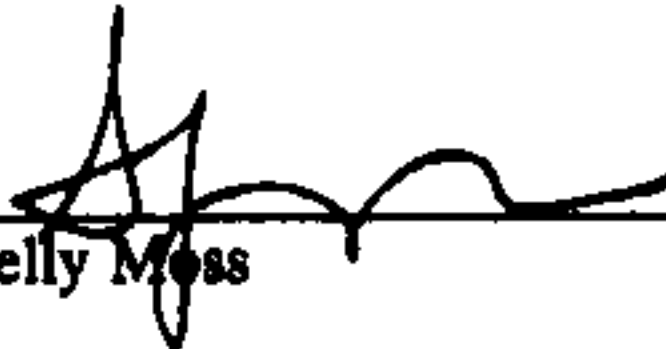


SCRIVENER'S AFFIDAVIT

I, Shelly Moss, was the scrivener on the Mortgage and Planned Unit Development Rider, dated August 22, 1997, being recorded in Instrument 1997-28552 in the Judge of Probate of Shelby County, Alabama on September 5, 1997, mortgage being executed by Scott M. Hamner and wife Deborah Hamner to SouthTrust Mortgage Corporation. The Planned Unit Development Rider failed to recite the Declaration and the Name of the Planned Unit Development.

The correct information is as follows:

Restrictions appearing of record in Book 197, Page 820 known as the "Declaration" in the Planned Unit Development known as SouthPointe.


Shelly Moss

State of Alabama)
Jefferson County)

This is to certify that Shelly Moss, whose name is signed to the foregoing and who is known to me, did sign same on the date the same bears date, and declares it to be true and correct to the best of his information, knowledge and belief.

Sworn to and subscribed before me this the 24th day of September, 1997.


NOTARY PUBLIC
My commission expires: 10-29-2000

Inst # 1997-32300

10/06/1997-32300
08:52 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCD 8.50

Inst # 1997-32300