

STATE OF ALABAMA)
COUNTY OF SHELBY)

20090604000213550 1/1 \$11.00
Shelby Cnty Judge of Probate, AL
06/04/2009 01:38:45 PM FILED/CERT

AFFIDAVIT EVIDENCING SCRIVENER'S ERROR

Before me, the undersigned Notary Public, personally appeared Jaimie Newman-Grissom as Bank officer of RBC Bank, (USA), who being duly sworn deposes and says as follows:

My name is Jaimie Newman-Grissom I am the Bank officer at RBC Bank (USA). I hereby certify that I have personal knowledge of the matters set forth herein.

On January 5, 2009, KSS Properties, LLC, an Alabama limited liability company, by Elizabeth S Jacobson, a Member of KSS Properties LLC and Keith S Jacobson, a Member of KSS Properties LLC, did execute a mortgage in favor of RBC Bank (USA). Said mortgage being recorded in Instrument 20090113000010660, together with an Assignment of Rents and Leases recorded in Instrument 20090113000010670, in the Probate Office of Shelby County, Alabama. The undersigned has examined said Mortgage and Assignment of Rents and Leases and finds that there was an error in the legal description on the mortgage. The true and correct legal description is as follows:

Units 250A and 250B, in Beaumont Village Condominium, a Condominium, as established by that certain Declaration of Condominium, which is recorded in Instrument 20080328000126220, in the Probate Office of Shelby County, Alabama, and any amendments thereto, to which Declaration of Condominium a plan is attached as Exhibit "D" thereto, and as recorded in The Condominium Plat of Beaumont Village Condominium, in Map Book 39, page 129, and any future amendments thereto, and to which said Declaration of Condominium the By-Laws of Beaumont Village Association Inc., are attached as Exhibit "C" thereto, and the Articles of Incorporation of Beaumont Village Association Inc. as recorded in Instrument 20080328000126230, together with an undivided interest in the Common Elements assigned to said Unit, by said Declaration of Condominium set out in Exhibit "E"

This Affidavit is made for the purpose of duly acknowledging the error made and further acknowledging the change in the description of the collateral held by RBC Bank (USA).

FURTHER, Affiant saith not.

RBC Bank (USA)

By: Jaimie Newman-Grissom
As its Bank officer Jaimie Newman-Grissom

Sworn to and subscribed before me this 26th day of May, 2009.

SUSAN C. PEARSON
NOTARY PUBLIC
NASH COUNTY, NC

Susan C. Pearson
Notary Public