

STATE OF ALABAMA)
SHELBY COUNTY)

SCRIVENER'S AFFIDAVIT


Before me, the undersigned authority, a Notary Public, in and for said County, in said State, personally appeared Christopher R. Smitherman, who after being by me first duly sworn, deposes and says on oath as follows:

My name is Christopher R. Smitherman and I am a practicing attorney, and was the preparer of that certain deed from Jack Whatley to Ken Gann, dated April 3, 1997, recorded as Instrument #1997-10862, in the Probate Office of Shelby County, Alabama.

It has been brought to my attention that said deed fails to recite the martial status of the grantor, Jack Whatley. As of the date of execution of said deed, Jack Whatley was a married man, but the property conveyed therein was not part of his homestead or the homestead of his spouse.

This affidavit is given to correct said deficiency and to induce Shelby County Abstract & Title Company, Inc., to issue its final policy under Case No. SS-97-3886.

Further the affiant saith not.



Christopher R. Smitherman

Sworn to and subscribed to before
me this the 9th day of April, 1999.



Notary Public
My Commission Expires: 12-11-99

THIS DOCUMENT WAS PREPARED BY:
CHRISTOPHER R. SMITHERMAN
ATTORNEY AT LAW
P. O. BOX 261
831 ISLAND STREET
MONTEVALLO, AL 35115
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Inst # 1999-16359
04/19/1999-16359
09:36 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 KMS 8.50