

STATE OF ALABAMA)
COUNTY OF SHELBY)

SCRIVENER'S AFFIDAVIT

COMES NOW Mitchell A. Spears, as Closing Attorney, and "Affiant" herein, and after first having been duly sworn, said Affiant does hereby depose and say as follows:

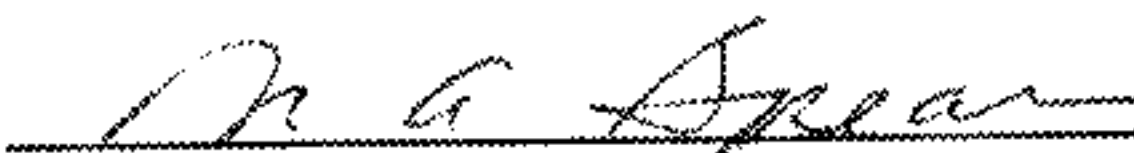
1. On or about August 13, 1994, said Affiant prepared a Mortgage whereby Jimmy Wayne Walker and wife, Mary Aliene Walker were the Mortgagors; and Jackie R. Williams and wife, Rosella M. Williams were the Mortgagees therein. Said Mortgage was recorded at Instrument #1994-25853, in the office of the Probate Judge, Shelby County, Alabama.

2. Upon the first page of said Mortgage, there appears a statement which states as follows:

"THIS MORTGAGE SHALL NOT BE ASSUMABLE BY ANY OTHER PARTY, WITHOUT THE PRIOR WRITTEN CONSENT OF THE MORTGAGORS HEREIN."

3. It was the intent of the parties at closing of this matter that the stated Mortgage would not be assumable by any other party, without the prior written consent of the Mortgagees. Therefore, the term "Mortgagees" is hereby substituted for the term "Mortgagors" within the body of said clause appearing upon said Mortgage.

FURTHERMORE, the Affiant saith naught.


Mitchell A. Spears, Affiant

STATE OF ALABAMA)
COUNTY OF SHELBY)

Sworn to and subscribed before me this the 6th day of September, 1994.


Notary Public

Inst # 1994-27984

09/12/1994-27984
11:27 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 SNA 8.50

Inst # 1994-27984