



IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

MORTGAGE ELECTRONIC  
REGISTRATIONS SYSTEMS, INC.,  
SOLELY AS NOMINEE FOR GMAC  
MORTGAGE, LLC, SUCCESSOR BY  
REASON OF MERGER WITH GMAC  
MORTGAGE CORPORATION,

Plaintiff,

v.

C. MAX SAYLES,

Defendant.



20090528000201600 1/4 \$21.00  
Shelby Cnty Judge of Probate, AL  
05/28/2009 10:47:55 AM FILED/CERT

CIVIL ACTION NO. CV08-900759

**ORDER ON DECLARATORY JUDGMENT**

This cause came before the Court on the 15th day of April 2009, and the Court having considered the evidence, supporting affidavit and Acceptance of Service and Consent to Judgment signed by the Defendant, C. MAX SAYLES, the Court enters the following ORDER:

1. The manufactured home described in the Complaint, to wit:

ONE 2006 CAVALIER BC06AL0136254A and BC06AL0136254B

is now and has been affixed to the real property described as:

Commence at the SW corner of the SE 1/4 of the NW 1/4 of Section 17, Township 20 South, Range 1 East; thence run Easterly along the South line thereof for 118.72 feet to the point of beginning; thence continue along the last described course for 313.47 feet; thence 90 degrees 00 minutes 00 seconds left run Northerly for 120.00 feet; thence 90 degrees 0 minutes 0 seconds left run Westerly for 46.82 feet to a point of a curve to the left, having a central angle of 30 degrees 58 minutes 3 seconds, a Radius of 240.00 feet, and an arc length of 129.58 feet; thence 15 degrees 28 minutes 2 seconds left to chord run Southwesterly along said chord for 128.01 feet; thence 15 degrees 26 minutes 2 seconds left run Southwesterly for 167.03 feet to the point of beginning. Also a 60 foot easement, the centerline of which being more particularly described as follows: Begin at the intersection of the East R/W of Shelby County





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Highway 109 and a line 30 feet South and parallel to the South line of the SE 1/4 of the NW 1/4 of Section 17, Township 20 South, Range 1 East; thence run East and parallel to the South line of said 1/4-1/4 section 8.17 feet East of the West line of the NE 1/4 of the SW 1/4 of said section; thence 30 degrees 58 minutes 3 seconds left run Northeasterly for 275.45 feet; to a point of a curve to the right, having a central angle of 30 degrees 56 minutes 3 seconds, a radius of 270.00 feet, and an arc length of 145.77 feet; thence 15 degrees 28 minutes 2 seconds right to chord run Northeasterly along said chord for 144.01 feet; thence 15 degrees 28 minutes 2 seconds right run Easterly for 48.82 feet; thence 89 degrees 37 minutes 18 seconds left run Northerly for 343.91 feet to the center of a 60 foot easement and the point of ending. Also: A 60 foot easement for all tracts, the boundary of which being more particularly described as follows: Commence at the SW corner of the SE 1/4 of the NW 1/4 Section 17, Township 20 South, Range 1 East; thence run Northerly along the West line thereof for 31.20 feet; thence 88 degrees 43 minutes 18 seconds right run Northeasterly for 240.58 feet; thence 71 degrees 55 minutes 39 seconds left run Northerly for 264.02 feet to the point of beginning; thence continue along the last described course for 60.94 feet; thence 78 degrees 58 minutes 48 seconds right run Northeasterly for 241.88 feet to a point of a curve to the right, having a central angle of 39 degrees 23 minutes 47 seconds, a radius of 672.43 feet, and an arc length of 482.36 feet; thence 19 degrees 41 minutes 53 seconds right to chord run Easterly along said chord for 453.31 feet; thence 19 degrees 41 minutes 53 seconds right run Southeasterly for 54.66 feet to a point of curve to the left, having a central angle of 56 degrees 37 minutes 19 seconds a radius of 145.00 feet, and an arc length of 143.29 feet; thence 28 degrees 18 minutes 39 seconds left to chord run Easterly along said chord for 137.53 feet; thence run Northeasterly for 203.99 feet to a point of a curve to the right, having a central angle of 40 degrees 14 minutes 34 seconds, a radius of 260.00 feet and an arc length of 182.61 feet; thence 20 degrees 7 minutes 16 seconds right to chord run Northeasterly along said chord for 178.88 feet; thence 20 degrees 19 minutes 12 seconds right run Easterly for 797.57 feet; thence 13 degrees 18 minutes 57 seconds left run Easterly for 245.79 feet; thence 19 degrees 15 minutes 34 seconds right run Southeasterly for 287.78 feet; thence 24 degrees 0 minutes 48 seconds left run Northeasterly for 148.48 feet; thence 10 degrees 54 minutes 57 seconds right run Easterly for 227.87 feet; thence 52 degrees 34 minutes 48 seconds left run Northeasterly for 165.51 feet; thence 106 degrees 21 minutes 52 seconds right run Southeasterly for 83.08 feet; thence 75 degrees 47 minutes 68 seconds right run Southwesterly for 177.39 feet; thence 52 degrees 24 minutes 57 seconds right run Westerly for 251.78 feet; thence 10 degrees 54 minutes 56 seconds left, run Southwesterly for 155.51 feet; thence 24 degrees 0 minutes 47 seconds right run Northwesterly for 290.36 feet; thence 19 degrees 15 minutes 34 seconds left run Westerly for 242.61 feet; thence 13 degrees 18 minutes 57 seconds





