

THE STATE OF ALABAMA )  
COUNTY OF SHELBY )

AFFIDAVIT EVIDENCING SCRIVENER'S ERROR

Before me, the undersigned Notary Public, personally appeared Richard W. Theibert, Esquire, who being duly sworn deposes and says as follows:

My name is Richard W. Theibert, Esquire and I am with the law firm Najjar Denaburg, P.C., who was the preparer of that certain Warranty Deed filed in the Office of the Judge of Probate of Shelby County, Alabama and recorded in Instrument # 1999-08058 being dated February 8, 1999, whereby the property described in above mentioned deed was conveyed unto American Homes & Land Corporation.

The undersigned has examined the Warranty Deed prepared and finds that a typographical error was made relative to the Map Book and Page number. The correct Map Book and Page number of this deed is Map Book 25, Page 14 and not Map Book 23, Page 158.

From this date forward, let the records reflect that the correct legal description of conveyance from Royal Construction and Development Co., Inc. to American Homes & Land Corporation is as follows:

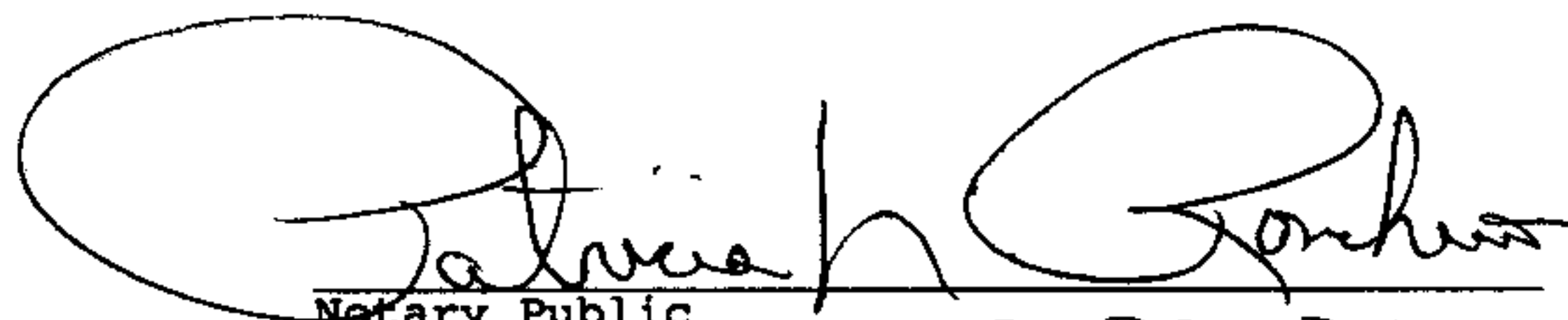
Lots 54 through 63 inclusive, according to the map and survey of Wyndham Cottages, Phase I, as recorded in Map Book 25, Page 14 in the Office of the Judge of Probate of Shelby County, Alabama.

This Affidavit is made for the purpose of duly acknowledging the scrivener's error in that drafting of said deed filed in the Office of the Judge of Probate of Shelby County, Alabama and also to induce Stewart Title Guaranty Company to issue its title insurance policy to said owner and mortgagee reflecting said correction.

, FURTHER, Affiant saith not.

  
Richard W. Theibert, Esquire

Sworn to and subscribed before me this 29th day of June, 1999.

  
Notary Public  
My commission expires: 2-20-2001

THIS INSTRUMENT WAS PREPARED BY: Richard W. Theibert, Attorney  
Najjar Denaburg, P.C., 2125 Morris Avenue, Birmingham, AL 35203  
(205) 250-8400

06/30/1999-27307  
09:59 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MMS 8.50

Inst # 1999-27307