

STATE OF ALABAMA
COUNTY OF SHELBY

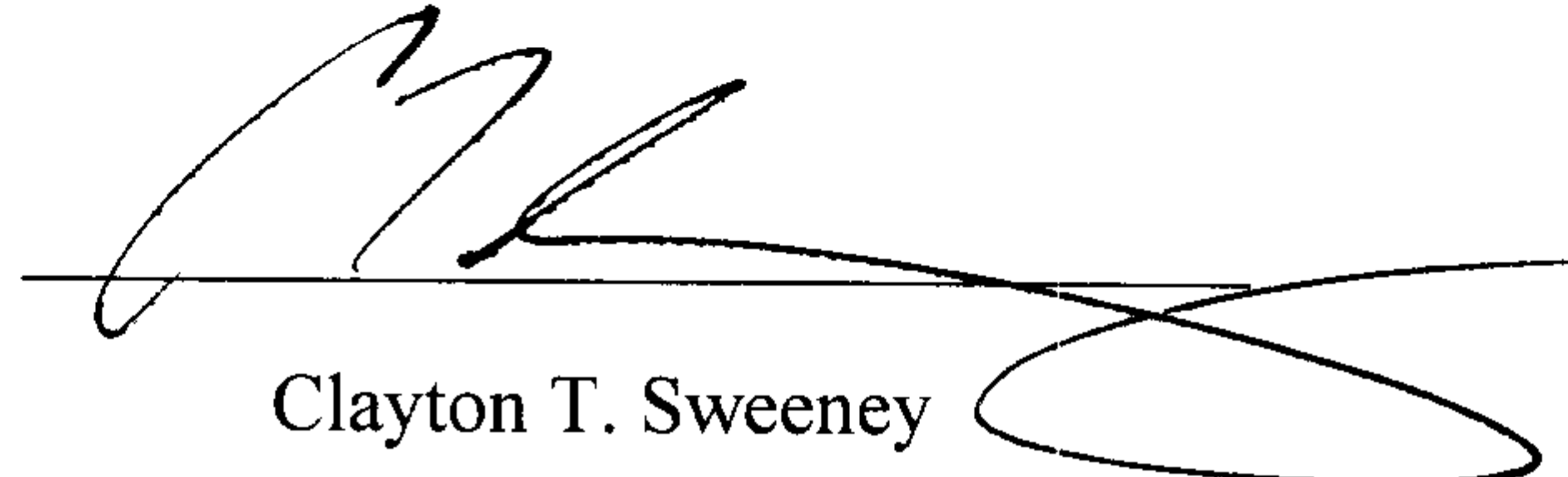
SCRIVENER'S AFFIDAVIT

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Clayton T. Sweeney. Who, after, being duly sworn by me, deposes and says:

Affiant prepared that certain 2nd Mortgage from National City Mortgage Co. d/b/a Commonwealth Unite Mortgage Company (Grantors) to Kenneth Smith and Jill Smith (Grantees), dated June 18, 2003 and recorded in Instrument # 20030707000422710 in the Probate Office of Shelby County, Alabama. In preparing said Mortgage, the Map Book number was typed incorrectly. This Scrivener's Affidavit is executed by Clayton T. Sweeney, said scrivener as stated hereinabove and is given for the purpose correcting the Map Book to read 15 instead of 16. The correct legal description should read:

Lot 232, according to the Map and Survey of Brook Highland, an Eddleman Community, 6th Sector, 2nd Phase, as recorded in Map Book 15, Page 50, in Probate Office of Shelby County.

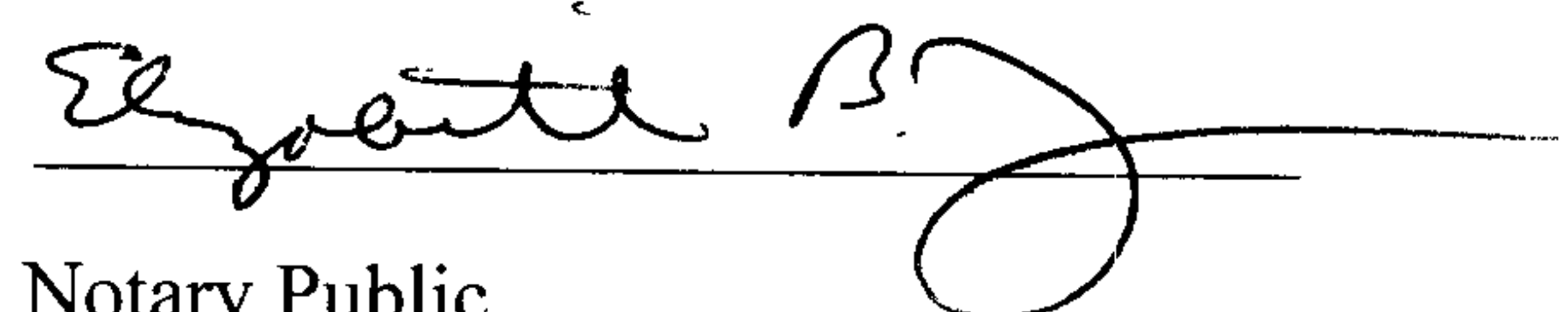
In Witness Whereof, the undersigned has caused this affidavit to be executed on this 30th day of January, 2004.


Clayton T. Sweeney

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that Clayton T. Sweeney, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 30th day of January, 2004.


Notary Public

My commission expires: 4/29/06