Form **990-PF**

Department of the Treasury
Internal Revenue Service

Return of Private Foundation
or Section 4947(a)(1) Nonexempt Charitable Trust Treated as a Private Foundation

Note The foundation may be able to use a copy of this return to satisfy state reporting requirements

OMB No 1545-0052

2011

For calendar year 2011 or tax year beginning 10/1/2011 **, and ending** 9/30/2012

Name of foundation: MARIAN GAYNOR YANAMURA EDUCATIONAL FUND, INC.

Number and street (or P O box number if mail is not delivered to street address): C/O C O MCCAWLEY JR P O BOX 511

Room/suite:

City or town, state, and ZIP code: FAIRHOPE AL 36533

A Employer identification number: 72-1351380

B Telephone number (see instructions): (251) 928-0339

C If exemption application is pending, check here ▶ ☐

D 1. Foreign organizations, check here ▶ ☐

2. Foreign organizations meeting the 85% test, check here and attach computation ▶ ☐

E If private foundation status was terminated under section 507(b)(1)(A), check here ▶ ☐

F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ▶ ☐

G Check all that apply ☐ Initial return ☐ Initial return of a former public charity ☐ Final return ☐ Amended return ☐ Address change ☐ Name change

H Check type of organization: ☒ Section 501(c)(3) exempt private foundation ☐ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation

I Fair market value of all assets at end of year *(from Part II, col (c), line 16)* ▶ $ 2,849,872

J Accounting method. ☒ Cash ☐ Accrual ☐ Other (specify) (Part I, column (d) must be on cash basis)

Part I **Analysis of Revenue and Expenses** *(The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a) (see instructions))*

		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue 1	Contributions, gifts, grants, etc , received (attach schedule)				
2	Check ▶☐ if the foundation is not required to attach Sch B				
3	Interest on savings and temporary cash investments	41,415	41,415	41,415	
4	Dividends and interest from securities	31,262	31,262	31,262	
5 a	Gross rents		0		
b	Net rental income or (loss) 0				
6 a	Net gain or (loss) from sale of assets not on line 10	641			
b	Gross sales price for all assets on line 6a 372,639				
7	Capital gain net income (from Part IV, line 2)		641		
8	Net short-term capital gain			0	
9	Income modifications				
10 a	Gross sales less returns and allowances 0				
b	Less Cost of goods sold 0				
c	Gross profit or (loss) (attach schedule)	0			
11	Other income (attach schedule)	201	201	0	
12	**Total.** Add lines 1 through 11	73,519	73,519	72,677	
Operating and Administrative Expenses 13	Compensation of officers, directors, trustees, etc	0			
14	Other employee salaries and wages				
15	Pension plans, employee benefits				
16 a	Legal fees (attach schedule)	3,576	0	0	3,576
b	Accounting fees (attach schedule)	4,950	0	0	4,950
c	Other professional fees (attach schedule)	24,051	22,551	22,551	1,500
17	Interest				
18	Taxes (attach schedule) (see instructions)	0	0	0	0
19	Depreciation (attach schedule) and depletion	0	0	0	
20	Occupancy				
21	Travel, conferences, and meetings				
22	Printing and publications				
23	Other expenses (attach schedule)	1,554	0	0	1,554
24	**Total operating and administrative expenses.** Add lines 13 through 23	34,131	22,551	22,551	11,580
25	Contributions, gifts, grants paid	148,000			148,000
26	**Total expenses and disbursements** Add lines 24 and 25	182,131	22,551	22,551	159,580
27	Subtract line 26 from line 12				
a	**Excess of revenue over expenses and disbursements**	-108,612			
b	**Net investment income** (if negative, enter -0-)		50,968		
c	**Adjusted net income** (if negative, enter -0-)			50,126	

RECEIVED
DEC 1 4 2012
IRS-OSC
OGDEN, UT

Part II Balance Sheets Attached schedules and amounts in the description column should be for end-of-year amounts only (See instructions)

		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets 1	Cash—non-interest-bearing	30,115	10,084	10,084
2	Savings and temporary cash investments	392,181	299,763	299,763
3	Accounts receivable ▶ 0			
	Less allowance for doubtful accounts ▶ 0	0	0	0
4	Pledges receivable ▶ 0			
	Less allowance for doubtful accounts ▶ 0	0	0	0
5	Grants receivable			
6	Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see instructions)	0	0	0
7	Other notes and loans receivable (attach schedule) ▶ 0			
	Less allowance for doubtful accounts ▶ 0	0	0	0
8	Inventories for sale or use			
9	Prepaid expenses and deferred charges			
10 a	Investments—U S and state government obligations (attach schedule)	0	0	0
b	Investments—corporate stock (attach schedule)	2,335,343	2,338,713	2,540,025
c	Investments—corporate bonds (attach schedule)	0	0	0
11	Investments—land, buildings, and equipment basis ▶ 0			
	Less accumulated depreciation (attach schedule) ▶ 0	0	0	0
12	Investments—mortgage loans			
13	Investments—other (attach schedule)	0	0	0
14	Land, buildings, and equipment basis ▶ 0			
	Less accumulated depreciation (attach schedule) ▶ 0	0	0	0
15	Other assets (describe ▶)	0	0	0
16	**Total assets** (to be completed by all filers—see the instructions Also, see page 1, item I)	2,757,639	2,648,560	2,849,872
Liabilities 17	Accounts payable and accrued expenses			
18	Grants payable			
19	Deferred revenue			
20	Loans from officers, directors, trustees, and other disqualified persons	0	0	
21	Mortgages and other notes payable (attach schedule)	0	0	
22	Other liabilities (describe ▶)	0	0	
23	**Total liabilities** (add lines 17 through 22)	0	0	
Net Assets or Fund Balances	**Foundations that follow SFAS 117, check here** ▶ [X] **and complete lines 24 through 26 and lines 30 and 31.**			
24	Unrestricted	2,757,639	2,648,560	
25	Temporarily restricted			
26	Permanently restricted			
	Foundations that do not follow SFAS 117, check here ▶ [ ] **and complete lines 27 through 31.**			
27	Capital stock, trust principal, or current funds	0	0	
28	Paid-in or capital surplus, or land, bldg , and equipment fund			
29	Retained earnings, accumulated income, endowment, or other funds			
30	**Total net assets or fund balances** (see instructions)	2,757,639	2,648,560	
31	**Total liabilities and net assets/fund balances** (see instructions)	2,757,639	2,648,560	

