

## POLK COUNTY LEGAL NOTICES

### FIRST INSERTION

#### NOTICE OF PUBLIC HEARING TO CONSIDER IMPOSITION OF SPECIAL ASSESSMENTS PURSUANT TO SECTION 170.07, FLORIDA STATUTES, BY THE LAKESIDE PRESERVE COMMUNITY DEVELOPMENT DISTRICT

#### NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF ASSESSMENT ROLL PURSUANT TO SECTION 197.3632(4)(b), FLORIDA STATUTES, BY THE LAKESIDE PRESERVE COMMUNITY DEVELOPMENT DISTRICT

#### NOTICE OF REGULAR MEETING OF THE LAKESIDE PRESERVE COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors ("Board") of the Lakeside Preserve Community Development District will hold public hearings at 11:30 a.m. on February 8, 2018, at 3020 South Florida Avenue, Suite 101, Lakeland, Florida 33803, to consider the adoption of an assessment roll, the imposition of special assessments to secure proposed bonds on benefited lands within the Lakeside Preserve Community Development District ("District"), a depiction of which lands is shown below, and to provide for the levy, collection and enforcement of the special assessments. The streets and areas to be improved are depicted below and in the District's Engineer's Report, dated December 2017 (the "Capital Improvement Plan"). The public hearing is being conducted pursuant to Chapters 170, 190 and 197, Florida Statutes. A description of the property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the office of the District's Records Office located at 12051 Corporate Boulevard, Orlando, Florida 32817.

The District is a unit of special-purpose local government responsible for providing infrastructure improvements for lands within the District. The infrastructure improvements ("Improvements") are currently expected to include, but are not limited to, on-site and off-site roadways, water and sewer facilities, stormwater management facilities, irrigation, lighting, landscape and hardscape and other improvements, all as more specifically described in the Capital Improvement Plan, on file and available during normal business hours at the address provided above.

The District intends to impose assessments on benefited lands within the District in the manner set forth in the District's Master Assessment Methodology Report, dated January 4, 2018 (the "Assessment Report"), which is on file and available during normal business hours at the address provided above. The Assessment Report outlines the method of allocating assessments for the Improvements to be funded by the District, which will initially be determined on an equal assessment per acre basis. At the time parcels are platted, or otherwise subdivided into assessable units, individual maximum assessments will be assigned to those parcels per Equivalent Resident Unit ("ERU") amounts described in the table below. The Assessment Report allocates the District's total anticipated debt over certain developable property included in the development plan for lands within the District. The ERU factor and the methodology are explained in more detail in the Assessment Report. Please consult the Assessment Report for more details.

The annual principal assessment levied against each parcel will be based on repayment over thirty (30) years of the total debt allocated to each parcel. The District expects to collect sufficient revenues to retire no more than \$22,510,000 in debt to be assessed by the District, exclusive of fees and costs of collection or enforcement, discounts for early payment and interest. The total max annual bond revenue that the District will collect is \$1,574,525 per year. The proposed schedule of assessments is as follows:

Phase	Planned Lots/ERUs	Bonds Max. Net Annual Assmt./Category	Bonds Max. Net Annual Assmt./Unit	Bonds Max Gross Annual Assmt./Category (1)	Bonds Max. Gross Annual Assmt./Unit (1)
Phase 1	135	\$455,360	\$3,373.04	\$489,364	\$3,626.92
Phase 2	160	\$500,896	\$3,130.60	\$538,598	\$3,366.24
Phase 3	166	\$508,052	\$3,060.55	\$546,292	\$3,290.92
<b>Total</b>	<b>461</b>	<b>\$1,464,308</b>		<b>\$1,574,525</b>	

(1) Values include a 7.0% gross-up to account for statutory early payment discount and fees and costs of collection charged by Polk County Property Appraiser and Tax Collector

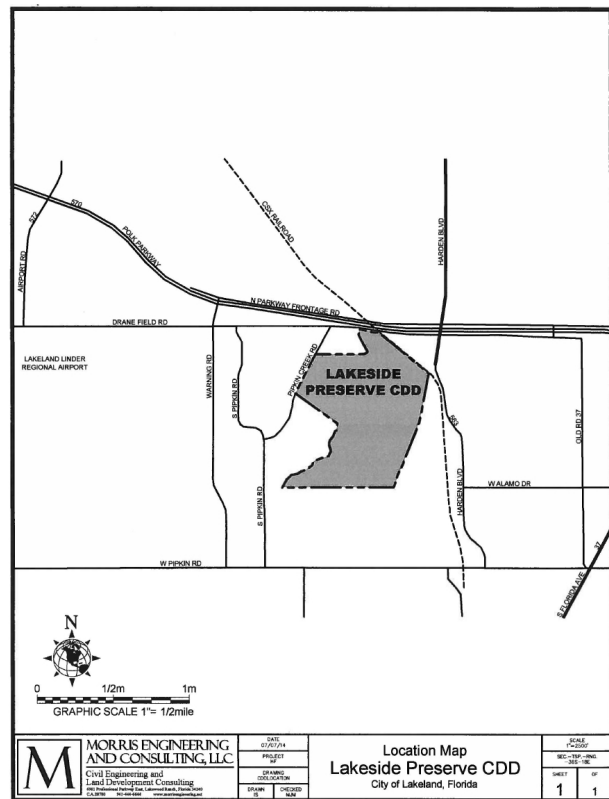
The assessments may be prepaid in whole or in part at any time, or may be paid in not more than thirty (30) annual installments subsequent to the issuance of debt to finance the improvements. These annual assessments will be collected on the tax roll by the Polk County Tax Collector. Alternatively, the District may choose to directly collect and enforce these assessments. All affected property owners have the right to appear at the public hearings and the right to file written objections with the District within twenty (20) days of the publication of this notice.

Also at 11:30 a.m. on February 8, 2018, at 3020 South Florida Avenue, Suite 101, Lakeland, Florida 33803, the Board will hold a regular public meeting to consider any other business that may lawfully be considered by the District. The Board meeting and hearings are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The Board meeting and/or the public hearings may be continued in progress to a date and time certain announced at the meeting and/or hearings.

If anyone chooses to appeal any decision of the Board with respect to any matter considered at the meeting or hearings, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which such appeal is to be based.

Any person requiring special accommodations at the meeting or hearings because of a disability or physical impairment should contact the District Office at (407) 382-3256 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770 for aid in contacting the District office.

