

IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA

FAITH D. HARRIS,

Plaintiff,

v.

REGIONS BANK, and FICTITIOUS
DEFENDANTS A, B, C, and D,

Defendants.



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Shelby Cnty Judge of Probate, AL
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Case No. CV 08-900075

FINAL ORDER

This matter has come back before this Court upon the joint dismissal of plaintiff Faith Harris' ("Harris") appeal of this Court's April 23, 2009 Order.¹ This Court has expressly maintained jurisdiction of this matter.

Based upon an agreement of the parties and this Court's review of the matters before it, this Court hereby finds as follows:

1. Given the payment by Harris to Regions Bank of \$111,375, this Court hereby orders, affirms and decrees that title to the real property that is the subject matter of this case (see Exhibit A – the "Property") is hereby vested in Faith D. Harris as she obtained title thereto by virtue of the January 22, 2008 deed of the Property to her from the previous owner, J. Elliott Corp. (the "Deed" – see the instrument recorded in the Office of the Judge of Probate, Shelby County, Alabama (the "Probate Office") as Instrument # 20080123000029230).

2. The mortgages given by J. Elliott Corp. to Regions Bank that, on their face purported to encumber the Property (see documents recorded in the Probate Office as Instrument

¹ April 23, 2009 is the date the enter was ordered, although it was executed on April 22, 2009. The subject appeal was filed timely after Harris' subsequent post summary judgment motion was denied by operation of law.



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20060530000253380, # 20060724000355390 and # 20070918000437960) are hereby deemed to be released and in no way encumber Harris' title to the Property.

3. Harris is ordered to record a certified copy of this Order in the Probate Court.

4. There still remains an outstanding claim in the case by Regions Bank against J. Elliott Corp. and James Elliott. If no further action is taken by Regions Bank to pursue these claims within thirty (30) days of this Order, said claims will be dismissed, without prejudice.

5. All claims between Harris and Regions Bank are hereby deemed to be finally resolved and thus are due to be and are hereby dismissed with prejudice. As per such matters, costs are taxed as paid.

Done this 13th day of January, 2010.

CIRCUIT JUDGE

c: All counsel and pro se parties of record

01-22-2010
Mary Harris
mym



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EXHIBIT A

Lot 28, according to the Survey of Habersham Place, as recorded in
Map Book 37, Pages 1-A and 1-B, in the Probate Court of Shelby
County, Alabama