

SEND TAX NOTICE TO:
Kondaur Capital Corporation

CM #: 54881-23

STATE OF ALABAMA)

COUNTY OF SHELBY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 3rd day of August, 2005, John Howard Hughes A/K/A Howard Hughes and Joan E. Hughes, his wife, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc., as nominee for IndyMac Bank, F.S.B., which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Inst. No. 20050914000476130, said mortgage having subsequently been transferred and assigned to Kondaur Capital Corporation ("Transferee"); and

WHEREAS, in and by said mortgage, the Transferee was authorized and empowered in case of default in the payment of the indebtedness secured thereby, according to the terms thereof, to sell said property before the Courthouse door in the City of Columbiana, Shelby County, Alabama, after giving notice of the time, place, and terms of said sale in some newspaper published in said County by publication once a week for three (3) consecutive weeks prior to said sale at public outcry for cash, to the highest bidder, and said mortgage provided that in case of sale under the power and authority contained in same, the Transferee or any person conducting said sale for the Transferee was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the Transferee may bid at the sale and purchase said property if the highest bidder thereof; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said Kondaur Capital Corporation did declare all of the indebtedness secured by said mortgage, subject to foreclosure as therein provided and did give due and proper notice of the foreclosure of said mortgage by publication in the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, in its issues of May 13, 2009, May 20, 2009, and May 27, 2009; and

WHEREAS, on June 19, 2009, the day on which the foreclosure was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure was duly conducted, and Kondaur Capital Corporation did offer for sale and sell at public outcry in front of the Courthouse door in Columbiana, Shelby County, Alabama, the property hereinafter described; and



20090701000254100 2/3 \$20.00
Shelby Cnty Judge of Probate, AL
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WHEREAS, Aaron Warner was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said Kondaur Capital Corporation ; and

WHEREAS, Kondaur Capital Corporation, was the highest bidder and best bidder in the amount of One Hundred Two Thousand Two Hundred Forty-Five And 00/100 Dollars (\$102,245.00) on the indebtedness secured by said mortgage, the said Kondaur Capital Corporation, by and through Aaron Warner as auctioneer conducting said sale and as attorney-in-fact for said Transferee, does hereby grant, bargain, sell and convey unto Kondaur Capital Corporation, all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

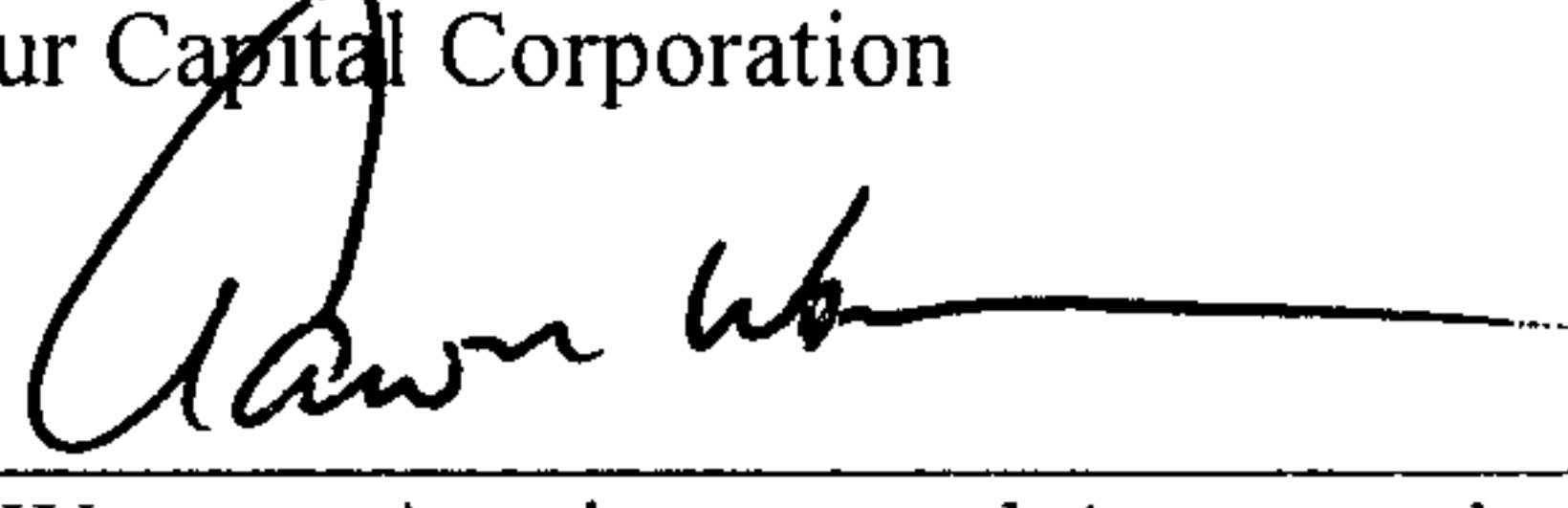
Commence at the Northeast corner of Section 19, Township 21 South, Range 1 West, Shelby County, Alabama and run thence Westerly along the North line of said Section 19, a distance of 634.22 feet to a point; thence turn 90 degrees 31 minutes 16 seconds left and run Southerly 1,076.23 feet to the point of beginning of the property being described; thence continue along last described course 210.00 feet to a point; thence turn 87 degrees 30 minutes 00 seconds left and run Easterly 210.00 feet to a point; thence turn 92 degrees 30 minutes 00 seconds left and run northerly 210.00 feet to a point; thence turn 87 degrees 30 minutes 00 seconds left and run Westerly 210.00 feet to the point of beginning; being situated in Shelby County, Alabama. ALSO: The right of ingress and egress over that certain easement from Shelby County Highway 26 to above described property as shown by the survey dated 1st day of September, 1994, Joseph E. Conn, Jr., described as follows: Non-exclusive access easement described as follows: Commence at the Northeast corner of Section 19, Township 21 South, Range 1 West, Shelby County, Alabama, and run thence Westerly along the North line of said Section 19 a distance of 634.22 feet to a point; thence turn 90 degrees 31 minutes 16 seconds left and run Southerly 1,286.23 feet to a point; thence turn 87 degrees 30 minutes left and run Easterly 210.0 feet to the Southeast corner of a 1.01 acre tract of land; thence turn 92 degrees 30 minutes left and run Northerly 14.59 feet to a point in the centerline of an existing driveway and the point of beginning, on the centerline of a 12.0 foot wide easement, the centerline of which is described as follows: thence turn 106 degrees 17 minutes 52 seconds right and run east-southeasterly along the centerline of said driveway 70.81 feet; thence turn 6 degrees 35 minutes 09 seconds right and continue along centerline of said driveway 136.60 feet to a point; thence turn 19 degrees 44 minutes 15 seconds left and continue along centerline of said driveway 180.84 feet to a point; thence turn 101 degrees 54 minutes 22 seconds right and run Southerly along said centerline 62.29 feet to a point; thence turn 11 degrees 23 minutes 58 seconds left and continue along centerline of said driveway 106.99 feet to the intersection of said easement centerline with the North margin of Shelby County, Highway No. 26 and the end of easement; being situated in Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto Kondaur Capital Corporation its successors/heirs and assigns, forever; subject, however, to the statutory rights of redemption from said foreclosure sale on the part of those entitled to redeem as provided by the laws in the State of Alabama; and also subject to all

