

STATE OF ALABAMA

SHELBY COUNTY

AFFIDAVIT

Before me, Frances F. Hester, a Notary Public in and for said county and state, personally appeared Robert C. Farmer, whose name is signed to this Affidavit and who is known to me, and who being by me first duly sworn, deposes and says as follows:

1. That my name is Robert C. Farmer, I am over the age of 19 years, and reside at 117 Kings Crest Lane Pelham in Shelby County, Alabama.

2. That I am a Registered Land Surveyor in the State of Alabama.

3. That I conducted a survey and prepared a survey map of a portion of Lot 6 of Weaver Creek Estates, a map of which is recorded at Map Book 11, Page 68, in the Office of the Judge of Probate of Shelby County, Alabama.

4. That such survey was prepared at the request of Cardinal Homes, Inc. and/or Charles Ricky Cain for use by such parties in the granting of a mortgage by said Charles Ricky Cain to said Cardinal Homes, Inc.

5. That in the preparation of the legal description of such property for inclusion on such survey map, an error was made in that the point of beginning of such legal description was recited to be the "S.E. Corner of Lot 6, Weaver Creek Estates", when said point of beginning should have been described as the "N.E. Corner" of said Lot 6.

6. That said erroneous legal description is set forth in that certain mortgage given by said Charles Ricky Cain to said Cardinal Homes, Inc. recorded at book 233, Page 477, in the Office of the Judge of Probate of Shelby County, Alabama (the "Mortgage").

7. That the correct legal description for the land subject to said Mortgage is as follows:

Commence at the N.E. Corner of Lot 6, Weaver Creek Estates, a map of which is recorded at Map Book 11, Page 68, in the Office of the Judge of Probate of Shelby County, Alabama, being the Point of Beginning of the land hereby described. From said Point of Beginning run West along the North property line of said Lot 6 395.00 feet; thence turn 90°59'37" left and run 145.5 feet, thence turn 88°48'40" left and run 395.03 feet; thence turn 91°12'35" left and run 146.83 feet to the Point of Beginning.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 18 day of MARCH, 1994.

Robert C. Farmer
Robert C. Farmer

Inst # 1995-01593

Sworn to and subscribed before me this 18TH day of MARCH, 1994.

01/19/1995-01593
12:12 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCD 8.50

Frances F. Hester
Notary Public

Balch, Birmingham

66510-5661 # 1995-01593