

STATE OF ALABAMA )  
                                  :  
COUNTY OF SHELBY )

**AFFIDAVIT EVIDENCING SCRIVENER'S ERROR**

Before me, the undersigned Notary Public, personally appeared John A. Gant, Esquire, who being duly sworn deposes and says as follows:

My name is John A. Gant, Esquire, with the law office of John A. Gant, P.C., who was the preparer of that certain General Warranty Deed dated June 28, 2002 and recorded in Instrument #20020709000317310, in the Probate Office of Shelby County, Alabama, whereby the property described in the above mentioned deed was conveyed unto John M. Cook, III and Cindy Sanders Lambert.

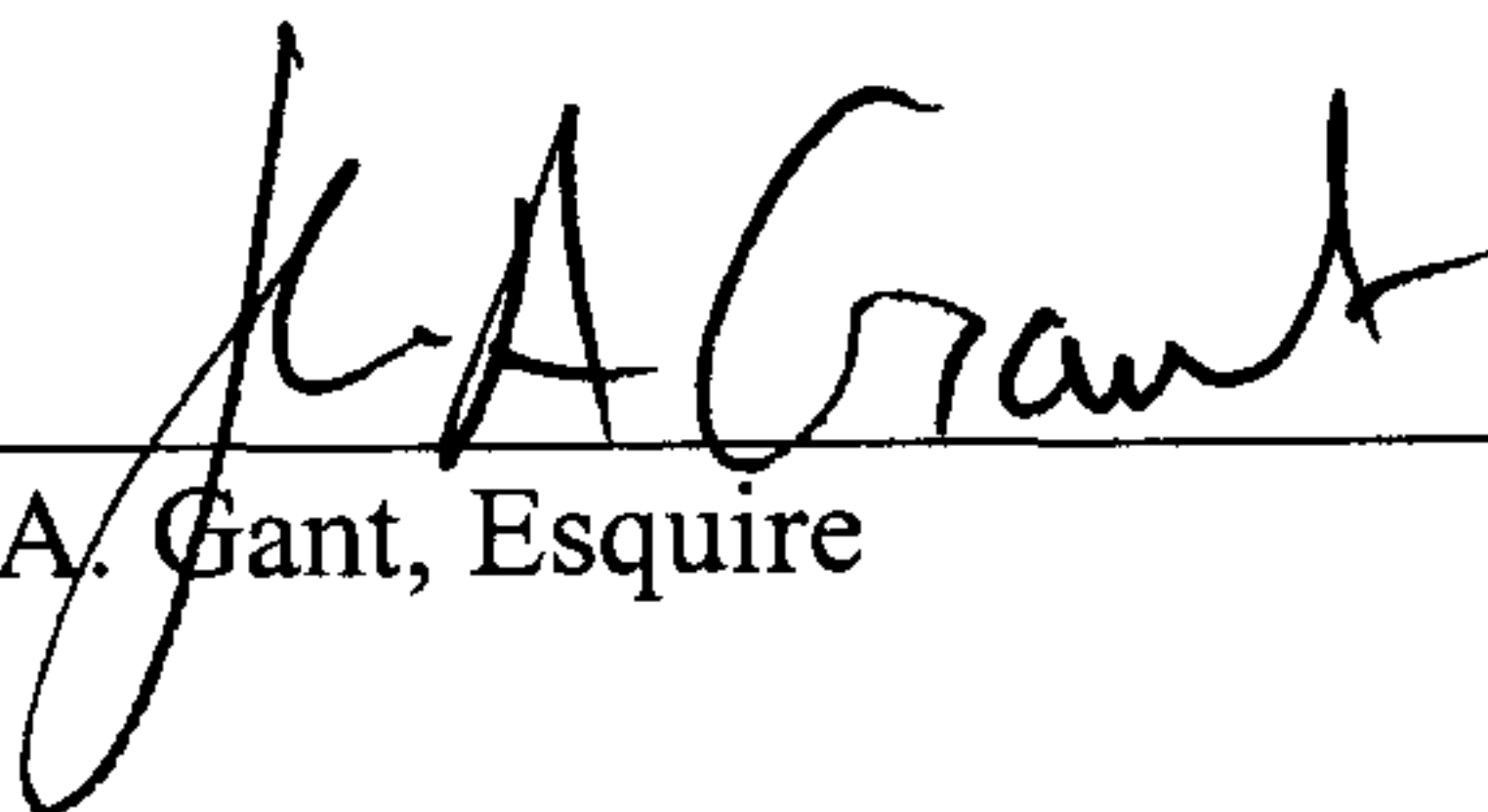
The undersigned has examined the General Warranty Deed prepared and finds that a typographical error was made in the legal description relative to the **Page Number reflecting the Map Book and Page**. The correct **Page Number should be Page 112 instead of Page 223**, as reflected in the above mentioned deed.

From this date forward, let the records reflect that the correct legal description is as follows:

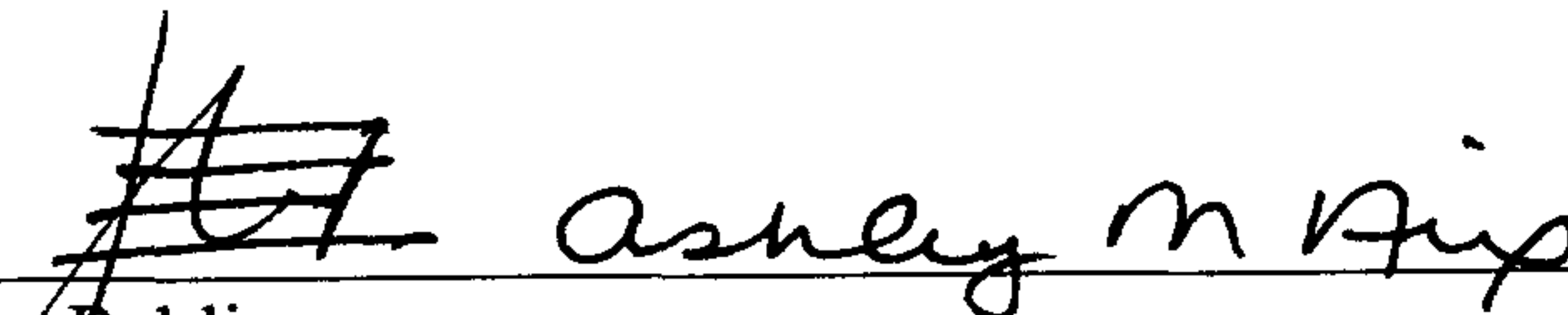
Lot 3314, according to the Survey of Riverchase Country Club, 33rd Addition, as recorded in Map Book 16, Page 112, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

This Affidavit is made for the purpose of duly acknowledging the scrivener's error in that drafting of said deed filed in the Office of the Judge of Probate of Shelby County, Alabama and also to induce First American Title Insurance Company to issue its title insurance policy to said mortgagee reflecting said correction.

FURTHER, Affiant saith not.

  
\_\_\_\_\_  
John A. Gant, Esquire

Sworn to and subscribed before me this 27<sup>th</sup> day of September, 2002.

  
\_\_\_\_\_  
Notary Public  
My commission expires: 9/10/05

THIS INSTRUMENT WAS PREPARED BY: Richard W. Theibert, Attorney  
Najjar Denaburg, P.C., 2125 Morris Avenue, Birmingham, AL 35203