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58-CV-2016-900426.00
CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA
MARY HARRIS, CLERK

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

DITECH FINANCIAL LLC F/K/A GREEN,
TREE SERVICING LLC,
Plaintiff,

V.

STEWART TITLE GUARANTY INSURANCE,
COPMANY,
REGIONS BANK,
HENSON JAMES M.,
HENSON GERALDINE ET AL,
Defendants.

Case No.: CV-2016-900426.00

**CONSENT JUDGMENT
GERALDINE HENSON**

This matter is before the Court on the joint motion of Plaintiff MTGLQ Investors, L.P. as assignee of Ditech Financial LLC f/k/a Green Tree Servicing LLC ("Plaintiff") and Defendant Geraldine Henson for the entry of Final Consent Judgment as set forth herein.

Accordingly, it is hereby **ORDERED, ADJUDGED** and **DECREED** as follows:

A. That the legal description contained in the deed recorded at Instrument No. 20051129000617380 in the Office of the Probate Judge of Shelby County, Alabama, which deed was recorded on November 29, 2005, is hereby reformed and corrected to reflect the true intention of the parties by replacing the current legal description with the following:

Commence at the Southeasterly corner of Lot 7, Block 2, according to the map and survey of G. A. Nabors Survey, as recorded in Map Book 3, page 33, in the Office of the Judge of Probate of Shelby County, Alabama, and run Northwesterly along the Southwesterly line of said Lot 7 for a distance of 250.0 feet; thence right 92 deg. 13' and run Northeasterly for 88.00 feet; thence right 87 deg. 47' and run Southeasterly for a distance of 132.00 feet; thence right 92 deg. 13' and run Southwesterly for 84.00 feet; thence right 92 deg. 13' and run Southeasterly for a distance of 118.00 feet; thence right 92 deg. 13' and run Southwesterly for a distance of 4.0 feet to the point of beginning.

Containing 12,079 square feet, more or less.

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Shelby Cnty Judge of Probate, AL
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B. That the reformed deed relates back to November 29, 2005, its original date of execution, for all purposes;

C. That Defendant Geraldine Henson is listed as a "Non-Borrower" on the signature page of the mortgage recorded at Instrument No. 20060616000287810 in the Office of the Probate Judge of Shelby County, Alabama;

D. That the legal description contained in Exhibit A of the mortgage recorded at Instrument No. 20060616000287810 in the Office of the Probate Judge of Shelby County, Alabama, which mortgage was recorded on June 16, 2006, is hereby reformed and corrected to reflect the true intention of the parties by replacing the legal description contained therein with the following legal description:

Parcel I:

Commence at the Southeasterly corner of Lot 7, Block 2, according to the map and survey of G. A. Nabors Survey, as recorded in Map Book 3, page 33, in the Office of the Judge of Probate of Shelby County, Alabama, and run Northwesterly along the Southwesterly line of said Lot 7 for a distance of 250.0 feet; thence right 92 deg. 13' and run Northeasterly for 88.00 feet; thence right 87 deg. 47' and run Southeasterly for a distance of 132.00 feet; thence right 92 deg. 13' and run Southwesterly for 84.00 feet; thence right 92 deg. 13' and run Southeasterly for a distance of 118.00 feet; thence right 92 deg. 13' and run Southwesterly for a distance of 4.0 feet to the point of beginning.

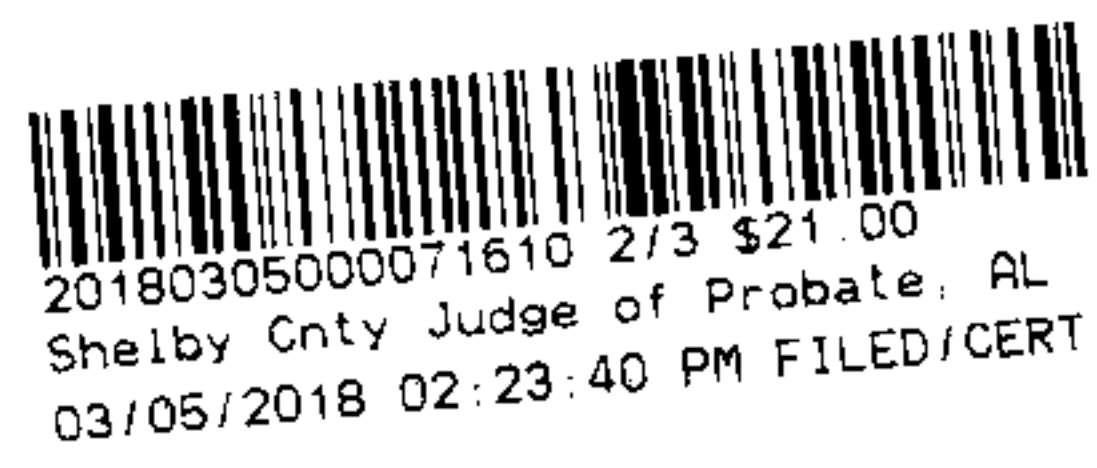
Containing 12,079 square feet, more or less.

Parcel II:

Lot 8, Block 2, according to the Survey of G. A. Nabors of Wilton, Alabama, as recorded in Map Book 3, Page 33, in the Office of the Judge of Probate of Shelby County, Alabama.

E. That the reformed mortgage relates back to June 7, 2006, its original date of execution, for all purposes;

F. That the interest represented by the reformed mortgage is superior to and takes priority over any and all other interests;



G. That the holder of the reformed mortgage is entitled to enforce any and all of its rights, title, and available remedies with respect to its interest in the Subject Property, including but not limited to, non-judicial foreclosure;

H. That a copy of this Order shall be recorded in the Office of the Judge of Probate of Shelby County, Alabama. The Order shall be recorded such that Geraldine Henson is indexed as "Grantor", and such that MTGLQ Investors, L.P. as assignee of Ditech Financial LLC f/k/a Green Tree Servicing LLC is indexed as "Grantee". The Order shall also be recorded such that it is cross-indexed to the both: (i) the deed recorded at Instrument No. 20051129000617380 in the Office of the Probate Judge of Shelby County, Alabama, and (ii) the mortgage recorded at Instrument No. 20060616000287810 in the Office of the Probate Judge of Shelby County, Alabama.

That this acts as the Final Judgment of all claims between Plaintiff and Defendant Geraldine Henson. Plaintiff's claims against Defendant Stewart Title Guaranty Company remain pending.


DONE this 6th day of February, 2018.

**/s/ LARA M ALVIS
CIRCUIT JUDGE**

Certified a true and correct copy

Date: 02/14/18

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


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