### LAKESIDE PRESERVE COMMUNITY DEVELOPMENT DISTRICT



### RESOLUTION 2018-15

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LAKESIDE PRESERVE COMMUNITY DEVELOPMENT DISTRICT DECLARING SPECIAL ASSESSMENTS; INDICATING THE LOCATION, NATURE AND ESTIMATED COST OF THOSE INFRASTRUCTURE IMPROVEMENTS WHOSE COST IS TO BE DEFRAID BY THE SPECIAL ASSESSMENTS; PROVIDING THE PORTION OF THE ESTIMATED COST OF THE IMPROVEMENTS TO BE DEFRAID BY THE SPECIAL ASSESSMENTS; PROVIDING THE MANNER IN WHICH SUCH SPECIAL ASSESSMENTS SHALL BE MADE; PROVIDING WHEN SUCH SPECIAL ASSESSMENTS SHALL BE PAID; DESIGNATING LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAT; ADOPTING A PRELIMINARY ASSESSMENT ROLL; PROVIDING FOR PUBLICATION OF THIS RESOLUTION.

WHEREAS, the Board of Supervisors (the "Board") of the Lakeside Preserve Community Development District (the "District") hereby determines to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the infrastructure improvements (the "Improvements") described in the District's Revised Preliminary Engineer's Report, dated December 2017, attached hereto as Exhibit A

and incorporated herein by reference; and

WHEREAS, it is in the best interest of the District to pay the cost of the Improvements by special assessments pursuant to Chapter 190, Florida Statutes, (the "Assessments"); and

WHEREAS, the District is empowered by Chapter 190, the Uniform Community Development District Act, Chapter 170, Supplemental and Alternative Method of Making Local Municipal Improvements, and Chapter 197, the Uniform Method for the Levy, Collection and Enforcement of Non-Ad Valorem Assessments, Florida Statutes, to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain the Improvements and to impose, levy and collect the Assessments; and

WHEREAS, the District hereby determines that benefits will accrue to the property improved, the amount of those benefits, and that special assessments will be made in proportion to the benefits received as set forth in the Preliminary Assessment Methodology Report dated January 4, 2018, attached hereto as Exhibit B and incorporated herein by reference and on file at 3020 South Florida Avenue, Lakeland, Florida 33803 (the "District Records Office"); and

WHEREAS, the District hereby determines that the Assessments to be levied will not exceed the benefit to the property improved.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE LAKESIDE PRESERVE COMMUNITY DEVELOPMENT DISTRICT:**

*continued on next column*

*continued from previous column*

- The nature and general location of, and plans and specifications for, the Improvements are described in Exhibit A, which is on file at the District Records Offices. Exhibit B is also on file and available for public inspection at the same locations.
- The total estimated cost of the Improvements is \$19,400,000 (the "Estimated Cost").
- The Assessments will defray approximately \$22,510,000, which includes the Estimated Cost, plus financing-related costs, capitalized interest, debt service reserve and contingency.
- The manner in which the Assessments shall be apportioned and paid is set forth in Exhibit B, including provisions for supplemental assessment resolutions.
- The Assessments shall be levied, within the District, on all lots and lands adjoining and contiguous or bounding and abutting upon such Improvements or specially benefitted thereby and further designated by the assessment plat hereinafter provided for.
- There is on file, at the District Records Offices, an assessment plat showing the area to be assessed, with certain plans and specifications describing the Improvements and the estimated cost of the Improvements, all of which shall be open to inspection by the public.
- Commencing with the year in which the Assessments are confirmed, the Assessments shall be paid in not more than (30) thirty annual installments. The Assessments may be payable at the same time and in the same manner as are ad-valorem taxes and collected pursuant to Chapter 197, Florida Statutes; provided, however, that in the event the uniform non ad-valorem assessment method of collecting the Assessments is not available to the District in any year, or if determined by the District to be in its best interest, the Assessments may be collected as is otherwise permitted by law.
- The District Manager has caused to be made a preliminary assessment roll, in accordance with the method of assessment described in Exhibit B hereto, which shows the lots and lands assessed, the amount of benefit to and the assessment against each lot or parcel of land and the number of annual installments into which the assessment may be divided, which assessment roll is hereby adopted and approved as the District's preliminary assessment roll.
- The Board shall adopt a subsequent resolution to fix a time and place at which the owners of property to be assessed or any other persons interested therein may appear before the Board and be heard as to the propriety and advisability of the Assessments or the making of the Improvements, the cost thereof, the manner of payment therefore, or the amount thereof to be assessed against each property as improved.
- The District Manager is hereby directed to cause this Resolution to be published once in a newspaper of general circulation within the City of Lakeland and to provide such other notice as may be required by law or desired in the best interests of the District.
- This Resolution shall become effective upon its passage.

**PASSED AND ADOPTED THIS 5TH DAY OF JANUARY, 2018.**

ATTEST:

**LAKESIDE PRESERVE COMMUNITY DEVELOPMENT DISTRICT**

/s/Jane Gaarlandt  
Secretary/Assistant Secretary

/s/Lee Saunders  
Chairman, Board of Supervisors

Exhibit A: Preliminary Engineer's Report, dated December 2017

Exhibit B: Preliminary Assessment Methodology Report, dated January 4, 2018

[NOTE: Exhibits can be obtained by calling Jane Gaarlandt at 407-382-3256 or emailing [jane@fishkind.com](mailto:jane@fishkind.com)]

January 19, 26, 2018

18-00086K

### FIRST INSERTION

NOTICE UNDER FICTITIOUS NAME LAW  
NOTICE IS HEREBY GIVEN that the undersigned, desiring to engage in business under the fictitious name of: Cobb Grand 10 Cinemas Located at 920 Springlake Square NW, in the City of Winter Haven, Polk, Florida 33881 intends to register the said name with the Division of Corporations of the Department of State, Tallahassee, Florida. Dated this 14 day of November, 2017. CB Theater Experience LLC  
January 19, 2018 18-00069K

### FIRST INSERTION

NOTICE OF PUBLIC SALE: Notice is hereby given that on 02/09/2018 at 12:00 pm the following vehicle(s) will be sold at public auction for monies owed on vehicle repairs and for storage costs pursuant to Florida Statutes, Section 713.585. The lienor's name, address and telephone number and auction location are: CHEZZY PERFORMANCE GROUP, LLC 930 ROBERTS RD Unit 74 HAINES CITY, FL 33844-9470, 3214-021364. Please note, parties claiming interest have a right to a hearing prior to the date of sale with the Clerk of the Court as reflected in the notice. The owner has the right to recover possession of the vehicle without judicial proceedings as pursuant to Florida Statute Section 559.917. Any proceeds recovered from the sale of the vehicle over the amount of the lien will be deposited with the Clerk of the Court for disposition upon court order.  
YDV20860A606 2006  
YDV30914F111 2011  
January 19, 2018 18-00079K

