

STATE OF ALABAMA

COUNTY OF SHELBY

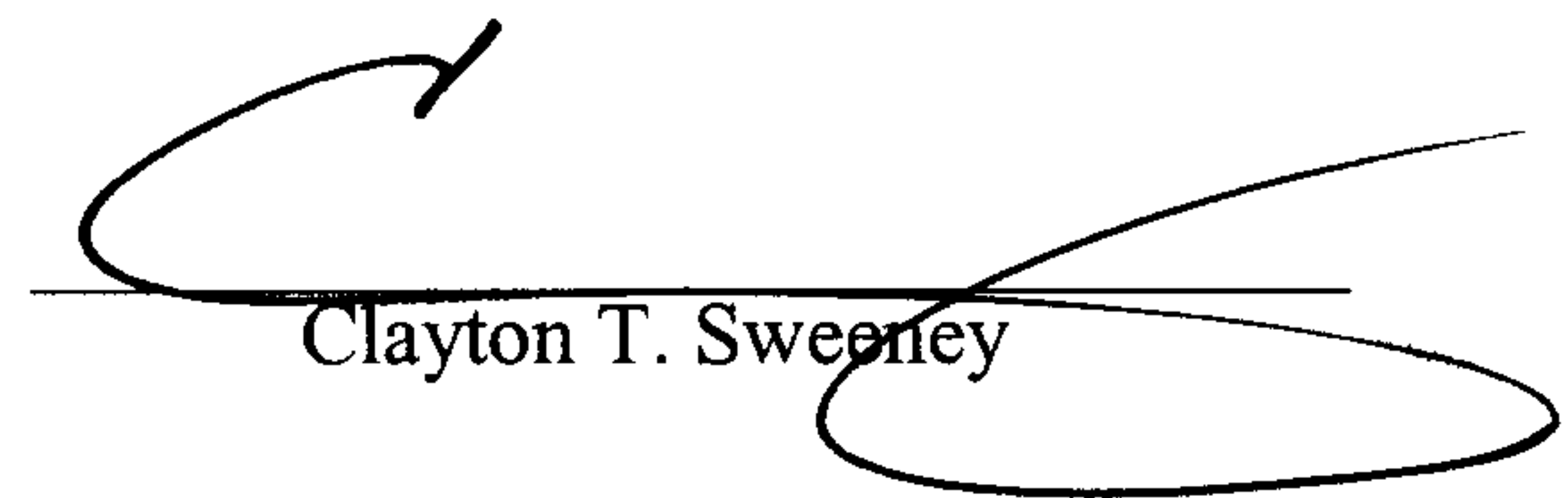
SCRIVENER'S AFFIDAVIT

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Clayton T. Sweeney. who, after, being duly sworn by me, deposes and says:

Affiant prepared that certain Mortgage from Hamilton Mortgage Corporation to Larry D. Franks and Jo Ruth Franks dated May 21, 2002 and recorded in Instrument # 2002/25088 in the Probate Office of Shelby County, Alabama. In preparing said Mortgage NE 1/4 was not included in the first sentence of the legal description. This Scrivener's Affidavit is executed by Clayton T. Sweeney, said scrivener as stated hereinabove and is given for the purpose of correcting the legal description to read as follows:

SEE ATTACHED

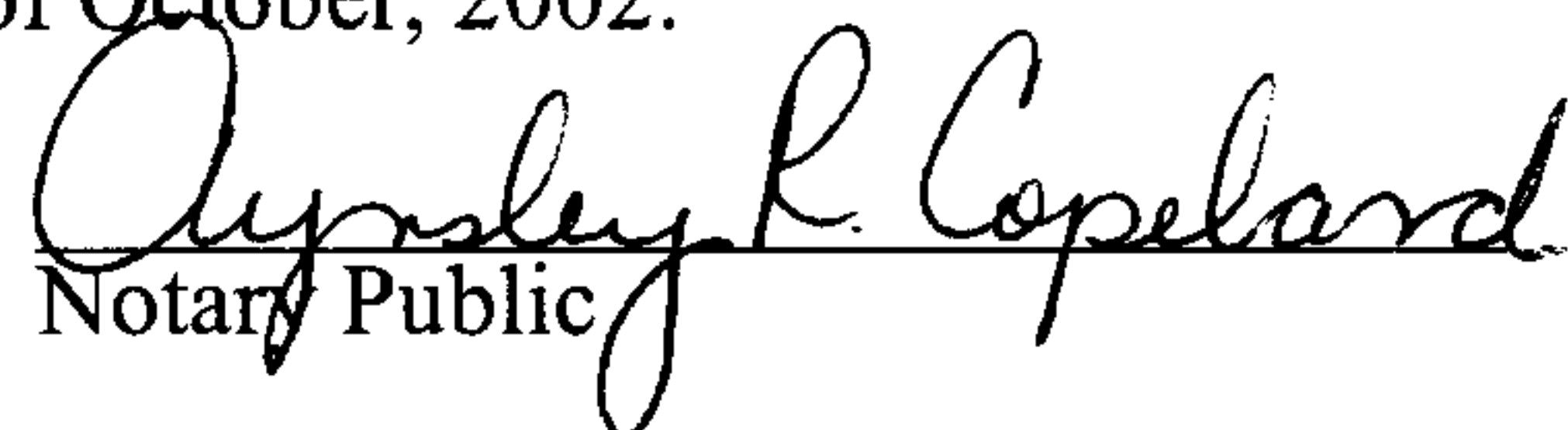
In Witness Whereof, the undersigned has caused this affidavit to be executed on this 14th day of October, 2002.


Clayton T. Sweeney

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that Clayton T. Sweeney, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 14th day of October, 2002.


Notary Public

My commission expires: MY COMMISSION EXPIRES JUNE 7, 2005

CLAYTON T. SWEENEY, ATTORNEY AT LAW

EXHIBIT A
LEGAL DESCRIPTION

Part of the SE 1/4 of NW 1/4 and a part of the SW 1/4 of NW 1/4 of Section 12, Township 17 South, Range 1 East, and described as follows:

Commence at the SW corner of the SE 1/4 of NW 1/4 of Section 12, Township 17 South, Range 1 East, thence N 88 degrees 07' E along the South line of said 1/4 1/4 sections 1653.36 feet; thence N 2 degrees 30' W, 909.00 feet to the point of beginning of tract herein described; thence continue along the last named course 422.00 feet; thence S 88 degrees 05' West, 332.02 feet; thence S 25 degrees 26' E, 195.00 feet; thence S 62 degrees 03' W, 130.00 feet; thence S 21 degrees 04' E, 389.13 feet to the Northerly right of way line of a public road, said point being on a curve to the right having a central angle of 143 degrees 33' a radius of 50.00 feet; thence North and Easterly along the arc of said curve 125.27 feet; thence N 46 degrees 26' E 265.72 feet to the point of beginning.

Situated in St. Clair County, Alabama, Pell City Division.