

AFFIDAVIT OF JAMES W. FUHRMEISTER

STATE OF ALABAMA)

COUNTY OF SHELBY)

Before me, the undersigned, a Notary Public in and for said county and said state, personally appeared James W. Fuhrmeister, who after being duly sworn, deposes and says as follows:

“My name is James W. Fuhrmeister and I am a practicing attorney in the State of Alabama. On May 1, 2002 I prepared a deed conveying certain real property located in Shelby County, Alabama and executed by Town Builders, Inc. (Grantors) to Brian S. Smith and Rita K. Smith, husband and wife, (Grantees). This deed was recorded on May 5, 2002 and appears of record in the Office of the Judge of Probate of Shelby County, Alabama as Instrument Number 2002-0509000218610. This Real Property conveyed is more particularly described on the deed as:

Lot 9-17 according to the Survey of Mt. Laurel, Phase 1A, as recorded in Map Book 27, Page 72 A & B, in the Office of the Judge of Probate of Shelby County, Alabama.

In the aforesaid deed there was a clerical typographical error in the legal description of the property. The correct legal description is:

Lot 9-14, according to the Survey of Mt. Laurel, Phase 1A, as recorded in Map Book 27, Page 72 A & B, in the Office of the Judge of Probate of Shelby County, Alabama.

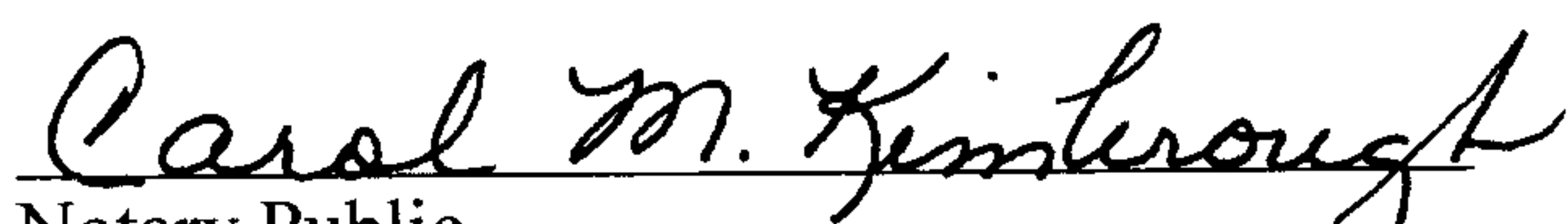
I give this affidavit of my own personal knowledge of the facts set out herein.”

In Witness Whereof, I have hereunto set my hand and seal on this the 20th day of January, 2003.



JAMES W. FUHRMEISTER

Sworn to and subscribed before me this 20th day of January, 2003.



Notary Public
My Commission Expires: 2-2-05