

SCRIVENER'S AFFIDAVIT

STATE OF ALABAMA)

COUNTY OF SHELBY

Mortgagor: Louie J. Pickett and Betty D. Pickett aka Diane E. Pickett

Mortgagee: U.S. Bank, N.A., as Trustee for that Certain Pooling and Servicing Agreement, Series #2004-KS12, Pool #955

I, Colleen E. McCullough, being duly sworn, depose and state the following:

1. I am the attorney who prepared that certain Foreclosure Deed dated September 16, 2008 recorded in Instrument No. 20080926000381250, in the Office of the Judge of Probate of Shelby County, Alabama, which evidences the foreclosure of that certain mortgage granted by Louie J. Pickett and Betty D. Pickett, husband and wife aka Diane E. Pickett, in favor of Mortgage Electronic Registration Systems, Inc. solely as nominee for Homecomings Financial Network, Inc., which said mortgage was recorded in the Office of the Judge of Probate of Madison County, Alabama, in Instrument No. 20041229000704880, said mortgage having subsequently been transferred and assigned to U.S. Bank, N.A., as Trustee for that Certain Pooling and Servicing Agreement, Series #2004-KS12, Pool #955, by instrument recorded in Instrument No. 20080926000381240, in the aforesaid Probate Office

2. Said Foreclosure Deed incorrectly stated the legal description as follows:

All that certain lot or parcel of land situated in the County of Shelby, State of Alabama and being more particularly described as follows:

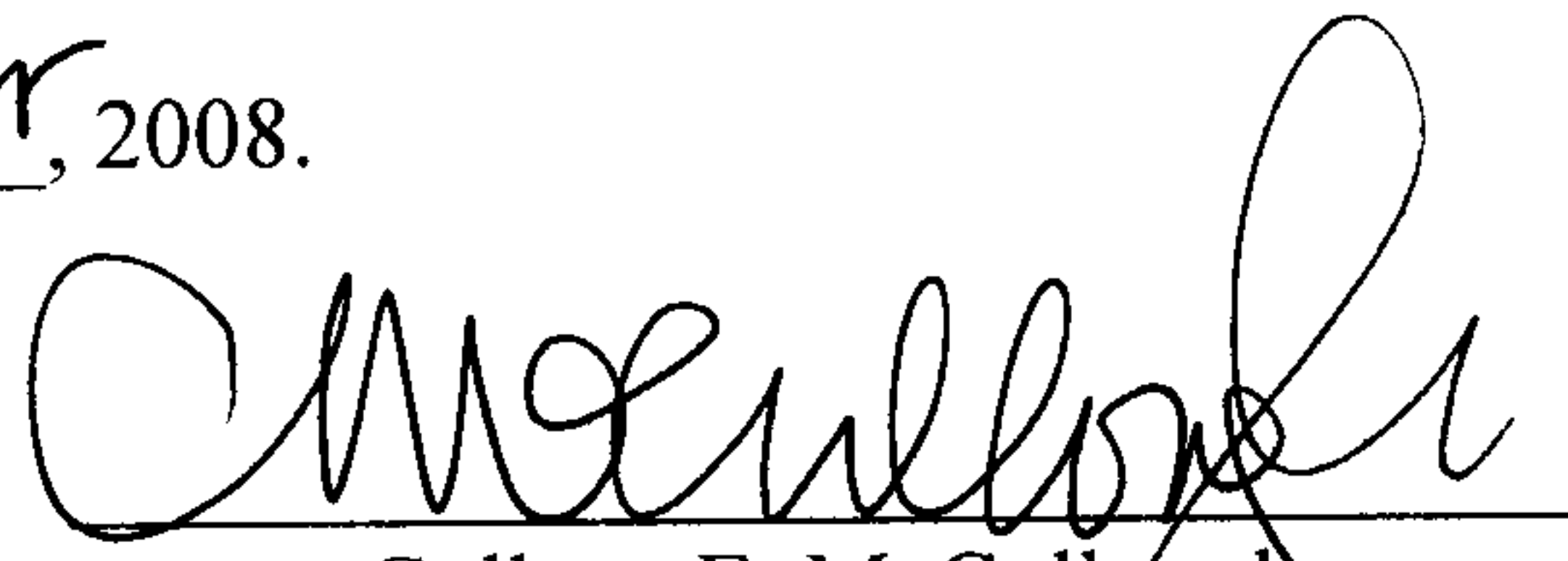
A parcel of land located in Section 2, Township 22 South, Range 4 West, more specifically described as follows: from the Northwest corner of the Southeast 1/4 of the Northwest 1/4 of Section 2, Township 22 South, Range 4 West; run easterly along the North boundary line of said Southeast 1/4 of the Northwest 1/4 of Section 2, Township 22 South , Range 4 West a distance of 244.0 feet to the point of beginning; thence continue said course for a distance of 180.0 feet; thence turn an angle of 90 degrees 39 minutes to right and run Southerly 192.0 feet; Thence turn an angle of 89 degrees 21 minutes to the right and parallel to the West boundary of said 1/4-1/4 section and run to the point of beginning; being situated in Shelby County, Alabama

