

THIS INSTRUMENT PREPARED BY:

Amanda M. Beckett
Burr & Forman LLP
420 North 20th Street
Suite 3400 - Wachovia Tower
Birmingham, Alabama 35203
(205) 251-3000


20090902000339010 1/5 \$35.50
Shelby Cnty Judge of Probate, AL
09/02/2009 01:43:07 PM FILED/CERT

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, under and by virtue of the Declaration of Condominium (the "Declaration") recorded in the Office of the Judge of Probate of Shelby County, Alabama (the "Recording Office") in Book 10 Page 177, as amended from time to time, and by Alabama Code § 35-8A-316 and the enforcement provisions therein The Gables Condominium Association, Inc. (the "Association") was granted a lien on that certain property, as more fully described on Exhibit A attached hereto, owned by Phoebe P. Postiglione (the "Owner"); and

WHEREAS, in and by said Declaration, coupled with the enforcement provisions of Alabama Code § 35-8A-316, the Association was authorized and empowered in case of default in the payment of the common expense assessments indebtedness thereby secured, according to the terms thereof, to sell said property for cash, and said Declaration provided that in case of sale under the power and authority contained in the same, the Association, or any person conducting said sale for the Association, was authorized to execute title to the purchaser at said sale; and it was further provided in and by said Declaration coupled with the enforcement provisions of Alabama Code § 35-8A-316 that the Association may bid at the sale and purchase said property if the highest bidder therefor; and

WHEREAS, default was made in the payment of the indebtedness secured by said Declaration coupled with the enforcement provisions of Alabama Code § 35-8A-316, and the Association under the Declaration coupled with the enforcement provisions of Alabama Code § 35-8A-316, did declare all of the indebtedness secured by said Declaration coupled with the enforcement provisions of Alabama Code § 35-8A-316 due and payable and said Declaration coupled with the enforcement provisions of Alabama Code § 35-8A-316 subject to foreclosure as therein provided and did give due and proper notice of the foreclosure by publication in *The Shelby County Reporter*, a newspaper published in Shelby County, Alabama, and of general circulation in Shelby County, Alabama, in its editions of August 5, 12, 19 & 26, 2009; and

WHEREAS, on September 2, 2009, during the legal hours of sale, the day and time which the foreclosure was due to be held under the terms of said notice, said foreclosure was



20090902000339010 2/5 \$35.50
Shelby Cnty Judge of Probate, AL
09/02/2009 01:43:07 PM FILED/CERT

duly and properly conducted, and the Association did offer for sale and sell at public outcry in front of the main entrance of the Shelby County Courthouse in the City of Columbiana, Shelby County, Alabama, the property described on **Exhibit A** attached hereto; and

WHEREAS, Amanda M. Beckett was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said Association; and

WHEREAS, the highest and best bid for the property more particularly described in Exhibit A attached hereto and made a part thereof was the bid of The Gables Condominium Association, Inc., in the amount of Twelve Thousand Seventeen and 36/100 Dollars (\$12,017.36), which sum of money was credited on the indebtedness secured by said Declaration coupled with the enforcement provisions of Alabama Code § 35-8A-316 and said property was thereupon sold to The Gables Condominium Association, Inc.

NOW, THEREFORE, in consideration of the premises and of a credit in the amount of Twelve Thousand Seventeen and 36/100 Dollars (\$12,017.36), on the indebtedness secured by said Declaration coupled with the enforcement provisions of Alabama Code § 35-8A-316, the said Association, by and through Amanda M. Beckett conducting said sale, does hereby grant, bargain, sell and convey unto the said The Gables Condominium Association, Inc., all that property situated in Shelby County, Alabama, more particularly described in Exhibit A attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said property unto the Association, its successors and assigns in fee simple forever; subject, however, to the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama.

[remainder of this page intentionally left blank]



20090902000339010 3/5 \$35.50
Shelby Cnty Judge of Probate, AL
09/02/2009 01:43:07 PM FILED/CERT

IN WITNESS WHEREOF, Association has caused this instrument to be executed by and through Amanda M. Beckett, as Auctioneer conducting said sale, and as attorney in fact, and Amanda M. Beckett, as Auctioneer conducting said sale has hereunto set her hand and seal on this the 2nd day of September, 2009.

Phoebe P. Postiglione

By: The Gables Condominium Association, Inc.

By: Amanda M. Beckett

Amanda M. Beckett

As Auctioneer and Attorney in Fact

The Gables Condominium Association, Inc.,

Association

By: Amanda M. Beckett

Amanda M. Beckett

As Auctioneer and Attorney in Fact

Amanda M. Beckett

Amanda M. Beckett

As Auctioneer and Attorney in Fact

Grantee Address:

The Gables Condominium Association, Inc.
Attn: Teena Mashburn
Property Manager
100 Gables Drive
Hoover, AL 35244



20090902000339010 4/5 \$35.50
Shelby Cnty Judge of Probate, AL
09/02/2009 01:43:07 PM FILED/CERT

STATE OF ALABAMA)
COUNTY OF Jefferson)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Amanda M. Beckett, whose name as Auctioneer and Attorney in Fact for The Gables Condominium Association, Inc., is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, she, in his capacity as such Auctioneer and Attorney in Fact, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 2nd day of September 2009.

Jane C Crawford
Notary Public
My Commission Expires: 7/2/11

[AFFIX SEAL]

20090902000339010 5/5 \$35.50
Shelby Cnty Judge of Probate, AL
09/02/2009 01:43:07 PM FILED/CERT

EXHIBIT A

Unit 101, Building 1, in The Gables, a Condominium, a condominium located in Shelby County, Alabama, as established by Declaration of Condominium and By-Laws thereto as recorded in Real Volume 10, Page 177, and amended in Real Volume 27, Page 733; Real Volume 50, page 327; and Real Volume 50, Page 340 and re-recorded in Real Volume 50, page 942 and Real Volume 165, page 578 and amended in Real Volume 59, Page 19 and further amended by Corporate Volume 30, page 407; Real Volume 96, page 855 and Real Volume 97, page 937 and By-Laws as shown in Real Volume 27, page 733; and then amended in Real Volume 50, page 325; further amended by Real Volume 189, page 222; Real Volume 222, page 691 and Real Volume 238, page 241, together with an undivided interest in the common elements, as set forth in the aforesaid mentioned Declaration, said Unit being more particularly described in the floor plans and architectural drawings of The Gables Condominium, as recorded in Map Book 9, Pages 41 thru 44, and amended in Map Book 9, Page 135, and Map Book 10, Page 49, further amended by Map Book 12, Page 50, in the Probate Office of Shelby County, Alabama.

Shelby County, AL 09/02/2009
State of Alabama
Deed Tax : \$12.50