

State of Alabama )  
SHELBY County )

SCRIVENER'S AFFIDAVIT

Before me the undersigned notary public, personally appeared  
GEORGE M. VAUGHN who, after being properly sworn, deposes and says as  
follows:

My name is GEORGE M. VAUGHN; I am over the age of nineteen  
(19) years and have personal knowledge of the facts set out herein.

I am a member in good standing with the Alabama State Bar. In my  
capacity as an attorney at law, I had prepared at my direction and under  
my supervision, that certain DEED, which was subsequently recorded in  
Instrument No. 1999-29927; MORTGAGE, which was subsequently recorded in  
Instrument No. 1999-29928 and ASSIGNMENT OF MORTGAGE, which was  
subsequently recorded in Instrument No. 1999-29929, in the Office of  
Probate of Shelby County, Alabama.

That in preparation of the aforesaid DEED, MORTGAGE AND ASSIGNMENT  
OF MORTGAGE, an error was made, that mistake being as follows:

THE LEGAL DESCRIPTION WAS INCORRECT. PLEASE REFER TO EXHIBIT A  
ATTACHED.

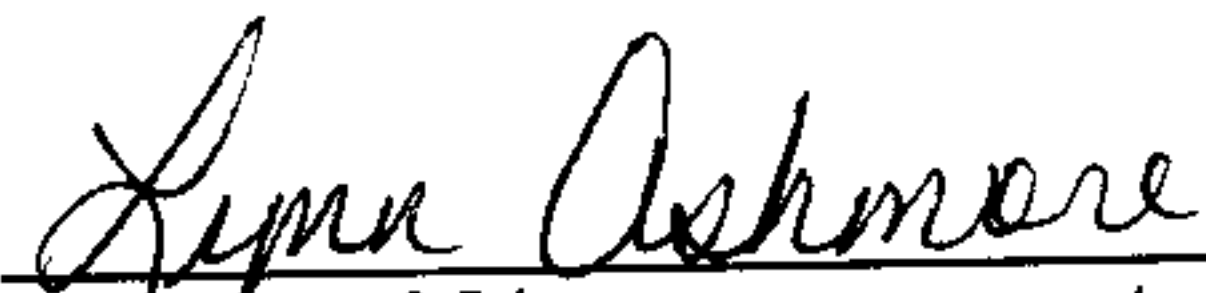
That the purpose of this affidavit is to correct the Probate  
Records of Shelby County, Alabama, and specifically, to correct that  
certain DEED, MORTGAGE AND ASSIGNMENT OF MORTGAGE, which are recorded in  
instruments shown above, in the Probate Office of Shelby County,  
Alabama, and that the errors made in the preparation of said DEED,  
MORTGAGE AND ASSIGNMENT OF MORTGAGE were not a contractual obligation  
between the Lender, First Capital Mortgage Corp., and the borrowers,  
Henry Douglas Little and Patricia Lynne Little, but merely errors on the  
part of the preparer.

Further affiant saith not.

In witness thereof, the undersigned has caused this affidavit to  
be executed on this 8TH day of OCTOBER, 1999.

  
Affiant

Sworn to and subscribed before me this 8TH day of OCTOBER,  
1999.

  
Notary Public  
My Commission expires: 9/29/02

NOTE TO PROBATE COURT: Please index under the names of the Lender and  
Borrowers as stated herein.

10/19/1999-43275  
11:12 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CJ1 11.00

4649  
Inst # 1999-43275

## EXHIBIT A

Part of Lot 1, Windstone, as recorded in the Office of the Judge of Probate, Shelby County, Alabama in Map Book 25, page 2, being more particularly described as follows:

From the Southwest corner of said Lot 1, run in a Northerly direction along the West line of said Lot 1 for a distance of 243.01 feet to an existing iron rebar set by Laurence D. Weygand and being the point of beginning; thence continue in a Northerly direction along the West line of said Lot 1 for a distance of 202.19 feet to an existing iron rebar set by Laurence D. Weygand and being the Northwest corner of said Lot 1; thence turn an angle to the right of 97 degrees 21 minutes 21 seconds and run in a Southeasterly direction along the North line of said Lot 1 for a distance of 172.56 feet to an existing iron rebar being the Northeast corner of said Lot 1 and being on a curve, said curve being concave in a Northwesterly direction and having a deflection angle of 14 degrees 44 minutes 33.5 seconds and a radius of 178.89 feet; thence turn an angle to the right of 110 degrees 38 minutes 57 seconds to the chord of said curve and run in a Southwesterly direction along the arc of said curve and along the West right of way line of Windstone Parkway for a distance of 92.06 feet to the point of ending of said curve; thence run in a Southwesterly direction along the Northwest right of way line of said Windstone Parkway and along line tangent to the end of said curve for a distance of 57.0 feet to the point of beginning of a new curve, said new curve being concave in a Southeasterly direction and having a deflection angle of 8 degrees 20 minutes 31 seconds and a radius of 210.71 feet; thence run in a Southwesterly direction along the Northwest right of way line of said Windstone Parkway for a distance of 61.36 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 44 degrees 29 minutes 02 seconds from the chord of last mentioned curve and run in a Southwesterly direction for a distance of 58.20 feet, more or less, to the point of beginning.

Inst # 1999-43275

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