### FIRST INSERTION

Notice Under Fictitious Name Law Pursuant to Section 865.09, Florida Statutes  
NOTICE IS HEREBY GIVEN that the undersigned, desiring to engage in business under fictitious name of Lakeland Auto Show & Lake Mirror Concours located at 129 S. Kentucky Ave. Ste 500, in the County of Polk in the City of Lakeland, Florida 33801 intends to register the said name with the Division of Corporations of the Florida Department of State, Tallahassee, Florida.  
Dated at Polk, Florida, this 16 day of Jan., 2018.  
Midflorida Credit Union  
January 19, 2018 18-00083K

### FIRST INSERTION

NOTICE OF PUBLIC SALE  
Notice is hereby given that on 2/2/18 at 10:30 am the following mobile home will be sold at public auction pursuant to F.S. 715.109: 1989 MERI #CH158R26470. Last Tenants: Mohammad Mahmoud Nachar & Steven Carlton Willis. Sale to be held at: GCP Plantation Landings, LLC- 23 O'Hara Dr, Haines City, FL 33844, 813-241-8269.  
January 19, 26, 2017 18-00085K

### FIRST INSERTION

FICTITIOUS NAME NOTICE  
Notice is hereby given that ATTICUS PARTNERS LLC, owner, desiring to engage in business under the fictitious name of THE COUPON BOOK OF EAST POLK COUNTY located at 150 3RD ST SW, WINTER HAVEN, FL 33880 in POLK County intends to register the said name with the Division of Corporations, Florida Department of State, pursuant to section 865.09 of the Florida Statutes.  
January 19, 2018 18-00089K

### FIRST INSERTION

NOTICE TO CREDITORS IN THE CIRCUIT COURT FOR POLK COUNTY, FLORIDA PROBATE DIVISION  
File No. 17CP-3066  
IN RE: ESTATE OF LINDA DIANE MOORE Deceased.  
The administration of the estate of Linda Diane Moore, deceased, whose date of death was November 1, 2017, is pending in the Circuit Court for Polk County, Florida, Probate Division, the address of which is PO Box 9000, Drawer CC-4, Bartow, Florida 33831. The names and addresses of the personal representative and the personal representative's attorney are set forth below.  
All creditors of the decedent and other persons having claims or demands against decedent's estate on whom a copy of this notice is required to be served must file their claims with this court ON OR BEFORE THE LATER OF 3 MONTHS AFTER THE TIME OF THE FIRST PUBLICATION OF THIS NOTICE OR 30 DAYS AFTER THE DATE OF SERVICE OF A COPY OF THIS NOTICE ON THEM.  
All other creditors of the decedent and other persons having claims or demands against decedent's estate must file their claims with this court WITHIN 3 MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE.  
ALL CLAIMS NOT FILED WITHIN THE TIME PERIODS SET FORTH IN FLORIDA STATUTES SECTION 733.702 WILL BE FOREVER BARRED.  
NOTWITHSTANDING THE TIME PERIODS SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED.  
The date of first publication of this notice is January 19, 2018.  
Personal Representative:  
Lisa D. Houk  
2474 Colonel Ford Drive  
Lakeland, Florida 33813  
Attorney for Personal Representative:  
L. Caleb Wilson  
Attorney  
Florida Bar Number: 73626  
CRAIG A. MUNDY, P.A.  
4927 Southfork Drive  
Lakeland, Florida 33813  
Telephone: (863) 647-3778  
Fax: (863) 647-4580  
E-Mail: [caleb@mundylaw.com](mailto:caleb@mundylaw.com)  
January 19, 26, 2018 18-00068K

### FIRST INSERTION

NOTICE OF PUBLIC SALE  
The following personal property of GARY R. COOK and UNKNOWN/UNAPPROVED OCCUPANT(S), will, on February 1, 2018, at 10:00 a.m., at 17 AA Street, Lot #17AA, Lakeland, Polk County, Florida 33815; be sold for cash to satisfy storage fees in accordance with Florida Statutes, Section 715.109: 1963 STRC MOBILE HOME, VIN # B10228 TITLE # 0001046563 and all other personal property located therein  
PREPARED BY:  
Jody B. Gabel  
Lutz, Bobo & Telfair, P.A.  
2 North Tamiami Trail, Suite 500  
Sarasota, Florida 34236  
January 19, 26, 2018 18-00080K

### FIRST INSERTION

FICTITIOUS NAME NOTICE  
Notice is hereby given that IVALUZ SUAREZ, owner, desiring to engage in business under the fictitious name of BILINGUAL REALTORS OF FLORIDA located at 108 MAYS ROAD, WINTER HAVEN, FL 33880 in POLK County intends to register the said name with the Division of Corporations, Florida Department of State, pursuant to section 865.09 of the Florida Statutes.  
January 19, 2018 18-00081K

### FIRST INSERTION

NOTICE OF PUBLIC SALE  
Notice is hereby given that the following vehicles will be sold at public auction pursuant to F.S. 713.585 on the sale dates at the locations below at 9:00 a.m. to satisfy labor and storage charges.  
2006 MERCEDES  
4JGCB65E66A010223  
Total Lien: \$1519.50  
Sale Date: 02/05/2018  
Location: Fields Motorcars  
4141 North Florida Ave  
Lakeland, FL 33805  
(863) 688-8111  
Pursuant to F.S. 713.585 the cash amount per vehicle would be sufficient to redeem that vehicle from the lienor. Any interested party has a right to a hearing prior to the sale by filing a demand for the hearing with the Clerk of the Circuit Court in Polk and mailing copies of the same to all owners and lienors. The owner/lienholder has a right to recover possession of the vehicle by posting bond pursuant to F.S. 559.917 and if sold any proceeds remaining from the sale will be deposited with the Clerk of Circuit Court for disposition.  
January 19, 2018 18-00091K

**SAVE TIME**  
E-mail your Legal Notice  
[legal@businessobserverfl.com](mailto:legal@businessobserverfl.com)





FIRST INSERTION

NOTICE OF ACTION IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT IN AND FOR POLK COUNTY, FLORIDA CASE NO.: 2016CA-004331-0000-00 DITECH FINANCIAL LLC, Plaintiff, vs. UNKNOWN HEIRS, BENEFICIARIES, DEVISEES, SURVIVING SPOUSE, GRANTEES, ASSIGNEES, LIENORS, CREDITORS, TRUSTEES, AND ALL OTHER PARTIES CLAIMING AN INTEREST BY, THROUGH, UNDER OR AGAINST THE ESTATE OF LUCIEN VOLTAIRE (DECEASED); et al., Defendant(s).

has been filed against you and you are required to serve a copy of your written defenses, if any, to it on ALDRIDGE | PITE, LLP, Plaintiff's attorney, at 1615 South Congress Avenue, Suite 200, Delray Beach, FL 33445, on or before 30 Days After The First Date of Publication, and file the original with the clerk of this court either before service on Plaintiff's attorney or immediately thereafter; otherwise a default will be entered against you for the relief demanded in the complaint or petition. Default 2-9-18

TO: Unknown Heirs Beneficiaries, Devisees, Surviving Spouse, Grantees, Assignee, Lienors, Creditors, Trustees, And All Other Parties Claiming An Interest By Through Under Or Against The Estate Of Lucien Voltaire, (Deceased)

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Office of the Court Administrator, (863) 534-4690, within two (2) working days of your receipt of this (describe notice); if you are hearing or voice impaired, call TDD (863) 534-7777 or Florida Relay Service 711.

