

STATE OF ALABAMA )

SHELBY COUNTY )



20080820000333990 1/3 \$17.00  
Shelby Cnty Judge of Probate, AL  
08/20/2008 08:23:13AM FILED/CERT

**SCRIVENER'S AFFIDAVIT**

My name is John MacAlpine Wood and I was a practicing attorney in Birmingham, Alabama between the years 1996 and 2006.

On December 16, 1999, I prepared the Last Will and Testament of Dell N. Gafford and of John P. Gafford, and The Gafford Revocable Trust. In Schedule "A" of the Trust (see attached Exhibit "I"), the real estate was identified as "all real estate, wherever situated." In March 2000, relying on the deed provided to me by the Gaffords, I prepared a deed transferring what I believed to be all of their property to the Gafford Trust. At that time, the Gaffords provided me a copy of a deed that did not contain part of their homestead property. On December 16, 1999, I prepared the deed later recorded as Instrument #2000-12975 in Probate Office of Shelby County, Alabama. Dell N. Gafford and John P. Gafford apparently did own the portion of the realty that was inadvertently omitted at the time I prepared the trust in December, 1999. Thus, the legal description section of this instrument did not include the entire homestead property and therefore the legal description section of the deed, recorded in Instrument #2000-12975, should be corrected as follows: The North 1/2 of the SE1/4 of the SE1/4 and all that part of the NE1/4 of the SE1/4 lying South and east of the Antioch-Marvel Road in Section 32 Township 21 South, Range 4 West, Shelby County, Alabama. Also, the W1/2 of the SW1/4 of SW1/4 of Section 33 Township 21 South, Range 4 West, Shelby County, Alabama.

This affidavit is given to correct the legal description in said deed.

Further the affiant saith not.

John MacAlpine Wood  
Attorney at Law  
1613 Lynwood Drive  
Concord, CA 94521  
(925) 349-4416

State of California  
County of San Francisco

Subscribed and sworn to (or affirmed) before me on this 14<sup>th</sup> day of August, 2008,  
by John MacAlpine Wood, proved to me on the basis of satisfactory evidence to be the person who  
appeared before me.

(seal)

Signature



EXHIBIT I

Gafford Revocable Trust



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SCHEDULE "A"

The following described property is hereby conveyed and transferred to, and deposited with, **John P. Gafford and Dell N. Gafford**, Co-Trustees of the Gafford Revocable Trust, subject to the terms and conditions of the foregoing Trust Declaration:

REAL ESTATE:

All real estate, wherever situated, owned by Grantors, or either of them, or in which Grantors, or either of them, have an interest.

PERSONAL PROPERTY:

1. All cash, gold or silver bullion or coins, checking accounts, savings accounts, certificates of deposit, money fund deposits, or similar cash or cash equivalent accounts now held in the names of Grantors, or either of them.
2. All stocks, bonds, investments, and securities of any nature whatsoever now owned beneficially or of record by Grantors, or either of them.
3. All notes, contracts, mortgages, and deeds of trust receivable (if any) now owned by Grantors, or either of them.
4. All household furnishings, goods, and appliances, and all jewelry and personal effects, or other personal property of any nature and wherever situated (except motor vehicles) now owned by Grantors or either of them.

All of the above-described property consisted of, or while held in trust hereunder shall be deemed to be, Jointly Held/Community Property of the Grantors (as such term is defined in the Trust Declaration to which this Schedule "A" is attached), EXCEPTING the property, if any, specifically identified upon the attached Schedule "SP" as having the character of Separate Property of either Grantor.

\*\*\*\*\* END OF SCHEDULE "A" \*\*\*\*\*

SCHEDULE "SP"

The undersigned Grantors acknowledge that the following property conveyed to the Trustee of the Gafford Revocable Trust has the character of separate property of Grantor **John P. Gafford**:  
(If there are no Separate Property Items, write "NONE")

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*none*

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The undersigned Grantors acknowledge that the following property conveyed to the Trustee of the Gafford Revocable Trust has the character of separate property of Grantor **Dell N. Gafford**:  
(If there are no Separate Property Items, write "NONE")

