Federal Home Loan Mortgage Corporation v. Madison Doc. 72

WO

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA

Federal Home Loan Mortgage Corporation, Plaintiff, vs. Sherryl L. Madison, Defendant.	No. CV-09-1508-PHX-GMS **JUDGMENT ORDER**

Plaintiff's Motion for Summary Judgment (Doc. 62) having come before the Court and the Court having granted that Motion in its Order dated July 12, 2011 (Doc. 71),

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The "Notice of Lis Pendens" recorded by Defendant with the Maricopa County Recorder on May 1, 2009, and made part of the Records of Maricopa County, Arizona, at Recording Number 20090389815, is **null, void, and of no effect whatsoever**. Title to the real property located in Maricopa County, Arizona, and described as Lot 499, Wildflower Ranch Unit IV, according to book 447 of maps, page 16, of the Records of Maricopa County, Arizona, shall be **forever free and clear** of this aforementioned encumbrance.

2. The "Notice of Substitution of Trustee and Deed of Release and Reconveyance" recorded by Defendant with the Maricopa County Recorder on May 1, 2009, and made part of the Records of Maricopa County, Arizona, at Recording Number 20090390204, is **null,**

Dockets.Justia.com

void, and of no effect whatsoever. Title to the real property located in Maricopa County, Arizona, and described as Lot 499, Wildflower Ranch Unit IV, according to book 447 of maps, page 16, of the Records of Maricopa County, Arizona, shall be **forever free and clear** of this aforementioned encumbrance.

3. Defendant is **barred and forever estopped** from having or claiming any right or title adverse to Plaintiff with respect to the real property located in Maricopa County, Arizona, and described as Lot 499, Wildflower Ranch Unit IV, according to book 447 of maps, page 16, of the Records of Maricopa County, Arizona.

4. Pursuant to Ariz. Rev. Stat. § 33-420(A), Plaintiff is awarded judgment against Defendant for statutory penalties in the amount of $10,000.00. This is exclusive of an award of reasonable costs and attorney fees pursuant to Ariz. Rev. Stat. § 33-420(B), to which Plaintiff is entitled upon further motion to the Court in accordance with the rules of procedure.

DATED this 12th day of July, 2011.

G. Murray Snow
United States District Judge