Part III Analysis of Changes in Net Assets or Fund Balances

1	Total net assets or fund balances at beginning of year—Part II, column (a), line 30 (must agree with end-of-year figure reported on prior year's return)	1	2,757,639
2	Enter amount from Part I, line 27a	2	-108,612
3	Other increases not included in line 2 (itemize) ▶	3	0
4	Add lines 1, 2, and 3	4	2,649,027
5	Decreases not included in line 2 (itemize) ▶ YE SEPTEMBER 2011 TAX PAID	5	467
6	Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30	6	2,648,560

Part IV Capital Gains and Losses for Tax on Investment Income

	(a) List and describe the kind(s) of property sold (e g , real estate, 2-story brick warehouse, or common stock, 200 shs MLC Co)	(b) How acquired P—Purchase D—Donation	(c) Date acquired (mo , day, yr)	(d) Date sold (mo , day, yr)
1a	SEE SCHEDULE	P		
b	ROP			
c				
d				
e				

	(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
a	372,268	0	371,998	270
b	371	0	0	371
c	0	0	0	0
d	0	0	•0	0
e	0	0	0	0

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69

	(i) F M V as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
a	0	0	0	270
b	0	0	0	371
c	0	0	0	0
d	0	0	0	0
e	0	0	0	0

2 Capital gain net income or (net capital loss) { If gain, also enter in Part I, line 7 / If (loss), enter -0- in Part I, line 7 }	2	641
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c) (see instructions). If (loss), enter -0- in Part I, line 8	3	0

Part V Qualification Under Section 4940(e) for Reduced Tax on Net Investment Income

(For optional use by domestic private foundations subject to the section 4940(a) tax on net investment income)

If section 4940(d)(2) applies, leave this part blank

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period? ☐ Yes ☒ No

If "Yes," the foundation does not qualify under section 4940(e). Do not complete this part.

1 Enter the appropriate amount in each column for each year, see the instructions before making any entries.

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col (b) divided by col (c))
2010	132,472	2,654,347	0.049908
2009	117,897	2,609,858	0 045174
2008	126,032	2,755,767	0.045734
2007	91,678	2,722,890	0.033669
2006	53,832		0 000000

2 **Total** of line 1, column (d)	2	0.174485
3 Average distribution ratio for the 5-year base period—divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years	3	0 043621
4 Enter the net value of noncharitable-use assets for 2011 from Part X, line 5	4	2,820,926
5 Multiply line 4 by line 3	5	123,052
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	510
7 Add lines 5 and 6	7	123,562
8 Enter qualifying distributions from Part XII, line 4	8	159,580

If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate See the Part VI instructions

Part VI **Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948—see instructions)**

1 a	Exempt operating foundations described in section 4940(d)(2), check here ▶ ☐ and enter "N/A" on line 1 Date of ruling or determination letter ________________ (attach copy of letter if necessary—see instructions)		
b	Domestic foundations that meet the section 4940(e) requirements in Part V, check here ▶ [X] and enter 1% of Part I, line 27b	1	510
c	All other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, col (b)		
2	Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)	2	0
3	Add lines 1 and 2	3	510
4	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)	4	
5	**Tax based on investment income.** Subtract line 4 from line 3 If zero or less, enter -0-	5	510
6	Credits/Payments		
a	2011 estimated tax payments and 2010 overpayment credited to 2011 — 6a: 0		
b	Exempt foreign organizations—tax withheld at source — 6b:		
c	Tax paid with application for extension of time to file (Form 8868) — 6c: 0		
d	Backup withholding erroneously withheld — 6d:		
7	Total credits and payments Add lines 6a through 6d	7	0
8	Enter any **penalty** for underpayment of estimated tax Check here ☐ if Form 2220 is attached	8	9
9	**Tax due.** If the total of lines 5 and 8 is more than line 7, enter **amount owed** ▶	9	519
10	**Overpayment.** If line 7 is more than the total of lines 5 and 8, enter the **amount overpaid** ▶	10	0
11	Enter the amount of line 10 to be **Credited to 2012 estimated tax** ▶ 0 **Refunded** ▶	11	0

Part VII-A **Statements Regarding Activities**

			Yes	No
1 a	During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?	1a		X
b	Did it spend more than $100 during the year (either directly or indirectly) for political purposes (see page 19 of the instructions for definition)?	1b		X
	If the answer is "Yes" to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities			
c	Did the foundation file **Form 1120-POL** for this year?	1c		X
d	Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year (1) On the foundation ▶ $ ________ **(2)** On foundation managers ▶ $ ________			
e	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ▶ $ ________			
2	Has the foundation engaged in any activities that have not previously been reported to the IRS? *If "Yes," attach a detailed description of the activities*	2		X
3	Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? *If "Yes," attach a conformed copy of the changes*	3		X
4 a	Did the foundation have unrelated business gross income of $1,000 or more during the year?	4a		X
b	If "Yes," has it filed a tax return on **Form 990-T** for this year?	4b	N/A	
5	Was there a liquidation, termination, dissolution, or substantial contraction during the year? *If "Yes," attach the statement required by General Instruction T*	5		X
6	Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	6	X	
7	Did the foundation have at least $5,000 in assets at any time during the year? *If "Yes," complete Part II, col (c), and Part XV*	7	X	
8 a	Enter the states to which the foundation reports or with which it is registered (see instructions) ▶ AL			
b	If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by *General Instruction G? If "No," attach explanation*	8b		
9	Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2011 or the taxable year beginning in 2011 (see instructions for Part XIV)? *If "Yes," complete Part XIV*	9	X	
10	Did any persons become substantial contributors during the tax year? *If "Yes," attach a schedule listing their names and addresses*	10		X

Part VII-A Statements Regarding Activities *(continued)*

			Yes	No
11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see instructions)	11		X
12	Did the foundation make a distribution to a donor advised fund over which the foundation or a disqualified person had advisory privileges? If "Yes," attach statement (see instructions)	12		X
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application?	13	X	

Website address ▶ N/A

14 The books are in care of ▶ C O. MCCAWLEY, JR Telephone no ▶ (251) 928-0339

Located at ▶ P O BOX 452 FAIRHOPE AL ZIP+4 ▶ 36533

15 Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of **Form 1041**—Check here ▶ ☐
and enter the amount of tax-exempt interest received or accrued during the year ▶ 15

			Yes	No
16	At any time during calendar year 2011, did the foundation have an interest in or a signature or other authority over a bank, securities, or other financial account in a foreign country?	16		X
	See the instructions for exceptions and filing requirements for Form TD F 90-22 1 If "Yes," enter the name of the foreign country ▶			

Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required

File Form 4720 if any item is checked in the "Yes" column, unless an exception applies.

