THIS INSTRUMENT PREPARED BY:

PADEN AND PADEN, ATTORNEYS 100 CONCOURSE PARKWAY SUITE 130 BIRMINGHAM, ALABAMA, 35244

SCRIVENER'S AFFIDAVIT

STATE OF ALABAMA)
SHELBY COUNTY)

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 on his oath depose's and says as follows:

I, R. Shan Paden, Attorney At Law, and in my capacity as such, did prepare that warranty deed from Gardner Brothers Homebuilders, Inc. to Todd R. Robertson and Marian E. Roberson, Husband and Wife, Dated October 16th, 1997, and filed for record in the office of the Judge of Probate of Shelby County, Alabama in Instrument # 1997-35030, on October 28th, 1997.

It is the purpose and intent of this affidavit to correct the spelling of the borrower's last name to read as follows:

Todd R. Roberson.

R. SHAN PADEN

Sworn and subscribed before me this the _17_ day of February, 1998.

NOTARY PUBLIC

MY COMMISSION EXPIRES: 01/6/00

O2/27/1998-U6651
O9:O1 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 NEL 8.50