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58-CV-2017-900778.00
CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA
MARY HARRIS, CLERK

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

NELSON VICKI,
Plaintiff,

V.

FINANCE OF AMERICA REVERSE,
LLC,
COMPU-LINK (CELINK),
Defendants.

Case No.: CV-2017-900778.00

**CONSENT ORDER SETTING ASIDE FORECLOSURE AND REINSTATING
MORTGAGE**

THIS CAUSE coming to be considered on the Joint Motion for Consent Order to Set Aside Foreclosure and Reinstate Mortgage filed by Plaintiff Vicki Nelson ("Plaintiff") and Defendants Finance of America Reverse LLC ("FAR") and Compu-Link Corp. d/b/a Celink ("Celink") (collectively, the "Parties"), it is therefore **ORDERED, ADJUDGED, AND DECREED** as follows:


1. That the Parties have filed a Joint Motion for Consent Order seeking to set aside a foreclosure sale and reinstating a home equity conversion mortgage associated with a piece of real property bearing a physical address of 235 Wilson Drive, Montevallo, Alabama 35115 and more particularly described as:

LEGAL DESCRIPTION

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF ALABAMA, COUNTY OF SHELBY, AND IS DESCRIBED AS FOLLOWS:

LOT 13, ACCORDING TO THE SURVEY OF WILSON SUBDIVISION NO. 1, AS RECORDED IN MAP BOOK 3 PAGE 62, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

EXCEPTING THEREFROM ALL OIL, GAS, MINERALS, AND OTHER HYDROCARBON SUBSTANCES LYING BELOW THE SURFACE OF SAID LAND, BUT WITH NO RIGHT OF SURFACE ENTRY.


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(the "Property"), and this Court having considered same, now determines that said Joint Motion for Consent Order is due to be granted.

2. That the foreclosure sale of the Property held on June 28, 2017 as documented in the Foreclosure Deed dated June 28, 2017 and recorded on or about June 30, 2017 in favor of FAR in the Probate Records of Shelby County, Alabama as Instrument No. 20170630000235800 is a nullity, void and of no legal effect.

3. That said Foreclosure Deed is expunged from the Records of the Probate Office.

4. In setting aside the foreclosure, this Court makes no determination as to whether the foreclosure was wrongful or improper.

5. That the home equity conversion mortgage given by Plaintiff, an unmarried woman, to Mortgage Electronic Registration System, Inc., acting solely as nominee for Proficio Mortgage Ventures, LLC, dated October 22, 2013, which said mortgage was recorded in the Probate Records of Shelby County, Alabama as Instrument No. 20131107000439060, said mortgage having subsequently been transferred and assigned to FAR on or about March 20, 2017 by virtue of an Assignment of Mortgage recorded in the Probate Records of Shelby County, Alabama as Instrument No. 20170331000107650 is reinstated and is a valid, first position lien on the Property in favor of FAR and is decreed as superior to any existing junior lien on the Property.

6. That all terms and provisions of Plaintiff's mortgage are to remain in full force and effect.

7. This Court recognizes that the Parties are permitted to record a certified



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copy of this Order in the Probate Office and this Court directs the Probate Office to accept a certified copy of this Order for recording.

Cost taxed as paid.

Done and Ordered this 20th day of February, 2018.

Certified a true and correct copy


Date: 02/28/18

Mary H. Harris

Mary H. Harris, Circuit Clerk
Shelby County, Alabama

[Signature]
Circuit Court Judge

Cc: All Parties and Counsel of Record.


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