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*none*

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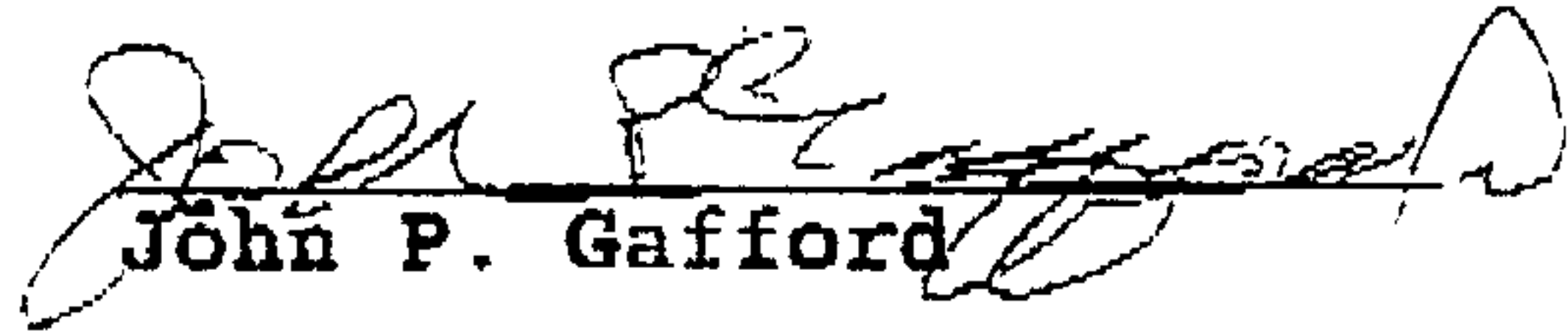


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DATE APPROVED BY GRANTORS: 12/16/99

IN WITNESS WHEREOF, this instrument has been executed by the parties hereto, as of the day and year first above written. All fully executed counterparts hereof shall be deemed an original hereof.

GRANTORS:

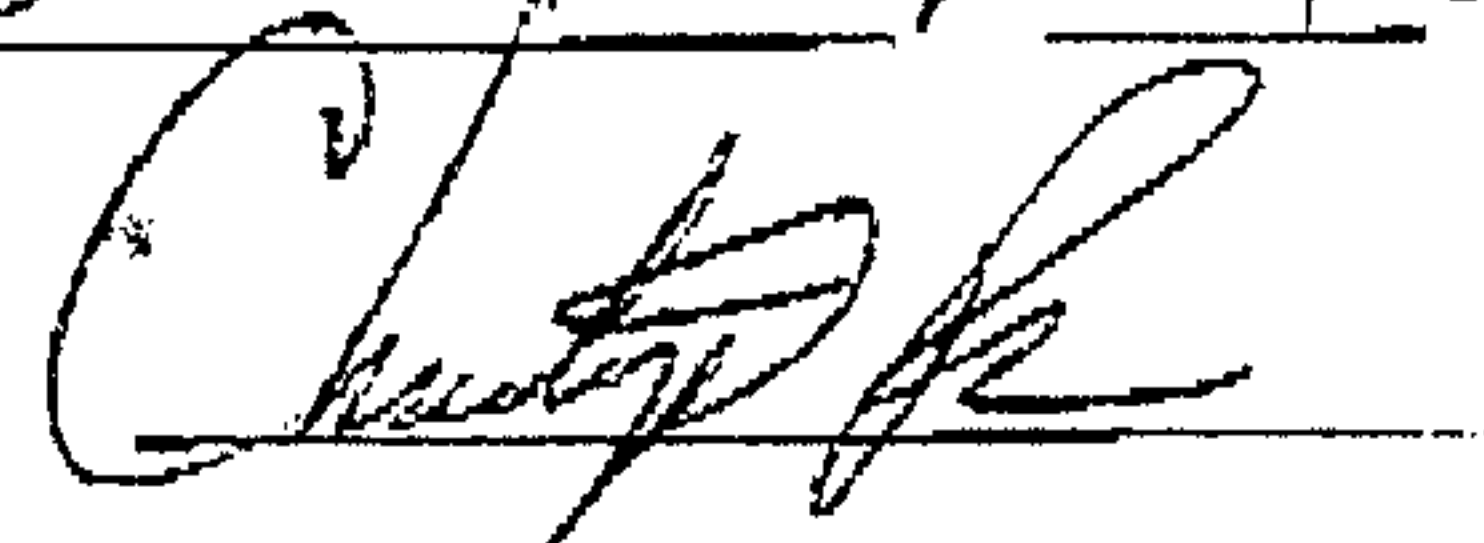
  
John P. Gafford

  
Dell N. Gafford

State of Alabama )  
Jefferson County ) SS

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that **John P. Gafford and Dell N. Gafford**, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, executed the same voluntarily on the day the same bears date.

Given under my hand this 16 day of December, 99.



My commission or term of office expires on 10/15/02.

This Instrument Prepared by: John M. Wood  
2000 1<sup>st</sup> Avenue North #446  
Birmingham, AL 35203