

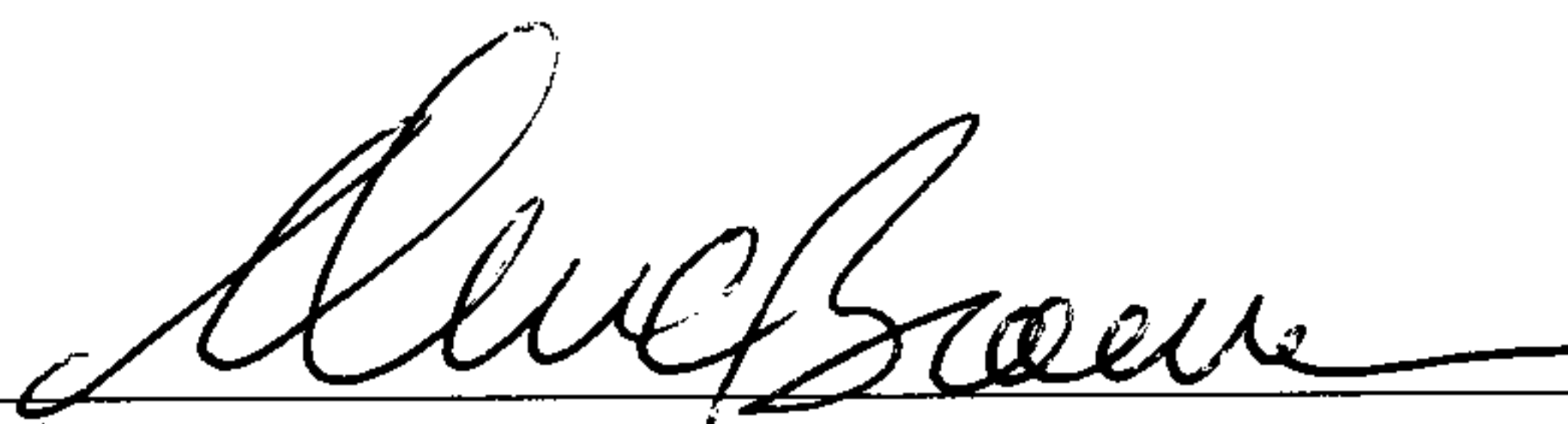
SCRIVENER'S AFFIDAVIT

STATE OF ALABAMA
COUNTY OF SHELBY

Before me the undersigned a Notary Public in and for said County and State, personally appeared William C. Brown, who having been duly sworn, doth depose and state as follows:

1. I am William C. Brown, an attorney practicing law in the State of Alabama.
2. In September of 2009, my office prepared a Mortgage for Regions Bank as security for a promissory note in the original principal amount of \$685,524.00 (hereinafter "Mortgage").
3. The Mortgage was from FOWL PLAY HOLDINGS, LLC, (as Mortgagor) to Regions Bank (as Mortgagee), and is recorded as Instrument No. 20090916000353170 in the Office of the Judge of Probate of Shelby County, Alabama.
4. The Mortgage refers to the property described therein as "A portion of Lot 2, according to the Limestone Marketplace Subdivision, recorded in Map Book 39, Page 50, situated in Shelby County, Alabama."
5. Unfortunately that lot, survey, map book and page reference is incorrect and the property is in fact described as "Lot 2-A, according to Resurvey of Lot 2 and Lot 6 of a Resurvey of Lot 2, Limestone Marketplace Subdivision, recorded in Map Book 41, page 57, situated in Shelby County, Alabama."
6. The correct description of the property that should have been referred to in the Mortgage (and the documents executed in connection therewith) is the following (hereinafter "Correct Legal"):

Lot 2-A, according to Resurvey of Lot 2 and Lot 6 of a Resurvey of Lot 2, Limestone Marketplace Subdivision, recorded in Map Book 41, page 57, situated in Shelby County, Alabama.
7. This Correct Legal is the property described in the deed wherein the Mortgagor obtained title to the property.
8. Due to a scrivener's error, the Correct Legal was not included in the Mortgage, and this affidavit is being filed for the purposes of amending the Mortgage to correct this scrivener's error and include therein the Correct Legal for the property incorrectly described therein.



William C. Brown L.S.

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William C. Brown, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 16th day of October, 2009.



NOTARY PUBLIC (My Commission Expires: 6/17/11)