

**STATE OF ALABAMA
COUNTY OF JEFFERSON**

SCRIVENER'S AFFIDAVIT

Before me, the undersigned authority, personally appeared, **W. Russell Beals, Jr.**, who, being first duly sworn by me, deposes and says:

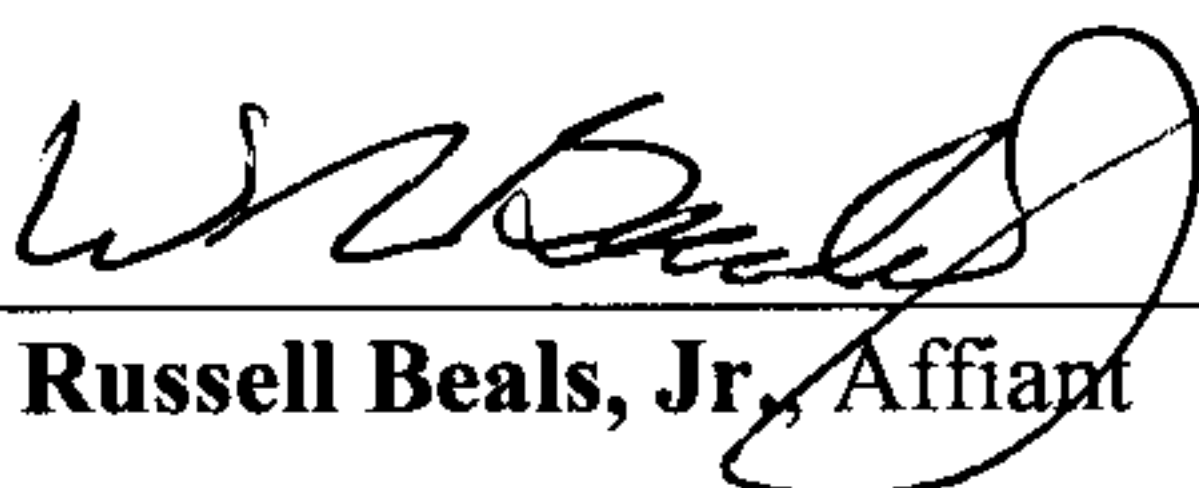
1. My name is **W. Russell Beals, Jr.**, Attorney at Law.
2. In my capacity as said Attorney, I prepared and caused to be filed of record that certain Warranty Deed dated **September, 11, 2001** and recorded as Instrument No. **2001-39742** in Office of the Judge of Probate of Shelby County, Alabama, conveying the property described therein from Buford H. Pate and Sarah B. Pate to Sunny R. Clowdus.
3. Said Deed was defective in that a covenant read in part, "This parcel may not be improved except as follows: Erection of a roadway or foot bridge."
4. This Affidavit is being given to correct said defects in said Deed and to say that the correct and more concise wording of the covenant is as follows:

"This parcel may not be improved except as follows:

Erection of a gazebo or guard building.

Erection of a roadway bridge or a foot bridge."

5. All other terms and conditions of the said Deed shall remain as written.



W. Russell Beals, Jr., Affiant

Sworn to and subscribed before me this the **2nd** day of **October, 2001**.



Notary Public

My Commission Expires: 1-11-03

Inst # 2001-43996

10/10/2001-43996
01:31 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 NEL 11.00