

SCRIVENER'S AFFIDAVIT

STATE OF ALABAMA
SHELBY COUNTY

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Daniel P. Rosser, who after being duly sworn, deposes and says as follows:

My name is Daniel P. Rosser and I am a practicing attorney in Birmingham, Alabama, and I prepared that certain warranty deed from David Mark Carpenter and Cherie Thomas Carpenter to Andrew S. Killen and Bethany J. Killen dated May 27, 2003 and recorded in instrument number 20030529000332340 in the office of the Judge of Probate of Shelby County, Alabama.

It is my testimony that the legal description contained in the said deed was incorrect in that it showed the incorrect phase of the subdivision. The correct legal description of the above mentioned property is as follows:

Lot 36, according to the survey of Indian Creek, Phase III, as recorded in map Book 15, page 74, in the Office of the Judge of Probate of Shelby County, Alabama.

I hereby affirm and certify that the above mentioned facts set out in this Scriveners Affidavit are true and correct.



Daniel P. Rosser

Sworn to and subscribed before me
on this the 7th day of July, 2003.



NOTARY PUBLIC
MY COMMISSION EXPIRES: 02/27/07