Last Known Residence: Unknown YOU ARE NOTIFIED that an action to foreclose a mortgage on the following property in POLK County, Florida: LOT 13, BLOCK 72, POINCIANA, NEIGHBORHOOD 3, VILLAGE 3, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 52, PAGE 27, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

Dated on January 2nd, 2018. STACY M. BUTTERFIELD, CPA As Clerk of the Court By: Lori Armijo As Deputy Clerk ALDRIDGE | PITE, LLP Plaintiff's attorney 1615 South Congress Avenue, Suite 200 Delray Beach, FL 33445 1382-1637B January 19, 26, 2018 18-00092K

FIRST INSERTION

NOTICE OF SALE IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT IN AND FOR POLK COUNTY, FLORIDA CASE NO. 53-2016-CA-003228 U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CITIGROUP MORTGAGE LOAN TRUST, INC. 2007-AHLI, ASSET-BACKED PASS-THROUGH CERTIFICATES SERIES 2007-AHLI Plaintiff, v. THE UNKNOWN HEIRS, GRANTEES, DEVISEES, LIENORS, TRUSTEES, AND CREDITORS OF GORDON GRANT A/K/A EUSTACE GORDON GRANT A/K/A EUSTACE GORDON GRANT, SR., DECEASED; LORRAINE PETROVNA INCE; ERROL ANTHONY WILLIAMS; SAMANTHA CYNTHIA GRANT MARSH; SARAH PENELOPE GRANT; JANET P. WILLIAMS; EUSTACE GORDON GRANT, JR.; ASSOCIATION OF POINCIANA VILLAGES, INC.; POINCIANA VILLAGE THREE ASSOCIATION, INC. Defendants.

NATED AS LOT 5, BLOCK 723, POINCIANA, NEIGHBORHOOD 5 NORTH, VILLAGE 3, FILED IN PLAT BOOK 54, PAGE 27-42. a/k/a 724 CARACARA CT, KISSIMMEE, FL 34759-4541 at public sale, to the highest and best bidder, for cash, online at www.polk.realforeclose.com, on February 05, 2018 beginning at 10:00 AM.

Notice is hereby given that, pursuant to the Final Judgment of Foreclosure entered on August 16, 2017, and the Order Rescheduling Foreclosure Sale, in this cause, in the Circuit Court of Polk County, Florida, the office of Stacy M. Butterfield, Clerk of the Circuit Court, shall sell the property situated in Polk County, Florida, described as: ALL THAT PARCEL OF LAND IN POLK COUNTY, STATE OF FLORIDA, AS DESCRIBED IN DEED BOOK 6463, PAGE 317, ID# 282725934060072305, BEING KNOWN AND DESIGNATED AS LOT 5, BLOCK 723, POINCIANA, NEIGHBORHOOD 5 NORTH, VILLAGE 3, FILED IN PLAT BOOK 54, PAGE 27-42.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Office of the Court Administrator, (863) 534-4690, within two (2) working days of your receipt of this (describe notice); if you are hearing or voice impaired, call TDD (863) 534-7777 or Florida Relay Service 711.

ALL THAT PARCEL OF LAND IN POLK COUNTY, STATE OF FLORIDA, AS DESCRIBED IN DEED BOOK 6463, PAGE 317, ID# 282725934060072305, BEING KNOWN AND DESIGNATED AS LOT 5, BLOCK 723, POINCIANA, NEIGHBORHOOD 5 NORTH, VILLAGE 3, FILED IN PLAT BOOK 54, PAGE 27-42.

Dated at St. Petersburg, Florida this 16th day of January, 2018. eXL Legal, PLLC Designated Email Address: efling@exllegal.com 12425 28th Street North, Suite 200 St. Petersburg, FL 33716 Telephone No. (727) 536-4911 Attorney for the Plaintiff By: ANDREW L. FIVECOAT FBN# 122068 888160754-ASC January 19, 26, 2018 18-00084K

FIRST INSERTION

NOTICE OF FORECLOSURE SALE IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT OF FLORIDA IN AND FOR POLK COUNTY GENERAL JURISDICTION DIVISION CASE NO. 2011-CA-005839

THE BANK OF NEW YORK MELLON AS SUCCESSOR BY MERGER TO THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2007-6, Plaintiff, vs. GEORGE RANKIN, ET AL., Defendants.

NOTICE IS HEREBY GIVEN pursuant to a Summary Final Judgment of Foreclosure entered January 11, 2018 in Civil Case No. 2011-CA-005839 of the Circuit Court of the TENTH Judicial Circuit in and for Polk County, Bartow, Florida, wherein THE BANK OF NEW YORK MELLON AS SUCCESSOR BY MERGER TO THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2007-6 is Plaintiff and GEORGE RANKIN, ET AL., are Defendants, the Clerk of Court, STACY BUTTERFIELD, CPA, will sell to the highest and best bidder for cash electronically at www.polk.realforeclose.com in accordance with Chapter 45, Florida Statutes on the 15TH day of February, 2018 at 10:00 AM on the following described property as set forth in said Summary Final Judgment, to-wit:

Lot 150 Less the South 1.29 Feet, Block D, Royal Ridge, Phase Two-A, as per plat thereof, recorded in Plat Book 115, Page(s) 41 and 42, of the Public Records of Polk County, Florida.

