

STATE OF ALABAMA)

SHELBY COUNTY)

SCRIVENER'S AFFIDAVIT

JAMES F. BURFORD, III, who after being first duly sworn deposes and states as follows:

I, together with George Maynard, prepared that certain Joint Easement Agreement which agreement is recorded in Instrument #1995-09710 with the Office of the Judge of Probate of Shelby County, Alabama (the "Agreement").

The Agreement was executed by Jenkins Development Company, L.L.C., an Alabama Limited Liability Company ("Jenkins"), Interstate Restaurant Investors, an Alabama General Partnership and Frank C. Ellis, Jr. Colonial Bank of Montgomery also executed the Agreement in order to indicate its consent and approval of the Agreement and further indicating that its lien rights affecting the property which is the subject of the Agreement would be subject to the Agreement. The reference to the liens held by Colonial Bank of Montgomery includes the reference to Instrument #1994-02791. That reference is incorrect and was intended to be Instrument #1995-02791. This error appears in paragraph 6 of the Agreement.

DONE this 12 day of JULY, 1995.


James F. Burford, III

STATE OF ALABAMA)

JEFFERSON COUNTY)

Sworn to and subscribed before me this 14th day of July, 1995.


Notary Public

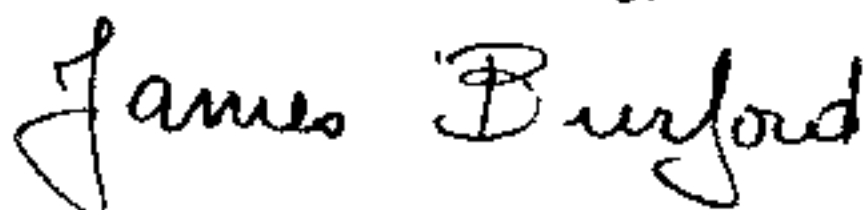
My Commission Expires: _____

NOTARY PUBLIC STATE OF ALABAMA AT LARGE.
MY COMMISSION EXPIRES: Mar. 20, 1999.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

07/17/1995-18759
10:32 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE

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Inst # 1995-18759