



ELECTRONICALLY FILED
2/15/2019 3:04 PM
58-CV-2018-900952.00
CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA
MARY HARRIS, CLERK

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

FEDERAL NATIONAL MORTGAGE
ASSOCIATION,
Plaintiff,

V.

BOYD ANN M.,
Defendant.

Case No.: CV-2018-900952.00

ORDER

This matter came before this Court on the Complaint of Federal National Mortgage Association ("Plaintiff" or "Fannie Mae") to Set Aside Foreclosure Deed and Reinstate Mortgage concerning a parcel of real property that is the subject of the Plaintiff's Complaint and which has a reported physical address of 14 Park Drive, Montevallo, Alabama 35115, and more particularly described as:

Lot 24, according to the map and survey of Park Forest 1st Sector,
as recorded in Map Book 7, Page 155, in the Probate Office of
Shelby County, Alabama.

(the "Property").

This Court, having considered the same, and after determining there exists no genuine issue of material fact, this Court determines Plaintiff is entitled to judgment as a matter of law; it is therefore **ORDERED, ADJUDGED, and DECREED** as follows:

- a. That the foreclosure sale held on or about March 30, 2016 and the foreclosure deed executed on or about March 31, 2016, and recorded on or about April 6, 2016, as Instrument Number 20160406000111620, in the Office of the Judge of Probate of Shelby County, Alabama, are a nullity, void and of no legal effect;
- b. That said foreclosure deed, which vested title to the Property in Federal National Mortgage

Association, is expunged from the Records of the Office of the Judge of Probate of Shelby County, Alabama;

- c. That title to the Property is re-vested in Ann M. Boyd subject to the mortgage described herein;
- d. That the mortgage executed by Ann M. Boyd and husband John Bowen, in the amount of \$61,500.00 in favor of Countrywide Home Loans, Inc., which mortgage was recorded on or about October 28, 1999, as Instrument Number 1999-44513 in the Office of the Judge of Probate of Shelby County, Alabama (the "Boyd Mortgage"), and which mortgage was subsequently assigned to Federal National Home Mortgage Association by assignment of mortgage recorded on or about April 20, 2015, as Instrument Number 20150420000126730 in the Office of the Judge of Probate of Shelby County, Alabama, is a valid, first position lien against the Property, prior and superior to any other existing liens and/or judgments against the Property;
- e. That all terms and provisions of the Boyd Mortgage are to remain in full force and effect; and
 - (g) That costs are taxed as paid.

DONE this 15th day of February, 2019.


COREY B. MOORE, CIRCUIT JUDGE

2/28/2019