Any person claiming an interest in the surplus from the sale, if any, other than the property owner as of the date of the lis pendens, must file a claim within 60 days after the sale.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Office of the Court Administrator, (863) 534-4690, within two (2) working days of your receipt of this (describe notice); if you are hearing or voice impaired, call TDD (863) 534-7777 or Florida Relay Service 711. Lisa Woodburn, Esq. McCalla Raymer Leibert Pierce, LLC Attorney for Plaintiff 110 SE 6th Street, Suite 2400 Fort Lauderdale, FL 33301 Phone: (407) 674-1850 Fax: (321) 248-0420 Email: MRService@mccalla.com Fla. Bar No.: 11003 5743201 17-02198-2 January 19, 26, 2018 18-00082K

FIRST INSERTION

NOTICE OF FORECLOSURE SALE IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT IN AND FOR POLK COUNTY, FLORIDA GENERAL JURISDICTION DIVISION CASE NO. 2016CA-000849-0000-00

U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE FOR SPECIALTY UNDERWRITING AND RESIDENTIAL FINANCE TRUST MORTGAGE LOAN ASSET-BACKED CERTIFICATES SERIES 2006-AB1, Plaintiff, vs. MURRAY WILSON AND CLARE WILSON, et al. Defendant(s).

NOTICE IS HEREBY GIVEN pursuant to a Final Judgment of Foreclosure dated January 05, 2018, and entered in 2016CA-000849-0000-00 of the Circuit Court of the TENTH Judicial Circuit in and for Polk County, Florida, wherein U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE FOR SPECIALTY UNDERWRITING AND RESIDENTIAL FINANCE TRUST MORTGAGE LOAN ASSET-BACKED CERTIFICATES SERIES 2006-AB1 is the Plaintiff and MAXELENA BOWEN A/K/A MAXELENA L. BOWEN; UNKNOWN SPOUSE OF MAXELENA BOWEN A/K/A MAXELENA L. BOWEN; MURRAY WILSON; CLARE WILSON; HOA PROBLEM SOLUTIONS 5 INC, AS TRUSTEE OF THE 328 SAHALLI COURT LAND TRUST; SUNSET VIEW HOMEOWNERS' ASSOCIATION, INC. A/K/A SUNSET RIDGE HOA, INC. F/K/A SUNSET RIDGE HOMEOWNERS' ASSOCIATION, INC. are the Defendant(s). Stacy M. Butterfield as the Clerk of the Circuit Court will sell to the highest and best bidder for cash at www.polk.realforeclose.com, at 10:00

FIRST INSERTION

NOTICE OF SALE IN THE CIRCUIT COURT FOR THE TENTH JUDICIAL CIRCUIT IN AND FOR POLK COUNTY, FLORIDA GENERAL CIVIL DIVISION Case No. 2015-CA-00994

BRIAN LANCE PINKER, Plaintiff, vs. SPOONBILL RH, LLC, a Florida limited liability company; ANDREW OFSTEIN; MARTIN B. SHULTS, IF LIVING, AND IF DEAD, THE UNKNOWN SPOUSE, HEIRS, DEVISEES, GRANTEES, ASSIGNEES, LIENORS, CREDITORS, TRUSTEES, AND ALL OTHER PARTIES CLAIMING AN INTEREST BY, THROUGH, UNDER OR AGAINST MARTIN B. SHULTS; ASSOCIATION OF POINCIANA VILLAGES, INC.; POINCIANA VILLAGES THREE ASSOCIATION, INC.; IDO DAVID; ERIC MCDANIEL AND JOHN DOE, AS UNKNOWN PERSON IN POSSESSION, Defendants.

Notice is hereby given that, pursuant to a Final Judgment of Foreclosure entered on October 19, 2016 in the above-styled cause, in the Circuit Court of Polk County, Florida, the Clerk of Court will sell the property situated in Polk County, Florida, described as: Lot 6, Block 276, Poinciana neighborhood 6 South, Village 3, as recorded in plat book 54, page 43 of the public records of Polk County, Florida.

Property Address: 132 Spoonbill Court, Poinciana, Florida 34759.

at public sale, to the highest and best bidder, for cash, electronically online at http://www.polk.realforeclose.com at 10:00a.m. February 6, 2018.

Any persons claiming any interest in the surplus from the sale, if any, other than the property owner, as of the date of the Lis Pendens, must file a claim within 60 days from the sale.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Office of the Court Administrator, (863) 534-4690, within two (2) working days of your receipt of this (describe notice); if you are hearing or voice impaired, call TDD (863) 534-7777 or Florida Relay Service 711. Dated on January 11, 2018. PERRY G. GRUMAN, P.A. By: Ross Mabery, Esq. 3400 W. Kennedy Blvd. Tampa, FL 33609 (813) 870-1614 Attorney for Plaintiff Florida Bar No.: 100939 January 19, 26, 2018 18-00073K

FIRST INSERTION

NOTICE OF SALE IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT, IN AND FOR POLK COUNTY, FLORIDA CASE NO.: 2014CA001569-0000-00 DIVISION: 11

WILMINGTON SAVINGS FUND SOCIETY, FSB D/B/A CHRISTIANA TRUST, NOT INDIVIDUALLY BUT AS TRUSTEE FOR PRETIUM MORTGAGE ACQUISITION TRUST, Plaintiff, vs. GARY D. JOHNSON, ET AL., Defendants.

NOTICE IS GIVEN that, in accordance with the Order on Plaintiff's Motion to Reschedule Foreclosure Sale entered on December 21, 2017 in the above-styled cause, Stacy M. Butterfield, Polk county clerk of court shall sell to the highest and best bidder for cash on February 5, 2018 at 10:00 A.M., at www.polk.realforeclose.com, the following described property:

THE EASTERLY 1/2 OF LOT 24 AND ALL OF LOT 25 OF HILL-CREST HEIGHTS ESTATES UNIT THREE, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 73, PAGE 30, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

Property Address: 14 REGAL COURT, BABSON PARK, FL 33827

ANY PERSON CLAIMING AN INTEREST IN THE SURPLUS FROM THE SALE, IF ANY, OTHER THAN THE PROPERTY OWNER AS OF THE DATE OF THE LIS PENDENS MUST FILE A CLAIM WITHIN 60 DAYS AFTER THE SALE.

AMERICANS WITH DISABILITIES ACT

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Office of the Court Administrator, (863) 534-4690, within two (2) working days of your receipt of this (describe notice); if you are hearing or voice impaired, call TDD (863) 534-7777 or Florida Relay Service 711.

Dated: 1/12/18 /s/ Michelle A. DeLeon, Esquire Florida Bar No.: 68587 Quinteiros, Prieto, Wood & Boyer, P.A. 255 S. Orange Ave., Ste. 900 Orlando, FL 32801-3454 (855) 287-0240 (855) 287-0211 Facsimile E-mail: servicecopies@qpwbaw.com E-mail: mdeleon@qpwbaw.com Matter # 91785 January 19, 26, 2018 18-00078K

FIRST INSERTION

NOTICE OF FORECLOSURE SALE IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT IN AND FOR POLK COUNTY, FLORIDA GENERAL JURISDICTION DIVISION CASE NO. 2016CA-002309-0000-00

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR HSI ASSET SECURITIZATION CORPORATION TRUST 2006-WMC1, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-WMC1, Plaintiff, vs. CHARLES PLUMMER, et al. Defendant(s).

