



IN THE CIRCUIT COURT FOR SHELBY COUNTY, ALABAMA

JPMORGAN CHASE & CO.,
Plaintiff

vs.

KIMBERLY H. BALZLI,
Defendant

CASE NO.: CV 2011-900713



20121116000440280 1/3 \$18.00
Shelby Cnty Judge of Probate, AL
11/16/2012 02:00:06 PM FILED/CERT

ORDER

This cause came for hearing on the 20th day of July, 2012, upon the Complaint filed by the Plaintiff, JPMorgan Chase & Co. The Plaintiff was represented by its attorney, Elizabeth S. Parsons. The Defendant, having been properly served by publication in the *Shelby County Reporter*, failed to appear. Plaintiff has filed an Application and Motion for Entry of Default Judgment. Upon due consideration, the Plaintiff's Motion is due to be granted, and it is ORDERED, ADJUDGED AND DECREED that a default judgment is hereby entered against the Defendant.

The Plaintiff's Count to reform the mortgage recorded in Mortgage Volume 20070315000117800, in the office of the Judge of Probate for Shelby County, Alabama, is meritorious. The Court, having considered the allegations of Count One of the Complaint, finds the legal description contained in the subject mortgage to be incorrect.

It is therefore, ORDERED, ADJUDGED AND DECREED that the mortgage recorded in Mortgage Volume 20070315000117800 in the Office of the Judge of Probate for Shelby County, Alabama, be and it is hereby reformed to reflect the following correct legal description:

COMMENCE AT THE NE CORNER OF THE NW1/4 OF THE SW1/4 OF SECTION 16, TOWNSHIP 20 SOUTH, RANGE 1 EAST; THENCE RUN SOUTH ALONG THE EAST LINE THEREOF FOR 288.97 FEET; THENCE 90 DEG. 01' 21" RIGHT RUN WESTERLY 721.99 FEET; THENCE 24 DEG. 28' 13" LEFT RUN SOUTH WESTERLY 76.57 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE LAST DESCRIBED COURSE FOR 535.08 FEET TO THE EASTERLY R/W OF SHELBY COUNTY ROAD #55; THENCE 73 DEG. 53' 11" LEFT RUN SOUTHERLY ALONG SAID R/W FOR 128.00 FEET TO THE SOUTH LINE OF THE N1/2 OF THE NW1/4 OF THE SW1/4 OF SAID 1/4-1/4 SECTION; THENCE 81 DEG. 38' 36" LEFT RUN EASTERLY FOR 562.50 FEET; THENCE 105 DEG. 07' 02" LEFT RUN NORTHERLY 360.77 FEET TO THE POINT OF BEGINNING.

ALSO A 30 FOOT EASEMENT THE SOUTH LINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCE AT THE NE CORNER OF THE NW1/4 OF THE SW1/4 OF SECTION 16, TOWNSHIP 20 SOUTH, RANGE 1 EAST; THENCE RUN SOUTH ALONG THE EAST LINE THEREOF FOR 288.97 FEET; THENCE 90 DEG. 01' 21" RIGHT RUN WESTERLY 721.99 FEET; THENCE 24 DEG. 28' 13" LEFT RUN SOUTHWESTERLY 688.22 FEET TO THE EASTERLY R/W OF SHELBY COUNTY ROAD #55; THENCE 73 DEG. 53' 11" LEFT RUN SOUTHERLY ALONG SAID R/W FOR 128.00 FEET TO THE POINT OF BEGINNING; THENCE 81 DEG. 38' 36" LEFT RUN EASTERLY FOR 562.50 TO THE POINT OF ENDING.

ACCORDING TO THE JUNE 6, 2006 SURVEY REVISED ON AUGUST 27, 2010 BY THOMAS E. SIMMONS, ALABAMA LS# 12945.

The Plaintiff's Count to foreclose the mortgage is also meritorious. The Court finds that the mortgage provides in the event of default that the Plaintiff is authorized to sell the mortgaged property under legal process. The proceeds from the sale are to apply to the debt, costs, and expenses of sale, including a reasonable attorney's fee.


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It is therefore ORDERED, ADJUDGED AND DECREED that the real property described in the above referenced mortgage be sold by Plaintiff at public auction between the legal hours of sale at the Shelby County Courthouse, in Columbiana, Alabama. Plaintiff is Ordered to give notice of said sale by publication for three (3) successive weeks in the *Shelby County Reporter*.

This the 24th day of August, 2012.

Certified a true and correct copy

Date: 11/13/12

Mary H. Harris
Mary H. Harris, Circuit Clerk
Shelby County, Alabama
CIRCUIT COURT JUDGE

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