

STATE OF ALABAMA )

SHELBY COUNTY )

**SCRIVENER'S AFFIDAVIT**

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

My name is James F. Burford, III and I am a practicing attorney in Birmingham, Alabama.

On or about the 27th day of September, 1995, I prepared a warranty deed wherein Hugh Scott Landreth, Jr. is the Grantor and Michael H. Strong is the Grantee. Said deed is recorded in Instrument #1995-28345 in the Office of the Judge of Probate of Shelby County, Alabama and a true copy of said three page deed is attached hereto and incorporated by reference herein as Exhibit "Z".

I have circled the word "Grantee" on the first page of the attached Exhibit "Z". The purpose of this affidavit is to state that the word "Grantee" as it is circled and set out on the first page of the attached Exhibit "Z" is incorrect. The word circled should be Grantor instead of Grantee and this error was due to my mistake in drafting said deed.

DONE this 19 day of April, 1996.

  
James F. Burford, III

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that JAMES F. BURFORD, III, whose name is signed to the foregoing Scrivener's Affidavit, and who is known to me, acknowledged before me on this day, that being informed of the contents of the foregoing Scrivener's Affidavit he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 19 day of APRIL, 1996.

  
Notary Public

My Commission Expires: \_\_\_\_\_

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: JULY 8, 1996  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

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-1-  
04/23/1996-13201  
10:42 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 MEL 16.00

Inst # 1996-13201

EXHIBIT 2  
PAGE 1 OF 3  
This Instrument Prepared By:  
James F. Burford, III  
Attorney at Law  
Suite 200-A, 100 Vestavia Office Park  
Birmingham, Alabama 35216

1NST #  
1995-28345  
Send Tax Notice To:

~~Send Tax Notice To:~~  
MICHAEL H. STRONG  
2000 SOUTH R. 106E PKWY  
SUITE 200  
BIRMINGHAM, AL.  
35209

**WARRANTY DEED**

STATE OF ALABAMA )

SHELBY COUNTY )

KNOW ALL MEN BY THESE PRESENTS: That in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable considerations, to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, I, HUGH SCOTT LANDRETH, JR., a married man (herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto MICHAEL H. STRONG (herein referred to as Grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED BY  
REFERENCE HEREIN

The property conveyed herein is not the homestead of the Grantor or his spouse.

The Grantee herein is the owner of that certain property described on Exhibit "B" attached hereto and incorporated by reference herein (the "Grantor's Property"). It is the specific intent of this deed and as part of the consideration, that Grantor's Property be restricted in perpetuity so as to require that no building, structure or improvement other than a fence or a driveway (the construction of said fence being subject to the prior approval of the Grantee herein or his successor and assigns) shall be built on Grantor's Property closer than 75 feet from the northeast line of the property described on Exhibit "A" attached hereto and incorporated by reference herein.

TO HAVE AND TO HOLD to the said Grantee, his successors and assigns forever.

And I do for myself and for my heirs, executors and administrators, covenant with said Grantee, his successors and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that I have a good right to sell and convey the same as aforesaid; that I will, and my heirs, executors and administrators shall warrant and defend the same to the said Grantee, his successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the undersigned, HUGH SCOTT LANDRETH, JR., has hereunto set his hand and seal, this the 27 day of SEPTEMBER, 1995.

*Hugh Scott Landreth, Jr.*  
Hugh Scott Landreth, Jr.

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that HUGH SCOTT LANDRETH, JR., a married man, 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 foregoing conveyance he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 27 day of SEPTEMBER, 1995.

*[Signature]*  
Notary Public  
My Commission Expires: 3-1-98

SCRIVENER AFFIDAVIT  
EXHIBIT 2  
PAGE 2 OF 3

0.26 Acres described as commencing at the northwest corner of the NW $\frac{1}{4}$ -NE $\frac{1}{4}$  of Sec. 25, T-18-S, R-1-E thence run in a easterly direction along the north line of said NW $\frac{1}{4}$ -NE $\frac{1}{4}$  60.0 ft. to the point of beginning of the herein described property; thence run in a southerly direction 145.2 ft.; thence run in a easterly direction parallel with the north line of said NW $\frac{1}{4}$ -NE $\frac{1}{4}$  157.8 ft.; thence run N-47-10-W 213.6 ft. to the point of beginning.

EXHIBIT 'A'

LANDRETH TO STRONG

Commence at the NW corner of the NW 1/4 of the NE 1/4 of Section 25, Township 18 South, Range 1 East, Shelby County, Alabama, thence run in an easterly direction along the North line of said NW 1/4 of the NE 1/4 60 feet to the point of beginning of the herein described property; thence continue East along said line 600 feet, thence run south parallel to the West line of said NW 1/4 of the NE 1/4 145.2 feet; thence run in a westerly direction parallel with the North line of said NW 1/4 of the NE 1/4 600 feet; thence run North parallel with the West line of said NW 1/4 of the NE 1/4 145.2 feet to the point of beginning.

LESS AND EXCEPT THE  
FOLLOWING:

0.26 Acres described as commencing at the northwest corner of the NW 1/4-NE 1/4 of Sec. 25, T-18-S, R-1-E thence run in a easterly direction along the north line of said NW 1/4-NE 1/4 60.0 ft. to the point of beginning of the herein described property; thence run in a southerly direction 145.2 ft.; thence run in a easterly direction parallel with the north line of said NW 1/4-NE 1/4 157.8 ft.; thence run N-47-10-W 217.6 ft. to the point of beginning.

EXHIBIT 'B'

LANDRETH TO STRONG

Inst # 1996-13201

04/23/1996-13201  
10:42 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 MEL 16.00