

## AFFIDAVIT TO CORRECT LEGAL DESCRIPTION

STATE OF ALABAMA     }  
SHELBY COUNTY        }

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared WILLIAM R. JUSTICE, whose name is signed to this Affidavit and who is known to me and who being by my first duly sworn, deposes and says as follows;

My name is William R. Justice. I am In-House Attorney for FIRST NATIONAL BANK OF SHELBY COUNTY in the City of Columbiana, Shelby County, Alabama. On or about Une 17, 2003 a mortgage was prepared by First National Bank of Shelby County from **Herman Ray Rollan and Ruby Lee Herman, husband and wife** to First National Bank of Shelby County which said mortgage is recorded in Instrument Number 20030829000577770 in the Probate Office of Shelby County, Alabama.

The legal description in the aforesaid mortgage was incorrect. The property was described as follows:

### Parcel I:

Commence at the Southeast corner of the Southwest quarter of the Northwest quarter of Section 2, Township 22 South, Range 4 West, Shelby County, Alabama and run North 01 degree 23 minutes, 34 seconds East along the East line of said quarter-quarter a distance of 99.15 feet to a found two inch open top pipe corner and the point of beginning of the property, Parcel No. 1, being described; thence continue last described, call a distance of 8022.85 feet to a found steel pipe corner on the southerly margin of Shelby County Highway No. 10, thence run North 74 degrees 43 minutes 50 seconds West along said margin of said highway 494.89 feet to a set rebar corner at the intersection of Highways 10 and 54; thence run South 28 degrees 02 minutes 06 seconds West along the East margin of Shelby County Highway No. 54 a distance of 375.36 feet to the P. C. of a curve to the left having a central angle of 16 degrees 15 minutes 17 seconds and a radius of 960.00 feet; thence run along the arc of said curve an arc distance of 272.35 feet to the P. T. of said curve; thence run South 11 degrees 46 minutes 49 seconds West along said margin of said highway a distance of 81.47 feet to the P. C. of a curve to the right having a central angle of 11 degrees 30 minutes 47 seconds and a radius of 1,290.00 feet; thence run along the arc of said curve an arc distance of 259.21 feet to a set rebar corner; thence run South 88 degrees 36 minutes 40 seconds East a distance of 821.60 feet to the point of beginning.

Situated in Shelby County, Alabama.

### Parcel II:

One parcel of land situated in the NW 1/4 of the NW 1/4 of Section 15, Township 21 South, Range 3 West, in Shelby County, Alabama, and being more particularly described as follows:

#### Tract #2:

Commence at the NW corner of Section 15, Township 21 South, Range 3 West; thence in an easterly direction along the northerly boundary of said section a distance of 531.46 feet; thence right 88 degrees 12 minutes 30 seconds a distance of 219.50 feet to the Point of Beginning; thence continue along the last described course a distance of 445.94 feet; thence left 88 degrees 12 minutes 30 seconds a distance of 132.00 feet; thence left 91 degrees 47 minutes 30 seconds a distance of 445.94 feet; thence left 88 degrees 12 minutes 30 seconds a distance of 132.00 feet to the Point of Beginning.

#### 20' Easement for Ingress, Egress and Utilities:

Commence at the NW corner of Section 15, Township 21 South, Range 3 West; thence in an easterly direction along the northerly boundary of said section a distance of 531.46 feet to the Point of Beginning of a 20-foot easement for ingress, egress and utilities, and lying 20 feet to the east of and parallel to the westerly boundary of said easement; thence right 88 degrees 12 minutes 30 seconds along said westerly boundary a distance of 219.50 feet to the end of said easement.

