

V.

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)  
)  
) Case No.: CV-2015-900956.00

LEE HOMER BEARDEN,  
SABO ELIZABETH LEE,  
Defendants.

This matter having come before the Court on the Plaintiff's Verified Complaint, and the Verified Complaint having been published with publication ending on June 22, 2016, and more than thirty (30) days have passed since said publication, and no answer having been filed on behalf of any person with an interest in the property, and upon consideration of the Verified Complaint, Plaintiff's Motion to Amend and the supporting Affidavit, the Court makes the following as findings of fact, among other things:

BEG NW COR SE ¼ NW ¼ E 1040 S 840 SW 61.9 SW  
289.9 SE 173.5 TO CREEK NELY ON CREEK 600 S TO  
N ROW CO RD 12 SW ON ROW 150 NW 1 415.1 N TO  
POB S14 T 22 S R 03 W AC

**BEGIN at the NW Corner of the SE 1/4 of the NW 1/4 of Section 14, Township 22 South, Range 3 West, Shelby County, Alabama, said point being the POINT OF BEGINNING; thence S87°46'30"E, a distance of 1107.40'; thence S04°39'01"W, a distance of 886.35'; thence S49°32'46"W, a distance of 61.90'; thence**



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S18°52'07"W, a distance of 289.90'; thence S60°59'07"E, a distance of 186.64' to the approximate center of Spring Creek, all further calls will be along said center of creek until otherwise noted, thence N22°08'09"E, a distance of 138.32'; thence N03°11'00"E, a distance of 156.36'; thence N27°23'07"E, a distance of 50.27'; thence N37°09'00"E, a distance of 235.11'; thence S86°47'11"E, a distance of 55.01'; thence S00°47'46"E and leaving said approximate center of Spring Creek, a distance of 812.12' to the Northwesterly R.O.W. line of Spring Creek Road, 80' R.O.W.; thence S31°14'20"W and along said R.O.W. line, a distance of 152.88'; thence N57°27'29"W and leaving said R.O.W. line, a distance of 363.83' to the approximate center of Spring Creek, all further calls will be along said center of creek until otherwise noted; thence S16°04'14"W, a distance of 206.52'; thence S24°43'28"W, a distance of 57.30'; thence S52°09'05"W, a distance of 677.56'; thence N00°48'29"E, a distance of 1314.49' to the POINT OF BEGINNING.

3. That at the time of the filing of the complaint, no suit was pending to test Plaintiff's title to, interest in, or the right to the possession of said land.
4. That Plaintiff's complaint was duly verified, and was filed against said lands 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 provisions of the Code of Alabama, 1975, §6-6-561.
5. That service of process was had in strict compliance with the provisions of Rule 4.3 of Alabama Rules of Civil Procedure and the Court finds as a fact that service of process was obtained upon any person with an interest in the property made the subject of the instant matter.
6. That no person with an interest in the property has answered or otherwise appeared in this matter.
7. That all of the allegations of fact contained in the complaint are uncontested. It is; therefore,

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ORDERED, ADJUDGED AND DECREED 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 property as described in Paragraph 2 above, has been duly proved, and that the Plaintiff is the owner of said lands and has a fee simple title thereto, free of all liens and 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 resolved as to any person with an interest in the property. It is further

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

ORDERED, ADJUDGED AND DECREED that possession of the Property is hereby granted to the Plaintiff. It is further

ORDERED, ADJUDGED AND DECREED by the Court that the Plaintiff herein pay the costs of the proceedings.

DONE this 29<sup>th</sup> day of November, 2018.

*Hornier*  
CIRCUIT JUDGE

Certified a true and correct copy

Date: 12/04/18

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



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IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA  
CASE NO. PR-2013-000908

KNOW ALL MEN BY THESE PRESENTS, THAT

Whereas, on the 7<sup>th</sup> day of April, 2008 a decree was rendered by the Probate Court of said county for the sale of the lands, hereinafter described, and conveyed for the state and county taxes then due from LEE HOMER BEARDEN & SABO ELIZABETH LEE, the owners of said land for the costs and expenses thereof and thereunder.

And whereas, thereafter, to-wit, on the 1st day of May, 2008, said lands were duly and regularly sold by the Tax Collector of said county for taxes, costs and expenses, and at said sale TAX LIEN INCOME FUND, became the purchaser of said lands, at and for the sum of said taxes, costs and expenses, and forthwith paid said sum to said Tax Collector, and received from said Collector a certificate of said purchase.

Whereas, the time for the redemption of said lands by said owners or other persons having an interest therein has elapsed and said certificate of purchase has been returned to the Probate Judge of said County.

