

THE STATE OF ALABAMA)
:
COUNTY OF SHELBY)

AFFIDAVIT EVIDENCING SCRIVENER'S ERROR

Before me, the undersigned Notary Public, personally appeared Brenda P. Smith employed by The Gadsden Corporation now located at 230 North 3rd Street, Gadsden, Alabama 35901, who being duly sworn deposes and says as follows:

My name is Brenda P. Smith, who was the preparer of that certain Warranty Deed dated June 25th, 1999 and filed for record on July 9th, 1999 and recorded in Instrument Number 1999-28872, in the Probate Office of Shelby County, Alabama, whereby the property described in the above mentioned deed was conveyed unto Fred D. Whitfield and wife, Helen F. Whitfield.

The undersigned has examined the Warranty Deed prepared and finds that the legal description contained therein is incomplete in that it does not recite the Section, Township and Range. The Section, Township and Range is that property situated in the SE 1/4 of the SW 1/4 of Section 10, Township 18 South, Range 1 East .

From this date forward, let the records reflect that the correct legal description is as follows:

Property situated in the SE 1/4 of the SW 1/4 of Section 10, Township 18 South, Range 1 East and being more particularly described as follows:

Commence at the NW corner of said 1/4-1/4 as the point of beginning; thence run North 89 degrees, 23 minutes, 56 seconds East along the North line of said 1/4-1/4 690.45 feet; thence run South 0 degrees, 28 minutes, 28 seconds East 315.00 feet; thence run North 89 degrees, 23 minutes, 56 seconds East 630.00 feet to the East line of said 1/4-1/4; thence run South 0 degrees, 28 minutes, 28 seconds East along said East line 330.27 feet; thence run South 89 degrees, 30 minutes, 22 seconds West 210.00 feet; thence run South 0 degrees, 28 minutes, 28 seconds East 420.00 feet; thence run South 89 degrees, 30 minutes, 22 seconds West 210.00 feet; thence run South 0 degrees, 28 minutes, 28 seconds East 210.00 feet to the South line of said 1/4-1/4; thence run South 89 degrees, 30 minutes, 22 seconds West along the South line of said 1/4-1/4 295.37 feet; thence North 0 degrees, 38 minutes, 50 seconds East 420.00 feet; thence run South 89 degrees, 30 minutes, 22 seconds West 630.00 feet to the West line of said 1/4-1/4; thence run North 0 degrees, 38 minutes, 50 seconds East along the West line of said 1/4-1/4 853.50 feet to the NW corner of said 1/4-1/4 and the point of beginning.

Situated in Shelby County, Alabama.

This Affidavit is made for the purpose of duly acknowledging the scrivener's error in that drafting of said deed filed in the Office of the Judge of Probate of Shelby County, Alabama and also to induce Chicago Title Insurance Company to issue its title insurance policy to said owner reflecting said correction.

FURTHER, Affiant saith not.

Brenda P. Smith

Brenda P. Smith

Sworn to and subscribed before me this 18th day of September, 2002.

Kayron Nix

Notary Public
My commissi

KAYRON C. NIX
Notary Public, AL State at Large
My Comm. Expires Dec. 20, 2004

THIS INSTRUMENT WAS PREPARED BY: Richard W. Theibert, Attorney
Najjar Denaburg, P.C., 2125 Morris Avenue, Birmingham, AL 35203
(205) 250-8400