

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

SCHULTZ MARILYN,
Plaintiff,

V.

EXPRESS FUNDING CORPORATION,
Defendant.

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) Case No.: CV-2012-900708.00
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20130404C00139520 1/2 \$15.00
Shelby Cnty Judge of Probate, AL
04/04/2013 10:43:06 AM FILED/CERT

JUDGMENT

This case is before the Court on Motion for Summary Judgment filed by Plaintiff, Marilyn Schultz, and Response to Plaintiff's Motion for Summary Judgment filed by Defendant, Express Funding Corporation; and the Court, having considered the pleadings and materials submitted by the parties, finds that there are no genuine issues of material fact and Plaintiff is entitled to judgment as a matter of law.

IT IS, THEREFORE, ORDERED AND ADJUDGED as follows:

1. Summary judgment is granted in favor of Plaintiff against Defendant for redemption of the following described real property from tax sale pursuant to § 40-10-83, Code of Ala. 1975, as amended:

Lot 441, according to the Survey of the Final Plat Riverwoods 4th Sector, Phase II, as recorded in Map Book 31, page 23, in the Probate Office of Shelby County, Alabama. Mineral and mining rights excepted.

2. The total amount necessary to redeem on August 31, 2012, was \$95,148.39, less a credit for the excess bid of \$60,000.00, for a net amount of \$35,148.39. Plaintiff deposited \$35,367.11 with this Court on August 31, 2012. Defendant has since received both the \$60,000.00 excess and the \$35,367.11 deposit. Defendant voluntarily paid the 2012 property

taxes on December 28, 2012, in the amount of \$2,242.24. The total amount due on redemption from Plaintiff is \$35,148.39, the correct redemption amount on August 31, 2012, plus \$2,242.24 for the 2012 taxes, less \$35,367.11 previously deposited, leaving an additional amount of \$2,023.52 due. Plaintiff has now paid such sum to Defendant. Pursuant to § 40-10-83, final judgment is hereby entered for Plaintiff for said real property, and all title and interest in the land is divested out of Defendant. A copy of this final judgment may be recorded in the real property records in the Probate Office of Shelby County, Alabama, as evidence of the redemption.


3. Costs are taxed as paid.

DONE this 3rd day of April, 2013.

/s/ WILLIAM H. BOSTICK, III
CIRCUIT JUDGE

Certified a true and correct copy
Date: 04-04-13

Mary H. Harris
Mary H. Harris, Circuit Clerk *rh*
Shelby County, Alabama


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