

STATE OF ALABAMA  
COUNTY OF JEFFERSON

### SCRIVENER'S AFFIDAVIT

Before me, the undersigned authority, appeared Claude M. Moncus, who, after being duly sworn, deposes and says on oath as follows:

- 1.) That my name is Claude M. Moncus, that I am over the age of 21 years, I have personal knowledge of the information contained herein. I am an attorney licensed to practice law in the State of Alabama.
- 2.) That on or about, May 28, 2003, I prepared a Joint Survivorship Deed (the "Deed") which is recorded in Instrument Number 20030619000384260 in the Probate Office of Shelby County, Alabama, which Deed conveyed the property from Kenneth Dickson and wife Marsha T. Dickson, to Robert D. Weaver, an unmarried man (the "Purchaser"). The property conveyed is described in Exhibit "A" attached hereto and made a part hereof..
- 3.) On May 28, 2003, the Purchase was an unmarried man. There is no joint owner named in the Deed, and it was not the Purchaser's intent to have a survivorship deed. This form should not have been a survivorship form. It should have been a regular Warranty Deed without survivorship language.

  
Claude M. Moncus

Sworn to and subscribed before me on this the 16<sup>th</sup> day of October, 2003.

  
Notary Public

My Commission Expires: 8/15/2004

Corley, Moncus

## **EXHIBIT "A"**

**Lot 420, according to the Map of Highland Lakes, 4th Sector, Phase I, an Eddleman Community, as recorded in Map Book 19, Page 79 A & B, in the Probate Office of Shelby County, Alabama.**

**TOGETHER with nonexclusive easement to use the private roadways, Common Area all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded in Instrument #1994-07111, in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 4th Sector, recorded in Instrument #1995-1906, recorded in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").**