NOTICE IS HEREBY GIVEN pursuant to a Final Judgment of Foreclosure dated July 10, 2017, and entered in 2016CA-002309-0000-00 of the Circuit Court of the TENTH Judicial Circuit in and for Polk County, Florida, wherein DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR HSI ASSET SECURITIZATION CORPORATION TRUST 2006-WMC1, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-WMC1 is the Plaintiff and JOANN PLUMMER; UNKNOWN PARTIES IN POSSESSION #1 AS TO HOUSE are the Defendant(s). Stacy M. Butterfield as the Clerk of the Circuit Court will sell to the highest and best bidder for cash at www.polk.realforeclose.com, at 10:00 AM, on February 09, 2018, the following described property as set forth in said Final Judgment, to wit: SITUATE, LYING AND BEING IN POLK COUNTY, FLORIDA, TO-WIT:

LOT 24, FORESTVIEW ESTATES (UNRECORDED) AS PER THE MAP THEREOF RECORDED IN O.R. BOOK 1678, PAGE 2119, PUBLIC RECORDS OF POLK COUNTY, FLORIDA;

FIRST INSERTION

AMENDED NOTICE OF ACTION; CONSTRUCTIVE SERVICE OF PROCESS - PROPERTY IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT IN AND FOR POLK COUNTY, FLORIDA CASE NO.: 2017-CA-2679

DVP, LP, Plaintiff vs. UNKNOWN SPOUSE OF RITA I. PEARSALL, if any, and UNKNOWN HEIRS OF RITA I. PEARSALL, if any, Defendants.

AMENDED NOTICE OF ACTION TO UNKNOWN SPOUSE OF RITA PEARSALL, if any, and UNKNOWN HEIRS OF RITA I. PEARSALL, if any, YOU ARE HEREBY NOTIFIED that an action of Re-Foreclosure has been commenced on the following property in Polk County, Florida:

Lots 7 and the East 1/2 of lot 8, Block D, Sunnymede, according to the plat thereof recorded in Plat Book 8, Page 29 of the Public Records of Polk County, Florida.

Property Address: 1128 W. Greenwood Street, Lakeland, FL 33815

And has been filed against you and you are required to serve a copy of your written defenses, if any, to it on RICHARD MUTARELLI, JR., ESQ., the Plaintiff's attorney, whose address is Schatt & Hesser, P.A., 328 N.E. 1st Avenue, Suite 100, Ocala, Florida 34470, within thirty days of the date of publication on or before 2/12/18 and file the original with the clerk of this court either before service on Plaintiff's attorney or immediately thereafter, otherwise a default will be entered against you for the relief demanded in the complaint or petition.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Office of the Court Administrator, (863) 534-4690, within two (2) working days of your receipt of this (describe notice); if you are hearing or voice impaired, call TDD (863) 534-7777 or Florida Relay Service 711.

Dated on 1/4, 2018. STACY M. BUTTERFIELD, CPA As Clerk of the Court (SEAL) BY Danielle Cavas As Deputy Clerk

Richard Mutarelli, Jr., Esq. Schatt & Hesser, PA 328 N.E. 1st Avenue, Suite 100 Ocala, FL 34470 352-789-6520 January 19, 26, 2018 18-00074K

OFFICIAL COURT HOUSE WEBSITES: MANATEE COUNTY: manateeclerk.com SARASOTA COUNTY: sarasotaclerk.com CHARLOTTE COUNTY: charlotte.realforeclose.com LEE COUNTY: leeclerk.org COLLIER COUNTY: collierclerk.com HILLSBOROUGH COUNTY: hillsclerk.com PASCO COUNTY: pasco.realforeclose.com PINELLAS COUNTY: pinellasclerk.org POLK COUNTY: polkcountyclerk.net ORANGE COUNTY: myorangeclerk.com

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**SUBSEQUENT INSERTIONS**

**SECOND INSERTION**

**NOTICE TO CREDITORS  
IN THE CIRCUIT COURT FOR  
POLK COUNTY, FLORIDA  
PROBATE DIVISION  
File No. 2017-CP-2276  
IN RE: ESTATE OF  
BRIAN ALAN BRUCE  
Deceased.**

The administration of the estate of Brian Alan Bruce, deceased, whose date of death was November 23, 2015, is pending in the Circuit Court for Polk County, Florida, Probate Division, the address of which is Polk County Clerk of Court, Attn: Probate, 255 N. Broadway Avenue, Bartow, Florida 33830. The names and addresses of the personal representative and the personal representative's attorney are set forth below.

All creditors of the decedent and other persons having claims or demands against decedent's estate on whom a copy of this notice is required to be served must file their claims with this court WITHIN THE LATER OF 3 MONTHS AFTER THE TIME OF THE FIRST PUBLICATION OF THIS NOTICE OR 30 DAYS AFTER THE DATE OF SERVICE OF A COPY OF THIS NOTICE ON THEM.

All other creditors of the decedent and other persons having claims or demands against decedent's estate must file their claims with this court WITHIN 3 MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE.

ALL CLAIMS NOT FILED WITHIN THE TIME PERIODS SET FORTH IN SECTION 733.702 OF THE FLORIDA PROBATE CODE WILL BE FOREVER BARRED.

NOTWITHSTANDING THE TIME PERIODS SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED.

The date of first publication of this notice is Friday, January 12, 2018.

**Personal Representative:**

**Michelle Braysford**

7 Wavecrest Close  
Marchwood, Southampton  
Hampshire SO40 4AT  
United Kingdom

Attorney for Personal Representative:

/s/ Nicholas R. Medley

Nicholas R. Medley

Attorney for Petitioner

FL Bar #: 107194

Medley Law Firm

222 W. Cervantes Street

Pensacola, FL 32501

Telephone: (850) 607-7890

Fax: (850) 254-7872

nicholas@medleyelderlaw.com

January 12, 19, 2018 18-00051K

**SECOND INSERTION**

**NOTICE TO CREDITORS  
IN THE CIRCUIT COURT FOR  
POLK COUNTY, FLORIDA  
PROBATE DIVISION  
File No. 2017-CP-002985  
IN RE: ESTATE OF  
JEAN LUETTA RAU,  
Deceased**

The administration of the estate of JEAN LUETTA RAU, deceased, whose date of death was October 2, 2017, is pending in the Circuit Court for Polk County, Florida, Probate Division, the address of which is 255 N. Broadway Ave., Bartow, Florida 33830. The names and addresses of the personal representative and the personal representative's attorney are set forth below.

