

STATE OF ALABAMA
COUNTY OF SHELBY

SCRIVENER'S AFFIDAVIT

Before me, the undersigned authority, appeared Courtney H. Mason, Jr. who, after being duly sworn, deposes and says on oath as follows:


1. That my name is Courtney H. Mason, Jr., that I am over the age of 21 years, I have personal knowledge of the information contained herein. I am an attorney licensed to practice law in the State of Alabama.

2. That on or about September 26, 1997, I prepared a Mortgage which is recorded in Instrument 1997-31645 in the Probate Office of Shelby County, Alabama.

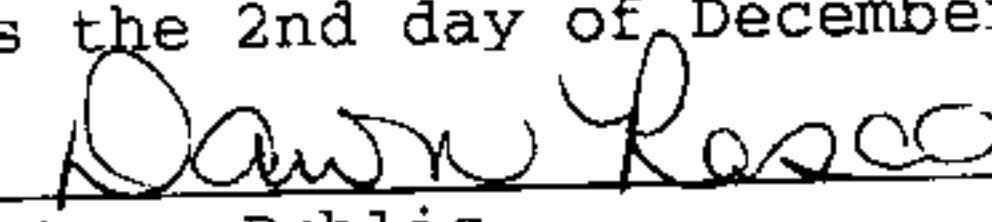
3. That the legal description of said mortgage contained an error. The correct legal description should be as follows:

Lot 240, according to the Survey of Highland Lakes, 2nd Sector, an Eddleman Community, as recorded in Map Book 20 page 150 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Together with non-exclusive easement to use the private roadways, and common area, all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded in Instrument 1994-07111 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes Residential Subdivision, 2nd Sector, recorded in Instrument 1996-10928 in the Probate Office of Shelby County, Alabama, (which, together with all amendments thereto, is hereafter collectively referred to as the "Declaration"). All being situated in Shelby County, Alabama.
Mineral and mining rights excepted.


Courtney H. Mason, Jr.

Sworn to and subscribed before me on this the 2nd day of December, 1997.


Notary Public

My Commission Expires: 3/26/98

Inst # 1997-39302

12/03/1997-39302
09:45 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCD 8.50

Inst # 1997-39302