

STATE OF ALABAMA)
JEFFERSON 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, and that certain Scrivener's Affidavit, recorded as Instrument # 1998-02381, which purportedly added said legal description to the deed, but said Scrivener's Affidavit contained an incorrect legal description to the property being conveyed.

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

Karen B. Johns

Karen B. Johns

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

Linda A. Wilgong

Notary Public
My Commission Expires: 9-10-98

Inst # 1998-06016

02/24/1998-06016
08:12 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 HCD 13.50

Inst # 1998-06016

Chakker Little

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 NW corner of the NE 1/4 of the NW 1/4 of Section 21, Township 19 South, Range 2 West, Shelby County, Alabama; thence run south along the West line of said 1/4-1/4 section a distance of 209.77 feet; thence turn left 87 deg. 42 min. 45 sec. and run East a distance of 419.76 feet; thence turn left 92 deg. 16 min. 37 sec. and run north a distance of 357.47 feet to the Southerly line of an existing Private Road, said Southerly line being in a curve to the right running southwesterly, 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 146 deg. 16 min. 28 sec. to the Tangent of said Curve and run 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.

Parcel II

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.

All 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 129 page 576, Deed Book 124 page 522 in Probate Office (Parcel I).
3. Right(s) of way granted to Shelby County by instrument(s) recorded in Deed Book 177 pages 35 in Probate Office (Parcel I).
4. Right(s)-of-way(s) granted to South Central Bell by instrument(s) recorded in Real 93 page 249 in Probate Office (Parcel II).
5. Easements as shown on survey of Samuel J. Martin dated October 22, 1997 (Parcel II).
6. Right(s) of way granted to Shelby County by instrument(s) recorded in Deed Book 177 pages 53 and 30 in Probate Office (Parcel II).
7. 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 (Parcel II).
8. 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).
9. Rights of others to use the land described herein as a roadway or easement (Parcel II).

Inst # 1998-06016

Exa.14 12/29/97 2:54pm

02/24/1998-06016
08:12 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 13.50