

SCA
BRAD Siegal

STATE OF ALABAMA)

SHELBY COUNTY)

AFFIDAVIT OF SCRIVENER'S ERROR

THIS AFFIDAVIT OF SCRIVENER'S ERROR is made and entered into on this 17th day of January, 1994 by and among COLONIAL PROPERTIES, INC., an Alabama corporation ("Proposed Grantor") and COLONIAL REALTY LIMITED PARTNERSHIP, a Delaware limited partnership ("Proposed Grantee").

The undersigned, Proposed Grantor and Proposed Grantee, being duly sworn, depose and say that by Special Limited Warranty Deed dated September 23, 1993 and recorded in the Office of the Shelby County Judge of Probate under Instrument No. 1993-30307, there was a scrivener's error in the legal description of the property to be conveyed as shown on Exhibit "A" to the Special Limited Warranty Deed. The undersigned do hereby acknowledge and agree that Lot 1-B, according to the Colonial Properties' survey of part of Lot 1, Heatherbrooke Office Park, recorded in Map Book 15, Page 46, in the Probate Office of Shelby County, Alabama, was not intended to be conveyed by the Special Limited Warranty Deed by Proposed Grantor, and was not intended to be received by the Proposed Grantee.

The undersigned acknowledge that Lot 1-B should be deleted from the Special Limited Warranty Deed recorded above as if it had never been included.

EXECUTED on this 17th day of January, 1994.

COLONIAL PROPERTIES, INC.,
as Proposed Grantor

By: Thomas H. Lowder
Thomas H. Lowder
Its: President

COLONIAL REALTY LIMITED
PARTNERSHIP, a Delaware limited partnership,
as Proposed Grantee

By: Colonial Properties Holding Company, Inc.
Its: General Partner
By: Thomas H. Lowder
Thomas H. Lowder
Its: President

01/25/1994-02655
11:16 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 NJS 11.00

Inst # 1994-02655

* 1994-02655

Inst # 1994-02655

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that Thomas H. Lowder, whose name as President of Colonial Properties, Inc., a corporation, is signed to the foregoing Affidavit of Scrivener's Error, and who is known to me, acknowledged before me on this day, that, being informed of the contents thereof, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 17th day of January, 1994.

Cheryl J. Hawkins
NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC STATE OF ALABAMA AT LARGE.
MY COMMISSION EXPIRES: Nov. 18, 1995.
BONDED THROUGH NOTARY PUBLIC UNDERWRITERS.

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that Thomas H. Lowder, whose name as President of Colonial Properties Holding Company, Inc., General Partner of Colonial Realty Limited Partnership, is signed to the foregoing Affidavit of Scrivener's Error, and who is known to me, acknowledged before me on this day, that, being informed of the contents thereof, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 17th day of January, 1994.

Bradley C. Siegel
NOTARY PUBLIC
MY COMMISSION EXPIRES: November 27, 1997