

STATE OF ALABAMA)
COUNTY OF SHELBY)

SCRIVENER'S AFFIDAVIT

Personally appeared before the undersigned, a Notary Public in and for Jefferson County, State of Alabama, authorized and empowered to take and administer oaths, Gregory K. Mixon ("Affiant"), personally known to me, who, after being duly sworn, deposes and says that:

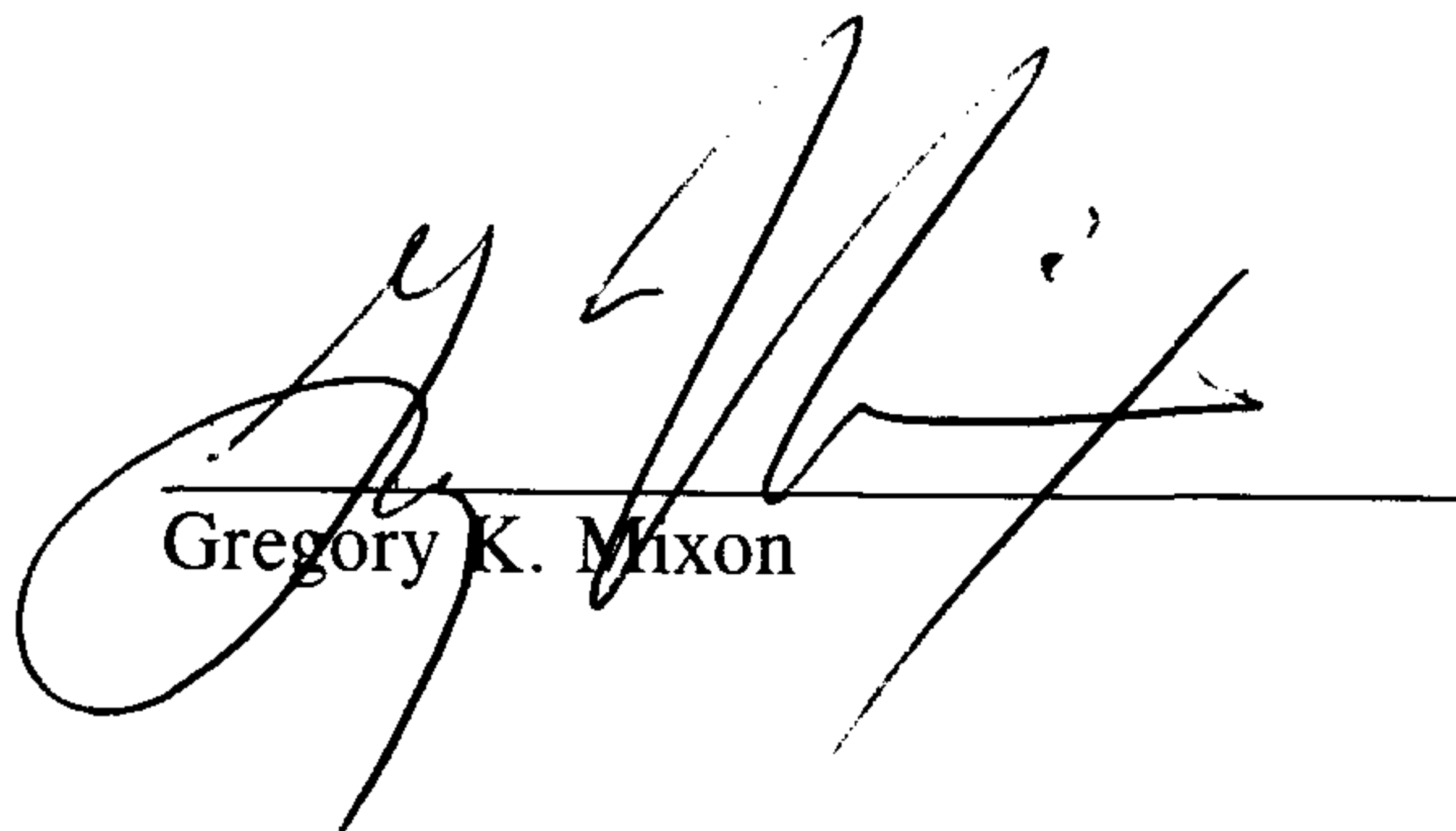
1. Affiant is *sui juris*, acting under no compunction or disability, and is now, and was at all times pertinent to this Affidavit, a member in good standing of the bar of the State of Alabama, practicing in the City of Birmingham, County of Jefferson.

