

STATE OF ALABAMA
COUNTY OF SHELBY

SCRIVENER'S AFFIDAVIT

Inst # 1996-13701


Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Clayton T. Sweeney, who, after, being duly sworn by me, deposes and says:

Affiant prepared that certain mortgage from Randall L. Real and wife, Jennifer L. Real, to First Alabama Bank, dated November 11, 1994, and recorded in Instr. #1994-36564, in the Probate Office of Shelby County, Alabama. In the preparation of said mortgage, a line in the legal description was repeated.

This Scrivener's Affidavit is executed by Clayton T. Sweeney, said scrivener as stated hereinabove, and is given for the purpose of deleting the repeated line from the legal description in said mortgage. The legal description should read as follows:

SEE EXHIBIT "A" ATTACHED HERETO

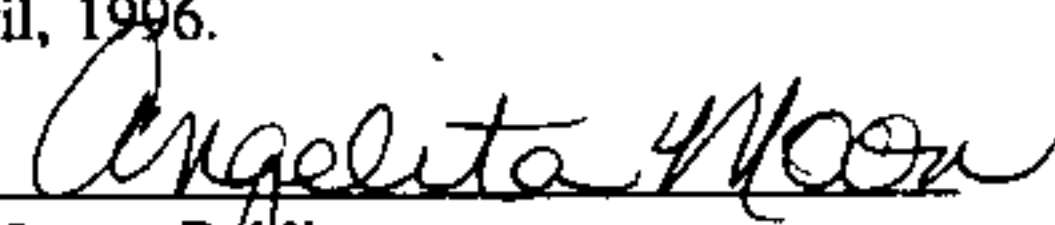
In Witness Whereof, the undersigned has caused this affidavit to be executed on this 10th day of April, 1996.


CLAYTON T. SWEENEY

STATE OF ALABAMA)
JEFFERSON COUNTY)

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

Given under my hand and seal this 10th day of April, 1996.


Notary Public

My commission expires: 7/16/98

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04/29/1996-13701
08:19 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 11.00

CLAYTON T. SWEENEY, ATTORNEY AT LAW

EXHIBIT "A"

A parcel of land in the NE 1/4 of the NE 1/4 of Section 23, and in the NW 1/4 of the NW 1/4 of Section 24, Township 19 South, Range 1 West, described as follows:

From the NW corner of Section 24, Township 19 South, Range 1 West, being the point of beginning of herein described parcel of land, run thence East Along the North Boundary of Said Section 24, a distance of 755.0 feet; thence turn 107 degrees 39 minutes 20 seconds right and run 1371.31 feet to a point on South boundary of the NW 1/4 of the NW 1/4 of said Section 24; thence turn 72 degrees 57 minutes 41 seconds right and run 352.88 feet to the SE corner of the NE 1/4 of the NE 1/4 of Section 23, Township 19 South, Range 1 West; thence turn 01 degrees 42 minutes 13 seconds right and run 1179.0 feet along the South boundary of said NE 1/4 of the NE 1/4; thence turn 88 degrees 17 minutes 06 seconds right and run 1110.83 feet; thence turn 92 degrees 06 minutes 09 seconds right and run 422.92 feet; thence turn 90 degrees 00 minutes left and run 200.0 feet to a point on the North boundary of Section 23, Township 19 South, Range 1 West; thence turn 90 degrees 00 minutes right and run 749.0 feet to the point of beginning of herein described parcel of land; being situated in Shelby County, Alabama.

ALSO: a 60 foot wide access easement situated in Sections 23 and 26, Township 19 South, Range 1 West, the center line of which is described as follows:

Commence at the Northeast corner of the Southeast 1/4 of the Northwest 1/4 of Section 26, Township 19 South, Range 1, West and run south along the east line of said Quarter-Quarter a distance of 416.60 feet to the northern right of way of old Highway 280; thence turn an angle to the right of 268 degrees 28 minutes 00 seconds and run westerly along said right of way a distance of 847.60 feet; thence turn an angle to the right of 271 degrees 31 minutes 44 seconds and run 300.0 feet; thence turn an angle to the right of 180 degrees 13 minutes 57 seconds and run 299.95 feet; thence turn an angle to the right of 187 degrees 58 minutes 17 seconds and run 202.40 feet; thence turn an angle to the right of 171 degrees 47 minutes 00 seconds and run 157.85 feet; thence turn an angle to the right of 220 degrees 03 minutes 42 seconds and run 130.92 feet; thence turn an angle to the right of 191 degrees 20 minutes 55 seconds and run 374.05 feet; thence turn an angle to the right of 174 degrees 34 minutes 10 seconds and run 332.38 feet; thence turn an angle to the right of 184 degrees 53 minutes 33 seconds and run 179.76 feet; thence turn an angle to the right of 121 degrees 47 minutes 17 seconds and run 121.73 feet to the point of beginning; thence continue same course 148.90 feet; thence turn an angle to the right of 182 degrees 28 minutes 27 seconds and run 194.43 feet; thence turn an angle to the right of 210 degrees 39 minutes 45 seconds and run 637.41 feet; thence turn an angle to the right of 193 degrees 16 minutes 05 seconds and run 352.04 feet; thence turn an angle to the right of 188 degrees 06 minutes 38 seconds and run 399.77 feet to the end of said 60 easement.

Together with a Fifty foot wide (50') temporary non-exclusive easement for ingress and egress, to-wit: Commence at the point of intersection with the centerline of the above described sixty foot wide easement and the South boundary line of the NW 1/4 of the SE 1/4 of Section 23, Township 19 South, Range 1 West; thence run in a Northeasterly direction a distance of 25 feet along the centerline of said sixty foot wide easement to the point of beginning of the centerline of the herein described 50 foot wide easement; thence run in a westerly direction a distance of 442.84 feet along the southern boundary of the NW 1/4 of the NE 1/4 of Section 23, Township 19 South, Range 1 West; thence turn 89 degrees 39 minutes 34 seconds right and run in a northerly direction a distance of 2615.76 feet along the west boundary of the NW 1/4 - SE 1/4 and the SW 1/4 - NE 1/4 along said centerline of said 50 foot easement to the South boundary of the NW 1/4 of the NE 1/4 of Section 23, Township 19 South, Range 1 West; thence 90 degrees 00 minutes 00 seconds to the right a distance of 1329.81900 feet along said centerline of said 50 foot easement along the South boundary of the NW 1/4 - NE 1/4; thence continue along the same course a distance of 150.8190 feet along said centerline of said easement to the Southwestern boundary of the property herein conveyed.

This Fifty foot (50") wide temporary non-exclusive easement for ingress and egress (Hereinafter called temporary easement) can be terminated by mutual consent in writing by the Grantor, its successors and assigns, and Grantees, their heirs and assigns, at such time as a more mutually advantageous Fifty (50') foot wide non-exclusive easement (hereinafter called Permanent easement) is granted by the Grantor, its successors and assigns and accepted by the Grantees, their heirs and assigns. The Temporary easement shall be terminated simultaneously with the Grantor's, its successors and assigns, conveyance and Grantees', their heirs and assigns, acceptance of the Permanent easement, with both the termination of the Temporary easement and the granting of the Permanent easement being recorded simultaneously.

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