				Yes	No
1a	During the year did the foundation (either directly or indirectly)				
	(1) Engage in the sale or exchange, or leasing of property with a disqualified person?	☐ Yes ☒ No			
	(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?	☐ Yes ☒ No			
	(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?	☐ Yes ☒ No			
	(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?	☐ Yes ☒ No			
	(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)?	☐ Yes ☒ No			
	(6) Agree to pay money or property to a government official? (**Exception.** Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days)	☐ Yes ☒ No			
b	If any answer is "Yes" to 1a(1)–(6), did **any** of the acts fail to qualify under the exceptions described in Regulations section 53 4941(d)-3 or in a current notice regarding disaster assistance (see instructions)?		1b	N/A	
	Organizations relying on a current notice regarding disaster assistance check here ▶ ☐				
c	Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2011?		1c		X
2	Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5))				
a	At the end of tax year 2011, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2011?	☐ Yes ☒ No			
	If "Yes," list the years ▶ 20_____ , 20_____ , 20_____ , 20_____				
b	Are there any years listed in 2a for which the foundation is **not** applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to **all** years listed, answer "No" and attach statement—see instructions.)		2b	N/A	
c	If the provisions of section 4942(a)(2) are being applied to **any** of the years listed in 2a, list the years here. ▶ 20_____ , 20_____ , 20_____ , 20_____				
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?	☐ Yes ☒ No			
b	If "Yes," did it have excess business holdings in 2011 as a result of **(1)** any purchase by the foundation or disqualified persons after May 26, 1969, **(2)** the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest, or **(3)** the lapse of the 10-, 15-, or 20-year first phase holding period? *(Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2011)*		3b	N/A	
4a	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?		4a		X
b	Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2011?		4b		X

Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required *(continued)*

5a During the year did the foundation pay or incur any amount to

(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))? [ ] Yes [X] No

(2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive? [ ] Yes [X] No

(3) Provide a grant to an individual for travel, study, or other similar purposes? [ ] Yes [X] No

(4) Provide a grant to an organization other than a charitable, etc , organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? (see instructions) [ ] Yes [X] No

(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals? [ ] Yes [X] No

b If any answer is "Yes" to 5a(1)–(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53 4945 or in a current notice regarding disaster assistance (see instructions)? **5b** N/A

Organizations relying on a current notice regarding disaster assistance check here ▶ [ ]

c If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant? [ ] Yes [X] No

If "Yes," attach the statement required by Regulations section 53 4945–5(d)

6a Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract? [ ] Yes [X] No

b Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract? **6b**

If "Yes" to 6b, file Form 8870

7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction? [ ] Yes [X] No

b If "Yes," did the foundation receive any proceeds or have any net income attributable to the transaction? **7b**

Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors

1 List all officers, directors, trustees, foundation managers and their compensation (see instructions).

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
LINDA GIBSON 10928 COVEY DRIVE FAIRHOPE AL 36532	PRESIDENT 2 00	0	0	0
C O MCCAWLEY, JR P O BOX 452 FAIRHOPE AL 36533	TREASURER 2.00	0	0	0
SAM CROSBY 7133 STONE DRIVE DAPHNE AL 36526	SECRETARY 2 00	0	0	0
	.00	0	0	0

2 Compensation of five highest-paid employees (other than those included on line 1—see instructions). If none, enter "NONE."

(a) Name and address of each employee paid more than $50,000	(b) Title, and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
NONE				

Total number of other employees paid over $50,000 ▶

Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors *(continued)*

3 Five highest-paid independent contractors for professional services (see instructions). If none, enter "NONE."

(a) Name and address of each person paid more than $50,000	(b) Type of service	(c) Compensation
NONE		0
		0
		0
		0
		0
Total number of others receiving over $50,000 for professional services ▶		

Part IX-A Summary of Direct Charitable Activities

List the foundation's four largest direct charitable activities during the tax year Include relevant statistical information such as the number of organizations and other beneficiaries served, conferences convened, research papers produced, etc	Expenses
1 SCHOLARSHIPS AWARDED PER OPERATING DOCUMENT 37 AWARDS @ $4,000 00	148,000
2	
3	
4	

Part IX-B Summary of Program-Related Investments (see instructions)

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2	Amount
1 N/A	
2	
All other program-related investments See instructions 3	0
Total. Add lines 1 through 3 ▶	0

Part X Minimum Investment Return (All domestic foundations must complete this part. Foreign foundations, see instructions)

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc , purposes			
a	Average monthly fair market value of securities		1a	2,477,387
b	Average of monthly cash balances		1b	386,497
c	Fair market value of all other assets (see instructions)		1c	0
d	**Total** (add lines 1a, b, and c)		1d	2,863,884
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	1e		
2	Acquisition indebtedness applicable to line 1 assets		2	
3	Subtract line 2 from line 1d		3	2,863,884
4	Cash deemed held for charitable activities Enter 1 ½ % of line 3 (for greater amount, see instructions)		4	42,958
5	**Net value of noncharitable-use assets.** Subtract line 4 from line 3 Enter here and on Part V, line 4		5	2,820,926
6	**Minimum investment return.** Enter 5% of line 5		6	141,046

Part XI Distributable Amount (see instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and certain foreign organizations check here ▶ ☐ and do not complete this part.)