2. On or about February 10, 2004, Affiant prepared a certain Statutory Warranty Deed (the "Deed") to be executed by Shelby Land Partners, LLC and Mark E. Osborn (collectively, the "Grantor") in favor of The City of Alabaster, Alabama (the "Grantee").

3. The Deed was duly executed by the Grantor and delivered to the Grantee. The original of the Deed is recorded as Instrument No. 20040211000072110 in the Office of the Judge of Probate of Shelby County, Alabama.

4. Exhibit A of the Deed contains a legal description of the real property (the "Property") being conveyed by the Grantor to the Grantee under the Deed. Said legal description contains an inadvertent scrivener's error. The correct legal description of said Property is more particularly set forth on Exhibit A attached hereto and made a part hereof.

5. This Affidavit is given for the purpose of correcting this scrivener's error and is to be filed for record in the office of the Judge of Probate of Shelby County, Alabama, as an amendment to and correction of the Deed by substituting, in its entirety, the legal description of the Property set forth on Exhibit A attached hereto in place of the legal description for the Property currently contained on Exhibit A of the Deed.



Gregory K. Mixon

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Gregory K. Mixon, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 16th day of February, 2004.



Notary Public

[AFFIX SEAL]

My Commission Expires: My Commission Expires: 7/9/2006

This instrument prepared by:
Gregory K. Mixon
Maynard, Cooper & Gale, P.C.
2400 AmSouth/Harbert Plaza
1901 Sixth Avenue North
Birmingham, Alabama 35203-2602
(205) 254-1000

Exhibit A

(Legal Description)

A parcel of land situated in the East 1/2 of Section 1, Township 21 South, Range 3 West and the Northwest 1/4 of Section 6, Township 21 South, Range 2 West, Shelby County, Alabama being more particularly described as follows:

Commence at the Southeast corner of Section 1, Township 21 South, Range 3 West; thence in a Westerly direction along the South line of said Section 1 a distance of 1313.72 feet to the POINT OF BEGINNING of the centerline of a proposed road, being 100 feet in width, lying 50 feet on either side of the following described centerline said point also lying on a curve to the left having a radius of 450.00 feet and a central angle of $28^{\circ}49'44''$; thence $114^{\circ}26'52''$ to the right (angle measured to tangent) in a Northerly direction along the arc of said curve a distance of 226.42 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northerly direction a distance of 140.49 feet to the P.C. (point of curve) of a curve to the right having a radius of 825.00 feet and a central angle of $48^{\circ}19'53''$; thence in a northerly and Northeasterly direction along the arc of said curve a distance of 695.92 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northeasterly direction a distance of 303.37 feet to the P.C. (point of curve) of a curve to the left having a radius of 950.00 feet and a central angle of $35^{\circ}06'40''$; thence in a Northeasterly and Northerly direction along the arc of said curve a distance of 582.16 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northerly direction a distance of 406.40 feet to the P.C. (point of curve) of a curve to the right having a radius of 2850.00 feet and a central angle of $41^{\circ}47'25''$; thence in a Northerly and Northeasterly direction along the arc of said curve a distance of 2078.73 feet to the P.T. (point of tangent) of said curve at which point said Right of Way becomes 65 feet in width, lying 32.50 feet on either side of the following described centerline; thence tangent to said curve in a Northeasterly direction a distance of 1162.62 feet to the P.C. (point of curve) of a curve to the right having a radius of 1000.00 feet and a central angle of $25^{\circ}27'28''$; thence in a Northeasterly and Easterly direction along the arc of said curve a distance of 444.32 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in an Easterly direction a distance of 316.54 feet to the P.C. (point of curve) of a curve to the left having a radius of 300.00 feet and a central angle of $83^{\circ}36'26''$ more or less; thence in an Easterly, Northeasterly and Northerly direction along the arc of said curve a distance of 437.77 feet more or less to a point at the intersection of the centerline of said proposed road and the north line of section 6, Township 21 South, Range 2 West, said point being the POINT OF ENDING of the centerline of the proposed road described herein.