

STATE OF ALABAMA)

SHELBY COUNTY)

This instrument was prepared by:
Shelly Moss
Galloway & Moss, L.L.C.
11 Oak Street
Birmingham, AL 35213

SCRIVENER'S AFFIDAVIT

I, Shelly Moss, was the scrivener of the Warranty Deed, dated August 13, 1999 being recorded in instrument #1999-35449 in the Office of the Judge of Probate of Shelby County, said Deed being executed by Barry J. Rowland and Sharon C. Rowland, husband and wife, and the Mortgage dated August 13, 1999 being recorded in Instrument #1999-35450 in the Office of the Judge of Probate of Shelby County, Alabama, said Mortgage being executed by James E. Davis and Gina B. Davis, husband and wife. Both the Warranty Deed and the Mortgage reflected a legal description as follows:

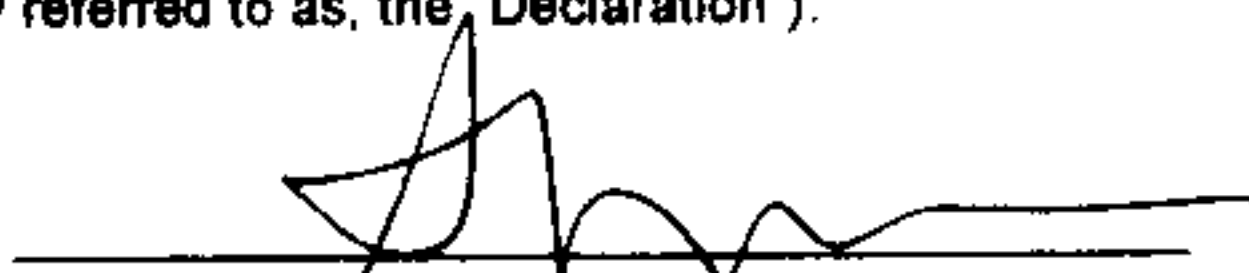
Lot 525, according to the Survey of Highland Lakes, 8th Sector, Phase II, as recorded in Map Book 19, page 3 A & B, in the Probate Office of Shelby County, Alabama.

Together with nonexclusive easement to use the private roadways, common area all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision recorded as Instrument #1994-07111 in the Probate Office of Shelby County, Alabama and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 5th Sector, Phase II as recorded as Instrument 1994-31018 in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").

This legal description was incorrect and should have read as follows:

Lot 525, according to the Survey of Highland Lakes, 5th Sector, Phase II, as recorded in Map Book 19, page 3 A & B, in the Probate Office of Shelby County, Alabama.

Together with nonexclusive easement to use the private roadways, common area all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision recorded as Instrument #1994-07111 in the Probate Office of Shelby County, Alabama and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 5th Sector, Phase II as recorded as Instrument 1994-31018 in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").


Shelly Moss

STATE OF ALABAMA)

JEFFERSON COUNTY)

This is to certify that Shelly Moss, whose name is signed to the foregoing and who is known to me, did sign same on the date the same bears date, and declares it to be true and correct to the best of her information, knowledge and belief.

Sworn to and subscribed before me this the 11th day of October, 1999.


NOTARY PUBLIC
My commission expires:

Inst # 1999-42467

My Commission Expires July 8, 2002

10/13/1999-42467
10:25 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

001 NMS

8.50