

STATE OF ALABAMA            )  
  :        SCRIVENER'S AFFIDAVIT  
JEFFERSON COUNTY            )

Before me, the undersigned notary public, personally appeared Alan L. Foster, who, after being properly sworn, deposes and says as follows:

My name is Alan L. Foster. I am over the age of nineteen (19) years and have personal knowledge of the facts set out herein.

I am a member in good standing with the Alabama State Bar. In my capacity as an attorney at law, I had prepared at my direction and under my supervision, **the Warranty Deed** for the benefit of **Diego H. Howard and Shanetta C. Howard** which was subsequently recorded in **Instrument #2009042100145400**, in the Office of Probate of **SHELBY** County, Alabama.

That in preparation of the aforesaid Warranty Deed an error was made, that mistake being as follows:

**Said Warranty Deed incorrectly listed the date of the document as the 17<sup>th</sup> Day of April 2008, when in fact the year was 2009, when in fact it was 2009.** *(Further reference is made to the Mortgage recorded simultaneously in Instrument #20090421000145410 which bears the correct date.)*

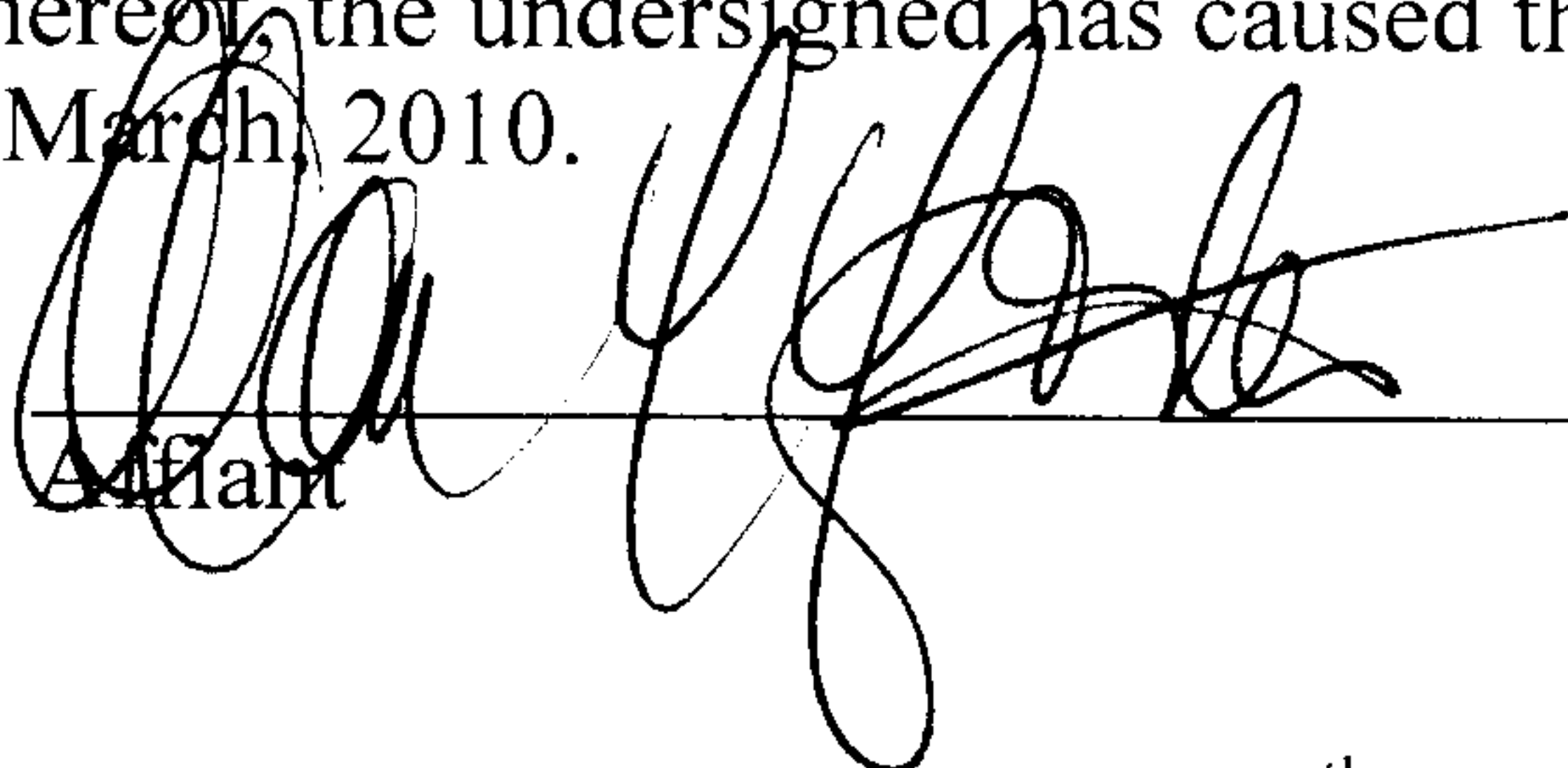
**Deed also failed to state that Diego Howard is one and the same as Diego H. Howard and that Shanetta Howard is one and the same as Shanetta C. Howard.**

That the purpose of this affidavit is to correct the Probate Records of SHELBY County, Alabama, and specifically, to correct that certain Warranty Deed which is recorded in **Instrument #2009042100145400**, in the Office of Probate of **SHELBY** County, Alabama, **and clarify that said property was indeed transferred April 17, 2009.** It is also to provide clarity that **Diego Howard** is one and the same as **Diego H. Howard** and that **Shanetta Howard** is one and the same as **Shanetta C. Howard**.

The error made in the preparation of said Warranty Deed was not a contractual obligation between the Grantors, who are one and the same as the Grantees, but merely an error on the part of the preparer.

Further affiant saith not.

In witness thereof, the undersigned has caused this affidavit to be executed on this 10<sup>th</sup> day of March, 2010.


  
\_\_\_\_\_  
Affiant

Sworn to and subscribed before me this 10<sup>th</sup> day of March, 2010.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 9-10-2010

**NOTE TO PROBATE COURT: PLEASE INDEX UNDER THE NAMES OF THE GRANTEE(S) AS STATED HEREIN.**

  
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Shelby Cnty Judge of Probate, AL  
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