

This document prepared by:
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MSP File No.: 560.026305AL
Loan No.: 6691910

SCRIVENER'S AFFIDAVIT

Note to Clerk: Please cross reference this Affidavit with that certain Mortgage Foreclosure Deed recorded in Instrument No. 20020821000397030 as to that certain mortgage executed by Darryl Lee Fingar and Ann Marie Fingar, Party of the First Part, to First Union National Bank of Delaware, which said mortgage is recorded in Instrument No. 2001-10694 in the Office of the Judge of Probate for Shelby County, Alabama.

STATE OF GEORGIA
COUNTY OF DEKALB

BEFORE ME, the affiant David W. Van Buskirk, who first being duly sworn, on oath, depose and says:

-1-

That he is more than 18 years of age and suffers from no legal disabilities and has personal knowledge of the facts set forth in this affidavit.

-2-

That he represents First Union National Bank of Delaware and as such has knowledge regarding the preparation of the Mortgage Foreclosure Deed recorded in Instrument No. 20020821000397030, in the Office of the Judge of Probate for Shelby County, Alabama.

-3-

That the call of the legal description of "Parcel I" contains a scrivener's error in that it should have read:

" Parcel I – Begin at the SW corner of the NE ¼ of NW ¼ of Section 8, Township 22, Range 2 West; thence run North 105 feet; thence run East 210 feet to the point of beginning; thence continue East 105 feet; thence North 105 feet; thence West 105 feet; thence South 105 feet to point of beginning."

-4-

That the purpose of this Affidavit is to correct the typographical error of said Mortgage Foreclosure Deed. Future purchasers, lenders, attorneys and title insurance companies may rely upon this Affidavit.



Affiant: David W. Van Buskirk

State of Georgia
County of DeKalb

I Sandra Janis Atkinson, a Notary Public in and for said County in said State, hereby certify that David W. Van Buskirk, whose name is signed to the foregoing affidavit and whom I know to me, acknowledged before me on this day that, being informed of the contents of the affidavit, and with full authority, executed the same voluntarily.

Given under my hand this 9th day of December, 2002.

Sandra Janis Atkinson
Notary Signature

My Commission Expires: 6-14-06

(SEAL)