

STATE OF ALABAMA  
COUNTY OF SHELBY

**SCRIVENER'S AFFIDAVIT**

Inst # 1997-14811

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:

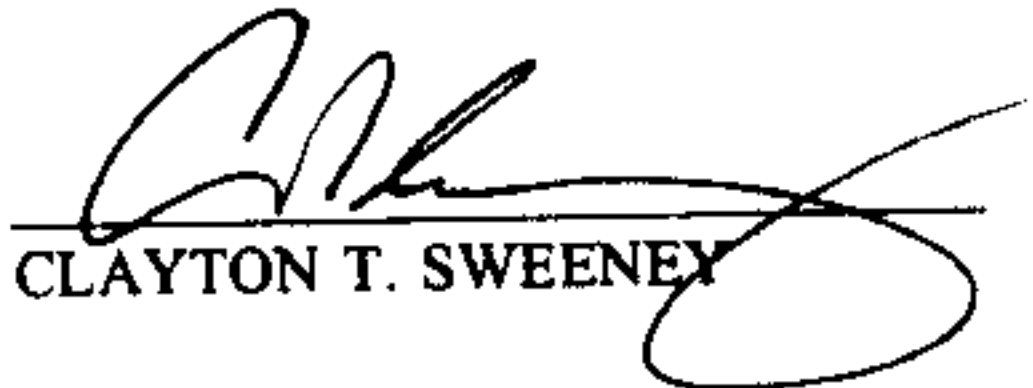
Affiant prepared that certain deed from Charles L. Clowers, to Benjamin M. Smith, III and Maryjane W. Smith, dated January 22, 1997, and recorded in Instr. #1997-03224, in the Probate Office of Shelby County, Alabama. In the preparation of said deed, Benjamin M. Smith, III's name was typed incorrectly. Also Affiant prepared that certain mortgage from First Performance Mortgage Corporation to Benjamin M. Smith, III and Maryjane W. Smith, dated January 22, 1997, and recorded in Instr. #1997-03225 in the Probate Office of Shelby County, Alabama. In the preparation of said mortgage Maryjane W. Smith's first name 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 deed and mortgage as stated above. Benjamin M. Smith, III's name on the deed should read as follows:

**BENJAMIN M. SMITH, III INSTEAD OF BENJAMIN W. SMITH**

Maryjane W. Smith's name on the mortgage should read as follows:

**MARYJANE W. SMITH INSTEAD OF MARY JANE W. SMITH**

In Witness Whereof, the undersigned has caused this affidavit to be executed on this 8TH day of May, 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 8TH day of May, 1997.

  
Notary Public

My commission expires: 12/2/00

Inst # 1997-14811

05/12/1997-14811  
03:38 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
DOT MCD 8.50

CLAYTON T. SWEENEY, ATTORNEY AT LAW