

21-32341  
Fgm OK.  
CW

STATE OF ALABAMA )

JEFFERSON COUNTY )

**AFFIDAVIT EVIDENCING SCRIVENERS ERROR**

Before me, the undersigned Notary Public, personally appeared, Clayton T. Sweeney, who being duly sworn deposes and says as follows:

My name is Clayton T. Sweeney, I am a practicing attorney in the City of Birmingham, Alabama. My address is 2700 Highway 280 East, Suite 390-E, Birmingham, AL 35223. I was the scrivener in that certain Mortgage from Daniel J. Whitaker and wife, Christine N. Whitaker, to Castle Mortgage Corporation, recorded in instrument 2001-32302, dated 7-19-2001, filed 8-3-2001, in the Office of the Judge of Probate of Shelby County, Alabama.

The undersigned has examined the Legal Description contained in said Mortgage and finds that there is a scriveners error in the legal description. The legal description contained in the Mortgage is described as follows:

**LEGAL DESCRIPTION**

Lot 4, according to the Resurvey of Daventry, Sector I, as recorded in Map Book 26, Page 93, in the Office of the Judge of Probate of Shelby County, Alabama.

The true and correct legal description except for said scriveners error should have been as follows:

**LEGAL DESCRIPTION**

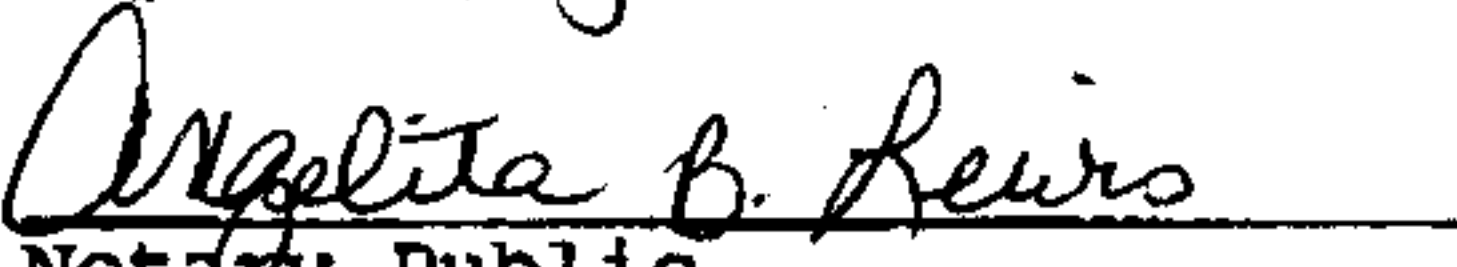
Lot 4, according to the Resurvey of Daventry, Sector I, as recorded in Map Book 26, Page 98, in the Office of the Judge of Probate of Shelby County, Alabama.

This affidavit is made of the purpose of duly acknowledging the scriveners error in the drafting of said Mortgage recorded in Instrument No. 2001-32302 in the Probate Office of Shelby County, Alabama.

FURTHER, Affiant saith not.

  
Clayton T. Sweeney, Attorney

Sworn to and subscribed  
before me this the 23rd  
day of August, 2001.

  
Notary Public

My commission expires: 12/2/04

Return To:  
Alabama Title Co., Inc.

Inst # 2001-39272

09/12/2001-39272  
09:46 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MSB 11.00