



IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

PROPEL FINANCIAL 1, LLC,

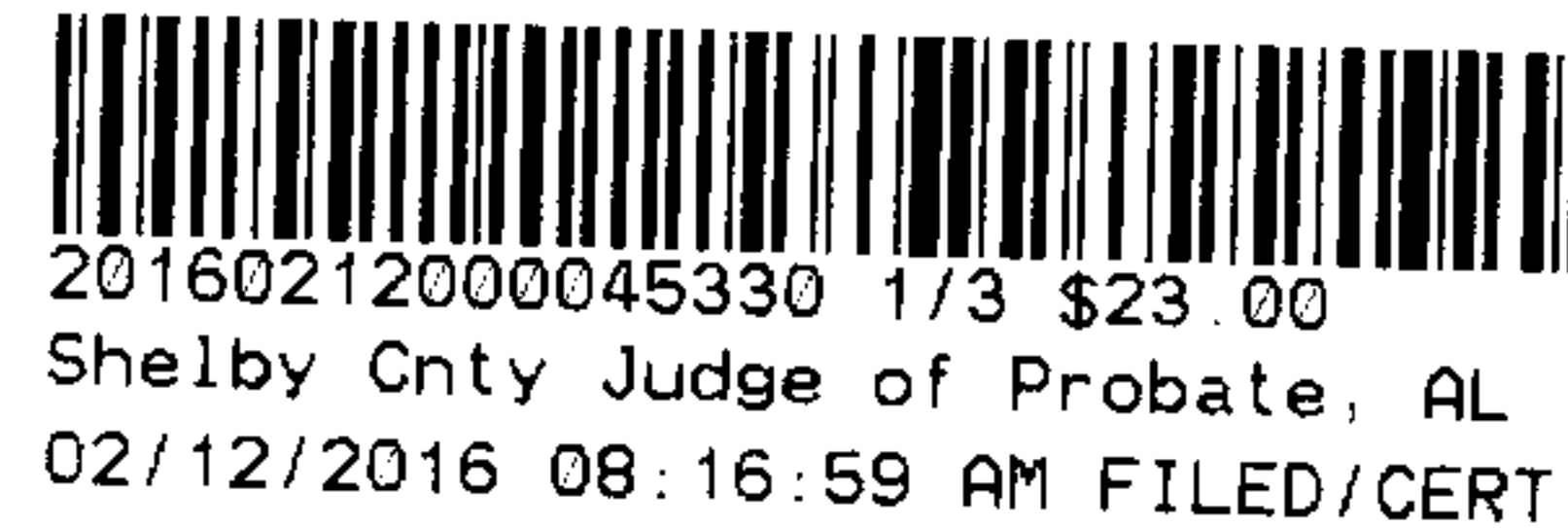
Plaintiff,

v.

AMADO ALBERTO GUTIERREZ, MARLENE
GUTIERREZ, ISELA SAENZ, THE STATE OF
ALABAMA DEPARTMENT OF REVENUE,
AND THE UNITED STATES OF AMERICA,

Defendants.

CIVIL ACTION NO.:
58-CV-2013-901362



**ORDER AND JUDGMENT GRANTING MOTION FOR SUMMARY JUDGMENT
AGAINST ISELA SAENZ AND THE UNITED STATES OF AMERICA**

This matter came before the Court upon the *Motion for Summary Judgment against Isela Saenz and the United States of America* (the "Motion") filed on April 2, 2015 by the plaintiff, Propel Financial 1, LLC ("Propel"), successor in interest to Plymouth Park Tax Services LLC, against the defendants, Isela Saenz ("Saenz," who was formerly known as Isela Saenz Gutierrez) and the United States of America (the "U.S.A."). Based upon the Motion and the pleadings of record in this case, it is hereby **ORDERED, ADJUDGED** and **DECREED** as follows:

1. The Motion is **GRANTED**.
2. Propel is the owner in fee simple and entitled to the immediate, exclusive, and peaceable possession of the real property located in Shelby County, Alabama, which is more particularly described as follows:

SHELBY COUNTY PARCEL NO.: 58/23/07/25/4/002/020.000

LEGAL DESCRIPTION: Lot 20, according to the Final Plat of Forest Ridge, as recorded in Map Book 31, Page 2, in the Probate Office of Shelby County, Alabama.

PROPERTY ADDRESS: 204 Timber Ridge Circle, Alabaster, AL 35007

(the "Property").

3. All proceedings regarding the sale of the Property for taxes on April 4, 2009 to Plymouth Park Tax Services, LLC ("Plymouth") and the Judge of Probate's subsequent issuance to Plymouth of a deed to the Property were completed in conformity with Alabama Law.

4. Plymouth subsequently transferred its interest in the Property to Propel by quitclaim deed after this lawsuit was filed. Accordingly, Propel now holds all interest Plymouth held in the Property by virtue of Plymouth's purchase of the Property at the April 4, 2009 tax sale.


5. Any title or interest Saenz or the U.S.A. have or claims to have in the Property is hereby **VESTED** and **QUIETED** in favor of Propel.

6. Saenz and the U.S.A. have no estate, right of redemption, title, lien, or interest in or to the Property or any part of the Property.

7. Saenz and the U.S.A. and all persons claiming under Saenz and the U.S.A. are permanently enjoined from asserting any estate, right of redemption, title, lien, or interest in or to the Property or any part of the Property.

8. The Court **FINDS** that there is no just reason for delay in entering a **FINAL** judgment as to (a) the claims relating to the Property by and between Propel and Saenz and (b) the claims relating to the Property by and between Propel and the U.S.A., and, thus, renders this a **FINAL JUDGMENT** as to those claims.

9. This Order **SHALL NOT** terminate the claims Saenz filed as crossclaims in this lawsuit against Amado Alberto Gutierrez and Marlene Gutierrez. Additionally, this Order **DOES NOT** adjudicate the claims and rights relating to the surplus funds paid at the April 14, 2009 tax sale of the Property as those claims are being adjudicated in another lawsuit.


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10. The costs of these proceedings are to be taxed as paid.

DONE this the 20th day of October 2015.

[Signature]

CIRCUIT COURT JUDGE

Certified a true and correct copy

Date: 02-12-16

Mary H. Harris *rh5*
Mary H. Harris, Circuit Clerk
Shelby County, Alabama



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