

STATE OF ALABAMA

COUNTY OF SHELBY

**NULLIFICATION OF FORECLOSURE AND
REINSTATEMENT OF PROMISSORY NOTE AND MORTGAGE**

WHEREAS, MICHAEL W. PATTON and RIKI L. PATTON, husband and wife, (hereinafter Mortgagor) executed a mortgage to Mortgage Electronic Registration Systems, Inc. (MERS) acting solely as nominee for Lender, Superior Bank, and Lender s Successors and Assigns dated September 21, 2009 and recorded in Instrument Number 20091014000388670, of the records in the Office of the Judge of Probate, Shelby County, Alabama, and which mortgage was subsequently assigned to Bank of America, N.A., as successor by merger to BAC Home Loans Servicing, LP f/k/a Countrywide Home Loans Servicing, LP (hereinafter Mortgagee) by instrument recorded in Instrument Number 20110629000188720, of said Probate records in and to the following described real property located in Shelby County, Alabama:

LOT 132, ACCORDING TO THE FINAL PLAT, OAKLYN HILLS, PHASE 2, AS RECORDED IN MAP BOOK 30, PAGE 17, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

Property Address: (for informational purposes only) 205 Oaklyn Hills Dr. Chelsea, Alabama 35043

WHEREAS, Mortgagors defaulted in the payment of said note and mortgage and Bank of America, N.A. commenced foreclosure proceedings and held a sale of said property pursuant to the terms of said mortgage on October 18th, 2012; and

WHEREAS, at said sale, Mortgagee was the purchaser and an auctioneer's deed was executed on October 18th, 2012 and was recorded in Instrument Number 20121116000440660 of said Probate Court records; and

WHEREAS, mortgagor and mortgagee have entered into a Loss Mitigation Modification Agreement and desire to rescind the October 18th, 2012 foreclosure sale.

Patton


NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS that for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and the mutual promises herein contained, the undersigned do hereby agree as follows:

1. The foreclosure held October 18th, 2012 and the foreclosure deed evidencing the same recorded at Instrument Number 20121116000440660 of the said Probate Court records are hereby **CANCELLED, RESCINDED, NULLIFIED** and shall be of no further force and effect.

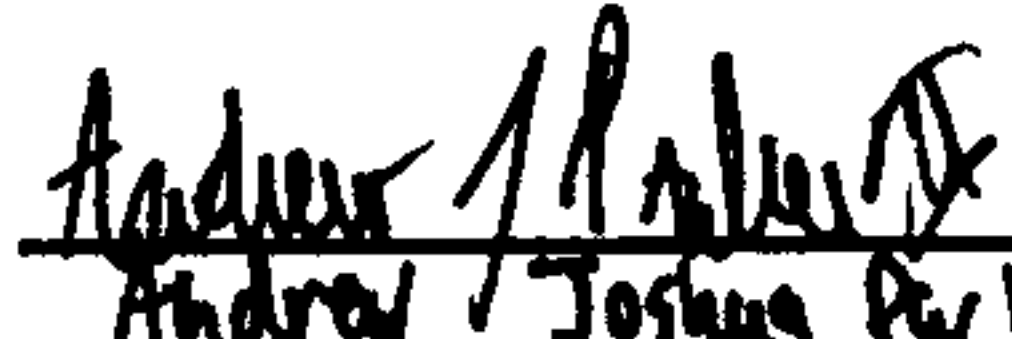
2. The promissory note dated September 21, 2009 and mortgage securing the same recorded at Instrument Number 20091014000388670 are hereby **REAFFIRMED** and shall remain in full force and effect according to the terms thereof as if no foreclosure had taken place.

IN WITNESS WHEREOF, the undersigned have caused these presents to be executed on this the 24th day of January, 2013.


BANK OF AMERICA, N.A.

