wit: Begin at the NW corner of the south 1/2 of the north 1/2 of the northeast 1/4 of Section 18, Township 14 North, Range 13 East, Lowndes County, Alabama, thence south 06 degrees 09 minutes 30 seconds east, 235.52 feet to the north right of way of King Drive; thence along said right of way south 56 degrees 35 minutes 04 seconds, 113.44 feet; thence leaving said right of way north 88 degrees 24 minutes 44 seconds east 370.94 feet; thence north 38 degrees 38 minutes 42 seconds east, 392.13 feet; thence south 83 degrees 59 minutes 32 seconds west, 190.19 feet; thence west 546.49 feet to the point of beginning, all containing 3.92 acres more or less and lying in Section 18, Township 14 North, Range 13 East, Lowndes County, Alabama. Also permanently attached is the following mobile home: 2000 Dynasty 24x68 3+2 HT Vehicle ID # H801323GR & H801323GL Said property is commonly known as 979 King Dr, Tyler, AL 36785. The indebtedness has been and is hereby declared due and payable because of default under the terms of said Mortgage 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 attorney's fees and all other payments provided for under the terms of the Mortgage 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; the statutory right of redemption pursuant to Alabama law; and any other matters of record superior to said Mortgage. To the best of the knowledge and belief of the undersigned, the party in possession of the property is Willie J. Saffold or tenant(s). Johnson & Freedman, LLC 1587 Northeast Expressway Atlanta, Georgia 30329 (770) 234 9181 (770) 234-9192

Lowndes Signal
08/30/2012, 09/06/2012, 09/13/2012

Public Notices

STATE OF ALABAMA PROCLAMATION BY THE GOVERNOR

WHEREAS, the Alabama Legislature at its Regular Session of 2012 ordered an election to be held on a certain proposed amendment to the Constitution of Alabama of 1901, set out herein as Act No. 2012-490; and in accordance with the provisions of Section 284, as amended by Amendment No. 24, Sections 285 and 287 of the Constitution of Alabama of 1901, as amended, and the election laws of this state; and

WHEREAS, notice of this election, together with this proposed amendment, is required by law and by the provisions of Act No. 2012-490 to be given by Proclamation of the Governor, which Proclamation shall be published once a week for four successive weeks immediately preceding the day appointed for the election in a newspaper qualified to run legal notices in each county of the state.

NOW, THEREFORE, I, Robert Bentley, as Governor of the State of Alabama, do hereby give notice, direct and proclaim that on Tuesday, the 18th day of September, 2012, an election will be held in the State of Alabama in the manner and form provided by law upon the following proposed amendment to the Constitution of 1901 of the State of Alabama:

SB147
ENROLLED, An Act,
To propose an amendment to the Constitution of Alabama of 1901, to provide a new procedure for distributions made from the Alabama Trust Fund beginning with the 2012-2013 fiscal year; to provide further for distributions made from the County and Municipal Government Capital Improvement Trust Fund; to remove the requirement for additional transfers to the County and Municipal Government Capital Improvement Trust Fund under certain circumstances; to create an advisory committee for the County and Municipal Government Capital Improvement Trust Fund; to provide for the transfer of funds from the Alabama Trust Fund to the State General Fund beginning with the state's 2012-2013 fiscal year and concluding with the state's 2014-2015 fiscal year; to repeal conflicting provisions of the Constitution of Alabama of 1901; and to repeal Sections 11-29-5 and 11-66-5, Code of Alabama 1975.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 1901, as amended:

PROPOSED AMENDMENT

Section 1. (a) Notwithstanding any other provision of this constitution, beginning with the state's 2012-2013 fiscal year, the following distributions shall be made annually from the Alabama Trust Fund in lieu of any other distributions of trust income, realized capital gains, or unrealized capital gains provided by law:

(1) An amount equal to thirty-three percent (33%) of the oil and gas capital payments paid into the Alabama Trust Fund for the fiscal year ending one year prior to the beginning of the fiscal year for which the distribution is being made plus five percent (5%) of the average market value of invested assets of the Alabama Trust Fund as of the end of the three fiscal years ending one, two, and three years prior to the beginning of the fiscal year for which the distribution is being made shall be distributed as follows:

a. Ten percent (10%) of the amount distributed shall be paid to the County Government Capital Improvement Fund and shall be distributed pursuant to Section 11-29-6, Code of Alabama 1975, as amended.

b. Ten percent (10%) of the amount distributed shall be paid to the Municipal Government Capital Improvement Fund and shall be distributed pursuant to Section 11-66-6, Code of Alabama 1975, as amended.

c. If the constitutional amendment proposed by Act 2011 315 is ratified, then ten percent (10%) of the amount distributed, but not more than fifteen million dollars ($15,000,000) in any one fiscal year, shall be paid to the Forever Wild Land Trust. This distribution shall continue through the fiscal year ending September 30, 2032, and shall not be made after the end of that fiscal year. If the constitutional amendment proposed by Act 2011-315 is not ratified, then one percent (1%) of the amount distributed, but not more than one million dollars ($1,000,000) in any one fiscal year, shall be paid to the Forever Wild Land Trust Stewardship Account.

d. One percent (1%) of the amount distributed, but not more than five million dollars ($5,000,000) in any one fiscal year, shall be paid to the Alabama Senior Services Trust Fund.

e. The remainder of the amount distributed shall be paid to the State General Fund.

