

STATE OF ALABAMA)
SHELBY COUNTY)

AFFIDAVIT

Before me, the undersigned Notary Public in and for said County in said State, personally appeared J. Birch Bowdre, Jr., who, being known to me, and who being by me first duly sworn, deposes under oath and says as follows:

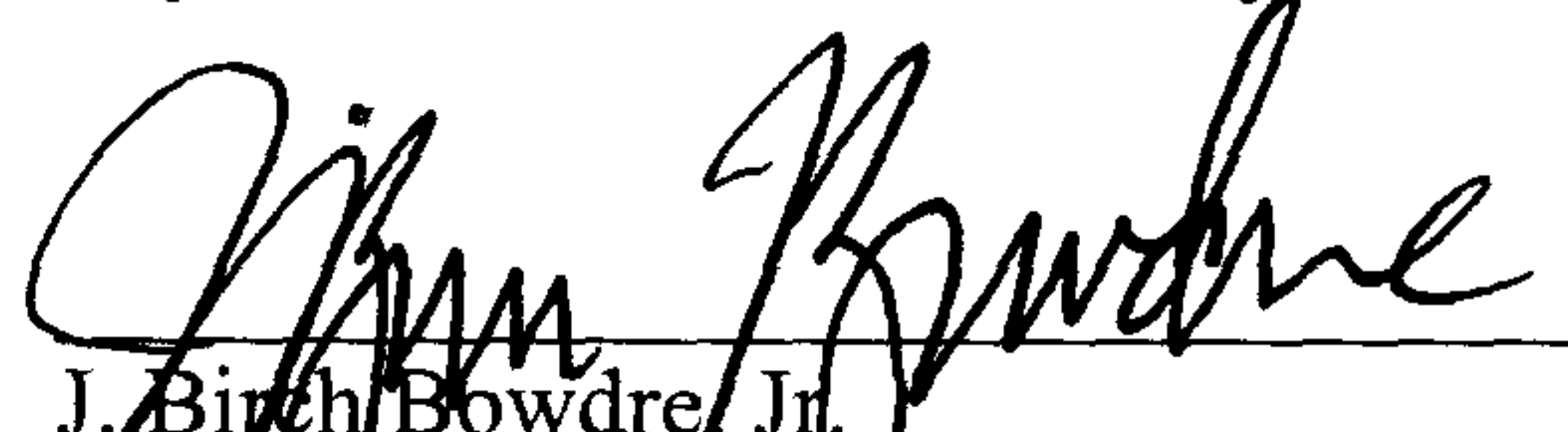
1. That the undersigned is over the age of twenty-one (21) years and a resident of Birmingham, Jefferson County, Alabama, with knowledge and information pertaining to the facts in this affidavit.

2. That I prepared the General Warranty Deed from Douglas E. Martin and wife, Roxane P. Martin, to Roxane P. Martin ("Grantee") which was filed in the Office of the Judge of Probate of Shelby County, Alabama on October 8, 2002, under Instrument No.: 20021008000492300.


3. That the legal description on the above deed was inadvertently omitted as an attached Exhibit "A." and is attached to this Affidavit.

4. That such error was a scrivener's error and this affidavit is given for the purpose of correcting such scrivener's error.

IN WITNESS WHEREOF, I have set my hand and seal this 10th day of February, 2003.


J. Birch Bowdre, Jr.

Sworn to and subscribed before me this the 10th day of February, 2003.


Notary Public
My Commission expires: 1/6/04

This instrument prepared by:

J. Birch Bowdre, Jr., Esq.
Wallace, Jordan, Ratliff & Brandt, L.L.C.
800 Shades Creek Parkway, Suite 400
Birmingham, Alabama 35209
(205) 870-0555
email: bb@wallacejordan.com

EXHIBIT "A"
LEGAL DESCRIPTION

TRACT FIVE:

A parcel of land situated in the South One-Half of the Southeast Quarter of Section 13, Township 20 South, Range 1 West, Huntsville Meridian, and the West One-Half of the Southwest Quarter of Section 18, Township 20 South, Range 1 East, Huntsville Meridian, all in Shelby County, Alabama, also being a part of Hidden Heather, as recorded in Map Book 15, Page 82, in the Office of the Judge of Probate, Shelby County, Alabama, and being more particularly described by metes and bounds as follows:

