

STATE OF ALABAMA )

JEFFERSON COUNTY )

### SCRIVENERS' AFFIDAVIT

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

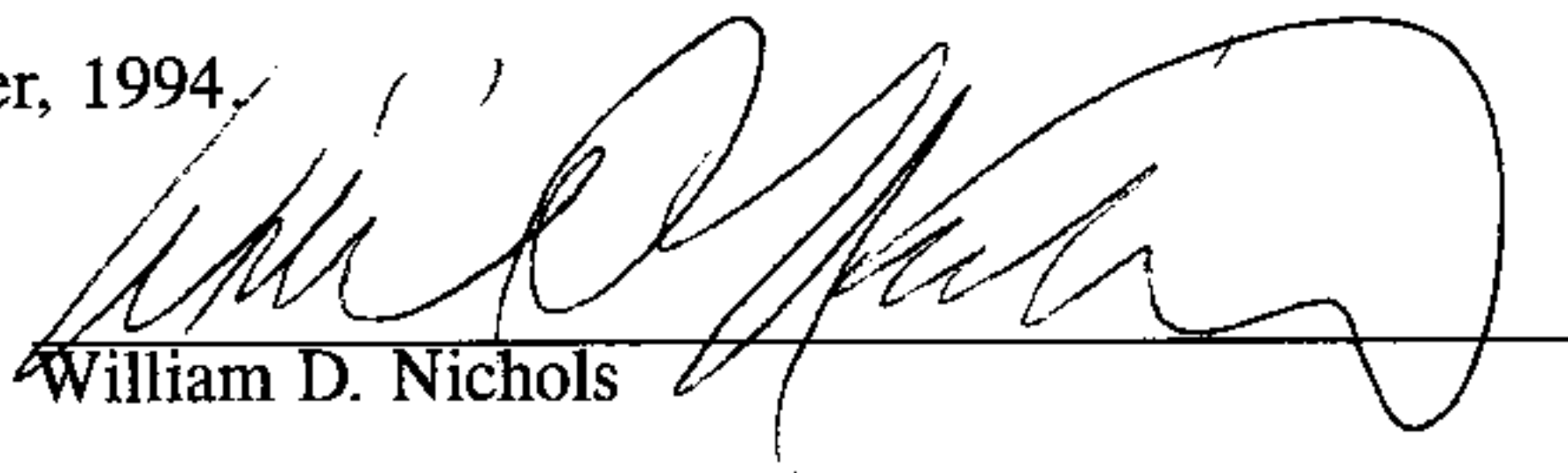
That on November 24, 1992, he closed a mortgage loan in which Thomas G. Cook and wife, Dawn R. Cook, purchased property from Randall J. Freeman and wife, Lisa B. Freeman, certain real property situated in Shelby County, Alabama, and they obtained a first mortgage loan from First United Mortgage.

That the affiant herein has been informed that the mortgage was recorded without an Exhibit "B" being attached which was the assignment of the mortgage. Said mortgage was recorded in Shelby County, Instrument #1992-28623, on December 01, 1992. This assignment is to be incorporated into and made a part of said mortgage.

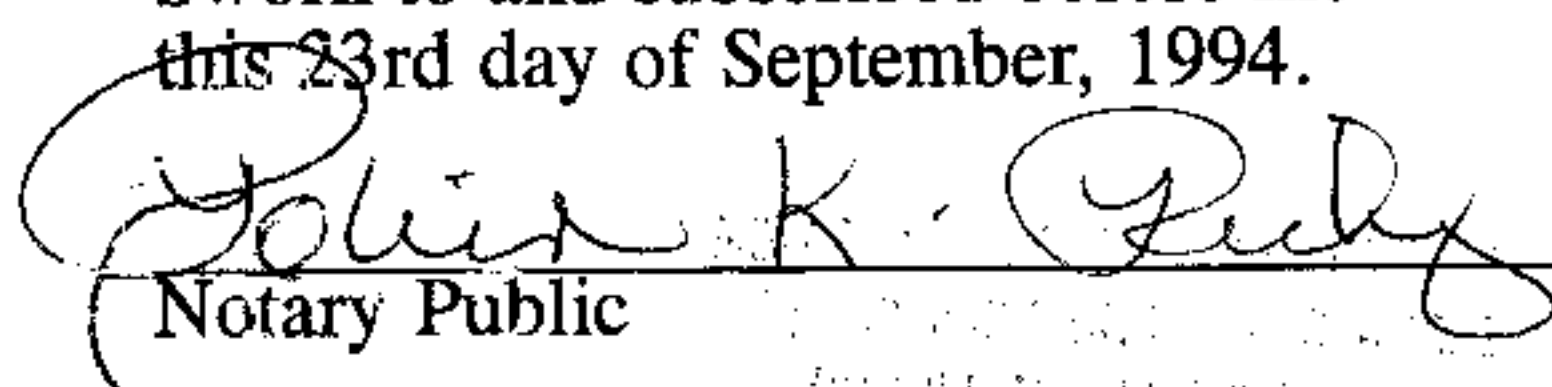
That a scriveners' error was made on the mortgage as the assignment of the mortgage was left off. Said assignment is attached to this affidavit as Exhibit "B".

