

STATE OF ALABAMA     ()  
SHELBY COUNTY        ()

SCRIVENER'S AFFIDAVIT

Before me, the undersigned, a Notary Public, in and for said County and state, personally appeared ERIC C. ANDREAE, who, being duly sworn upon his oath, deposes and states as follows:

1. I am a licensed, practicing attorney in Birmingham, Jefferson County, Alabama, and my office prepared the closing documents for the refinance of the real estate located at 148 Chestnut Drive, Alabaster, Alabama 35022, which property is further described hereinbelow, and which said property was mortgaged by Julie Vandiver and husband, James Vandiver to CitiMortgage, Inc., by a first mortgage instrument dated May 14, 2002, and recorded in Instrument No. 20020604000260940, in the Probate Office of Shelby County, Alabama; and which property was subsequently mortgaged by Julie Vandiver and husband, Jim Vandiver to CitiBank Federal Savings Bank, by a Home Equity Line of Credit second mortgage instrument dated May 14, 2002, and recorded in Instrument No. 20020604000260950, in said Probate Office.

2. It was brought to my attention on today's date that due to a scrivener's error, the legal description was not shown on said Home Equity Line of Credit second mortgage instrument.

3. I hereby certify that the correct legal description on said Home Equity Line of Credit second mortgage instrument should read as shown hereinbelow.

4. This affidavit is being given to clear any questions which may arise in the chain of title to the property as described hereinbelow:

Lot 46, according to the Survey of Harvest Ridge, Second Phase, as recorded in Map Book 12, Page 49, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Eric C. Andreae  
ERIC C. ANDREAE

Given under my hand and official seal this 21<sup>st</sup> day of January, 2003.

Paula Richard  
Notary Public  
My Commission Expires: 11/25/03

This instrument was prepared by:  
Massey, Stotser & Nichols, P.C.  
1780 Gadsden Highway  
Birmingham, Alabama 35235