

THIS INSTRUMENT PREPARED BY:

PADEN & PADEN  
ATTORNEYS AT LAW  
FIVE RIVERCHASE RIDGE, SUITE 100  
BIRMINGHAM, AL 35244-2893

STATE OF ALABAMA)  
COUNTY OF SHELBY)

SCRIVENER'S AFFIDAVIT

Know all men by these presents, that, I, the undersigned, a notary public in and for said county and in said state, hereby certify that before me personally appeared R. SHAN PADEN, who is known to me, and who being by me first duly sworn on his oath depose and say as follows:

I, R. SHAN PADEN, Attorney At Law, and in my capacity as such, did prepare that certain MORTGAGE from BRYAN K. COLE AND SONYA L. COLE to MORTGAGESOUTH, LLC dated October 11, 2001 and recorded November 9, 2001, in the office of the Judge of Probate of JEFFERSON COUNTY, Alabama in INSTRUMENT # 200114/2181.

It is the purpose and intent of this affidavit to correct the errors in the legal description.

THE CORRECT LEGAL DESCRIPTION IS AS FOLLOWS:

LOT 48, ACCORDING TO THE SURVEY OF RUSSET WOODS TENTH SECTOR, FOURTH ADDITION, PHASE TWO, AS RECORDED IN MAP BOOK 29, PAGE 62 IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA, BESSEMER DIVISION.

  
R. SHAN PADEN

Sworn and subscribed before me this 7TH day of JANUARY, 2002.

  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 01/16/11

Inst # 2002-03795

01/23/2002-03795  
08:59 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 CH 11.00