

STATE OF ALABAMA }

COUNTY OF SHELBY }

AFFIDAVIT TO CORRECT DESCRIPTION

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared **WILLIAM R. JUSTICE**, whose name is signed to this Affidavit and who is known to me and who being by my first duly sworn, deposes and says as follows;

My name is William R. Justice. I am In-House Attorney for **FIRST NATIONAL BANK OF SHELBY COUNTY** in the City of Columbiana, Shelby County, Alabama. On or about May 3, 2002 a mortgage was prepared by First National Bank of Shelby County from **Kenneth M. Graves and Mainline Heating & Air Conditioning Corporation** to First National Bank of Shelby County which said mortgage is recorded in **Instrument Number 20020503000208610** in the Probate Office of Shelby County, Alabama and in **Volume 0696 Page 333** in the Probate Office of Blount County, Alabama.

In the aforesaid mortgage there was a typographical error in the property description. The property was described as follows:

PARCEL I

Lot 1, according to the Survey of Westwood Village, as recorded in Map Book 22 page 66, in the Probate Office of Shelby County, Alabama, being situated in Shelby County, Alabama

PARCEL II

A parcel of land located in the NW 1/4 of the SW 1/4 of Section 2, Township 14, Range 1 West, being situated in Blount County, Alabama.

1) Less and Except

A part of the NW 1/4 of the SW 1/4 of Section 2, Township 14 South, Range 1 West, more particularly described, is follows:

From the NE corner of the NE 1/4 of the SW 1/4 of said Section 2, thence South 58 deg. 14 min. 36 sec West, 1638.81 feet to a point on the Northwest right of way line of Tucker Mountain Road and the Point of Beginning; thence South 15 deg, 43 min. 04 sec West along said right of way line 243.29 feet. thence South 17 deg 36 min 56 sec West along said right of way line 53.03 feet; thence leaving said right of way line. run North 65 deg 00 min 00 sec West, 152.72 feet; thence North 17 deg 49 min. 54 sec. East 295.00 feet; thence South 65 deg 00 min. 00 sec. East 143.48 feet to the Point of Beginning.

2) Less and Except

Tract 1:

A part of the NW 1/4 of the SW 1/4 and part of the SW 1/4 of the SW 1/4 of Section 2, Township 14 South, Range 1 West, Blount County, Alabama, and being more particularly described as follows: From the Northeast corner of the NE 1/4 of the SW 1/4 of said Section 2: thence South 58 deg 14 min 36 sec West 1638.81 feet to a point on the Northwest right of way line of Tucker Mountain Road; thence South 80 deg. 13 min.. 23 sec East 58.52 feet to a point where the East line of said NE 1/4 of the SW 1/4 intersects the Southeast right of way line of Tucker Mountain Road, said point being the point of beginning; thence along said right of way line the following courses: South 14 deg 39 min. 01 sec West 96.43 feet. South 15 deg 43 min 08 sec West 153.92 feet. South 17 deg. 36 min. 56 sec. West 80.07 feet; South 17 deg. 58 min. 56 sec. West 85.96 feet; South 23 deg. 24 min. 39 sec West 53.79 feet to a point where said right of way line intersects the Northwest right of way line of House Road; thence along said right of way line the following courses, North 79 deg. 08 min.. 49sec. East 26.11 feet; North 76 deg. 38 min.. 36 sec. East 67.90 feet. North 69 deg 35 min 22 sec East 43.53 feet to a point on the East line of said NE 1/4 of the SW 1/4: thence North 0 deg 47 min 35 sec East 413.16 feet along said East line to the point of beginning.

Tract 2

A part of the NW 1/4 of the SW 1/4 of Section 2, Township 14 South, Range 1 West, Blount County, Alabama, and being more particularly described as follows: From the Northeast corner of the NE 1/4 of the SW 1/4 of said Section 2. thence South 58 deg. 14 min. 36 sec West 1638.81 feet to a point on the Northwest right of way line of Tucker Mountain Road, thence South 15 deg. 43 min 04 sec West 243.29 feet along said right of way line; thence South 17 deg 36 min. 56 sec West 53.03 feet along said right of way line to the point of beginning, thence South 17 deg 44 min 58 sec West 105.94 feet along said right of way line; thence South 23 deg 24 min. 39 sec. West 54.29 feet along said right of way line to a point on the South line of said NW 1/4 of the SW 1/4; thence North 89 deg. 05 min.. 56 sec. West 296.10 feet along said line; thence North 35 deg. 38 min. 54 sec. East 285.18 feet; thence North 17 deg. 49 min 54 sec East 288.76 feet, thence South 72 deg. 10 min. 06 sec. East 49.61 feet, thence South 17 deg 49 min 54 sec West 295.00 feet, thence South 65 deg 00 min 00 sec East 152.72 feet to the point of beginning.

