

SCRIVENERS AFFIDAVIT

STATE OF ALABAMA
SHELBY COUNTY

BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED **CHRISTOPHER P. MOSELEY** WHO IS KNOWN TO ME AND WHO BEING FIRST BY ME DULY SWORN, DEPOSES AND SAYS AS FOLLOWS:

AFFIANT DID CONDUCT A REAL ESTATE CLOSING THAT RESULTED IN THAT CERTAIN MORTGAGE EXECUTED BY ROGER D. ABERNATHY AND PENNY D. ABERNATHY, HUSBAND AND WIFE TO EQUIFIRST CORPORATION DATED DECEMBER 30, 2002 AND RECORDED ON JANUARY 8, 2003 IN BOOK 20030108000017010, PAGE 1/19, SHELBY COUNTY, ALABAMA RECORDS.

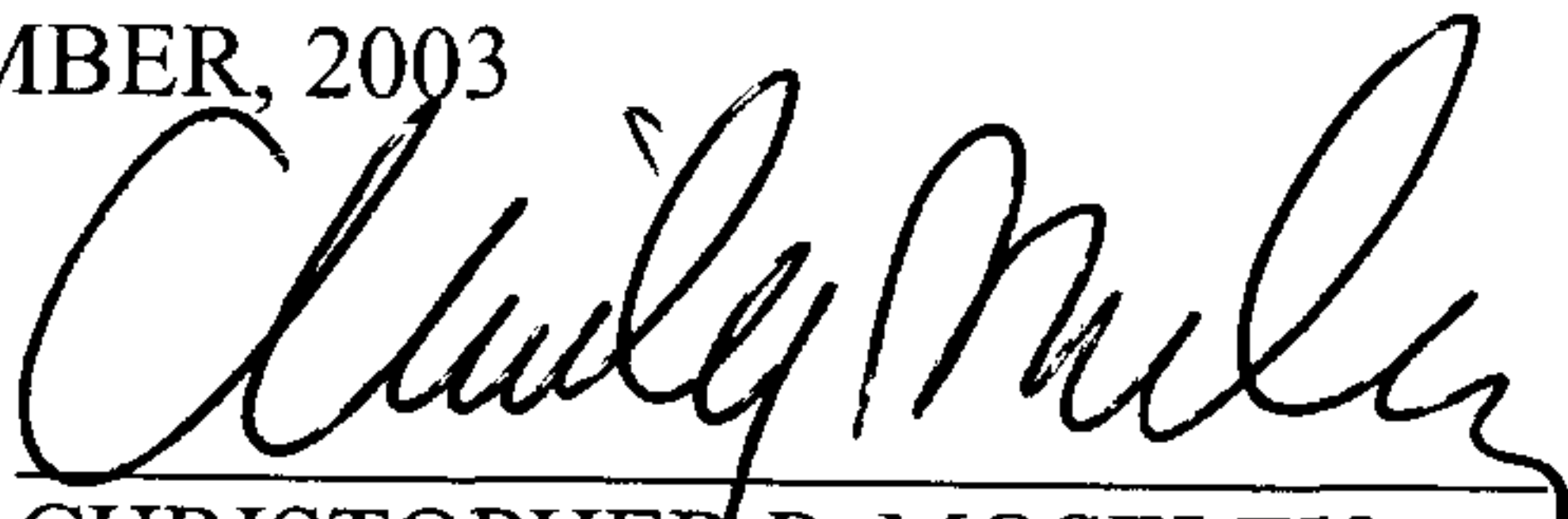
IT IS THE PURPOSE OF THIS AFFIDAVIT TO STATE THAT IN THE ABOVE STATED MORTGAGE THERE APPEARS A TYPOGRAPHICAL ERROR IN THE LEGAL DESCRIPTION. THE LEGAL IS DESCRIBED AS FOLLOWS IN SAID MORTGAGE:

LOT 18, ACCORDING TO THE SURVEY OF SOUTH FORTY, A RESIDENTIAL SUBDIVISION, AS RECORDED IN MAP BOOK 11, PAGE 102, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

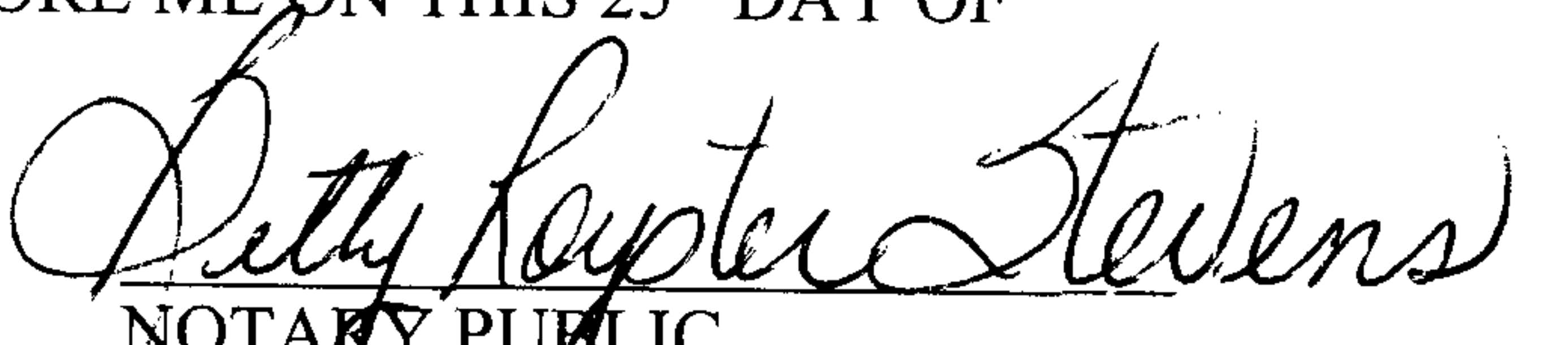
THE CORRECT LEGAL DESCRIPTION IS AS FOLLOWS:

LOT 13, ACCORDING TO THE SURVEY OF SOUTH FORTY, A RESIDENTIAL SUBDIVISION, AS RECORDED IN MAP BOOK 11, PAGE 102, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

DATED THIS THE 25TH DAY OF SEPTEMBER, 2003


CHRISTOPHER P. MOSELEY

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 25th DAY OF SEPTEMBER, 2003.


NOTARY PUBLIC
MY COMMISSION EXP: 11-03-03

THIS INSTRUMENT PREPARED BY:
CHRISTOPHER P. MOSELEY
MOSELEY & ASSOCIATES, P.C.
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BIRMINGHAM, ALABAMA 35243