1	Minimum investment return from Part X, line 6			1	141,046
2a	Tax on investment income for 2011 from Part VI, line 5	2a	510		
b	Income tax for 2011 (This does not include the tax from Part VI)	2b	0		
c	Add lines 2a and 2b			2c	510
3	Distributable amount before adjustments Subtract line 2c from line 1			3	140,536
4	Recoveries of amounts treated as qualifying distributions			4	
5	Add lines 3 and 4			5	140,536
6	Deduction from distributable amount (see instructions)			6	
7	**Distributable amount** as adjusted Subtract line 6 from line 5 Enter here and on Part XIII, line 1			7	140,536

Part XII Qualifying Distributions (see instructions)

1	Amounts paid (including administrative expenses) to accomplish charitable, etc , purposes		
a	Expenses, contributions, gifts, etc —total from Part I, column (d), line 26	1a	159,580
b	Program-related investments—total from Part IX-B	1b	0
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc , purposes	2	
3	Amounts set aside for specific charitable projects that satisfy the		
a	Suitability test (prior IRS approval required)	3a	
b	Cash distribution test (attach the required schedule)	3b	0
4	**Qualifying distributions.** Add lines 1a through 3b Enter here and on Part V, line 8, and Part XIII, line 4	4	159,580
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income Enter 1% of Part I, line 27b (see instructions)	5	510
6	**Adjusted qualifying distributions.** Subtract line 5 from line 4	6	159,070

Note. The amount on line 6 will be used in Part V, column (b), in subsequent years when calculating whether the foundation qualifies for the section 4940(e) reduction of tax in those years

Part XIII Undistributed Income (see instructions)

		(a) Corpus	(b) Years prior to 2010	(c) 2010	(d) 2011
1	Distributable amount for 2011 from Part XI, line 7				140,536
2	Undistributed income, if any, as of the end of 2011				
a	Enter amount for 2010 only			0	
b	Total for prior years 20____, 20____, 20____		0		
3	Excess distributions carryover, if any, to 2011				
a	From 2006 — 53,964				
b	From 2007 — 195,635				
c	From 2008 — 0				
d	From 2009 — 0				
e	From 2010 — 689				
f	Total of lines 3a through e	250,288			
4	Qualifying distributions for 2011 from Part XII, line 4 ▶ $ 159,580				
a	Applied to 2010, but not more than line 2a			0	
b	Applied to undistributed income of prior years (Election required—see instructions)		0		
c	Treated as distributions out of corpus (Election required—see instructions)	0			
d	Applied to 2011 distributable amount				140,536
e	Remaining amount distributed out of corpus	19,044			
5	Excess distributions carryover applied to 2011 *(If an amount appears in column (d), the same amount must be shown in column (a))*	0			0
6	**Enter the net total of each column as indicated below:**				
a	Corpus Add lines 3f, 4c, and 4e Subtract line 5	269,332			
b	Prior years' undistributed income Subtract line 4b from line 2b		0		
c	Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed				
d	Subtract line 6c from line 6b Taxable amount—see instructions		0		
e	Undistributed income for 2010 Subtract line 4a from line 2a Taxable amount—see instructions			0	
f	Undistributed income for 2011 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2012				0
7	Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see instructions)				
8	Excess distributions carryover from 2006 not applied on line 5 or line 7 (see instructions)	53,964			
9	**Excess distributions carryover to 2012.** Subtract lines 7 and 8 from line 6a	215,368			
10	Analysis of line 9				
a	Excess from 2007 — 195,635				
b	Excess from 2008 — 0				
c	Excess from 2009 — 0				
d	Excess from 2010 — 689				
e	Excess from 2011 — 19,044				

Part XIV Private Operating Foundations (see instructions and Part VII-A, question 9)

1 a If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2011, enter the date of the ruling ▶

b Check box to indicate whether the foundation is a private operating foundation described in section ☐ 4942(j)(3) or ☐ 4942(j)(5)

	Tax year	Prior 3 years			
	(a) 2011	(b) 2010	(c) 2009	(d) 2008	(e) Total
2 a Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed	50,126	46,519	66,799	78,966	242,410
b 85% of line 2a	42,607	39,541	56,779	67,121	206,048
c Qualifying distributions from Part XII, line 4 for each year listed	159,580	132,939	118,304	126,603	537,426
d Amounts included in line 2c not used directly for active conduct of exempt activities					0
e Qualifying distributions made directly for active conduct of exempt activities Subtract line 2d from line 2c	159,580	132,939	118,304	126,603	537,426
3 Complete 3a, b, or c for the alternative test relied upon					
a "Assets" alternative test—enter (1) Value of all assets					0
(2) Value of assets qualifying under section 4942(j)(3)(B)(i)					0
b "Endowment" alternative test—enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed	94,031	88,478	86,995	91,859	361,363
c "Support" alternative test—enter (1) Total support other than gross investment income (interest, dividends, rents, payments on securities loans (section 512(a)(5)), or royalties)					0
(2) Support from general public and 5 or more exempt organizations as provided in section 4942(j)(3)(B)(iii)					0
(3) Largest amount of support from an exempt organization					0
(4) Gross investment income					0

Part XV Supplementary Information (Complete this part only if the foundation had $5,000 or more in assets at any time during the year—see instructions.)

1 Information Regarding Foundation Managers:

a List any managers of the foundation who have contributed more than 2% of the total contributions received by the foundation before the close of any tax year (but only if they have contributed more than $5,000) (See section 507(d)(2))

NONE

b List any managers of the foundation who own 10% or more of the stock of a corporation (or an equally large portion of the ownership of a partnership or other entity) of which the foundation has a 10% or greater interest

NONE

2 Information Regarding Contribution, Grant, Gift, Loan, Scholarship, etc., Programs:

Check here ▶ ☐ if the foundation only makes contributions to preselected charitable organizations and does not accept unsolicited requests for funds If the foundation makes gifts, grants, etc (see instructions) to individuals or organizations under other conditions, complete items 2a, b, c, and d

a The name, address, and telephone number of the person to whom applications should be addressed

NONE

b The form in which applications should be submitted and information and materials they should include

APPLICATION FORMS ARE PROVIDED AT TWO ELIGIBLE HIGH SCHOOLS

c Any submission deadlines

NONE

d Any restrictions or limitations on awards, such as by geographical areas, charitable fields, kinds of institutions, or other factors

TWO PUBLIC HIGH SCHOOLS - FAIRHOPE AND DAPHNE - ONLY

Part XV Supplementary Information (continued)

3 Grants and Contributions Paid During the Year or Approved for Future Payment

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
a *Paid dunng the year*				
SEE SCHEDULE			TUITION	148,000
Total ▶ 3a				148,000
b *Approved for future payment*				
Total ▶ 3b				0

Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated.	Unrelated business income		Excluded by section 512, 513, or 514		(e)
	(a) Business code	(b) Amount	(c) Exclusion code	(d) Amount	Related or exempt function income (See instructions)
1 Program service revenue					
a		0		0	0
b		0		0	0
c		0		0	0
d		0		0	0
e		0		0	0
f		0		0	0
g Fees and contracts from government agencies					
2 Membership dues and assessments					
3 Interest on savings and temporary cash investments					41,415
4 Dividends and interest from securities					31,262
5 Net rental income or (loss) from real estate					
a Debt-financed property					
b Not debt-financed property					
6 Net rental income or (loss) from personal property					
7 Other investment income					
8 Gain or (loss) from sales of assets other than inventory				0	641
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory					
11 Other revenue a OTHER INCOME		0		0	201
b		0		0	0
c		0		0	0
d		0		0	0
e		0		0	0
12 Subtotal Add columns (b), (d), and (e)		0		0	73,519

13 Total. Add line 12, columns (b), (d), and (e) 13 73,519

(See worksheet in line 13 instructions to verify calculations)

Part XVI-B Relationship of Activities to the Accomplishment of Exempt Purposes

Line No. ▼	Explain below how each activity for which income is reported in column (e) of Part XVI-A contributed importantly to the accomplishment of the foundation's exempt purposes (other than by providing funds for such purposes) (See instructions)
3	ALL INCOME WAS USED TO PAY SCHOLARSHIPS AND ADMINISTRATIVE EXPENSES.
4	ALL INCOME WAS USED TO PAY SCHOLARSHIPS AND ADMINISTRATIVE EXPENSES

Part XVII Information Regarding Transfers To and Transactions and Relationships With Noncharitable Exempt Organizations

		Yes	No
1 Did the organization directly or indirectly engage in any of the following with any other organization described in section 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations?			
a Transfers from the reporting foundation to a noncharitable exempt organization of			
(1) Cash	1a(1)		X
(2) Other assets	1a(2)		X
b Other transactions:			
(1) Sales of assets to a noncharitable exempt organization	1b(1)		X
(2) Purchases of assets from a noncharitable exempt organization	1b(2)		X
(3) Rental of facilities, equipment, or other assets	1b(3)		X
(4) Reimbursement arrangements	1b(4)		X
(5) Loans or loan guarantees	1b(5)		X
(6) Performance of services or membership or fundraising solicitations	1b(6)		X
c Sharing of facilities, equipment, mailing lists, other assets, or paid employees	1c		X

d If the answer to any of the above is "Yes," complete the following schedule Column (b) should always show the fair market value of the goods, other assets, or services given by the reporting foundation If the foundation received less than fair market value in any transaction or sharing arrangement, show in column (d) the value of the goods, other assets, or services received.

(a) Line no	(b) Amount involved	(c) Name of noncharitable exempt organization	(d) Description of transfers, transactions, and sharing arrangements
	0		
	0		
	0		
	0		
	0		
	0		
	0		
	0		
	0		
	0		
	0		
	0		
	0		
	0		
	0		
	0		

2a Is the foundation directly or indirectly affiliated with, or related to, one or more tax-exempt organizations described in section 501(c) of the Code (other than section 501(c)(3)) or in section 527? ☐ Yes ☒ No

b If "Yes," complete the following schedule

(a) Name of organization	(b) Type of organization	(c) Description of relationship
NONE		

Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge

▶ Linda C. Gilson 11/28/12 ▶ President

Signature of officer or trustee Date Title

May the IRS discuss this return with the preparer shown below (see instructions)? ☒ Yes ☐ No

Paid Preparer Use Only

Print/Type preparer's name	Preparer's signature	Date	Check ☒ if self-employed	PTIN
C O MCCAWLEY, JR , CPA	C. O. McCawley Jr CPA	11/14/2012		P00213030
Firm's name ▶ C O. MCCAWLEY, JR., CPA, LLC			Firm's EIN ▶ 63-1210130	
Firm's address ▶ P O. BOX 452, FAIRHOPE, AL 36533			Phone no (251) 928-0339	

Line 6 (990-PF) - Gain/Loss from Sale of Assets Other Than Inventory

	Amount
Long Term CG Distributions	
Short Term CG Distributions	

Totals	Gross Sales	Cost, Other Basis and Expenses	Net Gain or Loss
Securities	0	0	0
Other sales	372,639	371,998	641

Index	Check "X" if Sale of Security	Description	CUSIP #	Purchaser	Check "X" if Purchaser is a Business	Date Acquired	Acquisition Method	Date Sold	Gross Sales Price	Cost or Other Basis	Valuation Method	Expense of Sale and Cost of Improvements	Depreciation	Net Gain or Loss
1		SEE SCHEDULE							372,268	371,998				270
2		ROP							371					371
3														0
4														0
5														0
6														0
7														0
8														0
9														0
10														0

Line 11 (990-PF) - Other Income

		201	201	0
	Description	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income
1	OTHER INCOME	201	201	
2			0	
3			0	
4			0	
5			0	
6			0	
7			0	
8			0	
9			0	
10			0	

Line 16a (990-PF) - Legal Fees

	Name of Organization or Person Providing Service	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes (Cash Basis Only)
		3,576	0	0	3,576
1	LEGAL FEES	3,576			3,576
2					
3					
4					
5					
6					
7					
8					
9					
10					

Line 16b (990-PF) - Accounting Fees

		4,950	0	0	4,950
	Name of Organization or Person Providing Service	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes (Cash Basis Only)
1	ACCOUNTING FEES	4,950			4,950
2					
3					
4					
5					
6					
7					
8					
9					
10					

Line 16c (990-PF) - Other Fees

	Name of Organization or Person Providing Service	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes (Cash Basis Only)
		24,051	22,551	22,551	1,500
1	INVESTMENT FEES	22,551	22,551	22,551	
2	DIRECTORS FEES	1,500			1,500
3					
4					
5					
6					
7					
8					
9					
10					

Line 23 (990-PF) - Other Expenses

	Description	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
		1,554	0	0	1,554
1	INSURANCE	925			925
2	OFFICE SUPPLIES	500			500
3	POSTAGE & BOX RENT	86			86
4	ADVERTISING	34			34
5	BANK CHARGES	9			9
6					
7					
8					
9					

Part II, Line 10b (990-PF) - Investments - Corporate Stock

	Description	Num Shares/ Face Value	Book Value Beg of Year	Book Value End of Year	FMV Beg of Year	FMV End of Year
			2,335,343	2,338,713	2,274,409	2,540,025
1	INVESTMENTS		2,335,343	2,338,713	2,274,409	2,540,025
2						
3						
4						
5						
6						
7						
8						
9						
10						

