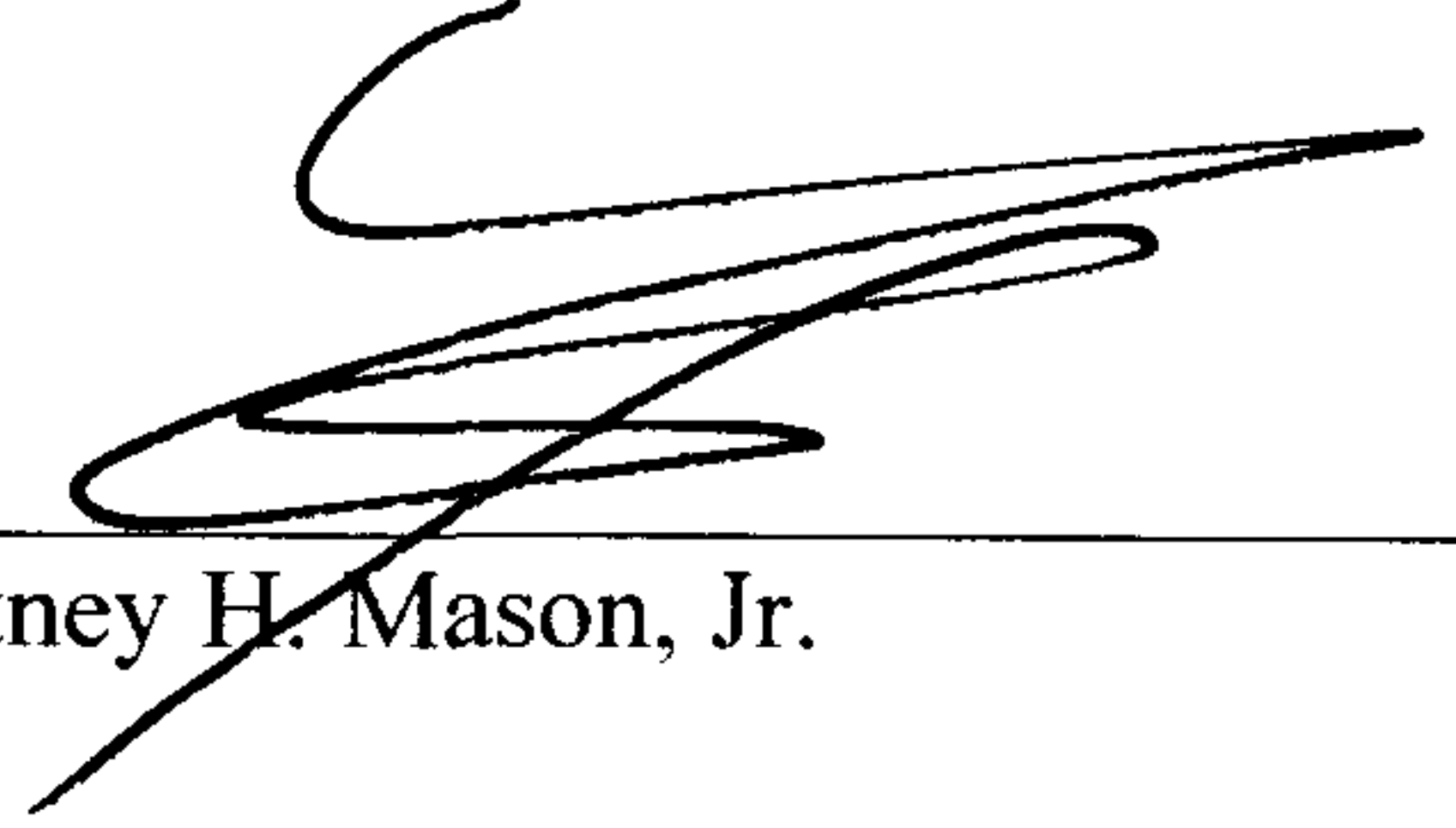


**STATE OF ALABAMA  
COUNTY OF SHELBY**

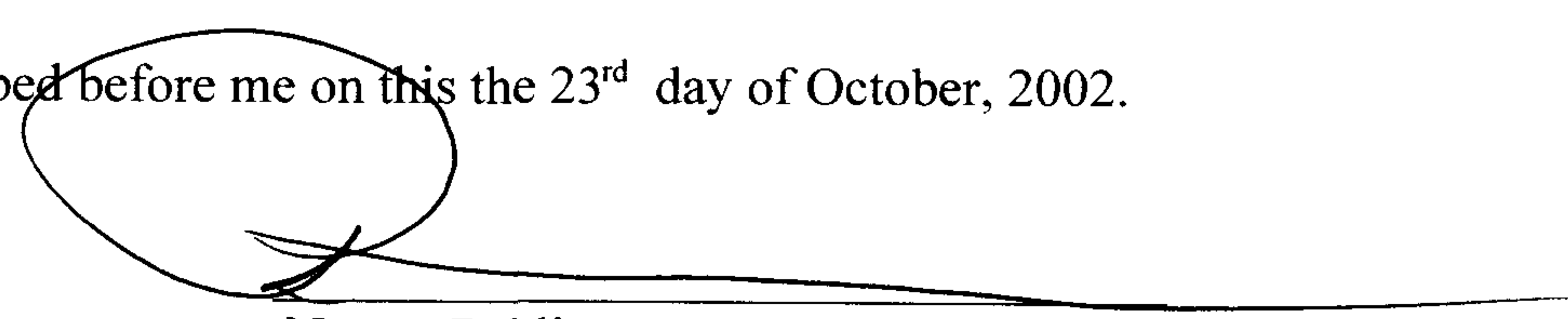
**SCRIVENER'S AFFIDAVIT**

Before me, the undersigned authority, appeared Courtney H. Mason, Jr., who, after being duly sworn, deposes and says on oath as follows:

1. That my name is Courtney H. Mason, Jr., that I am over the age of 21 years, I have personal knowledge of the information contained herein. I am an attorney licensed to practice law in the State of Alabama.
2. That on or about January 28, 1994 I prepared a Warranty Deed with grantee as Truman Smith which is recorded in Inst. 1994-04097, in the Probate Office of Shelby County, Alabama.
3. That the legal description on the deed provided by Cahaba Title, Inc. and survey by Varnon Surveyors, Inc. dated January 21, 1994 showed the legal description attached as Exhibit "A".
4. The correct legal description on the deed should have read as Exhibit "B" attached hereto.

  
\_\_\_\_\_  
Courtney H. Mason, Jr.

Sworn to and subscribed before me on this the 23<sup>rd</sup> day of October, 2002.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 2-20-03

PEGGY I MURPHREE  
MY COMMISSION EXPIRES FEBRUARY 20, 2003

Exhibit "A"

A parcel of land situated in the SW 1/4 of the NW 1/4 of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama, described as follows:  
Commence at the SW 1/4 of the NW 1/4 of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama and run South 88 deg. 34 min. East for 349.32 feet; thence North 08 deg. 53 min. West 97.04 feet; thence North 72 deg. 39 min. East for 100.15 feet to point of beginning; thence North 08 deg. 53 min. East for 