Now, therefore, I, James W. Fuhrmeister, as Judge of Probate, of said County of Shelby, under and by virtue of the provisions of 40-10-29, 1975 Code of Alabama, and in consideration of the premises above set out and in further consideration of the sum of \$5.00 to me in hand paid, have this day granted, bargained and sold, and by these presents do grant, bargain, sell and convey unto said TAX LIEN INCOME FUND, who is the present owner and holder of said certificate of purchase all the right, title and interest of the said LEE HOMER BEARDEN & SABO ELIZABETH LEE, owners of aforesaid land, and all the right, title, interest and claim of the state and county on account of said taxes, or under said decree and to the following described lands, hereinafter referred to, to-wit:

Parcel # 58/27/06/14/0/000/004.000 DESCRIBED AS::

MAP NUMBER 27 6 00 0 000	CODE1: 00	CODE2: 00
SUB DIVISION1:	MAP BOOK: 00	PAGE: 000
SUB DIVISION2:	MAP BOOK: 00	PAGE: 000
PRIMARY LOT:	PRIMARY BLOCK: 000	
SECONDARY LOT:	SECONDARY BLOCK: 000	
SECTION1 14	TOWNSHIP1 22S	RANGE1 03W
SECTION2 00	TOWNSHIP2 00	RANGE2 00
SECTION3 00	TOWNSHIP3 00	RANGE3 00
SECTION4 00	TOWNSHIP4	RANGE4
LOT DIM1 0.00	LOT DIM2 0.00	ACRES 43.000 SQ FT 1,873,080.000

METES AND BOUNDS: BEG NW COR SE1/4 NW1/4 E1040 S840 SW81.8 SW289.8 SE173.5 TO CREEK NELY ON CREEK 600 S TO NROW CO RD 12 SW ON ROW 150 NW1415.1 N TO POB

being situated in said county and state, to have and to hold the same, the said right, title and interest unto itself the said TAX LIEN INCOME FUND and its heirs and assigns forever, but no right, title or interest of any reversioner or remainderman in said land is conveyed hereby.


In testimony whereof, I have hereunto set my hand seal, this the 13<sup>th</sup> day of January, 2014.


  
Judge of Probate

The State of Alabama, Shelby County

I, Lisa Traywick Morgan, a Notary Public in and for said county, in said state, hereby certify that James W. Fuhrmeister whose name as Judge of Probate is signed to the foregoing conveyance and who is known to me, acknowledged before me, on this day, that, being informed of the contents of this conveyance, he, in his capacity as such Judge of Probate, executed the same voluntarily, on the day the same bears date.

Given under my hand, this the 13<sup>th</sup> day of January, 2014.

  
Lisa Traywick Morgan - Notary Public  
My Commission Expires: 5/8/2016

I certify this to be a true and  
correct copy   
1-13-14 Probate Judge  
1m Shelby County

Shelby County, AL 10/19/2018  
State of Alabama  
Deed Tax: \$17.00

EXHIBIT A

**Beginning at the Northwest corner of the Southeast 1/4 of the Northwest 1/4 thence E 1040 feet, thence South 840 feet, thence Southwest 61.9 feet, thence Southwest 289.9 feet, thence Southeast 173.5 feet to Creek; thence Northeasterly on Creek thence South 600 feet to the North right of way of County Road 12, thence Southwest on right of way 150 feet; thence Northwest 1415.1 feet, thence North to the Point of Beginning, in Shelby County, Alabama.**



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# Real Estate Sales Validation Form

*This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1*

Grantor's Name Lee Homer Bearden  
Mailing Address Elizabeth Lee Sabo  
Post Office Box 715  
Montevallo, Alabama 35115

Grantee's Name Tax Lien Income Fund  
Mailing Address 3960 Howard Hughes Parkway, Suite 500  
Las Vegas, Nevada 89169

Property Address 2691 Spring Creek  
Montevallo, Alabama 35115

Date of Sale May 1, 2008  
Total Purchase Price \$ 16,908.23



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or  
Actual Value \$

or  
Assessor's Market Value \$

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one) (Recordation of documentary evidence is not required)

☒ Bill of Sale  
☐ Sales Contract  
☐ Closing Statement

☐ Appraisal  
☐ Other

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

## Instructions

Grantor's name and mailing address - provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

Property address - the physical address of the property being conveyed, if available.

Date of Sale - the date on which interest to the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value - if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1 (h).

Date 09/11/2018

Print Gary P. Wolfe

Unattested

Sign (Signature)

(Grantor/Grantee/Owner/Agent) circle one



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Form RT-1