The correct description of the property described in the aforesaid mortgage is as follows:

**Parcel I:**

Commence at the Southeast corner of the Southwest quarter of the Northwest quarter of Section 2, Township 22 South, Range 4 West, Shelby County, Alabama and run North 01 degree 23 minutes, 34 seconds East along the East line of said quarter-quarter a distance of 99.15 feet to a found two inch open top pipe corner and the point of beginning of the property, Parcel No. 1, being described; thence continue last described, call a distance of 802.85 feet to a found steel pipe corner on the southerly margin of Shelby County Highway No. 10, thence run North 74 degrees 43 minutes 50 seconds West along said margin of said highway 494.89 feet to a set rebar corner at the intersection of Highways 10 and 54; thence run South 28 degrees 02 minutes 06 seconds West along the East margin of Shelby County Highway No. 54 a distance of 375.36 feet to the P. C. of a curve to the left having a central angle of 16 degrees 15 minutes 17 seconds and a radius of 960.00 feet; thence run along the arc of said curve an arc distance of 272.35 feet to the P. T. of said curve; thence run South 11 degrees 46 minutes 49 seconds West along said margin of said highway a distance of 81.47 feet to the P. C. of a curve to the right having a central angle of 11 degrees 30 minutes 47 seconds and a radius of 1,290.00 feet; thence run along the arc of said curve an arc distance of 259.21 feet to a set rebar corner; thence run South 88 degrees 36 minutes 40 seconds East a distance of 821.60 feet to the point of beginning.

Situated in Shelby County, Alabama.

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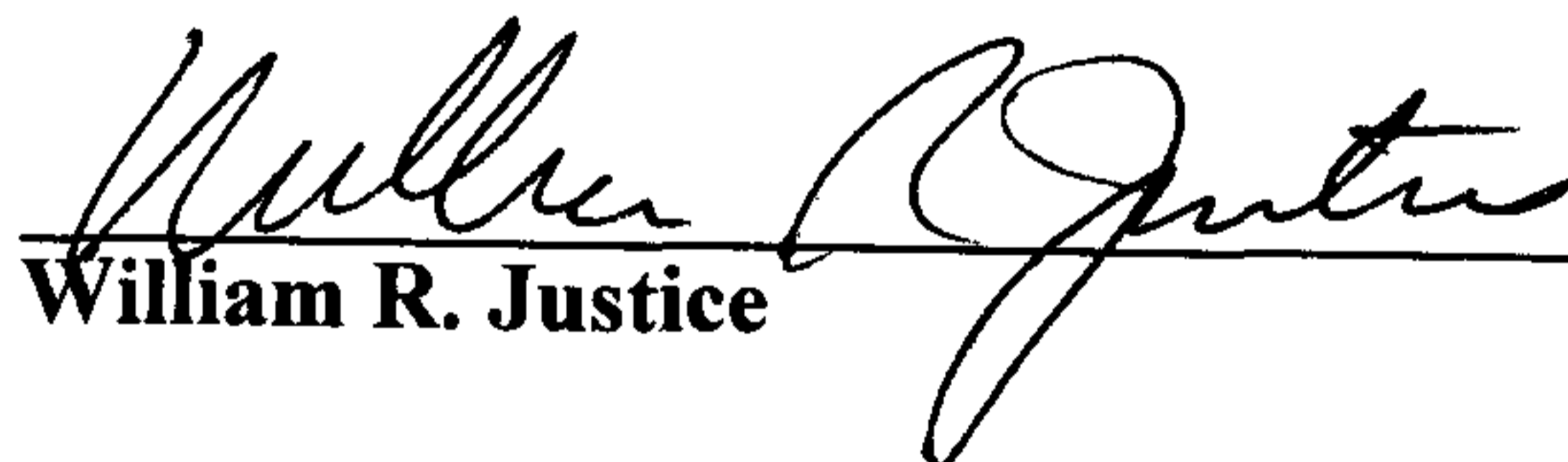
**Tract #2:**

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**20' Easement for Ingress, Egress and Utilities:**

Commence at the NW corner of Section 15, Township 21 South, Range 3 West; thence in an easterly direction along the northerly boundary of said section a distance of 531.46 feet to the Point of Beginning of a 20-foot easement for ingress, egress and utilities, and lying 20 feet to the east of and parallel to the westerly boundary of said easement; thence right 88 degrees 12 minutes 30 seconds along said westerly boundary a distance of 219.50 feet to the end of said easement.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 1st day of October, 2003.

  
William R. Justice

Sworn to and subscribed before me  
on this 1st day of October, 2003.

  
Notary Public

My Commission Expires: 5-24-03