183.30 feet to a point of intersection with the Southerly right of way line of Alabama Highway No. 25; thence North 72 deg. 39 min. East along said right of way line for 102.50 feet; thence South 66 deg. 28 min. 11 sec. East for 30.55 feet to a point on the Westerly right of way line of Davis Street; thence South 18 deg. 19 min. East along said Davis Street right of way line for 161.33 feet; thence South 72 deg. 39 min. West for 155.31 feet to the point of beginning.

Exhibit "B"

**A parcel of land situated in the SW 1/4 of the NW 1/4 of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama, described as follows:**

**Commence at the SW corner of the SW 1/4 of the NW 1/4 of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama, and run South 88 degrees, 34 minutes East for 349.32 feet; thence North 08 degrees, 53 minutes West 97.04 feet; thence North 72 degrees, 39 minutes East for 100.15 feet to point of beginning; thence North 08 degrees, 53 minutes West for 183.30 feet to a point of intersection with the Southerly right of way line of Alabama Highway No. 25; thence North 72 degrees, 39 minutes East along said right of way line for 102.50 feet; thence South 66 degrees, 28 minutes, 11 seconds East for 30.55 feet to a point on the Westerly right of way line of Davis Street; thence South 18 degrees, 19 minutes East along said Davis Street right of way line for 161.33 feet; thence South 72 degrees, 39 minutes West for 155.31 feet to the point of beginning.**

**LESS AND EXCEPT any part of subject property condemned by State of Alabama in Probate Case No. 30-018 as set out in Decree of Condemnation recorded in Instrument No.1997-15833.**