Tract 3

A part of the SW 1/4 and part of the SW 1/4 of the SW 1/4 of Section 2, Township 14 South, Range 1 West, Blount County, Alabama, and being more particularly described as follows: From the Northeast corner of the NE 1/4 of the SW 1/4 of said Section 2, thence South 58 deg 14 min. 36 sec. West 1638.81 feet to point on the Northwest right of way line of Tucker Mountain Road: thence along said right of way line the following courses; South 15 deg. 43 min.. 04 sec. West 243.29 feet. South 17 deg 36 min 56 sec West 53.03 feet. South 17 deg. 44 min 58 sec. West 105.94 feet: South 23 deg. 24 min.. 39 sec. West 54.29 feet to a point where said right of way line intersects the North line of said SW 1/4 of the SW 1/4 and the point of beginning, thence continue along said right of way line the following courses, South 23 deg 24 min. 39 sec West 16.19 feet: South 30 deg. 49 min.. 19 sec. West

25.76 feet: South 1/4 deg 51 min. 47 sec West 50.59 feet, South 35 deg 24 min. 30 sec West 96.61 feet; thence leaving said right of way line run North 54 deg 35 min 30 sec. West 250.00 feet: thence North 35 deg. 38 min. 54 sec. East 20.98 feet: thence South 89 deg 05 min 56 sec East 296.10 feet to the point of beginning.

PARCEL III

A part of the SW 1/4 of the SW 1/4 of Section 2. Township 14 South, Range 1 West, Blount County, Alabama, and being more particularly described as follows:

From the Northeast corner of the NE 1/4 of the SW 1/4 of said Section 2; thence South 58 deg 14 min.. 36 sec. West 1638.81 feet to a point on the Northwest right of way line of Tucker Mountain Road. thence along said right of way line the following courses: South 15 deg. 43 min. 04 sec. West 243.28 feet: South 17 deg 36 min 56 sec West 53 03 feet. South 17 deg. 44 min.. 58 sec. West 105.94 feet, South 23 deg. 24 min. 39 sec. West 54.29 feet: South 23 deg 24 min 39 sec West 16.19 feet: South 30 deg 49 min. 19 sec West 25.76 feet. South 34 deg. 51 min. 47 sec. West 50.59 feet: South 35 deg 24 min. 30 sec West 96.61 feet to the point of beginning, thence continue along said right of way line the following courses: South 30 deg 48 min. 54 sec West 358.66 feet; South 29 deg. 46 min. 41 sec. West 97.74 feet; South 32 deg. 29 min. 31 sec West 45.47 feet. thence leaving said right of way line run North 87 deg. 20 min. 15 sec. West 786.80 feet to a point on the West line of said SW 1/4 of the SW 1/4. thence North 0 deg 56 min. 42 sec East 569.89 feet along said West line to the Northwest corner of said SW 1/4 of the SW 1/4; thence South 89 deg 05 min. 56 sec East 841.82 feet along the 1/4^ mile line; thence South 35 deg. 38 min. 54 sec West 20.98 feet, thence South 54 deg. 35 min. 30 sec. East 250.00 feet to the point of beginning.

This description was incorrect. The correct description of the property described in the aforesaid mortgage is as follows:

PARCEL I

Lot 1, according to the Survey of Westwood Village, as recorded in Map Book 22 page 66, in the Probate Office of Shelby County, Alabama, being situated in Shelby County. Alabama

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1) Less and Except

A part of the NW 1/4 of the SW 1/4 of Section 2. Township 14 South, Range 1 West, more particularly described ,is follows:

From the NE corner of the NE 1/4 of the SW 1/4 of said Section 2, thence South 58 deg. 14 min. 36 sec West, 1638 81 feet to a point on the Northwest right of way line of Tucker Mountain Road and the Point of Beginning; thence South 15 deg, 43 min. 04 sec West along said right of way line 243.29 feet. thence South 17 deg 36 min 56 sec West along said right of way line 53 03 feet; thence leaving said right of way line. run North 65 deg 00 min 00 sec West, 152.72 feet; thence North 17 deg 49 min. 54 sec. East 295.00 feet; thence South 65 deg 00 min. 00 sec. East 143.48 feet to the Point of Beginning.

