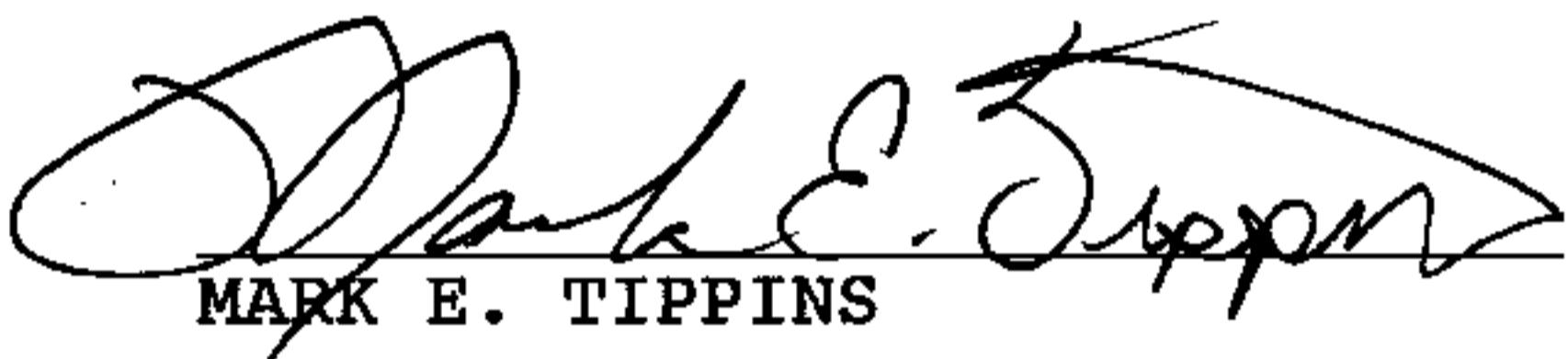


This affidavit is to replace the one recorded as INST 1995-01857.

SCRIVENER'S AFFIDAVIT

I, Mark E. Tippins, attorney, do hereby state that I prepared the Mortgage from FRANK J. CICIO, JR, WENDY M. I. CICIO AND DANIEL E. W. IVINS, recorded as Instrument #1994-32676 in the Probate Office of Shelby County, Alabama. This affidavit is to correct the marital status of Daniel E. W. Ivins, as a married man, but property is not his homestead.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 1st day of December, 1994.

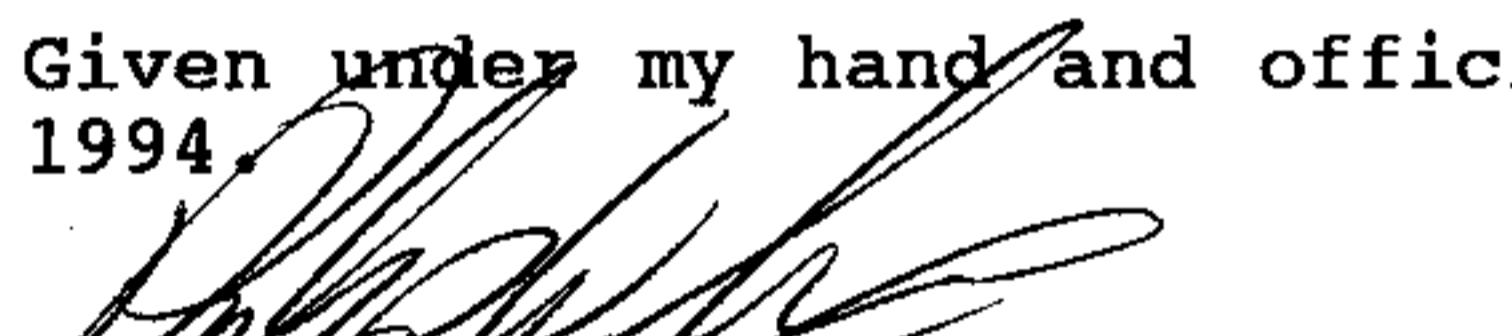


MARK E. TIPPINS

STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said county, in said state, hereby certify that MARK E. TIPPINS, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 1st day of December, 1994.

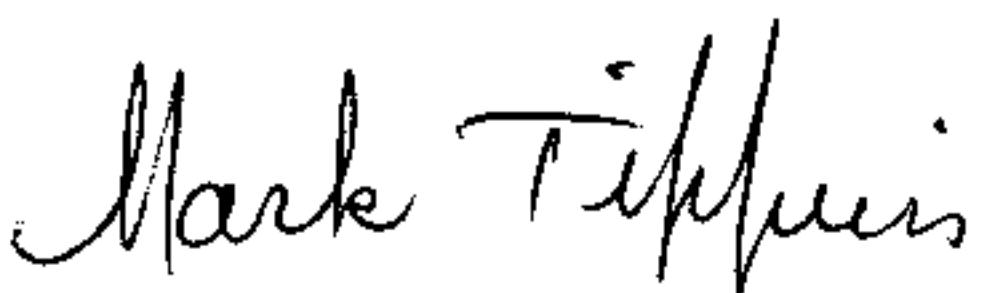


PHILLIP W. SMITH

My Commission Expires: 2/26/95

Inst # 1995-03530

02/08/1995-03530  
01:03 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MCD 8.50



Inst # 1995-03530