



IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

NTA PROPERTY MANAGEMENT, LLC,

Plaintiff,

v.

CASE NO.: CV 2013-900277.00

**WOODROW LOWE and LINDA J. LOWE
and SYNOVUS BANK AS SUCCESSOR BY
MERGER TO CB&T BANK OF RUSSELL
COUNTY, a foreign corporation, and
FICTITIOUS DEFENDANTS A, B, C, & D
BEING THOSE PERSONS OCCUPYING
THAT CERTAIN REAL PROPERTY
LOCATED IN SHELBY COUNTY, ALABAMA
BEING MORE PARTICULARLY
DESCRIBED BELOW,**

and

**LOT 1026 ACCORDING TO SURVEY OF
GRAND VIEW ESTATES, GIVIAPOUR
ADDITION TO ALABASTER, 10TH
ADDITION, PHASE I AS RECORDED IN MAP
BOOK 27, PAGE 95, SHELBY COUNTY,
ALABAMA RECORDS.**

Defendants.



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FINAL ORDER

This cause came before the Court to be heard on the 28th day of April, 2016. Upon consideration of the complaint, including amended complaint, default of Woodrow Lowe and Linda J. Lowe, the Court makes the following as findings of fact, among other things:

1. That Plaintiff, NTA Property Management, LLC, at the time of the filing of the complaint in this cause, claimed in its own right the fee simple title to and was in actual peaceable possession of the following described lands:

**LOT 1026 ACCORDING TO SURVEY OF GRAND VIEW ESTATES,
GIVIAPOUR ADDITION TO ALABASTER, 10TH ADDITION, PHASE I**

AS RECORDED IN MAP BOOK 27, PAGE 95, SHELBY COUNTY,
ALABAMA RECORDS.

2. That at the time of the filing of the complaint, no suit was pending to test the Plaintiff's title to, interest in, or the right to the possession of said land.

3. That the Plaintiff's complaint was filed against said land and against any and all persons claiming any title to, interest in, lien or encumbrance on said land or any part thereof, and was to establish the right or title to such lands or interest, and to clear up all doubts or disputes concerning the same, and that said complaint did in all respects comply with the provision of the *Code of Alabama, 1975* §§ 6-6-561 and 40-10-83.

4. The Plaintiff, NTA Property Management, LLC, is requesting *In Rem* Relief and *In Personam* Relief.

5. The Plaintiff filed an Application for Default and Motion for Default Judgment against Defendant Woodrow Lowe with the Court on August 4, 2014. The Court granted said Default Judgment against Defendant Woodrow Lowe on September 2, 2014. See Exhibit "B". The Court granted all the right, title and interest that Woodrow Lowe had in the above described real property to the Plaintiff. See Exhibit "B".

6. The Plaintiff filed an Application for Default and Motion for Default Judgment against Defendant Linda J. Lowe with the Court on August 4, 2014. The Court granted said Default Judgment against Defendant Linda J. Lowe on September 2, 2014. See Exhibit "B". The Court granted all the right, title and interest that Linda J. Lowe had in the above described real property to the Plaintiff. See Exhibit "B".

7. Defendant real property herein described above was served with the Summons and Complaint.


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8. On or about February 2, 2016, Defendant Synovus Bank as successor by merger to CB & T Bank of Russell County assigned the mortgage recorded in Instrument # 2001-53819 to the Plaintiff, NTA Property Management, LLC. Said assignment is recorded in Instrument # 20160302000061320. A true and correct copy of the assignment is attached. Plaintiff has foreclosed this mortgage recorded in Instrument # 2001-53819.

9. Defendant Synovus Bank as successor by merger to CB & T Bank of Russell County no longer has an interest in the real property and this Defendant should be dismissed.

10. There are no damages as this is an action for ejectment, redemption and quiet title of real property and the Plaintiff is asking for *In Rem Relief* and *In Personam*.

11. Defendants are not an infant, incompetent person or otherwise under disability.

12. That all of the allegations of fact contained in the complaint are true; that there was proper service of process on all of the Defendants named in the complaint.

13. That the Defendants named in the complaint contained all names known to the Plaintiff after the exercise of diligence.

14. That the Plaintiff complied with all of the provisions of law relative to this proceeding *in rem* to establish title to land. It is, therefore,

ORDERED, ADJUDGED AND DECREED by the Court that the Defendant, Synovus Bank as successor by merger to CB & T Bank of Russell County, no longer has an interest in the above described real property and is hereby dismissed a party defendant. It is further

ORDERED, ADJUDGED AND DECREED by the Court that the Plaintiff is entitled to the relief prayed for in the complaint and that the fee simple title claimed by the Plaintiff in and to the above described lands [with the exceptions noted above] has been duly proved, and that the Plaintiff is owner of said land and has fee simple title thereto, free of all liens and



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encumbrances except as hereinabove referred to, and that their title thereto be and is hereby established, and that all doubts and disputes concerning same be and the same are hereby cleared. It is further

ORDERED, ADJUDGED AND DECREED by the Court that a certified copy of this decree be recorded in the Office of the Judge of Probate of Shelby County, Alabama, and it be indexed in the name of the Plaintiff and the Defendants, in both the direct index and indirect index of the records thereof. It is further

ORDERED, ADJUDGED AND DECREED by the Court that the Plaintiff herein pay costs of the proceedings, for which execution may issue.

DONE this 28th day of April, 2016.

William H. Bostick III

CIRCUIT JUDGE
SHELBY COUNTY

Certified a true and correct copy

Date: 5/18/16

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



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