

THE STATE OF ALABAMA )

COUNTY OF JEFFERSON )

20060817000403090 1/1 \$11.00  
Shelby Cnty Judge of Probate, AL  
08/17/2006 10:57:03AM FILED/CERT

**AFFIDAVIT EVIDENCING SCRIVENER'S ERROR**

Before me, the undersigned Notary Public, personally appeared Courtney Mason, who being duly sworn deposes and says as follows:

My name is Courtney Mason and I am with the law firm Courtney Mason & Associates, P.C., who was the preparer of that certain Warranty Deed prepared and filed in the Office of the Judge of Probate of Shelby County, Alabama and recorded in Instrument #20040806000442250, being dated August 5, 2004, whereby the property described in above mentioned deed was conveyed from Kencar Development, Inc. to Carter Homebuilders, Inc.

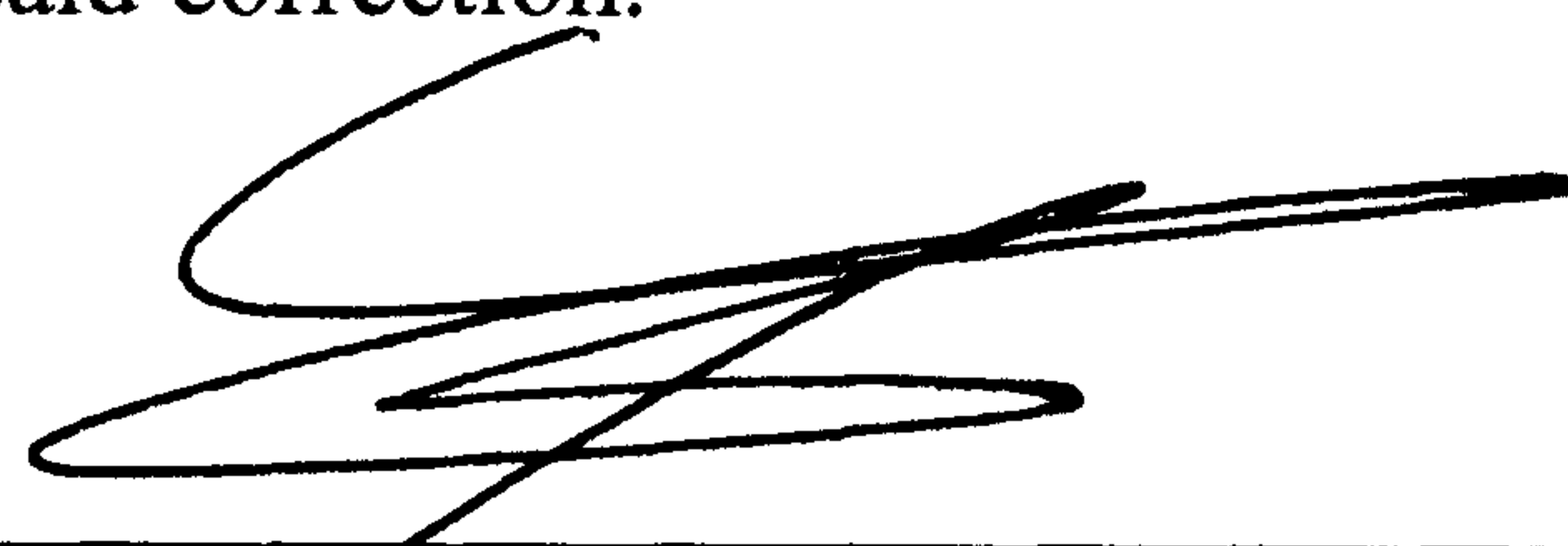
The undersigned has examined the deed prepared and finds that a typographical error was made relative to the Map Book number. The correct Map Book number of this deed is **31** and not **21**.

From this date forward, let the records reflect that the correct legal description of conveyance from Kencar Development, Inc. to Carter Homebuilders, Inc. is as follows:

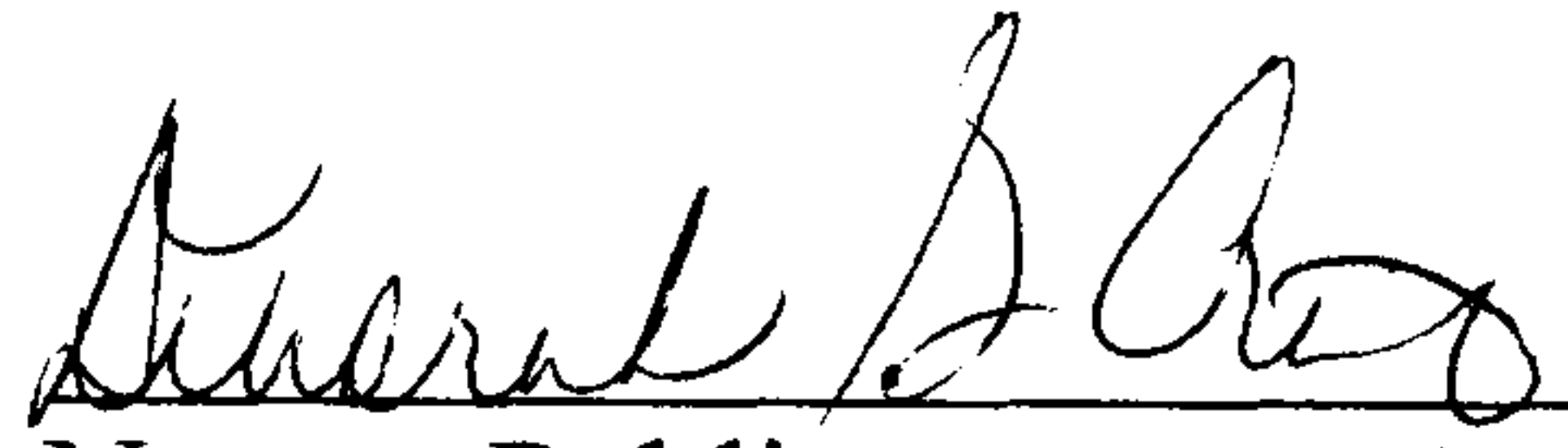
**Lot 1, according to the Survey of Calera Commons Center, as recorded in Map Book 31, Page 148, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.**

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 First American Title Insurance Company to issue its title insurance policy to said mortgagee reflecting said correction.

FURTHER, Affiant saith not.

  
\_\_\_\_\_  
Courtney Mason

Sworn to and subscribed before me this 8<sup>th</sup> day of August, 2006.

  
\_\_\_\_\_  
Notary Public 2/4/08

THIS INSTRUMENT WAS PREPARED BY: Richard W. Theibert, Attorney  
Najjar Denaburg, P.C., 2125 Morris Avenue, Birmingham, AL 35203

C. Mason