Part VIII, Line 1 (990-PF) - Compensation of Officers, Directors, Trustees and Foundation Managers

	Name	Check "X" if Business	Street	City	State	Zip Code	Foreign Country	Title	Average Hours
1	LINDA GIBSON		10928 COVEY DRIVE	FAIRHOPE	AL	36532		PRESIDENT	2 00
2	C O MCCAWLEY, JR		P O BOX 452	FAIRHOPE	AL	36533		TREASURER	2 00
3	SAM CROSBY		7133 STONE DRIVE	DAPHNE	AL	36526		SECRETARY	2 00
4									
5									
6									
7									
8									
9									
10									

Part

	Compensation	Benefits	Expense Account	Explanation
	0	0	0	
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

ACCT 960Y 630007011
FROM 10/01/2011
TO , 09/30/2012

BANKTRUST
STATEMENT OF CAPITAL GAINS AND LOSSES
M G YANAMURA EDUCATIONAL FUND IMA

TRUST YEAR ENDING 09/30/2012

RUN 11/08/2012
08.25 04 AM

TAX PREPARER· 311
TRUST ADMINISTRATOR: OGR
INVESTMENT OFFICER· REH

LEGEND. F - FEDERAL S - STATE I - INHERITED
E - EXEMPT FROM STATE U - ACQ COST UNKNOWN

PROPERTY DESCRIPTION	SHARES	DATE	SALES PRICE	COST BASIS	GAIN/LOSS	TERM	NC
6670 DUKE ENERGY CORP NEW COM - 26441C204 - MINOR = 400							
SOLD		08/03/2012	45 70				
ACQ	.6670	02/17/2007	45 70	39 94	5 76	LT15	Y
75000.0000 FEDERAL FARM CREDIT BANK 2 440% DUE 08/23/2017 - 31331JYW7 - MINOR = 055							
SOLD		08/23/2012	75000 00				
ACQ	75000.0000	08/12/2010	75000.00	75000.00	0 00	LT15	Y
100000.0000 FEDERAL FARM CREDIT BANK 2.150% DUE 08/14/2018 - 31331KS76 - MINOR = 055							
SOLD		02/14/2012	100000 00				
ACQ	100000.0000	12/09/2011	100000 00	99926 93	73 07	ST	Y
100000 0000 FEDERAL FARM CREDIT BANK 2.000% DUE 03/14/2018 - 31331KYM6 - MINOR = 055							
SOLD		01/25/2012	100000 00				
ACQ	100000 0000	09/26/2011	100000 00	99985.76	14 24	ST	Y
22222 2200 FEDERAL HOME LOAN BANK 2.500% DUE 11/24/2020 - 313371L95 - MINOR = 050							
SOLD		02/24/2012	22222.22				
ACQ	22222 2200	11/02/2010	22222.22	22222 22	0.00	LT15	Y
75000 0000 FEDERAL HOME LOAN BANK 3.350% DUE 04/04/2018 - 3133732V3 - MINOR = 050							
SOLD		10/04/2011	75000 00				
ACQ	75000 0000	03/29/2011	75000 00	74823 21	176 79	ST	Y
		TOTALS	372267.92	371998.06			

SUMMARY OF CAPITAL GAINS/LOSSES

FEDERAL	SHORT TERM	LONG TERM 28%	LONG TERM 15%	ST WASH SALE	LT WASH SALE	1250 GAIN
NONCOVERED FROM ABOVE	264.10	0 00	5 76	0 00	0 00	0 00*
COVERED FROM ABOVE	0 00	0 00	0 00	0 00	0 00	
COMMON TRUST FUND	0.00	0 00	0 00			0 00
CAPITAL GAIN DIVIDENDS	84 66	0.00	116 75			0.00
	348.76	0.00	122.51	0.00	0 00	0.00

STATE	SHORT TERM	LONG TERM 28%	LONG TERM 15%	ST WASH SALE	LT WASH SALE	1250 GAIN
NONCOVERED FROM ABOVE	264.10	0 00	5 76	0 00	0.00	0 00*
COVERED FROM ABOVE	0 00	0.00	0.00	0 00	0.00	
COMMON TRUST FUND	0 00	0 00	0.00			0 00
CAPITAL GAIN DIVIDENDS	84 66	0 00	116.75			0 00
	348 76	0 00	122 51	0.00	0 00	0 00

