

SCRIVENER'S AFFIDAVIT

STATE OF ALABAMA)
SHELBY COUNTY)

Before me the undersigned notary public, personally appeared Frank K. Bynum, who, after being sworn, deposes and says as follows:

My name is Frank K. Bynum; I am over the age of nineteen (19) years and have personal knowledge of the facts set out herein.

I am a member in good standing with the Alabama State Bar. In my capacity as an attorney at law, I had prepared at my direction and under my supervision, that certain deed, which was subsequently recorded in Inst#1994-34774, in the Office of Probate of Shelby County, Alabama.

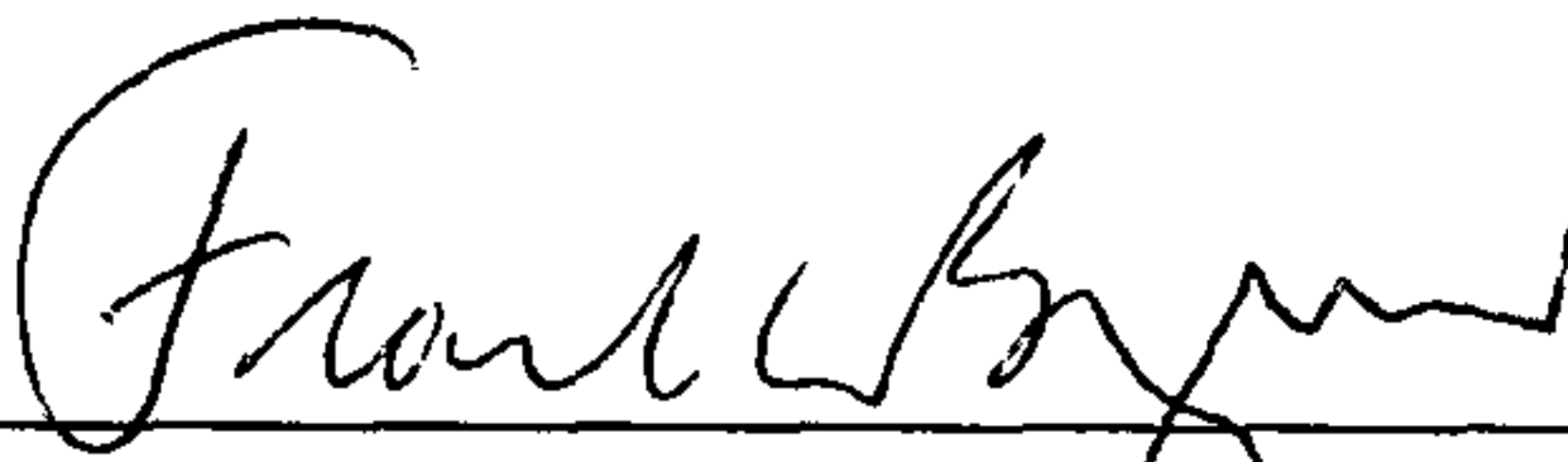
That in preparation of the aforesaid deed an error was made based on Lawyers Title search used at closing, that mistake being as follows:

The legal description should have read as Lot B, Block 9 rather than Lot B, Block 11

That the purpose of this affidavit is to correct the Probate Records of Shelby County, Alabama, and specifically, to correct that certain deed which is recorded in Inst#1994-34774, in the Probate Office of Shelby County, Alabama, and that the error made in the preparation of said deed was not a contractual obligation between the Seller, Kevin A. Foote and Cindi Foote, and the borrowers, Gail Moore, but merely an error on the part of the preparer.

Further affiant saith not.

In witness thereof, the undersigned has caused this affidavit to be executed on this the 21st day of November, 2003.



Frank K. Bynum

Sworn to and subscribed before me on this the 21st day of November, 2003.



Notary Public

My Commission Expires: 6/9/04

NOTE TO PROBATE COURT: Please index under the names of the Lender and Borrowers as stated herein.