

20190123000024560  
01/23/2019 02:25:25 PM  
LISPEND 1/2

\_\_\_\_\_[SPACE ABOVE THIS LINE FOR RECORDING DATA]\_\_\_\_\_  
Cross reference to:  
Instrument # 20160512000161260  
Instrument # 20160512000161270  
Instrument # 20180118000018080  
Instrument # 20180517000170870  
Shelby County, Alabama Probate Records  
Prepared by and Return to:  
Hannah Davenport, Esq.  
Rubin Lublin, LLC  
3145 Avalon Ridge Pl, Ste 100  
Peachtree Corners, GA 30071

**IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA**

HOME POINT FINANCIAL CORPORATION,

Plaintiff,

v.

JESSE BANDY AKA JESSE L. BANDY,

Defendant.

CASE NO.:

**CV2019900077.00**

**NOTICE OF LIS PENDENS**

Notice is hereby given of the filing of a Complaint for Rescission and Declaratory Judgment against the above-named Defendant in the Circuit Court of Shelby County, Alabama, on or about January 23, 2019 at 1:39 pm, involving and affecting title to that certain real property, and improvements thereon, with the address of 404 Oakwell Cove, Calera, Shelby County, AL 35040 (the "Property"), which is the subject of this litigation and is more particularly described as follows:

LOT 17 ACCORDING TO THE SURVEY OF CAMDEN COVE WEST, SECTOR 3, PHASE 1, AS RECORDED IN MAP BOOK 35, PAGE 14, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

Plaintiff seeks the following relief against the Property;

WHEREFORE, Plaintiff prays for relief as follows:

- (A) That the Office of the Judge of Probate, Shelby County, Alabama records be reformed to reflect that the Foreclosure Deed, recorded at Instrument 20180517000170870, Office of the Judge of Probate, Shelby County, Alabama records, is void, thus rescinding the May 7, 2018 foreclosure sale of the Property;
- (B) That the Mortgage, recorded at Instrument 20160512000161270, Office of the Judge of Probate, Shelby County, Alabama records, be reinstated of record as a valid, enforceable, first priority security interest against the Property;
- (C) That any inferior security interests and liens of record be reinstated to the respective positions they held prior to the May 7, 2018, foreclosure sale;
- (D) That Jesse Bandy aka Jesse L. Bandy be declared the record title owner of the Property subject to the Mortgage and all inferior interests of record; and
- (E) That this Court awards such other and further relief as may be just and proper.

RESPECTFULLY SUBMITTED this day, January 23, 2019.

/s/ Hannah C. Davenport  
AMANDA M. BECKETT (BEC029)  
HANNAH C. DAVENPORT (GRO034)  
JARYD GREEN (GRE151)  
**ATTORNEYS FOR PLAINTIFF**

Rubin Lublin, LLC  
3145 Avalon Ridge Place, Suite 100  
Peachtree Corners, Georgia 30071  
(678) 281-2982 (Telephone)  
(404) 921-9016 (Facsimile)  
hdavenport@rubinlublin.com

{S0585617\_1}



Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County  
Clerk  
Shelby County, AL  
01/23/2019 02:25:25 PM  
\$21.00 CHERRY  
20190123000024560

*Alex S. Bayl*