

**SCRIVENER'S AFFIDAVIT**

**STATE OF ALABAMA**

**COUNTY OF SHELBY**

Before me, the undersigned notary public in and for said state and county, personally appeared William S. McFadden, who after being duly sworn on oath deposes and says as follows:

That affiant is a practicing attorney with the law firm of McFadden, Lyon & Rouse, L.L.C. 718 Downtowner Boulevard, Mobile, Alabama 36609.

That affiant was the scrivener of that Deed in Lieu of foreclosure made by Donald Wayne Hess to Countrywide Home Loans, Inc. dated May 20, 1999, and recorded in Instrument #1999-22272 of the records in the Office of the Judge of Probate, Shelby County, Alabama;


Affiant further states that said Deed in Lieu of foreclosure:

1. Erroneously included Sandra Ann Hess as a grantor,
2. Failed to reflect that Sandra Ann Hess died on May 20, 1998,
3. Failed to recite that Donald Wayne Hess was not remarried at the time of execution of said deed in lieu of foreclosure, and
4. The deed in lieu was executed on May 20, 1999 and this date should have been reflected on the last line of said document.

Dated this the 1st day of May, 2002.

  
WILLIAM S. McFADDEN

Sworn to and subscribed before me this the 1 day of May, 2002.

  
Notary Public  
My Commission Expires: 9/2/2003

This instrument was prepared by

William S. McFadden  
McFADDEN, LYON & ROUSE, L.L.C.  
718 Downtowner Boulevard  
Mobile, Alabama 36609

MTA