

STATE OF ALABAMA)

SHELBY COUNTY)

SCRIVENER'S AFFIDAVIT

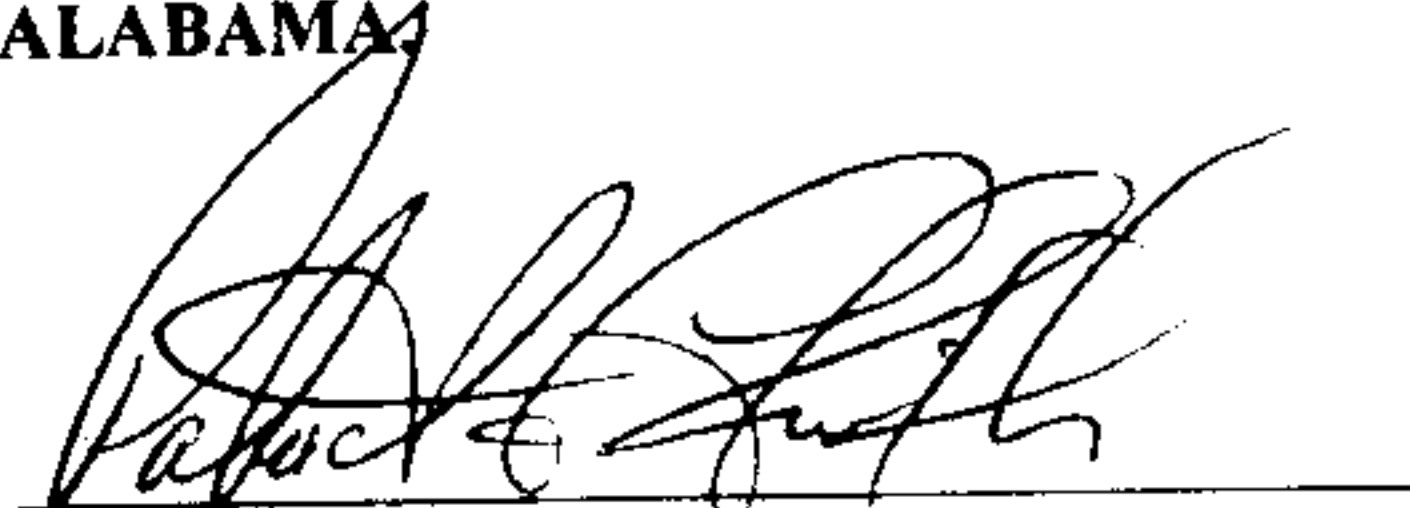
BEFORE ME, a Notary Public in and for the State of Alabama at-large, personally appeared Patrick F. Smith, who, after first being duly sworn, did affirm and depose as follows:

My name is Patrick F. Smith. I am an attorney at law licensed to practice law in the State of Alabama. I am over the age of 19, and have personal knowledge of the matters set forth herein.

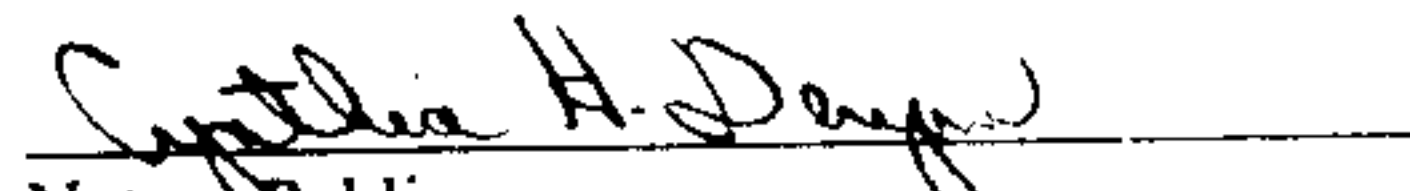
I was the scrivener of that certain Warranty Deed from Envirobuild, Inc., to Robert D. Kuykendall and Kelly H. Kuykendall, dated March 28, 1997, said deed filed for record in Instrument No. 1997-11491 in the Probate Records of Shelby County, Alabama. Said deed contained an incorrect legal description, to wit: the legal description contained an incorrect book and page number. The correct legal description is as follows:

UNIT 78, ACCORDING TO THE MAP OF SADDLE LAKE FARMS, 1ST ADDITION, A CONDOMINIUM, LOCATED IN SHELBY COUNTY ALABAMA, AS ESTABLISHED BY DECLARATION OF CONDOMINIUM, AS RECORDED IN INSTRUMENT #1995-17533 AND ARTICLES OF INCORPORATION OF SADDLE LAKE FARMS ASSOCIATION, INC. AS RECORDED IN INSTRUMENT #1995-17530, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA, TOGETHER WITH AN UNDIVIDED INTEREST IN THE COMMON ELEMENTS OF SADDLE LAKE FARMS CONDOMINIUM, SAID UNIT BEING MORE PARTICULARLY DESCRIBED IN THE FLOOR PLANS AND ARCHITECTURAL DRAWINGS OF SADDLE LAKE FARMS CONDOMINIUM, AS RECORDED IN MAP BOOK 21, PAGE 95, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

Further, affiant sayeth not.


Patrick F. Smith

Sworn and subscribed before me, this the 21st day of May, 2000.


Notary Public
My commission expires: 12/31/2000

This instrument prepared by:
Patrick F. Smith
Attorney at Law
4 Office Park Circle, Suite 212
Birmingham, Alabama 35223

Inst # 2000-23368

07/12/2000-23368
09:44 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MMS 8.50