right run Westerly for 804.57 feet to a point of a curve to the left, having a central angle of 40 degrees 10 minutes 56 seconds, a radius of 200.00 feet, and an arc length of 140.26 feet; thence 20 degrees 21 minutes 0 seconds left to chord run Southwesterly along said chord for 137.41 feet; thence 20 degrees 5 minutes 28 seconds left run Southwesterly for 203.99 feet to a point of a curve to the right, having a central angle of 58 degrees 37 minutes 19 seconds, a radius of 205.00 feet, and an arc length of 202.59 feet; thence 28 degrees 18 minutes 38 seconds right to chord run Westerly along chord for 191.44 feet; thence 28 degrees 18 minutes 39 seconds right run Northwesterly for 54.96 feet to a point of a curve to the left, having a central angle of 39 degrees 23 minutes 47 seconds a radius of 812.43 feet, and an arc length of 421.10 feet; thence 19 degrees 41 minutes 53 seconds left for chord run Westerly along said chord for 412.86 feet; thence 19 degrees 41 minutes 53 seconds left run Southwesterly for 252.52 feet to the point of beginning.

79 Creek Hollow Trail,  
Wilsonville, AL 35186

2. The manufactured home has lost its character as personal property and has become part of the real estate described above and is affixed thereto.

3. The above described manufactured home is included in and covered by the mortgage recorded in the office of the Judge of Probate of Shelby County County, Alabama, on October 31, 2005 Mortgage Instrument No. 20051031000564300.

4. All matters and transaction dealing with the legal description of the real estate described above including, but not limited to deeds, mortgages, foreclosures, liens and encumbrances do include said manufactured home as being affixed to said real estate and is one and the same as said real estate.

5. The Warranty Deed to C. MAX SAYLES and recorded in the Office of the Judge of Probate Shelby County, Alabama on October 31, 2005, in Mortgage Instrument No. 20051031000564290, does convey all rights, title and ownership to the manufactured home described above.





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6. C. MAX SAYLES is declared to be the owners of said manufactured home subject to the perfected first position lien of MORTGAGE ELECTRONIC REGISTRATIONS SYSTEMS, INC., SOLELY AS NOMINEE FOR GMAC MORTGAGE, LLC, SUCCESSOR BY REASON OF MERGER WITH GMAC MORTGAGE CORPORATION.

8. MORTGAGE ELECTRONIC REGISTRATIONS SYSTEMS, INC., SOLELY AS NOMINEE FOR GMAC MORTGAGE, LLC, SUCCESSOR BY REASON OF MERGER WITH GMAC MORTGAGE CORPORATION, or its agent is authorized to execute any and all title application or other documents necessary to apply for and obtain a valid Certificate of Title from the Alabama Department of Revenue, Motor Vehicle Division-Title Section to the mobile home described herein showing, C. MAX SAYLES as owner and MORTGAGE ELECTRONIC REGISTRATIONS SYSTEMS, INC., SOLELY AS NOMINEE FOR GMAC MORTGAGE, LLC, SUCCESSOR BY REASON OF MERGER WITH GMAC MORTGAGE CORPORATION as lien holder.

9. A copy of this ORDER shall be recorded in the office of the Judge of Probate of Shelby County, Alabama and properly indexed in the following names: MORTGAGE ELECTRONIC REGISTRATIONS SYSTEMS, INC., SOLELY AS NOMINEE FOR FOR GMAC MORTGAGE, LLC, SUCCESSOR BY REASON OF MERGER WITH GMAC MORTGAGE CORPORATION and C. MAX SAYLES.

10. Court costs are taxed as paid.

DONE AND ORDERED this 15th day of April, 2009.

s/Hub harrington  
CIRCUIT COURT JUDGE

Certified a true and correct copy  
Date: 5-13-09  
Mary H. Harris  
Mary H. Harris, Circuit Clerk  
Shelby County, Alabama