

THIS INSTRUMENT WAS PREPARED BY:  
CHRISTOPHER R. SMITHERMAN, ATTORNEY  
POST OFFICE BOX 261  
MONTEVALLO, ALABAMA 35115

STATE OF ALABAMA            )  
  )  
SHELBY COUNTY                )

SCRIVENER’S AFFIDAVIT

Before me, the undersigned authority, a Notary Public, in and for said County, in said State, personally appeared CHRISTOPHER R. SMITHERMAN, who after being by me first duly sworn, deposes and says on oath as follows:

My name is Christopher R. Smitherman, and I am a practicing attorney in Montevallo, Shelby County, Alabama and I was the preparer of that certain deed from Larry G. Wooten and Mary K. Wooten, husband and wife, to Clyde Samuel Baker and wife, Laurie Baker, dated April 4, 2001, recorded in the Probate Office of Shelby County, Alabama, as Instrument #2001-20281.

It has been brought to my attention that the legal description in said deed contains a typographical error. The correct description should be as follows:

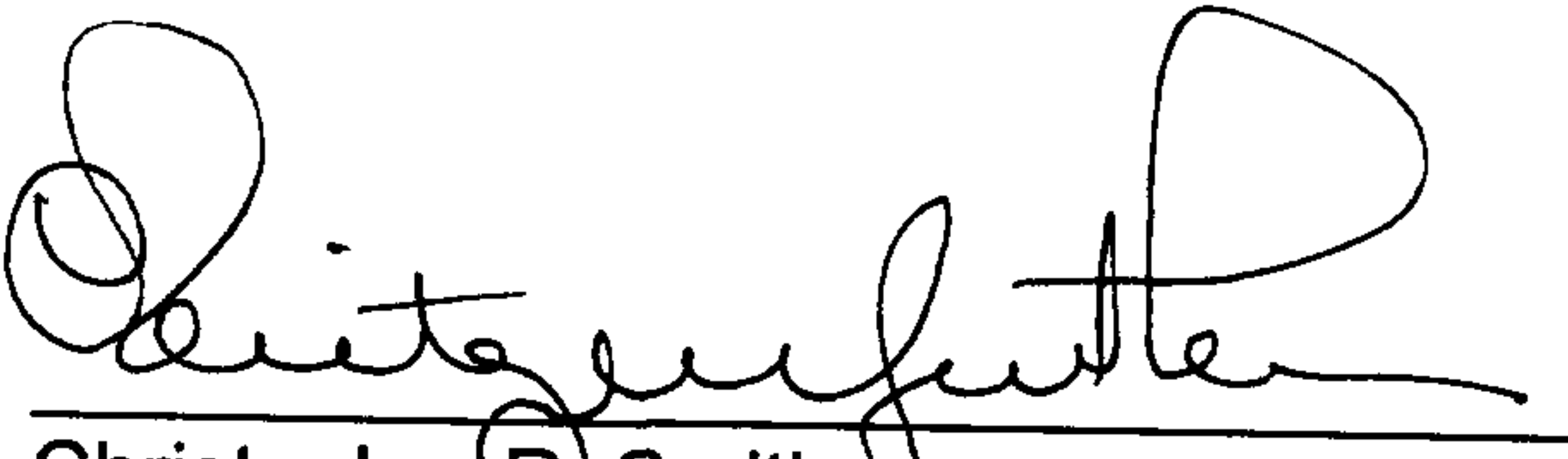
TRACT I:  
Commence at the NE corner of the NW¼ of the SE¼ of Section 11, Township 24 North, Range 12 East, Shelby County, Alabama; thence run Southerly along the East line thereof for 71.05 feet; thence 117 degrees 47 minutes 20 seconds right run Northwesterly for 557.76 feet to the point of beginning; thence 42 degrees 59 minutes 39 seconds left run Southwesterly for 208.59 feet to an existing fence; thence 58 degrees 50 minutes 36 seconds left run Southwesterly along said fence for 49.74 feet; thence 1 degrees 11 minutes 21 seconds right run Southwesterly for 33.39 feet; thence 19 degrees 21 minutes 27 seconds left run Southerly for 33.23 feet; thence 6 degrees 8 minutes 14 seconds left run Southerly for 45.45 feet; thence 12 degrees 13 minutes 50 seconds left run Southeasterly for 49.76 feet; thence 2 degrees 32 minutes 38 seconds right run Southeasterly for 106.35 feet; thence 85 degrees 6 minutes 27 seconds left run Northeasterly for 182.29 feet; thence 76 degrees 51 minutes 21 seconds left run Northerly for 280.88 feet; thence 16 degrees 9 minutes 44 seconds left run Northwesterly for 39.54 feet to the point of beginning.

