

STATE OF ALABAMA)
JACKSON COUNTY)

SCRIVENER'S AFFIDAVIT

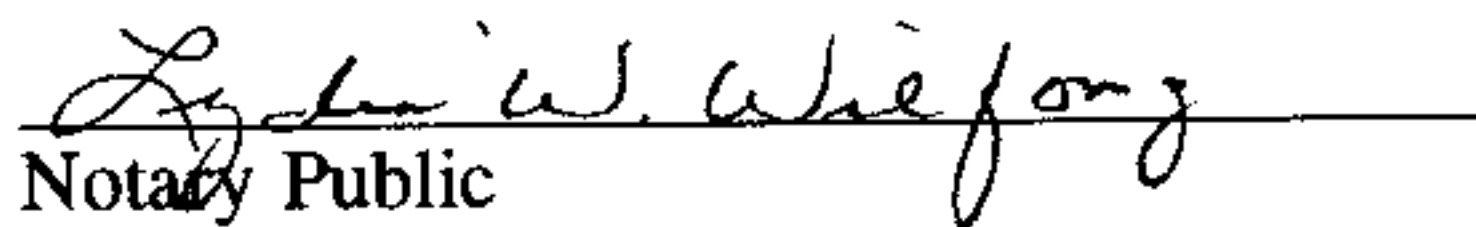
Karen B. Johns, being duly sworn, says that she prepared that certain Warranty Deed, dated December 29, 1997, from Bobby Gene Rutherford, Donald Rutherford, Wanda James (also known as Wanda Game), and Martha Howard, married persons ("Grantor"), to Ida Havelka, recorded as Instrument 1998-00688 in the Office of the Judge of Probate of Shelby County, Alabama; and that the legal description was inadvertently omitted from said deed.

Said legal description is attached as Exhibit "A" to this affidavit and is incorporated herein by this reference.



Karen B. Johns

Sworn to and subscribed to
before me this the 22nd day
of January, 1998.


Notary Public
My Commission Expires: 9-10-98

Inst # 1998-02381

01/23/1998-02381
09:02 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 13.50

Cahaba Title

Inst # 1998-02381

EXHIBIT "A"
TO
WARRANTY DEED
LIEN AFFIDAVIT

Grantor: BOBBY GENE RUTHERFORD, DONALD RUTHERFORD, WANDA JAMES (also known as WANDA GAME), and MARTHA HOWARD

Grantee: IDA HAVELKA

Parcel I

Begin at the NE corner of the NW 1/4 of the NW 1/4 of Section 21, Township 19 South, Range 2 West, Shelby County, Alabama; thence run south along the East line of said 1/4-1/4 section a distance of 209.77 feet; thence turn left 87 deg. 42 min. 05 sec. and run East a distance of 105.61 feet; thence turn right 61 deg. 27 min. 20 sec. and run southeasterly a distance of 160.0 feet; thence turn right 98 deg. 00 min. and run southwesterly a distance of 282.60 feet; thence turn left 21 deg. 42 min. 15 sec. and continue southwesterly a distance of 272.47 feet; thence turn right 62 deg. 45 min. and run northwesterly a distance of 192.69 feet to the southeasterly right of way line of Valleydale Road (Shelby County Rd. #17), said right of way being in a curve to the right running northeasterly, having a radius of 1879.57 feet and a central angle of 9 deg. 01 min. 10 sec.; thence from the last described course, turn right 101 deg. 11 min. 55 sec. to the Tangent of said Curve, and run northeasterly along said right of way line an arc distance of 295.88 feet; thence continue northeasterly along said right of way line, Tangent to said Curve, a distance of 430.82 feet to the intersection with the North line of the NW 1/4 of the NW 1/4 of said Section 21; thence turn right 49 deg. 14 min. 50 sec. and run East along said North 1/4-1/4 section line a distance of 0.69 feet to the point of beginning

