

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

KIARA PERRY,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.:
)	2:18-CV-01572-MHH
GMFS, LLC; SPECIALIZED LOAN)	
SERVICING, LLC; et al.)	
)	
Defendants.)	

CONSENT ORDER AND FINAL JUDGMENT

WHEREAS, plaintiff Kiara Perry and defendants Specialized Loan Servicing LLC (“SLS”) and GMFS, LLC (“GMFS”) – collectively “the Parties” – have agreed and consented to the equitable reformation of the real estate records of Shelby County, Alabama to rescind and declare void the August 21, 2018 foreclosure sale of 229 Lake Forest Way, Maylene, Alabama 35114 (“Subject Property”) and rescind and set aside as null and void the Foreclosure Deed recorded as Instrument #20180830000312620, Shelby County, Alabama real estate records, and return the Parties to their respective positions and holding their respective interests in the Subject Property as they existed prior to the August 21, 2018 foreclosure sale subject to the Settlement Agreement and Release.

AND WHEREAS, the Subject Property is more particularly described as follows:

Lot 221, according to the Survey of Lake Forest, Second Sector, as recorded in Map Book 26, Page 142, in the Probate Office of Shelby County, Alabama.

AND WHEREAS, the Parties agree to a declaration and reformation of the real estate records of Shelby County, Alabama as follows: (1) the August 21, 2018 foreclosure sale of the Subject Property is void and all parties are restored to their respective positions and interests in the Subject Property as the positions and interests existed prior to the recordation of the Foreclosure Deed dated August 28, 2018 and recorded as Instrument #20180830000312620, Shelby County, Alabama real estate records, subject to the Settlement Agreement and Release entered into by all Parties; (2) the Foreclosure Deed dated August 28, 2018 is void; (3) the mortgage securing the Loan is recorded in the real estate records of the Probate Court of Shelby County, Alabama as Instrument #20161102000401950 being transferred and assigned to GMFS by that certain Assignment of Mortgage dated June 19, 2017 and recorded in the real estate records of Shelby County, Alabama as Instrument #20170619000217830 is reinstated as a first priority secured interest against the Subject Property in favor of GMFS; and (4) Kiara Perry shall be declared the record title and fee simple holder of the Subject Property, subject to the secured interest of

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the Parties named herein, and any other secured interest recorded in the real estate records of Shelby County, Alabama.

NOW IT IS THEREFORE ORDERED, ADJUDGED, AND DECLARED AS FOLLOWS:

(1) the August 21, 2018 foreclosure sale of the Subject Property is void and all Parties are restored to their respective positions and interests in the Subject Property as the positions and interests existed prior to the recordation of the Foreclosure Deed dated August 28, 2018 and recorded as Instrument #20180830000312620, Shelby County, Alabama real estate records, subject to the Settlement Agreement and Release entered into by all Parties;

(2) the Foreclosure Deed dated August 28, 2018 is void;


(3) the mortgage securing the Loan is recorded in the real estate records of the Probate Court of Shelby County, Alabama as Instrument #20161102000401950 being transferred and assigned to GMFS by that certain Assignment of Mortgage dated June 19, 2017 and recorded in the real estate records of Shelby County, Alabama as Instrument #20170619000217830 is reinstated as a first priority secured interest against the Subject Property in favor of GMFS; and

(4) Kiara Perry shall be declared the record title and fee simple holder of the Subject Property, subject to the secured interest of the Parties named herein, and any other secured interest recorded in the real estate records of Shelby County, Alabama.

(5) GMFS shall cause this Consent Order and Final Judgment to be recorded forthwith on the real estate records of Shelby County, Alabama.

The foregoing being a full and final settlement of all claims in this action, the case is hereby DISMISSED WITH PREJUDICE, each party to bear her or its own costs and attorneys' fees. The Clerk is directed to close the case file

DONE and **ORDERED** this December 21, 2021.



MADELINE HUGHES HAIKALA
UNITED STATES DISTRICT JUDGE

Consented to:

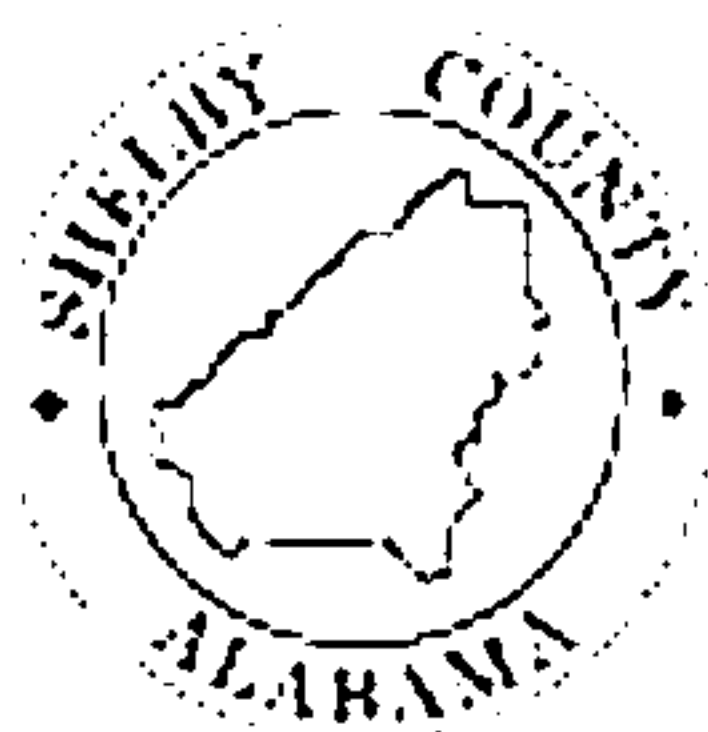
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Judge of Probate, Shelby County Alabama, County
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Allie S. Bayl