* - 1250 GAIN DETAILED ON TRANS PAGES, NOT ABOVE

CAPITAL LOSS CARRYOVER

FEDERAL	0 00	0.00
ALABAMA	N/A	N/A

MARIAN GAYNOR YANAMURA EDUCATIONAL FUND, INC.
EIN # 1351380
SCHOLARSHIPS PAID: YEAR ENDED 9/30/12

NAME	ADDRESS	PURPOSE	SCHOOL	AMOUNT
Ankerson, Jensen	11180 Robin Road, Fairhope, AL 36532	Education	University of Mississippi	$4,000 00
Blosser, Kristen	759 Michigan Avenue, Fairhope, AL 36532	Education	University of South Alabama	$4,000 00
Cooks, O'Kesha	2831 E 8th St, Fisher South #222, Tulsa, Ok 74104	Education	The University of Tulsa	$4,000 00
Courtman, Emily	404 Jasmine Street, Fairhope, Al 36532	Education	Auburn University	$4,000 00
Davenport, Jessica H	16825 J B Lane, Fairhope, AL 36532	Education	University of South Alabama	$4,000 00
Davis, Emily Kyzar	210 Perdido Avenue, Fairhope, Al 36532	Education	Tulane University	$4,000 00
Davis, Lindsey	8285 Obee Road, Fairhope, Al 36532	Education	New York University	$4,000 00
Dingwall, Ian	10785 County Road 1, Fairhope, AL 36532	Education	Auburn University	$4,000 00
Doolittle, James David	466 Dover Street, Fairhope, Al 36532	Education	Auburn University	$4,000 00
Dorsey, Jordan Lacey	900 Downtowner Blvd Apt #209, Mobile, Al 36609	Education	Bishop State Community	$4,000 00
Dutton, Kelsey	12143 Red Barn Road, Fairhope, AL 36532	Education	Univ of South Alabama	$4,000 00
Frego, Jennifer	264 Rolling Hill Drive, Daphne, AL 36526	Education	Vanderbilt University	$4,000 00
Gipson, Kathryn Dean	101 Meadow Wood Drive, Daphne, Al 36526	Education	University of West Florida	$4,000 00
Hayes, Michael Patrick	9499 Thoroughbred Run, Fairhope, Al 36532	Education	Springhill College	$4,000 00
Huhn, Forrest	10771 County Road 1, Fairhope, Al 36532	Education	Auburn University	$4,000 00
Lamplugh, Gabrielle	216 Heather Lane, Fairhope, AL 36532	Education	Auburn University	$4,000 00
Lang, Alex Joshua	26085 Bailey's Drive, Daphne, Al 36526	Education	University of South Alabama	$4,000 00
Lazzari, Zachary T	9926 Gaineswood Blvd , Fairhope, AL 36532	Education	Auburn University	$4,000 00
Machogu, Patrick	7684 Twin Beech Rd Apt 1005, Fairhope, AL 36532	Education	Univ of Alabama @ B'ham	$4,000 00
Malugani, Tyler	10770 County Road 24, Fairhope, AL 36532	Education	Univ of Alabama @ B'ham	$4,000 00
Mason, Abagail E	208 Ingleside Street, Fairhope, Al 36532	Education	Troy University	$4,000 00
Nokovich, Evgenia R	8641 Brook Lane, Fairhope, AL 36532	Education	Univ of Alabama @ B'ham	$4,000 00
Pettaway, Ashley	11398 Braga Drive, Daphne, AL 36526	Education	Univ of Alabama @ B'ham	$4,000 00
Prosch, Olin	406 Grand Avenue, Fairhope, Al 36532	Education	Springhill College	$4,000 00
Prosch, Olin	140 Bay View Drive Fairhope, Alabama 36532	Education	Springhill College	$4,000 00
Raley, Anna Corinne	312 Saint Charles Court, Fairhope, Al 36532	Education	Huntingdon College	$4,000 00
Roebuck, Kelsey	121 Hope Drive, Daphne, Al 36526	Education	University of Alabama	$4,000 00
Scott-Piesco, Michael	11200 Thistle Road, Fairhope, Al 36532	Education	Auburn University	$4,000 00
Seale, Katherine A	118 Eagle Drive, Daphne, AL 36526	Education	University of South Alabama	$4,000 00
Seawell, Ruth Cardinal	810 Pinewood Court, Daphne, Al 36526	Education	Loyola University	$4,000 00
Seawell, Cardinal	810 Pinewood Court, Daphne, Al 36526	Education	Loyola University	$4,000 00
Steele, Matthew	P O Box 515, Daphne, AL 36526	Education	University of Alabama	$4,000 00
Tharpe, Coleman A	14613 Stock Tank Cove, Austin, Tx 78717	Education	University of Texas at Austin	$4,000 00
Thorn, Ashley Bacy	31 Hanover Court, Havelock, NC 28532	Education	Park University	$4,000 00
Tran, Priscilla	8889 Leabrook Street, Fairhope, AL 36532	Education	Lee University	$4,000 00
Vicuna, Leidy	1020 Fairhope Avenue Apt 2, Fairhope, Al 36532	Education	Auburn University	$4,000 00
Windham, Perrin F	P O Box 515, Daphne, AL 36526	Education	University of Montevallo	$4,000 00
			TOTAL	$148,000 00

Courier Legals

INSURANCE CORPORATION
AS RECEIVER FOR
SUPERIOR BANK
Holder of said Mortgage
Goodman G. Ledyard
PIERCE LEDYARD, P.C.
Attorneys for Mortgagee
Post Office Box 161389
Mobile, Alabama 36616
(251) 338-1300

The Courier
November 16-23-30, 2012

In the Probate Court of
Baldwin County, Alabama
Case No. 22453
In Re: Estate of
M. Stanley Cook, Jr.,
Deceased

To: Sally M. Cook; Sarah M. Cook, Miles S. Cook, III; Compass Bank; Metropolitan National Bank; Pine Bluff National Bank; Simmons First National Bank; Bank Trust; Bank of America and any and all heirs at Law and Next of Kin of M. Stanley Cook, Jr., Deceased

This day came Mary E. Murchison as Personal Representative of the Estate of M. Stanley Cook, Jr., Deceased, and filed Petition for Final Settlement of said Estate.

It is ordered that the 19th day of December, 2012, at 1:30 P.M., in the Bay Minette Probate Office, Courthouse Annex, be, and the same hereby is, appointed as the day and time on which to make such settlement, at which time you can appear and contest the said settlement, if you think proper.

Witness my hand this 9th day of November, 2012.

Tim Russell
Judge of Probate

Mary E. Murchison
Murchison & Howard, LLC
Post Office Box 2147
Foley, AL 36536

The Courier
November 23-30;
December 7, 2012

Code of Alabama (1975), 35-5-252, et seq.

This property will be sold on an "AS IS, WHERE IS" basis, subject to all matters filed in the records in the office of the Judge of Probate of Baldwin County, Alabama. This property will be sold without warranty or recourse, expressed or implied, as to title, use and/or enjoyment and will be sold subject to any rights of redemption.

The Woodlands Condominium
Owners Association, Inc.
Holder of said Mortgage
James V. Roberts, Jr., Esq.
JAMES V. ROBERTS, P.C.
Attorney for Mortgagee
9794 Timber Circle, Suite A
Daphne, AL 36527
(251) 626-3499

The Courier
November 9-16-23-30, 2012

In the Probate Court of
Baldwin County, Alabama
Case No. 29501
Estate of
Wilson Stewart Hudson
Notice of Appointment
to be Published

Letters of Administration on the estate of said deceased having been granted to the undersigned on the 8th day of November, 2012, by the Honorable Tim Russell, Judge of the Probate Court of Baldwin County, notice is hereby given that all persons having claims against said estate are hereby required to present the same within time allowed by law or the same will be barred.

Jason Stew Hudson
Personal Representative
Wm. Daniel Calhoun
Duck Calhoun & Taylor
Attorney At Law
Post Office Box 1188
Fairhope, Al 36533

The Courier
November 23-30;
December 7, 2012

hereby required to present the same within time allowed by law or the same will be barred.

