

897-2922

STATE OF ALABAMA     )  
                              :  
JEFFERSON COUNTY     )

**SCRIVENER'S AFFIDAVIT**

Before me, the undersigned notary public, personally appeared John E. Hagefstration, Jr., who being duly sworn deposes and says as follows:

1. My name is John E. Hagefstration, Jr. I am a practicing attorney in the City of Birmingham, Alabama. My address is 420 North 20th Street, Birmingham, Alabama 35203.

2. I prepared a letter dated March 4, 1997 addressed to Mr. William D. Murray of Bill's Contracting Service, Inc. regarding certain defaults which had occurred under the terms of a promissory note dated September 10, 1996, which he executed individually and on behalf of Bill's Contracting Service, Inc. This note was secured by a mortgage (the "Mortgage") on the following described property, to-wit:

Lot 15, according to the Survey of St. Charles Place, Phase Two, Sector Five, as recorded in Map book 20, Page 143 in the Probate Office of Shelby County, Alabama, being situated in Shelby County, Alabama.

A copy of this letter is attached hereto.

3. I also prepared the notice of the foreclosure sale which is described in this letter. By mistake, this foreclosure notice listed only William D. Murray's name and not Bill's Contracting Service, Inc.

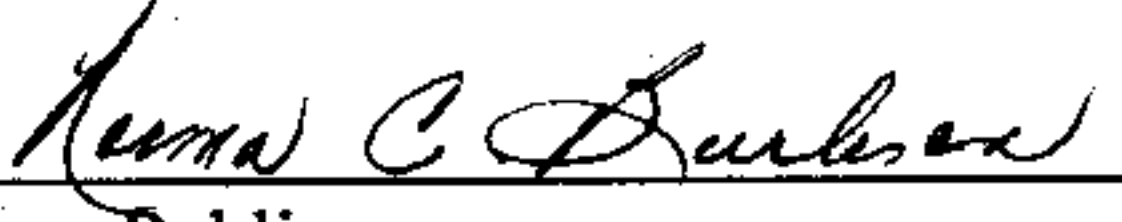
4. The defaults which gave rise to my letter were not cured prior to the scheduled date of the foreclosure sale, so the foreclosure sale was duly and properly held at the time stated in the foreclosure notice. By mistake, the foreclosure deed which I prepared evidencing the foreclosure sale (which is recorded as instrument number 1997-10332 in the Office of the Judge of Probate of Shelby County, Alabama), reflected only William D. Murray's name and not Bill's Contracting Service, Inc.

5. This affidavit is made for the purpose of acknowledging the scrivener's error in the drafting of the foreclosure notice and the foreclosure deed.

Further, affiant saith not.

  
\_\_\_\_\_  
John E. Hagefstration, Jr.

Sworn to and subscribed before this the  
18 day of August, 1997.

  
\_\_\_\_\_  
Notary Public

My commission expires: 8-13-2000

Inst # 1997-29103

09/10/1997-29103  
08:45 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 HCD 11.00