

STATE OF ALABAMA

COUNTY OF SHELBY

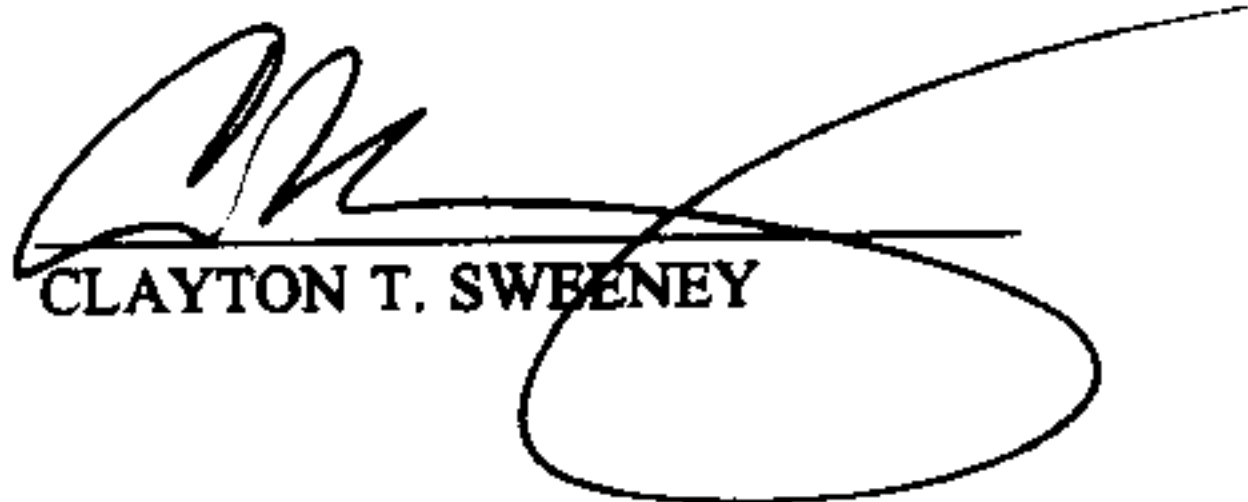
SCRIVENER'S AFFIDAVIT

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 First Southeast Mtg., Ltd., to James E. Stidham and wife, Deborah L. Stidham, dated August 23, 1996, and recorded in Instr. #1996-28467, in the Probate Office of Shelby County, Alabama and prepared that certain deed from William C. Lopez and wife, Pamela A. Lopez to James E. Stidham and Deborah L. Stidham, dated August 23, 1996, and recorded in Instr. #1996-28466, in the Probate Office of Shelby County, Alabama. In the preparation of said mortgage and deed, the second paragraph of the legal description was typed incorrectly. This Scrivener's Affidavit is executed by Clayton T. Sweeney, said scrivener as stated hereinabove, and is given for the purpose of correcting the second paragraph of the legal description. The legal description should read as follows:

TOGETHER with a nonexclusive easement to use the private roadways, Access Easements and other easements, all as more particularly described in the Declaration of Protective Covenants for Lake Heather Estates, recorded in Inst. #1992-18226, as amended by Inst. #1996-26078, in the Probate Office of Shelby County, Alabama, (which, together with all amendments thereto, is hereinafter collectively referred to as the "Declaration.")

In Witness Whereof, the undersigned has caused this affidavit to be executed on this 10TH day of March, 1997.


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 February, 1997.


Notary Public

My commission expires: 12/21/00

Inst. # 1997-08562

03/20/1997-08562
09:00 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
JUL. REC. 1.50

Inst. # 1997-08562

CLAYTON T. SWEENEY, ATTORNEY AT LAW