Begin at the Southeast corner of Section 13, Township 20 South, Range 1 West, Huntsville Meridian, Shelby County, Alabama; thence run South 87 degrees 50 minutes 54 seconds West (Plat - South 87 degrees 47 minutes 00 seconds West) along the South line of Section 13 for a distance of 1733.13 feet; thence leaving said South line run North 01 degrees 18 minutes 00 seconds West for a distance of 612.14 feet; thence run North 85 degrees 02 minutes 27 seconds East for a distance of 1394.01 feet; thence run North 30 degrees 30 minutes 43 seconds East (Plat - North 30 degrees 03 minutes 00 seconds East) for a distance of 932.27 feet to the Southwesterly right of way line of Shelby County Highway No. 49 (right of way width: 80 feet); thence run South 28 degrees 19 minutes 37 seconds East (Plat - South 28 degrees 28 minutes East) along said right of way line for a distance of 147.50 feet; thence leaving said right of way line run South 62 degrees 11 minutes 17 seconds West (Plat - South 60 degrees 37 minutes West) for a distance of 142.25 feet (Plat - 141.74 feet); thence run South 33 degrees 27 minutes 00 seconds West (Plat - South 32 degrees 39 minutes West) for a distance of 110.88 feet (Plat - 110.25 feet) to the East line of Section 13; thence run South 00 degrees 01 minutes 49 seconds East (Plat - South 00 degrees 05 minutes East) along said Section line for a distance of 1181.87 feet (Plat 1182.17 feet) to the point of beginning.

Together with and subject to a non-exclusive easement for ingress, egress, and utilities over and across a parcel of land situated in the South One-Half of the Southeast Quarter of Section 13, Township 20 South, Range 1 West, Huntsville Meridian, and the West One-Half of the Southwest Quarter of Section 18, Township 20 South, Range 1 East, Huntsville Meridian, all in Shelby County, Alabama, also being a part of Hidden Heather, as recorded in Map Book 15, Page 82, in the Office of the Judge of Probate, Shelby County, Alabama, and being more particularly described by metes and bounds as follows:

Commence at the Southeast corner of Section 13, Township 20 South, Range 1 West, Huntsville Meridian, Shelby County, Alabama; thence run North 00 degrees 01 minutes 49 seconds West (Plat - North 00 degrees 05 minutes West) along the East line of Section 13 for a distance of 1181.87 feet (Plat 1182.17) to the point of beginning of an easement for ingress/egress and utilities; thence leaving said Section line run South 33 degrees 27 minutes 00 seconds West for a distance of 640.28 feet; thence run South 85 degrees 02 minutes 27 seconds West for a distance of 1489.02 feet; thence run South 88 degrees 42 minutes 00 seconds West for a distance of 144.44 feet; thence run North 01 degrees 18 minutes 00 seconds West for a distance of 59.88 feet; thence run North 88 degrees 42 minutes 00 seconds East for a distance of 140.61 feet; thence run North 85 degrees 02 minutes 27 seconds East for a distance of 1454.39 feet; thence run North 30 degrees 30 minutes 43 seconds East (Plat - North 30 degrees 03 minutes East) for a distance of 658.22 feet; thence run North 88 degrees 59 minutes 09 seconds East (Plat - North 88 degrees 37 minutes East) for a distance of 19.67 feet (Plat - 19.66 feet); thence run North 33 degrees 35 minutes 59 seconds West (Plat - North 33 degrees 17 minutes West) for a distance of 19.56 feet (Plat - 19.57 feet); thence run North 33 degrees 38 minutes 07 seconds East (Plat - North 33 degrees 28 minutes East) for a distance of 90.20 feet (Measured and plat); thence run North 17 degrees 34 minutes 07 seconds East (Plat - North 17 degrees 24 minutes East) for a distance of 213.83 feet (Plat - 213.48) to the Southwesterly right of way line of Shelby County Highway No. 49 (right of way width: 80 feet); thence run South 28 degrees 10 minutes 37 seconds East (Plat - South 28 degrees 28 minutes East) along said right of way line for a distance of 257.12 feet (Plat 253.62 feet); thence leaving said right of way line run South 62 degrees 11 minutes 17 seconds West (Plat - South 60 degrees 37 minutes West) for a distance of 142.25 feet (Plat - 141.74 feet); thence run South 33 degrees 27 minutes 00 seconds West (Plat - South 32 degrees 39 minutes West) for a distance of 110.88 feet (Plat 110.25) to the point of beginning.

Inst # 1995-12871

05/16/1995-12871
02:44 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCO 116.50

Inst # 1995-12871