Parcel IV

Begin at the SW corner of the SE 1/4 of the SW 1/4 of Section 16, Township 19 South, Range 2 West, Shelby County, Alabama; thence run Northeasterly along the NE 1/4 SW 1/4 diagonal line of said 1/4-1/4 Section a measured distance of 85.46 feet (deed 85.22 feet); thence turn right 30 deg. 52 min. 46 sec. and run Northeasterly a distance of 283.67 feet to a point of curve to the left, said curve having a radius of 130.0 feet and a central angle of 42 deg. 48 min. 47 sec.; thence continue Northeasterly along said curve an arc distance of 97.14 feet; thence continue Northeasterly, Tangent to said Curve, a distance of 8.08 feet to a point of curve to the right, said curve having a radius of 925.0 feet and a central angle of 7 deg. 34 min. 30 sec.; thence continue Northeasterly along said curve an arc distance of 122.29 feet; thence continue Northeasterly, Tangent to said curve, a distance of 77.77 feet to a point of curve to the left, said curve having a radius of 385.0 feet and a central angle of 27 deg. 39 min.; thence continue Northeasterly along said curve an arc distance of 185.79 feet; thence continue Northeasterly, Tangent to said curve, a distance of 124.77 feet to a point of curve to the right, said curve having a radius of 372.05 feet and a central angle of 3 deg. 55 min. 40 sec.; thence continue Northeasterly along said curve an arc distance of 25.51 feet; thence from the Tangent of said curve, turn right 35 deg. 51 min. 03 sec. and run Northeasterly a distance of 60.78 feet; thence turn right 152 deg. 50 min. 11 sec. to the Tangent of a curve, said curve having a radius of 487.40 feet and a central angle to the left of 13 deg. 43 min. 44 sec., and run Southwesterly along said curve an arc distance of 116.79 feet; thence continue Southwesterly, Tangent to said curve, a distance of 96.50 feet to a point of curve to the right, said curve having a radius of 306.40 feet and a central angle of 25 deg. 55 min. 52 sec.; thence continue Southwesterly along said curve an arc distance of 138.67 feet; thence continue Southwesterly, Tangent to said curve, a distance of 88.50 feet; thence turn right 5 deg. 42 min. 46 sec. and continue Southwesterly a distance of 76.39 feet; thence turn left 8 deg. 08 min. 51 sec. and continue Southwesterly a distance of 120.50 feet to a point of curve to the right, said curve having a radius of 117.18 feet and a central angle of 43 deg. 53 min. 04 sec.; thence from the last described course, turn left 3 deg. 01 min. 12 sec. to the Tangent of said curve, and continue Southwesterly along said curve an arc distance of 89.75 feet; thence continue Southwesterly, Tangent to said curve a distance of 284.55 feet; thence turn left 4 deg. 08 min. 15 sec. and continue Southwesterly a distance of 72.34 feet to the point of beginning; being situated in Shelby County, Alabama.

EXHIBIT "A"
CONTINUED

Subject to:

1. Taxes for 1998 and subsequent years, a lien but not yet due and payable.
2. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 179 page 378, Deed Book 129 page 565 and Deed Book 102 page 55 in Probate Office (Parcel I).
3. Right(s) of way granted to South Central Bell by instrument(s) recorded in Real 93 page 249 in Probate Office (Parcel I).
4. Easements as shown on survey of Samuel J. Martin dated October 22, 1997.
5. Right(s) of way granted to Shelby County by instrument(s) recorded in Deed Book 177 pages 53 and 30 in Probate Office.
6. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed Book 261 page 528 in Probate Office, which are not owned by Grantor.
7. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 129 page 565 and Deed Book 102 page 55 in Probate Office (Parcel II).
8. Rights of others to use the land described herein as a roadway or easement (Parcel II).

Inst # 1998-02381

Exa.14 12/23/97 10:08am

01/23/1998-02381
09:02 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 13.50