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From the Northeast corner of the NE 1/4 of the SW 1/4 of said Section 2: thence South 58 deg 14 min 36 sec West 1638 81 feet to a point on the Northwest right of way line of Tucker Mountain Road; thence South 80 deg. 13 min.. 23 sec East 58.52 feet to a point where the East line of said NE 1/4 of the SW 1/4 intersects the Southeast right of way line of Tucker Mountain Road, said point being the point of beginning; thence along said right of way line the following courses: South 14 deg 39 min. 01 sec West 96.43 feet. South 15 deg 43 min 08 sec West 153.92 feet. South 17 deg. 36 min. 56 sec. West 80.07 feet; South 17 deg. 58 min. 56 sec. West 85.96 feet; South 23 deg. 24 min. 39 sec West 53.79 feet to a point where said right of way line intersects the Northwest right of way line of House Road: thence along said right of way line the following courses, North 79 deg. 08 min.. 49sec. East 26.11 feet; North 76 deg. 38 min.. 36 sec. East 67.90 feet. North 69 deg 35 min 22 sec East 43.53 feet to a point on the East line of said NE 1/4 of the SW 1/4: thence North 0 deg 47 min 35 sec East 413.16 feet along said East line to the point of beginning.

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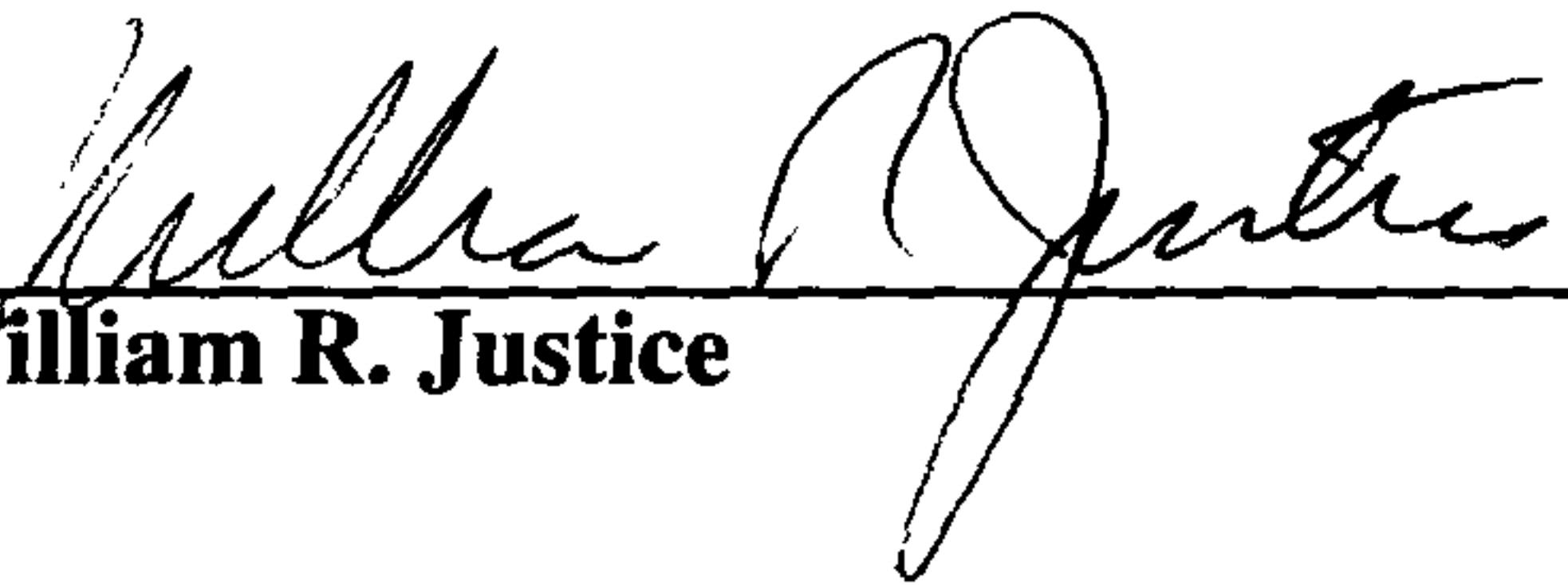
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IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 23rd day of October, 2002.


William R. Justice

Sworn to and subscribed before me
on this 23rd day of October, 2002.


Notary Public

My Commission Expires: 5-24-04

First National Bank of Shelby County
P. O. Box 977
Columbiana, AL 35051