This affidavit is given to clarify the scriveners' error in the aforesaid mortgage recording.

Done this the 23rd day of September, 1994.

  
William D. Nichols

Sworn to and subscribed before me  
this 23rd day of September, 1994.

  
Notary Public

This instrument was prepared by:  
H. Evans Whaley, Esq.  
Whaley & Grimes, P. C.  
244 West Valley Avenue, Suite 200-A  
Birmingham, AL 35209

St. # 1994-31373

10/17/1994-31373  
10:10 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 11.00

**EXHIBIT "B"**

THIS IS A CERTIFIED COPY OF THE  
INSTRUMENT EXECUTED BY ME ON THE  
24TH DAY OF NOVEMBER, 1992.

Shirley A. Hunt  
SHIRLEY A. HUNT ALABAMA

STATE OF ALABAMA  
JEFFERSON COUNTY

## ASSIGNMENT OF MORTGAGE

FOR VALUE RECEIVED, the undersigned, First United Mortgage  
Company, a corporation does hereby grant, bargain, sell, convey,  
assign and deliver unto Colonial Mortgage Company  
a corporation, its successors and assigns, that certain mortgage  
executed by Thomas G. Cook and wife, Dawn R. Cook to  
Colonial Mortgage Company, IN THE PRINCIPAL SUM OF \$ 80,400.00  
dated the 24th day of November, 1992, and filed for record  
on the 01 day of Dec, 1992, in the Office of the  
Judge of Probate of Shelby County, Alabama in Real  
Property Book 1992 at Page 28623 together with the debt thereby  
secured, the note therein described and all interest of the  
undersigned in and to the lands and property conveyed by said  
mortgage having the following legal description:

Lot 36, according to the Map and Survey of Wagon Trace, as recorded in Map Book 6, Page 140, in the Probate Office of Shelby County, Alabama.

Mineral and mining rights excepted.

TO HAVE AND TO HOLD unto the said Colonial Mortgage Company  
its successors and assigns, FOREVER

IN WITNESS WHEREOF, the said First United Mortgage, a corporation, has caused this instrument to be executed in its corporate name and behalf by Shirley Hunt as its President, and attested and its corporate seal to be hereto affixed by \_\_\_\_\_ as its Assistant Secretary, both duly authorized on this the \_\_\_\_\_ day of November, 1972.

**ATTENT:**

**BY:** \_\_\_\_\_  
**As its Assistant Secretary**

Inst ~~BY 99~~ <sup>13373</sup> Harley A. Hunt  
As its President.

STATE OF ALABAMA  
Jefferson COUNTY

10/17/1994-31379  
10:10 AM CERTIFIED  
SHELBY COUNTY, JUDGE OF PROBATE  
11:00

I, the undersigned authority, in and for said county, in said state, hereby certify that Shirley A. Hunt and \_\_\_\_\_ who are named as President \_\_\_\_\_ and \_\_\_\_\_ respectively, of First United Mortgage \_\_\_\_\_, a corporation, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that being informed of the contents of this instrument, they as such officers and with full authority, executed the same voluntarily for and as the act of such corporation.

GIVEN under my hand and official seal this the 24th day of November 1992.

**THIS INSTRUMENT WAS PREPARED BY:**

Whaley &amp; Grimes, P. C.

NOTARY PUBLIC  
MY COMMISSION EXPIRES  
NOTARY PUBLIC, STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: AUG. 12, 1905.  
BONDED THRU WESTERN SURETY CO.

ATTN