BY:  1.24.13
Janet Wambui Nganga
ITS: Assistant Vice President (AVP)

ATTEST:


 1/24/13
Andrew Joshua Parker II
ITS: Assistant Vice President (AVP)

STATE OF Texas
COUNTY OF Dallas


20130311000100800 2/4 \$21.00
Shelby Cnty Judge of Probate, AL
03/11/2013 01:51:43 PM FILED/CERT

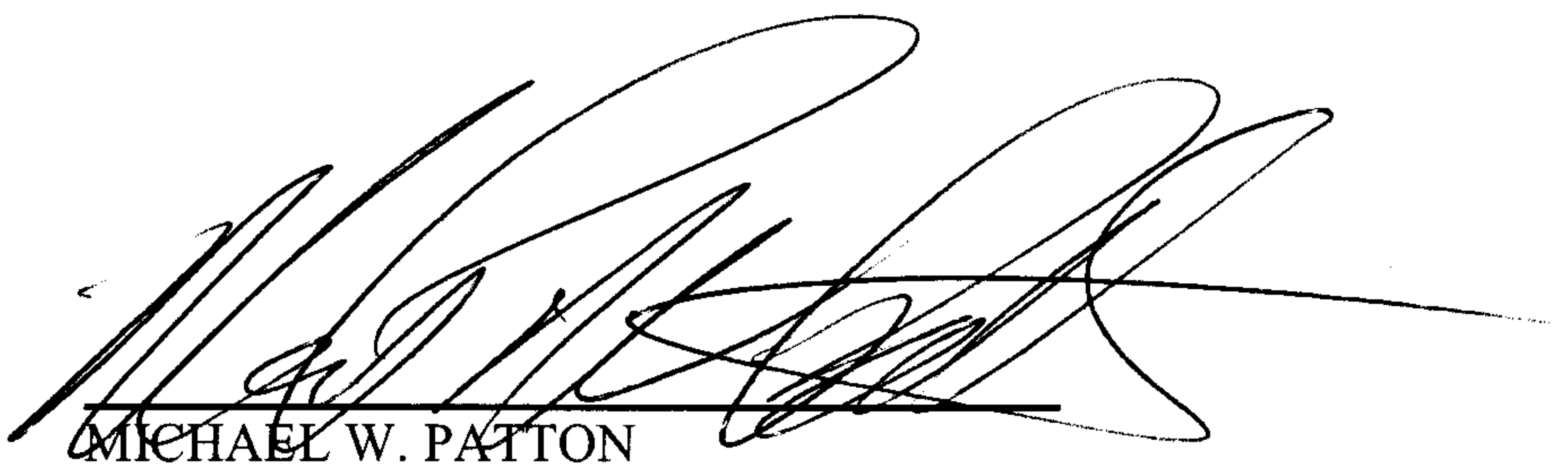
I, the undersigned notary public in and for said state and county, hereby certify that Janet Wambui Nganga, whose name as Assistant Vice President, of BANK OF AMERICA, N.A. is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that being informed of the contents of said instrument, Janet Wambui Nganga as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and seal on this the 24th day of January, 2013


Notary Public, State of ~~Alabama~~ Texas at Large
My Commission Expires: 5-4-16

Patton





MICHAEL W. PATTON

State of Alabama
County of Shelby

I, the undersigned notary public in and for said state and county, hereby certify that MICHAEL W. PATTON whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that being informed of the contents of said instrument, executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 11 day of February, 2013.



Notary Public, State of Alabama at Large
My Commission Expires: 8-30-2015


RIKI L. PATTON

State of Alabama
County of Shelby

I, the undersigned notary public in and for said state and county, hereby certify that RIKI L. PATTON whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that being informed of the contents of said instrument, executed the same voluntarily on the day the same bears date.


Given under my hand and seal on this the 11 day of February, 2013.


Notary Public, State of Alabama at Large
My Commission Expires: 8-30-2015

Patton



20130311000100800 3/4 \$21.00
Shelby Cnty Judge of Probate, AL
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20130311000100800 4/4 \$21.00
Shelby Cnty Judge of Probate, AL
03/11/2013 01:51:43 PM FILED/CERT

This Instrument Prepared By:

William S. McFadden
McFADDEN, LYON & ROUSE, L.L.C.
718 Downtowner Boulevard
Mobile, Alabama 36609
(205) 342-9172

Grantee's last known address:

Michael W. Patton
Riki L. Patton
205 Oaklyn Hills Dr.
Chelsea, Alabama

Patton