recorded mortgages, encumbrances, recorded or unrecorded easements, liens, taxes, assessments, rights-of-way, and other matters of record in the aforesaid Probate Office.

IN WITNESS WHEREOF, Kondaur Capital Corporation, has caused this instrument to be executed by and through Aaron Warner, as auctioneer conducting said sale and as attorney-in-fact for said Transferee, and said Aaron Warner, as said auctioneer and attorney-in-fact for said Transferee, has hereto set his/her hand and seal on this June 19, 2009.

Kondaur Capital Corporation

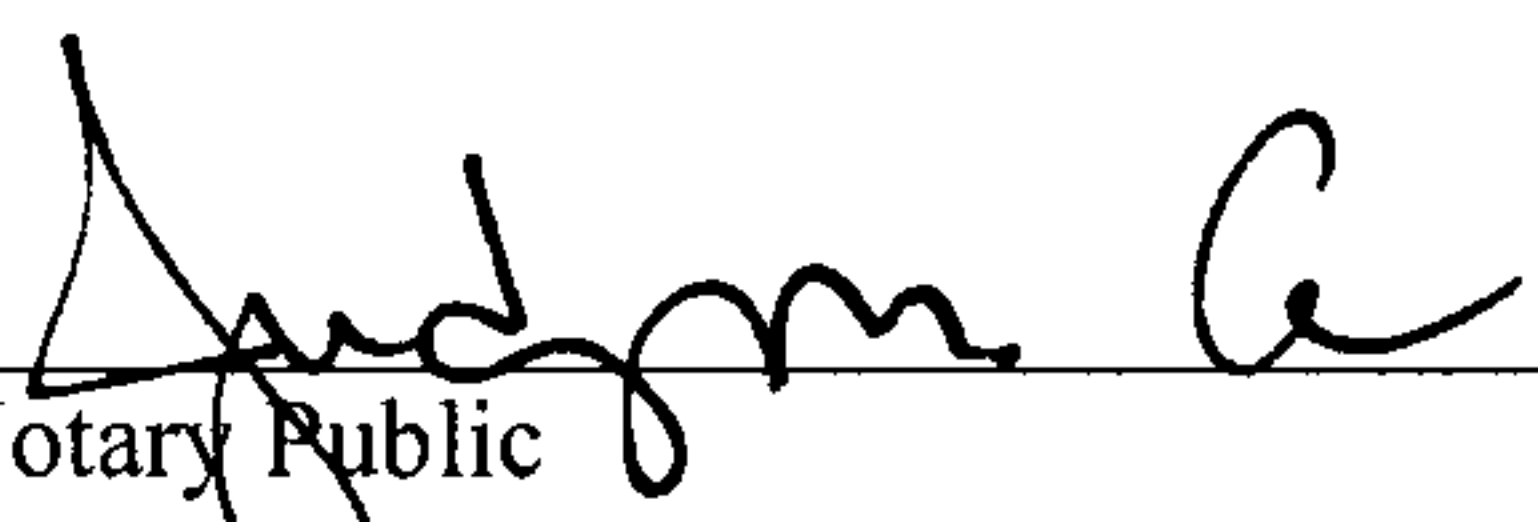
By: 
Aaron Warner, Auctioneer and Attorney-in-Fact

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Aaron Warner, acting in his/her capacity as auctioneer and attorney-in-fact for Kondaur Capital Corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this date, that being informed of the contents of the conveyance, he/she, as such auctioneer and attorney-in-fact and with full authority, executed the same voluntarily on the day the same bears date for and as the act of said Transferee acting in his/her capacity as auctioneer and Attorney-in-fact for said Transferee.

Given under my hand and official seal on this June 19, 2009.


Notary Public
My Commission Expires: MY COMMISSION EXPIRES MARCH 08, 2010

This instrument prepared by:
Colleen McCullough
SIROTE & PERMUTT, P.C.
P. O. Box 55727
Birmingham, Alabama 35255-5727