

THIS INSTRUMENT WAS PREPARED BY: CHRISTOPHER R. SMITHERMAN, ATTORNEY AT LAW  
P.O. BOX 261  
MONTEVALLO, ALABAMA 35115

STATE OF ALABAMA  
SHELBY COUNTY

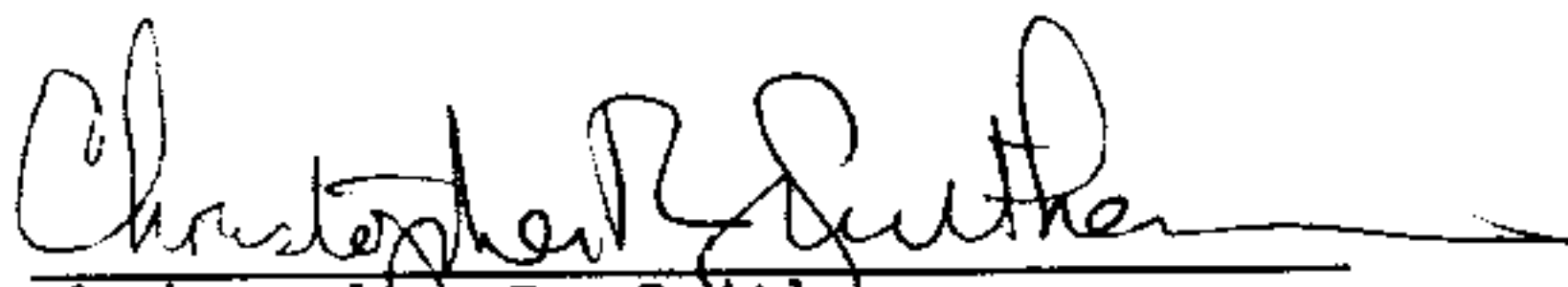
SCRIVENER'S AFFIDAVIT

Before me, the undersigned authority, a Notary Public, in and for said County, in said State, personally appeared Christopher R. Smitherman, who after being by me first duly sworn, deposes and says on oath as follows:

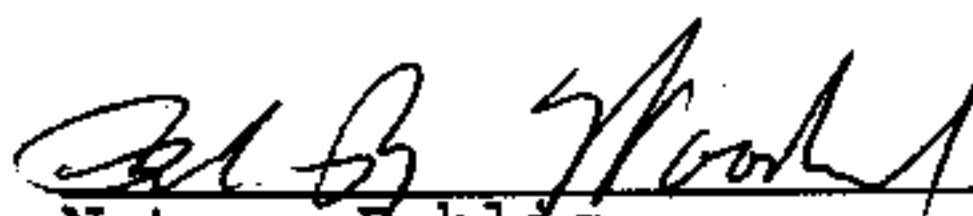
My name is Christopher R. Smitherman, and I am a practicing attorney in Montevallo, Alabama, and I was the preparer of those certain deeds from the heirs at law of Rosa L. Bearden, deceased, to Cecilia L. Broglin, as recorded as Instrument #1997-23871, Instrument #1997-23872, Instrument #1997-23873, and Instrument #1997-23874, all in the Probate Office of Shelby County, Alabama. It has been brought to my attention that all of these deeds were prepared using a joint survivorship warranty deed form, when the intent was to convey to Cecilia L. Broglin only and the form used should have been a warranty deed, with no survivorship language. Cecilia L. Broglin was the only grantee in this conveyance, and the use of the joint survivorship warranty deed forms was in error.

This affidavit is given to clarify the intent of the above recited deeds and to further establish that no other grantee other than Cecilia L. Broglin was ever intended in said deeds.

Further the affiant saith not.

  
Christopher R. Smitherman

Sworn to and subscribed to before me  
this 25 day of August, 1997.

  
Notary Public

My commission expires: 2/24/2000

CHRIS TIGHTEN 2 SMITHERMAN  
PO Box 261  
Montevallo, AL 35115

Inst # 1997-27634

08/28/1997-27634  
10:35 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MCD 8.50

Inst # 1997-27634