

STATE OF ALABAMA)

JEFFERSON COUNTY)

SCRIVENER'S AFFIDAVIT

Before me, the undersigned, a Notary Public in and for said County in said State, personally appeared H. Evans Whaley, who being first duly sworn, deposes and says as follows:

That on April 1, 1992, he closed an Equity Line of Credit Mortgage in which James F. Tillery, Sr. and wife, Alice B. Tillery were the Borrowers, and they obtained an Equity Line of Credit Mortgage from Central Bank of the South.

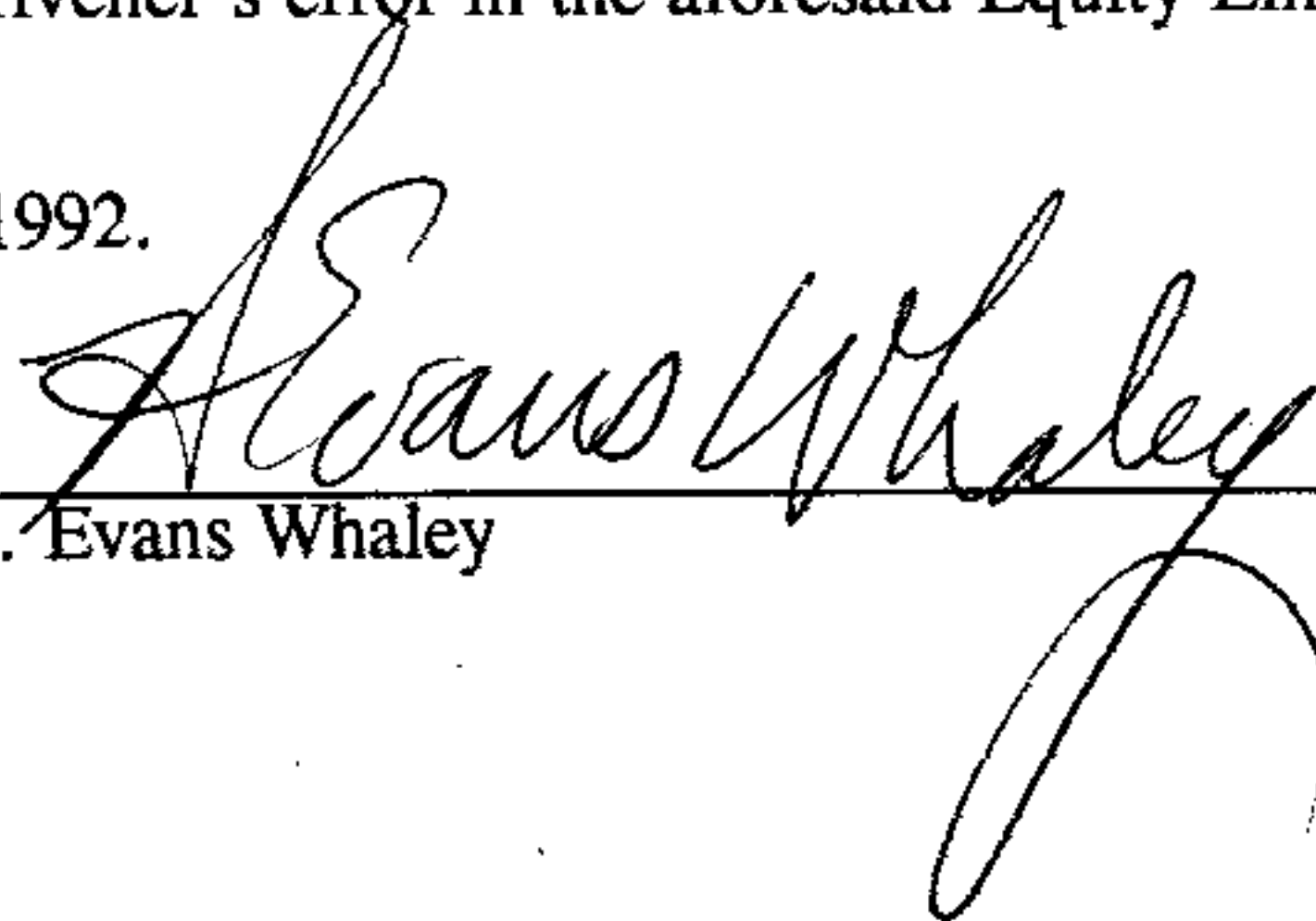
That the affiant herein has been informed that the correct legal description to the property conveyed and mortgaged as set out hereinabove is as follows:

Commence at the NE corner of the E 1/2 of the SW 1/4 of Section 5, T-20-S, R-1-E, and run South along the East line thereof 1047.00' to the Point of Beginning; thence continue along the last described course 918.72' to the center of a paved road; thence 113 degrees 54' right and run along said road 198.71'; thence 25 degrees 21' 10" right and continue along said road 220.87'; thence 23 degrees 50' left and continue along said road 188.46' thence 65 degrees 38' right and run 599.00'; thence 90 degrees 00' right and run 483.13' to the Point of Beginning. Situated in Shelby County, Alabama. This is a second mortgage junior and subordinate to that certain mortgage to APCO Employees Credit Union, recorded in Book 311, Page 506.

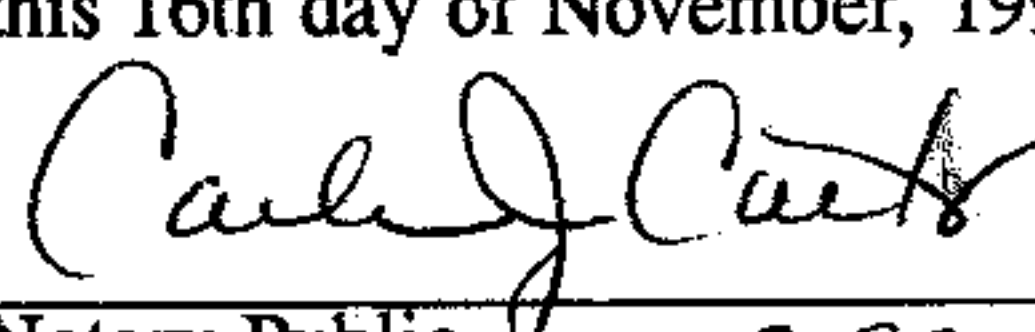
That a scrivener's error was made on the Equity Line of Credit Mortgage on April 1, 1992, in that under Instrument #1992-4966, recorded on April 17, 1992 in the Shelby County Judge of Probate, the legal description incorrectly stated, "...thence 90 degrees 00' right and run .13' to the Point of Beginning." The legal description should correctly read, "...thence 90 degrees 00' right and run 483.13' to the Point of Beginning."

This affidavit is given to clarify the scrivener's error in the aforesaid Equity Line of Credit Mortgage.

Done this the 16th day of November, 1992.


H. Evans Whaley

Sworn to and subscribed before me
this 16th day of November, 1992.


Notary Public 12-7-92

This instrument was prepared by:

William D. Nichols, Attorney
Whaley & Grimes, P. C.
244 West Valley Avenue, Suite 200-A
Birmingham, AL 35209

Inst # 1993-01061

01/12/1993-01061
12:53 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCD 6.50