

THIS INSTRUMENT WAS PREPARED BY: MIKE T. ATCHISON, ATTORNEY AT LAW  
P.O. BOX 822  
COLUMBIANA, ALABAMA 35051

STATE OF ALABAMA  
SHELBY COUNTY

SCRIVENER'S AFFIDAVIT

Before me, the undersigned authority, a Notary Public, in and for said County, in said State, personally appeared Mike T. Atchison, who after being by me first duly sworn, deposes and says on oath as follows:

My name is Mike T. Atchison, and I am a practicing attorney in Shelby County, Alabama, and was the preparer of that certain deed from Merl L. Short, Trustee of the Marjorie Short Family Trust created pursuant to the provisions of the Marjorie Short Revocable Trust dated May 16, 2000, to Jeffrey S. Sainz, dated December 19, 2002, and recorded as Instrument #20030102000001090, in the Probate Office of Shelby County, Alabama; and also that certain mortgage from Jeffrey S. Sainz, a single man, to Merl L. Short, Trustee of the Marjorie Short Family Trust created pursuant to the provisions of the Marjorie Short Revocable Trust dated May 16, 2000, said mortgage being dated December 19, 2002, and recorded as Instrument #20030102000001100, in said Probate Office.

It has been brought to my attention that there is a mistake in the legal descriptions contained in said deed and mortgage. The legal description should have been as follows:

**Commence at the NW corner of the East ½ of SE ¼ of NW ¼ of Section 35, Township 19 South, Range 1 East; thence run Southerly along the West line of said E ½ of said SE ¼ of NW ¼, a distance of 984.46 feet to the North right-of-way line of current county chert road #450; thence continue in the same direction 19.42 feet to the centerline of said road; thence turn an interior angle of 114 degrees 2 minutes 10 seconds and run in a Southeasterly direction a distance of 264.94 feet to a point; thence turn an angle to the left of 64 degrees 34 minutes 20 seconds and run in a Northeasterly direction 584.03 feet along said centerline to a point; thence turn an angle to the left of 13 degrees 34 minutes 30 seconds and run in a Northeasterly direction along centerline of said road 436.56 feet to a point; thence turn an angle to the right of 21 degrees 00 minutes 00 seconds and run in a Northeasterly direction along said centerline 327.77 feet to a point; thence turn an angle to the right of 15 degrees 39 minutes 10 seconds and run in a Northeasterly direction along said road a distance of 327.29 feet to a point; thence turn an angle to the left of 26 degrees 45 minutes and run in a Northeasterly direction along said road a distance of 205.36 feet to a point on the North line of the SW ¼ of NE ¼ of said Section 35; thence run in a Westerly direction along the North side of said SW ¼ of NE ¼ and the North line of East ½ of the SE ¼ of NW ¼ a distance of 1,723.95 feet to the point of beginning.**

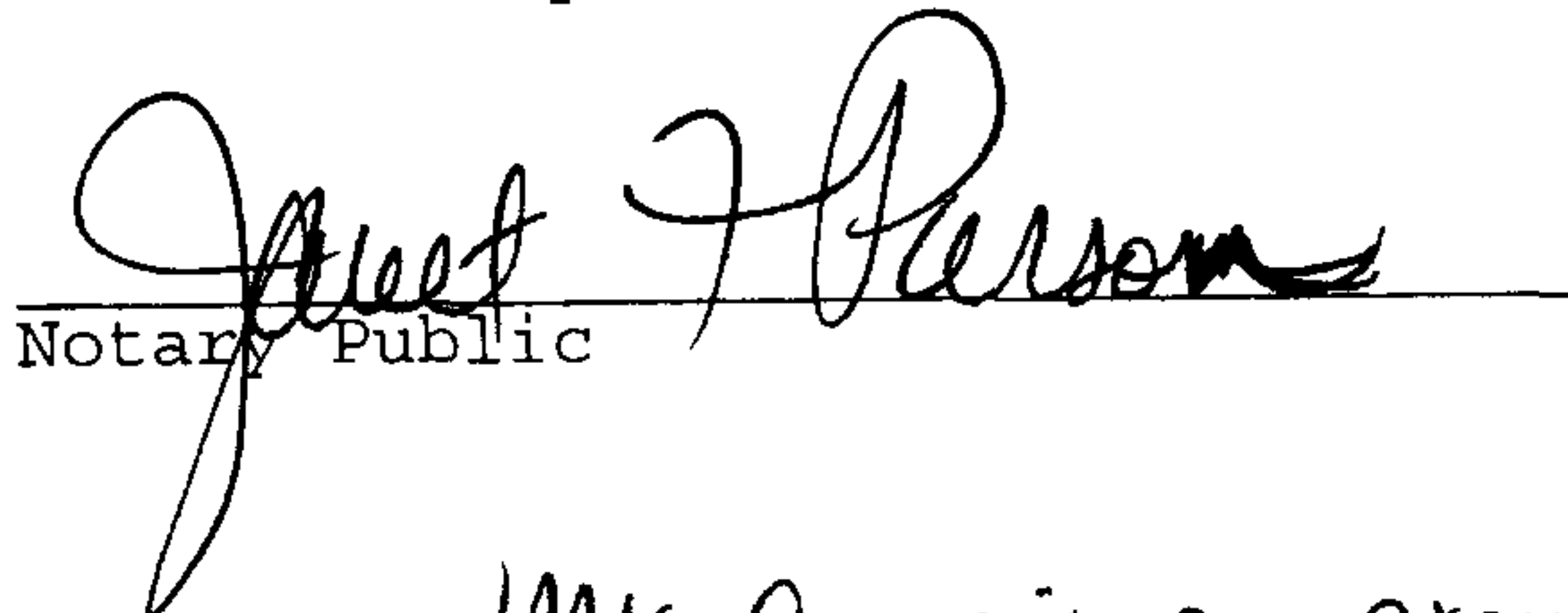
**Situated in Shelby County, Alabama.**

This affidavit is given to correct the legal descriptions in the above recited deed and mortgage.

Further the affiant saith not.

  
Mike T. Atchison

Sworn to and subscribed to before me  
this 27th day of January, 2003

  
Notary Public

My Commission expires: 10/16/04