



IN THE CIRCUIT COURT OF SHELBY COUNTY,


**BANK OF AMERICA, N.A. FOR
THE BENEFIT OF FANNIE MAE AS
TRUSTEE FOR FANNIE MAE REMIC
TRUST 2003-W4**

PLAINTIFF,

VS.

**TIMOTHY E. GARDNER
RACHAEL L. GARDNER**

DEFENDANTS.


20140828000270800 1/2 \$17.00
Shelby Cnty Judge of Probate, AL
08/28/2014 10:51:21 AM FILED/CERT

CASE NO. CV-2014-900077

ORDER

Upon consideration of Bank of America, N.A., for the benefit of Fannie Mae as trustee for Fannie Mae Remic Trust 2003-W4's (hereinafter "Bank of America" or "Plaintiff"), Motion to Rescind Foreclosure Sale, IT IS HEREBY ORDERED, ADJUDGED AND DECLARED as follows:

1. That the foreclosure sale conducted on September 30, 2013, with respect to the following described real property, is null and void and has no force or effect:

Lot 18, according to the Map and Survey of Royal Pines, as recorded in Map Book 11, Page 51, in the Probate Office of Shelby County, Alabama. Mineral and mining rights excepted.

Also known as 3009 Longleaf Lane, Helena, AL 35080

2. The Foreclosure Deed dated October 2, 2013, which was recorded at in the Probate Records of Shelby County, Alabama by Instrument Number 20131011000407840, is null and void and of no force or effect.
2. The Mortgage executed by Defendants, Timothy E. Gardner and Rachael L. Gardner dated September 29, 1999, which is recorded in Instrument Number 1999-41204,

subsequently transferred and assigned transferred and assigned to Bank of America, N.A.

in Instrument Number 20120622000221030, together with the indebtedness secured

thereby, which is represented by the Note dated that same date, are hereby revived.

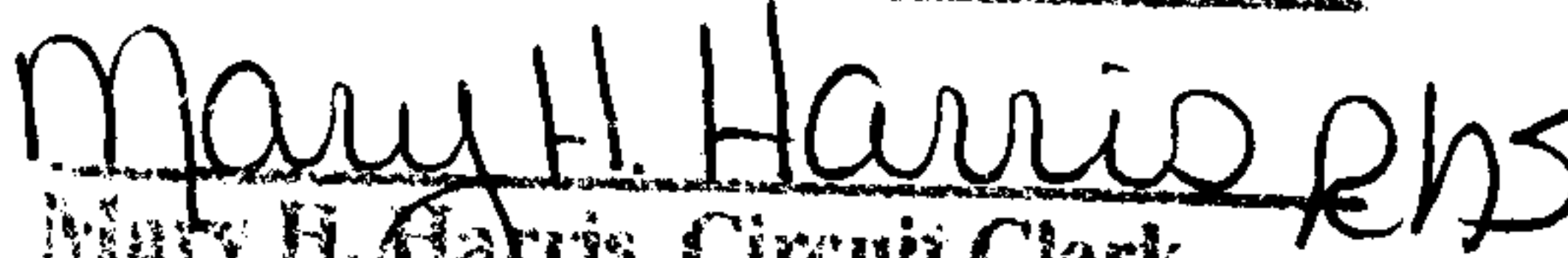
3. The Note shall remain due and payable in accordance with its terms.
4. The Mortgage is and shall continue to be a valid, first priority Lien on the property described therein.
6. This Order shall be recorded in the Probate Records of Shelby County, Alabama, so as to document the Court's declaration regarding the Note, Mortgage and real property at issue.
7. Costs to be taxed as paid.


Done and Ordered this 11th day of August, 2014


Circuit Judge

Certified a true and correct copy

Date: 08-19-14


Mary H. Harris, Circuit Clerk
Shelby County, Alabama


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