



**IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA**

**BANK OF AMERICA, N.A.,  
Plaintiff,**

V.

**BOYD ANN M.,  
BOWEN JOHN,  
STAR PROPERTIES, LLC,  
Defendants.**

)  
)  
)  
) Case No.: CV-2014-901279.00



## FINAL ORDER

This matter came before this Court on the of Wells Fargo Bank, N.A. ("Plaintiff" or "Wells Fargo") for Declaratory Judgment concerning a parcel of real property that is the subject of the Complaint and which has a physical address of 14 Park Drive, Montevallo, Alabama 35115 and more particularly described as:

**Lot 24, according to the map and survey of Park Forest 1st Sector, as recorded in Map Book 7, Page 155, in the Probate Office of Shelby County, Alabama.**

(the "Property").

The Court having entered an order approving the joint stipulation for entry of consent judgment between Plaintiff and Defendant Star Properties on or about April 15, 2015, Plaintiff having filed a notice of dismissal without prejudice of Defendant John Bowen (John Bowen died on or about April 26, 2008, and pursuant to his death, the Property devolved to Ann M. Boyd by virtue of the right of survivorship in the deed vesting title in John Bowen and Ann M. Boyd which was recorded as Instrument Number 1999-44512, in the Shelby County Probate Office) and Defendant Ann Boyd having been served with Summons and a copy of the Complaint on or about March 3, 2015, but failing to respond or otherwise defend this action, this Court **ORDERS, ADJUDGES, and DECREES** as follows:

1. That the foreclosure sale and the foreclosure deed executed on or about April 4, 2012, and recorded on or about April 12, 2012, as Instrument Number 20120412000126350, in the Office of the Judge of Probate of Shelby County, Alabama, are a nullity, void and of no legal effect;
2. That said foreclosure deed, which vested title to the Property in Star Properties, LLC, is set aside from the Records of the Office of the Judge of Probate of Shelby County, Alabama;
3. That Star Properties, LLC does not hold any interest in the Property;
4. That title to the Property is re-vested in Ann M. Boyd and John Bowen subject to the mortgage described herein;
5. That the mortgage executed by John Bowen and Ann M. Boyd, husband

and wife, in the amount of \$61,500.00 in favor of Countrywide Home Loans, Inc., which mortgage was recorded on or about October 28, 1999, as Instrument Number 1999-44513 (the "Boyd Mortgage"), and which mortgage was subsequently assigned to BAC Home Loans Servicing, L.P. (Bank of America is the successor by merger to BAC Home Loans Servicing, L.P.) by assignment of mortgage recorded on or about September 9, 2009, as Instrument Number 20090909000344960, is a valid, first position lien on the Property, prior and superior to any other existing liens and/or judgments against the Property;

6. That all terms and provisions of the Boyd Mortgage are to remain in full force and effect; and

7. That costs are taxed as paid.

**DONE this 1<sup>st</sup> day of September, 2015.**

**/s/ WILLIAM H. BOSTICK, III**  
**CIRCUIT JUDGE**



20150921000329320 2/2 \$18.00  
Shelby Cnty Judge of Probate, AL  
09/21/2015 12:17:27 PM FILED/CERT

**Certified a true and correct copy**  
**Date: 09-08-15**

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