All creditors of the decedent and other persons having claims or demands against decedent's estate, on whom a copy of this notice is required to be served must file their claims with this court ON OR BEFORE THE LATER OF 3 MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE OR 30 DAYS AFTER THE DATE OF SERVICE OF A COPY OF THIS NOTICE ON THEM.

All other creditors of the decedent and other persons having claims or demands against decedent's estate must file their claims with this court WITHIN 3 MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE.

ALL CLAIMS NOT FILED WITHIN THE TIME PERIODS SET FORTH IN FLORIDA STATUTES SECTION 733.702 WILL BE FOREVER BARRED.

NOTWITHSTANDING THE TIME PERIOD SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED.

The date of first publication of this notice is January 12, 2018.

**Personal Representative**

**Michael Scott Bittner**

2420 Sanderling Street

Haines City, Florida 33844

Attorney for Personal Representative

Pamela Grace Martini, Esq.

Florida Bar No. 0100761

THE ORLANDO LAW GROUP, PL

7625 W. Sand Lake Road, Suite 202

Orlando, FL 32819

Telephone: (321) 757-2814

Email:

pmartini@theorlandolawgroup.com

January 12, 19, 2018 18-00037K

**SECOND INSERTION**

**NOTICE OF PUBLIC SALE**  
Notice is hereby given that on 1/26/18 at 10:30 am the following vehicle will be sold at public auction pursuant to F.S: 715.109: 1991 PALM #PH094172AFL & PH094172BFL. Last Tenants: James Highet & Jane S Highet. Sale to be held at Realty Systems- Arizona Inc- 4747 SR 33 N, Lakeland, FL 33805, 813-282-6754.  
January 12, 19, 2018 18-00056K

**SECOND INSERTION**

**NOTICE OF PUBLIC SALE**  
Notice is hereby given that on 01/29/2018 11:00 AM, the following Personal Property will be sold at public auction pursuant to F.S.715.109:  
1986 EDGE VIN# GAFL1AF30079689  
Last Known Tenants: Ashlie Reeves  
Sale to be held at: Lakeland Village MHP, LLC 4535 U.S. 92 East Lakeland, FL 33801 (Polk County) (321) 279-4140  
January 12, 19, 2018 18-00057K

**SECOND INSERTION**

**NOTICE TO CREDITORS  
IN THE CIRCUIT COURT FOR  
POLK COUNTY, FLORIDA  
PROBATE DIVISION  
File No. 17CP-3034  
IN RE: ESTATE OF  
TRUDI ANN KIMM  
Deceased.**

The administration of the estate of Trudi Ann Kimm, deceased, whose date of death was October 11, 2017, is pending in the Circuit Court for Polk County, Florida, Probate Division, the address of which is PO Box 9000, Drawer CC-4, Bartow, Florida 33831. The names and addresses of the personal representative and the personal representative's attorney are set forth below.

All creditors of the decedent and other persons having claims or demands against decedent's estate on whom a copy of this notice is required to be served must file their claims with this court ON OR BEFORE THE LATER OF 3 MONTHS AFTER THE TIME OF THE FIRST PUBLICATION OF THIS NOTICE OR 30 DAYS AFTER THE DATE OF SERVICE OF A COPY OF THIS NOTICE ON THEM.

All other creditors of the decedent and other persons having claims or demands against decedent's estate must file their claims with this court WITHIN 3 MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE.

ALL CLAIMS NOT FILED WITHIN THE TIME PERIODS SET FORTH IN FLORIDA STATUTES SECTION 733.702 WILL BE FOREVER BARRED.

NOTWITHSTANDING THE TIME PERIODS SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED.

The date of first publication of this notice is January 12, 2018.

**Personal Representative:**

**Marnie J. Kane**

685 Ridge Drive

Elburn, Illinois 60119

Attorney for Personal Representative:

L. Caleb Wilson

Attorney

Florida Bar Number: 73626

CRAIG A. MUNDY, P.A.

4927 Southfork Drive

Lakeland, Florida 33813

Telephone: (863) 647-3778

Fax: (863) 647-4580

E-Mail: caleb@mundylaw.com

January 12, 19, 2018 18-00052K

**OFFICIAL  
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## PUBLIC NOTICES

## An American Tradition

Public notice is an important tool in assuring an informed citizenry. Notices are mandated by legislatures to make sure there is a public window into the activities of governments, officers of the court and others holding a public trust. There are four key elements to a valid public notice. It should be executed by an entity outside the one mandated to provide notice, so proper checks and balances are in place.

A public notice informs citizens of government or government-related activities that affect citizens' everyday lives. A public notice typically has four elements:

- **Independent:** A public notice is published in a forum independent of the government, typically in a local newspaper.
- **Archivable:** A public notice is archived in a secure and publicly available format.
- **Accessible:** A public notice is capable of being accessed by all segments of society.
- **Verifiable:** The public and the source of the notice are able to verify that the notice was published, usually by an affidavit provided by the publisher.

*(Adapted from the Public Resource Notice Center)*

## Types of Public Notices

There are three standard types:

- **Citizen participation notices** inform the public about proposed government action and allow the public time to react to such proposals.

One such example is a public hearing notice.

- **Business and commerce notices**

relate to government contracts and purchases. Notices of contract bids allow citizens to ensure that the government is operating in accordance with principles of equal opportunity and is acting responsibly in spending taxpayer money.

- **Court notices** are required of many non-governmental entities that

use public powers or institutions in some way. Examples include notices of home mortgage foreclosures, which can provide a public alert of widespread credit problems, fraud in underwriting and a basis for analyses of housing trends.

This notice allows the public to object to an appointment based on any conflict of interest.

## The history of public notices

Public notices existed long before the emergence of newspapers. The concept itself began when early civilizations posted notices in public squares. This crude method was eventually refined with the publication of the first English language newspaper in 1665 — a court newspaper called the Oxford Gazette. After being renamed The London Gazette, this official newspaper carried notices from the King's Court, London

officials and outlying regions.

The American system is modeled after the British system. State governments published public notices before America's founding, and the newly-created federal government followed suit. In 1789, the Acts of the First Congress required the Secretary of State to publish all bills, orders, resolutions and congressional votes in at least three publicly available newspapers.

An important premise both in federal

and local governments of the United States, as well as in many republics around the world, is that information about government activities must be accessible for the electorate to make well-informed decisions.

Public notices in newspapers still provide this accessibility to citizens who want to know more about government activities. Public notice laws serve to outline the most effective method of reaching the public.

