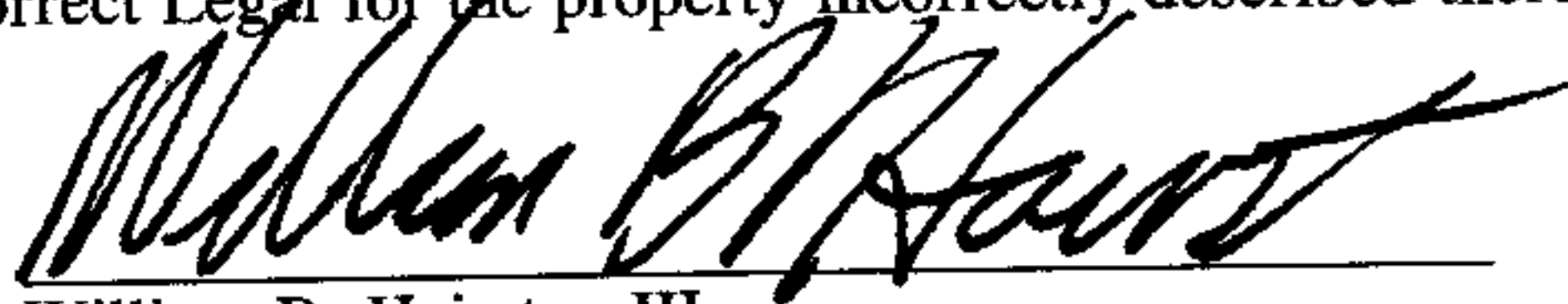


SCRIVENER'S AFFIDAVIT

STATE OF ALABAMA
COUNTY OF SHELBY

Before me the undersigned a Notary Public in and for said County and State, personally appeared William B. Hairston III, who having been duly sworn, doth depose and state as follows:

1. I am William B. Hairston, III, an attorney practicing law in the State of Alabama.
2. In December of 1996, I prepared a Warranty Deed (hereinafter "Deed") and a Mortgage, Assignment of Rents and Leases and Security Agreement (hereinafter "Mortgage").
3. The Deed was from Gloria Ann Hale and husband James Hale (as Grantors) to NATALAY WOODS, L.L.C. (as Grantee), and is recorded as Instrument 1996-40484 in the Office of the Judge of Probate of Shelby County, Alabama.
4. The Mortgage was from NATALAY WOODS, L.L.C. (as Mortgagor) to COLONIAL BANK (as Mortgagee), and is recorded as Instrument 1996-40485 in the Office of the Judge of Probate of Shelby County, Alabama.
5. Both the Deed and the Mortgage refer to the property described therein as "The North 1/2 of Section 18, Township 20 South, Range 1 West Shelby County, Alabama, less and except that part which lies Northwest of County Road No. 39."
6. Unfortunately that description contains an error and is incorrect. The correct description of the property that should have been referred to in the Deed and Mortgage (and the documents executed in connection therewith) is "The North 1/2 of the SouthEast 1/4 of Section 18, Township 20 South, Range 1 West Shelby County, Alabama, less and except that part which lies Northwest of County Road No. 39" (hereinafter "Correct Legal").
7. This Correct Legal is the property described on the survey agreed by all parties as being the property as to which the Deed and Mortgage (and the documents executed in connection therewith) apply.
8. Due to a scrivener's error, the Correct Legal was not included in the Deed and Mortgage, and this affidavit is being filed for the purposes of amending the Deed and Mortgage to correct this scrivener's error and include therein the Correct Legal for the property incorrectly described therein.


William B. Hairston III

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William B. Hairston III, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 11th day of May, 1997.

05/21/1998-18650
10:15 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 SNA 8.50


NOTARY PUBLIC (My Commission Expires: 8/10/2000)

Inst # 1998-18650