3. The purpose of this Affidavit is to correct the legal description in said Foreclosure Deed as follows:

A parcel of land located in Section 2, Township 22 South, Range 4 West, more specifically described as follows: from the Northwest corner of the Southeast 1/4 of the Northwest 1/4 of Section 2, Township 22 South, Range 4 West; run easterly along the

North boundary line of said Southeast 1/4 of the Northwest 1/4 of Section 2, Township 22 South , Range 4 West a distance of 244.0 feet to the point of beginning; thence continue said course for a distance of 180.0 feet; thence turn an angle of 90 degrees 39 minutes to right and run Southerly 192.0 feet; Thence turn an angle of 89 degrees 21 minutes to the right **and run westerly a distance of 180.0 feet; thence turn right** and parallel to the West boundary of said 1/4-1/4 section and run to the point of beginning; being situated in Shelby County, Alabama

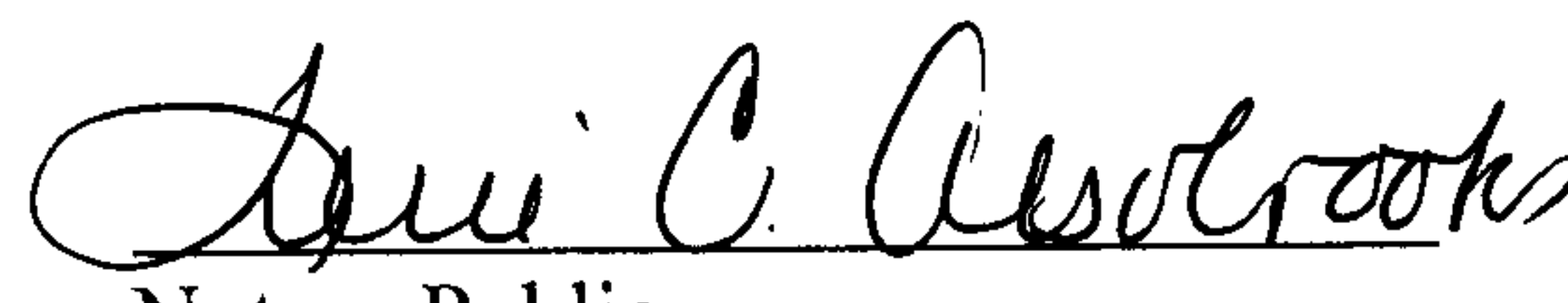
Executed this 13th day of November, 2008.


Colleen E. McCullough

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Colleen E. McCullough, who is known to me, acknowledged before me on this date, that being informed of the contents of the affidavit, she executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 13th day of November, 2008.


Notary Public
My Commission Expires: 11-4-09

This Instrument Prepared By:
Sirote & Permutt, P.C.
Colleen E. McCullough, Esq.
2311 Highland Avenue South
Birmingham, AL 35205