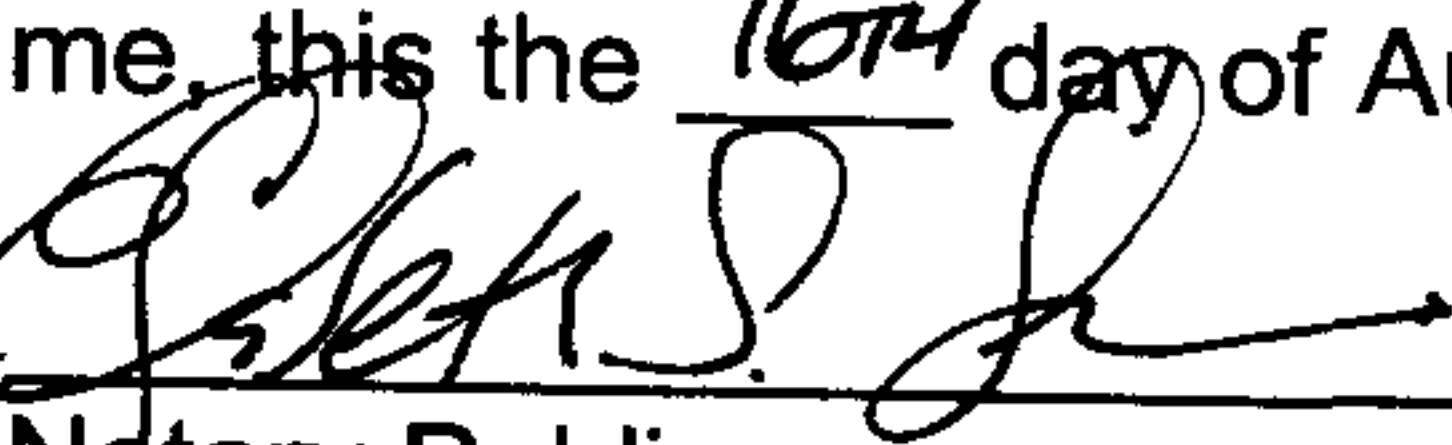
ALSO, a 10-foot non-exclusive easement, the East line of which is described as follows:  
Commence at the NE corner of the NW¼ of the SE¼ of Section 11, Township 24 North, Range 12 East, Shelby County; thence run Southerly along the East line thereof for 71.05 feet; thence 117 degrees 47 minutes 20 seconds right run Northwesterly for 557.76 feet; thence 133 degrees 57 minutes 19 seconds left run Southeasterly for 39.54 feet; thence 16 degrees 9 minutes 44 seconds right run Southerly for 280.88 feet to the point of beginning; thence continue along the last described course for 259.45 feet; thence 0 degrees 39 minutes 50 seconds left run Southerly for 201.76 feet to the Northerly right of way of Wallace Drive and the point of ending.

According to the survey of Thomas Simmons, dated February 16, 2001.

This affidavit is given to correct the legal description in said deed.

Further the affiant saith not.

  
Christopher R. Smitherman

SWORN TO and SUBSCRIBED before  
me, this the 16th day of August, 2002.  
  
Notary Public  
My Commission Expires: 12/11/03

✓  
Mike Atchison (File)