

THIS INSTRUMENT PREPARED BY:
R. Shan Paden
Paden & Paden
100 Concourse Parkway, Suite 130
Birmingham, Alabama 35244

SCRIVENER'S AFFIDAVIT

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, that, I, the undersigned authority, a Notary Public in and for said County and in said State, hereby certify that before me personally appeared R. Shan Paden, who is known to me, and who being by me first duly sworn does on his oath depose and say as follows:

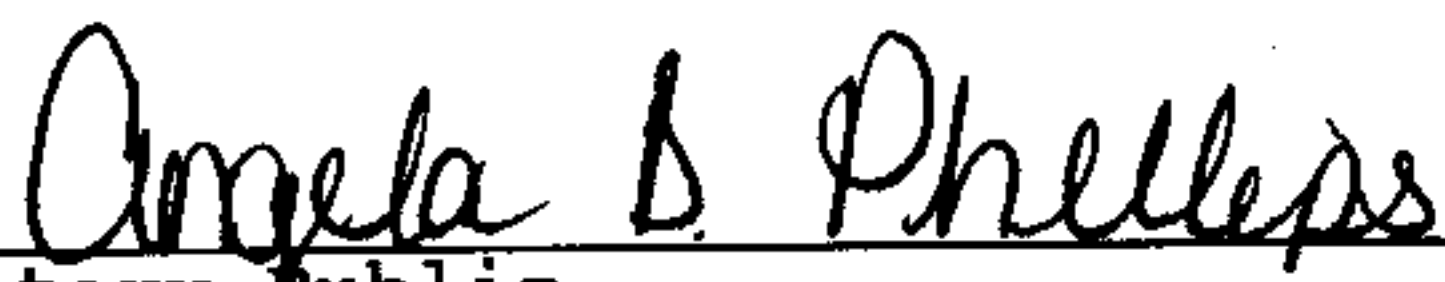
I, R. Shan Paden, Attorney at Law, and in my capacity as such did prepare that certain Mortgage from Caroline Smith a married person and Robert D. Perothers a married person, dated October 31, 1997 and filed for record in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument # 1997-36315 to wit:

Lot 69, according to the Survey of Ashley Brook, as recorded in Map Book 22 page 78 in the Probate Office of Shelby County, Alabama.

THE MORTGAGE FAILED TO STATE THIS IS NOT THE HOMESTEAD OF DAVID SMITH, THE SPOUSE OF MORTGAGOR CAROLINE SMITH.


R. SHAN PADEN

Sworn to and subscribed before me this the 19th day of January, 1998.


Notary Public
My commission expires: 01/16/00

01/21/1998-02004
09:47 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 KEL 8.50

Inst # 1998-02004