(b) Beginning with the state's 2012 2013 fiscal year, an amount equal to five percent (5%) of the average market value of invested assets of the County and Municipal Government Capital Improvement Trust Fund as of the end of the three fiscal years ending one, two, and three years prior to the beginning of the fiscal year for which the distribution is being made shall be distributed as follows:

(1) Fifty percent (50%) of the amount distributed shall be paid to the County Government Capital Improvement Fund and shall be distributed pursuant to Section 11-29-6, Code of Alabama 1975, as amended.

(2) Fifty percent (50%) of the amount distributed shall be paid to the Municipal Government Capital Improvement Fund and shall be distributed pursuant to Section 11-66-6, Code of Alabama 1975, as amended.

(c) Notwithstanding the provisions of subsections (a) and (b) of this Section, if market or financial conditions dictate that distributing the entire amounts authorized by this amendment would be detrimental to the preservation of the invested assets of the Alabama Trust Fund, the preservation of the invested assets of the County and Municipal Government Capital Improvement Trust Fund, or both, the Board of Trustees of the Alabama Trust Fund in its sole discretion may, by a two-thirds recorded vote of the entire membership of the Board, elect to distribute a smaller percentage of the oil and gas capital payments, a smaller percentage of the average amount of invested assets, or both. The Board shall make this election at least six months prior to the beginning of the fiscal year for which the distributions will be made.

(d) For purposes of this amendment, "invested assets" means all assets which are invested in accordance with the investment policy statement adopted by the Board of Trustees of the Alabama Trust Fund. Invested assets shall not include investments in land or properties acquired for the Forever Wild Land Trust and vested in the Alabama Trust Fund and shall not include any outstanding and unpaid amounts due to the Education Trust Fund Rainy Day Account or to the General Fund Rainy Day Account.

Section 2. A County and Municipal Government Capital Improvement Trust Fund Advisory Committee is created. The Committee shall be composed of three members appointed by the Alabama League of Municipalities and three members appointed by the Association of County Commissions of Alabama. The Committee shall serve in an advisory role, and the Board of Trustees of the Alabama Trust Fund shall define the duties of the Committee.

Section 3. Beginning with the state's 2012 2013 fiscal year, whenever funds are withdrawn from the Education Trust Fund Rainy Day Account or the General Fund Rainy Day Account, there shall not be any additional transfer of funds into the County and Municipal Government Capital Improvement Trust Fund, and investment income earned on amounts repaid to the Education Trust Fund Rainy Day Account and the General Fund Rainy Day Account shall not be distributed to the State General Fund.

Section 4. Beginning with the state's 2012-2013 fiscal year and continuing through the state's 2014-2015 fiscal year, there is hereby transferred $145,796,943 annually to the State General Fund from the Alabama Trust Fund.

Section 5. All laws or parts of laws in conflict with this amendment are repealed, including, but not limited to: Those portions of Amendments 450, 543, and 666 to the Constitution of Alabama of 1901, relating to the distribution of trust income, realized capital gains, and unrealized capital gains; Amendment 668 to the Constitution of Alabama of 1901, relating to the distribution of trust income; those portions of Amendment 803 to the Constitution of Alabama of 1901, relating to additional transfers to the County and Municipal Government Capital Improvement Fund and the distribution of investment income on repayments to the Education Trust Fund and State General Fund Rainy Day Accounts; and Sections 11-66 5 and 11-29-5 of the Code of Alabama 1975, as amended, relating to appropriations of trust income to the County and Municipal Government Capital Improvement Trust Funds.

END OF PROPOSED AMENDMENT

Section 2. A special election upon the proposed amendment shall be held on September 18, 2012 in accordance with Sections 284 and 285 of the Constitution of Alabama of 1901, now appearing as Sections 284 and 285 of the Official Recompilation of the Constitution of Alabama of l90l, as amended, and the election laws of this state.

Section 3. The appropriate election official shall assign a ballot number for the proposed constitutional amendment on the election ballot and shall set forth the following description of the substance or subject matter of the proposed constitutional amendment: "Proposing an amendment to the Constitution of Alabama of 1901, to provide adequate funding for the State General Fund budget, to prevent the mass release of prisoners from Alabama prisons, and to protect critical health services to Alabama children, elderly, and mothers by transferring funds from the Alabama Trust Fund to the State General Fund beginning with the state's 2012-2013 fiscal year and concluding with the state's 2014-2015 fiscal year; to provide a new procedure for distributions made from the Alabama Trust Fund beginning 2012-2013 fiscal year; to create a County and Municipal Government Capital Improvement Trust Fund advisory committee; and to provide further for distributions made from the County and Municipal Government Capital Improvement Trust Fund.

"Proposed by Act _____."

This description shall be followed by the following language: "Yes ( ) No ( )."

The Lowndes Signal
8/23, 8/30, 9/6, 9/13

ALA-SCAN

AUCTION THURSDAY SEPTEMBER 13th, 12:00 NOON. Two great commercial properties. Huntsville, Alabama - 12 acres+/- Export Circle, 9 acres+/- Research Park Boulevard. www.Garnerauctionsinc.com. Ken Garner #1002. 1-877-914-SOLD.

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