## Public notice supports due process

Public notices are integral to democratic governance and stem from the right to "due process of law" guaranteed by the federal and state constitutions. Due process of law protects Americans' rights from arbitrary or wrongful violations. This concept has two parts: substantive due process and procedural due process.

Substantive due process refers to the

types of rights that are protected. Procedural due process refers to the means of protecting those rights.

Substantive due process ensures that certain basic rights are not violated, while procedural due process may require suitable notice and a hearing before a government or court-appointed body can act in a way that may affect those basic rights.

Public notices play a vital role in

substantive and procedural due process because they provide a window into government actions and also afford notice to citizens of actions about to take place so they may exercise their constitutional right to be heard. Notification not only informs the individual or entity most directly affected, but it also informs the public, which has an interest in knowing how public powers are being used.

## THE RISKS OF NOTICES ONLY ON THE INTERNET

Although it has been part of American society for a quarter-century as a network for scholars and government agencies, the Internet has been widely used by citizens for about 15 years.

Because of its structure with computer clients and servers, information packets and open-network codes, the Internet remains vulnerable and sometimes unstable. Power surges, corrupted software and downed servers can disrupt access. Government agencies cannot ensure that information located on a server is secure.

Even a highly technological site like that of the Pentagon's has been affected. In June 2007, the Pentagon was forced to take about 1,500 computers off-line because of a cyber-attack. Then-Defense Department Secretary Robert Gates stated that the Pentagon sees hundreds of attacks every day.

Public notices guard our constitutional right to due process of law by informing citizens of government action and providing proof of publication via notarized affidavits of publication. Unlike the time-tested and trusted local newspapers that citizens have come to rely on for public notices, the Internet is an unstable medium for information. While it is valuable tool in disseminating information, it has not yet reached a level of sophistication and technological stability that would justify its supplanting newspapers as the primary venue for public notices.

It is still uncertain how a "Net" affidavit could show proof of a public notice publication when constant technological change makes any attempt at archiving and accessing such a document online for any significant time dubious.

No less problematic for the Internet is its reach. Those who live in rural areas where broadband does not exist and others who simply cannot afford the Internet cannot access web public notices. In situations where foreclosures are on the rise due, in part, to predatory mortgage lending, more, not less, access to public notices is needed to better inform citizens about their rights and their choices.

It is difficult to justify, then, moving public notices from newspapers only to public-notice Web sites administered either by already over-burdened state governments or by third-party vendors who lack the experience and long-term viability newspapers have proven in publishing notices.

So far in the Internet age, newspapers remain the most trusted and primary method for providing citizens access to public notices.

## WHY NEWSPAPERS?

## Newspapers are the primary source

Newspapers, founded on the constitutional right of free press, have been serving the public's right to know in America since pre-colonial times and on the European continent since the 17th century. Because of their traditional information role in society and their long-established independence, newspapers remain the primary source for publishing public notices.

Upholding the public's right to know is essential to our country's way of life. Our government governs with the consent of the people, and this consent must be informed. Local newspapers keep the public informed about the inner workings of their respective state and local governments, thereby allowing citizens to participate more fully in the democratic process. Without this participation, the potential for misguided policies increases.

## Newspaper tradition

Newspapers allow the government to notify the public of government actions. The government has a fundamental responsibility to ensure adequate notification to the public of its actions. Therefore, the government has a duty to make sure the methods used in satisfying this responsibility are the most effective.

Newspapers provide neutrality from government and credible distance from political pressures or partisan disagreements. Local and community newspapers serve as third-party reporters to the public, publishing information that can be beneficial or sometimes detrimental to the government's public image. They provide an environment for notices that the

public traditionally has regarded as neutral. Public notices in this print environment gain credibility because of the long history of trust in the local newspaper.

Placing notices on government Web sites undermines this neutral interest and removes a critical check and balance. While it may seem appealing on the surface in an age of ever-more sophisticated government Web sites, the potential for mishandling is great.

On the other hand, public notices in independent newspapers increase government transparency by opening up the decision-making process to the public's eyes. Without this oversight, local governments could enact controversial policies without input from the public.

Newspapers serve as effective monitors of governments and ensure that they publish information as required by law. Public notices are typically required by a statute or a regulation. The independent press can provide a valuable civic role by helping to monitor that the notices were published when required. If governments were responsible for publishing their own notices, no neutral and independent entity would have the incentive and the means to track public-notice publication.

## Newspapers: The best medium for public notices

Newspapers, for the most of the republic's history, have been the accepted medium for public notices. This is exactly where the public, even infrequent readers, expects to find them. In addition, specialized publications, such as legal newspapers, are well known for

providing public notices to the population through legal communities. Other general interest newspapers, such as county seat weeklies, are the forum where county citizens expect to locate notices of important public business. Furthermore, the vast majority of these notices arrive at citizens' homes in a context that compels readership (amid local news, sports features and other content).

Another reason for the effectiveness of newspapers is that newspapers provide valid evidence of readership.

Legislatures are rightly concerned about web-only notices, given the digital divide between rich and poor, rural and urban residents. The Internet is either too costly or simply geographically unavailable to large segments of society.

## Notices become historical records

The newspaper as paper of record is an important factor in the public policy of notices. Government Web sites cannot provide a secure archival history the way newspapers can. Electronic records lack permanence and can easily be intentionally or accidentally erased. Even the Library of Congress has recognized this shortcoming and has embarked upon a major project to attempt to archive digital records that are in danger of being "forever lost" due to Internet impermanence.

Despite these problems, the federal courts unwisely approved a rule change to the Federal Rules of Civil Procedure recently that would

move notices of federal asset forfeitures out of newspapers and onto a Web site administered by the Department of Justice. Yet, the courts have little research to show that the Justice Department's Web site will produce viable, accessible, archivable notices.

While Internet web pages pose serious archiving challenges, newspapers, on the other hand, become historical documents. They are oriented and published with a date on every page. They cannot be deceptively altered after printing as a web page could. Historians, judges, lawyers, genealogists and researchers, to name only a few, use newspapers and public notices in particular as sources for records.

## Newspaper notices protect due process

Procedural due process, as granted by the U.S. Constitution and interpreted by courts, generally requires an individual to receive notice and a hearing before he or she is deprived of certain rights or property. For example, before a person's home is sold by a county sheriff at a foreclosure sale, he or she must receive notice of the foreclosure sale and an opportunity to save the house from foreclosure. If the owner does not receive the notice, he may challenge the sale in court. The court may then void the sale or prevent the sale from happening to protect due process.

Newspapers are generally paid to run public notices, which recognizes that their publication creates a cost in paper, ink and delivery.