Sue McAnally Phillips
Personal Representatives
J. Alan Lipscomb
Benton & Lipscomb
Post Office Box 471
Fairhope, AL 36533 0471

The Courier
November 23-30;
December 7, 2012

Notice of Public Sale

Highway 181 Mini Storage, LLC, pursuant to the "Self Service Storage Act." (1981 AL. Acts #81-769) hereby gives notice of sale under said act to wit: Tuesday, December 18, 2012 at 9 a.m. at Highway 181 Mini Storage, LLC, 16925 State Highway 181, Fairhope, AL. Lessor will conduct a sale for cash of items in the following:

Unit B56
John Loper
100 Stoneridge Ln
Mooresville, NC 28117

Unit C42 & D24
Tommy Peyton
8594 Hwy 98
Fairhope, AL 36532

Unit D02
Larry or Loren Hudson
17231 Clay City Rd
Fairhope, AL 36532

Unit E30
Rhonda or Charles Loper
PO Box 589
Fairhope, AL 36533

Unit G29
Sherrhonda Jones
19124 Cedar Ln
Fairhope, AL 36532

The Courier
November 30; December 4, 2012

This sale is made for the purpose of paying the indebtedness secured by said mortgage, as well as the expenses of foreclosure.

The Mortgagee/Transferee reserves the right to bid for and purchase the real estate and to credit its purchase price against the expenses of sale and the indebtedness secured by the real estate.

This sale is subject to postponement or cancellation.

The Bank of New York Mellon,
as Indenture Trustee, on behalf
of The Holders of The CSMC
Trust 2010-16 Mortgage-Backed
Notes and Certificates, Series
2010-16, Mortgagee/Transferee
Cynthia W. Williams
SIROTE & PERMUTT, P.C.
P. O. Box 55727
Birmingham, AL 35255-5727
Attorney for Mortgagee/
Transferee
www.sirote.com/foreclosures
262024

The Courier
October 12-19-26, 2012

The above mortgage foreclosure sale has been postponed until 01/04/2013 during the legal hours of sale in front of the main entrance of the courthouse in the City of Bay Minette, Baldwin County, Alabama.

The Courier
November 30, 2012

Notice of Availability
of Annual Return

Pursuant to Section 6104-(d) of the Internal Revenue Code. Notice is hereby given that the annual return for the year end September 30, 2012 of the Marian Gaynor Yannamura Educational Fund, Inc., a private foundation, is available n the foundation's principal office for inspection during the regular business hours from 9 a.m. to 5 p.m. by any citizen who requests it within 180 days after the date of this publication.

The foundation's principal office in located at 18811 Alabama Highway 181, Fairhope, Al 36532.

C. O. McCawley, Jr., C.P.A.
Treasurer
Director

The Courier
November 30; December 7, 2012

TO TITLE, USE AND/OR ENJOYMENT AND WILL BE SOLD SUBJECT TO THE RIGHT OF REDEMPTION OF ALL PARTIES ENTITLED THERETO.

This sale is made for the purpose of paying the indebtedness secured by said mortgage, as well as the expenses of foreclosure.

The Mortgagee/Transferee reserves the right to bid for and purchase the real estate and to credit its purchase price against the expenses of. sale and the indebtedness secured by the real estate.

This sale is subject to postponement or cancellation.

The Bank of New York Mellon
Trust Company, National
Association f/k/a The Bank of
New York Trust Company, N.A.
as successor to JPMorgan Chase
Bank, N.A., as Trustee for RAMP
2006-RS3, Mortgagee/Transferee
Ginny Rutledge
SIROTE & PERMUTT, P.C.
P. O. Box 55727
Birmingham, AL 35255-5727
Attorney for Mortgagee/
Transferee
www.sirote.com/foreclosures
255224

The Courier
November 30;
December 7-14, 2012

MORTGAGE
FORECLOSURE SALE

Default having been made in the payment of the indebtedness secured by that certain Mortgage dated August 2, 2007 (the "Mortgage"), granted by Michael P. Elder and Rebecca A. Elder, husband and wife (the "Mortgagor"), in favor of Bank of Pensacola, and recorded in the Office of the Judge of Probate of Baldwin County, Alabama, at Instrument #1067129, said Mortgage which was assigned to Community Bank and Trust of Southeast Alabama, d/b/a Coastal Bank and Trust Bank of Pensacola by instrument dated March 21, 2008, and recorded at Instrument #1127249, of said Probate records, the undersigned Mortgagee, under and by virtue of the power of sale contained in said Mortgage and as provided under the laws of the State of Alabama applicable to the foreclosure of defaulted mortgages, will sell at public outcry to the highest bidder for cash in front of the main

corner at the intersection of County Road 28 and County Road 9 (southeast corner of Tax Parcel Number 55-03-05-0-002-070.000) and being the Point of Beginning of the property herein to be conveyed, in the Southwest Quarter of the Southwest Quarter of Section 5, Township 7 South, Range 3 East, Baldwin County, Alabama;

Thence run northerly along the west Right-of-Way line of County Road 9 a distance of 377 feet, more or less, to the northeast corner of Tax Parcel Number 55-03-05-0-002-069.000;

Thence run easterly a distance of 8 feet, more or less, to a point on the east line of an existing dirt road;

Thence run southerly along the east line of the existing dirt road a distance of 377 feet, more or less, to a point that is perpendicular to the southeast corner of Tax Parcel Number 55-03-05-0-002-070.000;

Thence run westerly a distance of 32 feet, more or less, to the Point Of Beginning of the property herein conveyed.

Layman's Description:

An unnamed Right-of-way lying to the west of County Road 9 north of Groves Road.

For any questions pertaining to this action, please contact the Baldwin County Highway Department/Permit Division at 251-937-0278.

The Courier
November 9-16-23-30, 2012

Notice of Sale
Abandoned Vehicle:
1998 Mazda 626
VIN#: 1YVGF22C8W5739414
Sale Date: January 7, 2013
By: Tony's Towing, Inc.
Location of Sale:
8326 Nichols Ave. Ext.,
Fairhope, AL 36532
Last Owner's Name:
Andrew Jordan Morse

The Courier
November 30; December 7, 2012

Notice of Sale
Abandoned Vehicle:
2007 Chevy C1500
VIN#: 1GNFC16067J287760
Sale Date: January 7, 2013
By: Tony's Towing, Inc.
Location of Sale:
8326 Nichols Ave. Ext.,
Fairhope, AL 36532
Last Owner's Name: