

AFFIDAVIT OF SCRIVENER'S ERROR

STATE OF ALABAMA)
)
COUNTY OF JEFFERSON)

Before me, the undersigned authority, a Notary Public in and for said County and said State, personally appeared the Affiant, William S. Pritchard III, who is known to me and who first being duly sworn under oath deposes, upon his personal information, knowledge and belief, says as follows:

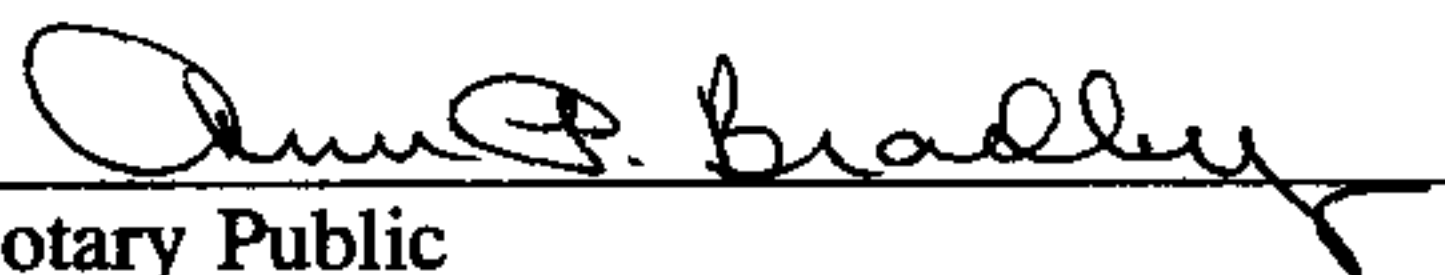
I am the attorney who prepared that certain Mortgage, dated the 14th day of June, 2001, between Betty Duncan as Trustee of the Esther J. Johnston Irrevocable Trust dated February 26, 1982, as mortgagor, and Heritage Bank, as mortgagee, said instrument now appearing of record as Instrument #2001-24627 in the Office of the Judge of Probate of Shelby County, Alabama ("Mortgage").

In the acknowledgment of the Mortgage, the instrument is incorrectly identified as the "foregoing Lease" instead of the "foregoing Mortgage." The purpose of this affidavit is to correct the error by substituting in lieu of "foregoing Lease" the words "foregoing Mortgage."

Furthermore Affiant saith not.


William S. Pritchard III

Sworn to and subscribed before me on
this the 1st day of October, 2001.


Notary Public
My Commission Expires: 9 - 26 - 02

10/04/2001-43051
12:31 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MEL 11.00