



IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

**ROY G. COWAN, individually and
as Executor for the ESTATE OF
MARTHA K. COWAN; et al.**

Plaintiffs,

y.

COMMUNITY HOMEBANC, INC.;
et al.,

Defendants.

Case No: CV 0104028

FILED IN OFFICE

OCT 21 2004

ANNE-MARIE ADAMS
Clerk

ORDER

This matter came before the Court on the Petition to Vest Title to the Receiver, regarding certain real estate located in Shelby County, Alabama, known as 110 Renes Road, Columbiana, Alabama, and more particularly described as:

A tract of land located in the Southwest Quarter of the Northeast Quarter of Section 35, Township 21 South, Range 1 West, Shelby County, Alabama, and being more particularly described as commencing at the Southeast corner of the Southwest Quarter of the Northeast Quarter, said Section 25; thence South 88 degrees 56' West along the South line of said forty, 450.0 feet to the place of beginning; thence from the place of beginning and continuing South 88 degrees 56' West along the South line of said forty 210.0 feet; thence North 0 degrees 40' West and parallel to the East line of said forty 210.0 feet; thence S 0 degrees 40' East and parallel to the East line of said forty 210.0 feet to the place of beginning.

There being no opposition to said Petition, it is hereby:

ORDERED, ADJUDGED and DECREED as follows:

1. That title to the property is hereby vested in Thomas E. Baddley, as Receiver by virtue of the Order of the Circuit Court of Jefferson County in the above matter, dated August 1, 2001.

2. That the transfer and assignment to Martha K. Cowan by instrument recorded in Instrument 1999/19254, in the Probate Office of Shelby County, Alabama, is hereby nullified and held for naught, solely as it relates to this property.

3. That the Judgment recorded in Instrument 200310/3050, Case No. CR02N0569S, in favor of the United States of America, against Jordan P. Olshan, in the amount of \$11,029,801.15, dated 6-16-03, filed for record 7-7-03 in the Probate Office of Jefferson County, Alabama, is hereby nullified and held for naught solely as it relates to this piece of property.

4. That the Judgment recorded in Instrument 1000/1705, Case No. SM 1999 001163.00, in favor of Ford Motor Credit Company, against Scarlet S. Hughes, in the amount of \$924.01, cost \$40.00, attorney Rand Anderson Linton, dated January 5, 2000, filed for record January 14, 2000, in the Probate Office of Shelby County, Alabama, is hereby nullified and held for naught solely as it relates to this piece of property.

5. That there is a Judgment recorded in Instrument 1992/9599, Case No. Sm 92-493, in favor of McRae's of Alabama, Inc., against Scarlet S. Sykes a/k/a Sabrina Hughes, in the amount of \$705.82, cost \$22.00, attorney Najjar Denaburg, P.C. dated April 29, 1992, filed for record May 29, 1992 in the Probate Office of Shelby County, Alabama, is hereby nullified and held for naught solely as it relates to this piece of property.

6. That based upon the fact that there is no opposition to the Petition, and that the Receiver would be unable to maintain and operate the portfolio without the removal of the liens and encumbrances, the Court finds that it is in the best interest of the

class to remove or nullify the liens referenced above.

DONE and **ORDERED** this the 20th day of Oct, 2004.


JOSEPH L. BOOMAKER
CIRCUIT COURT JUDGE

cc.

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