

**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 names 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 February 10, 2004 a mortgage was prepared by First National Bank of Shelby County from **DANIEL O. SWINK AND RACHAEL N. SWINK, husband and wife** to First National Bank of Shelby County which said mortgage is recorded in Instrument Number 20040211000072320 in the Probate Office of Shelby County, Alabama.

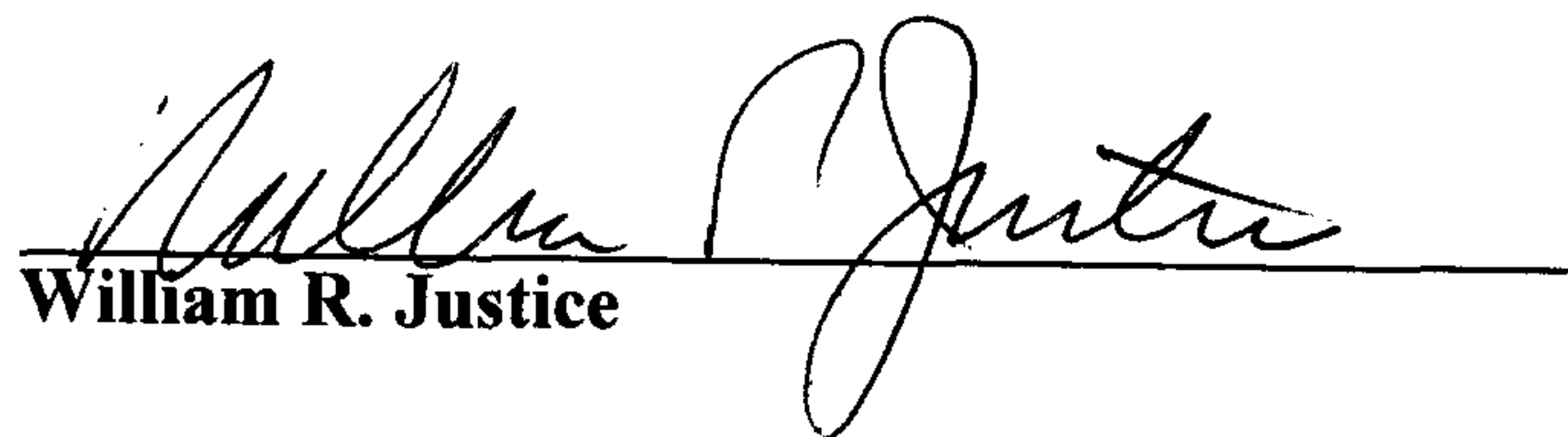
The legal description in the aforesaid mortgage was incorrect. The property was described as follows:

**Lot 5, according to the Survey of Navajo Hills, Second Sector, as recorded in Map Book 5 Page 24 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.**

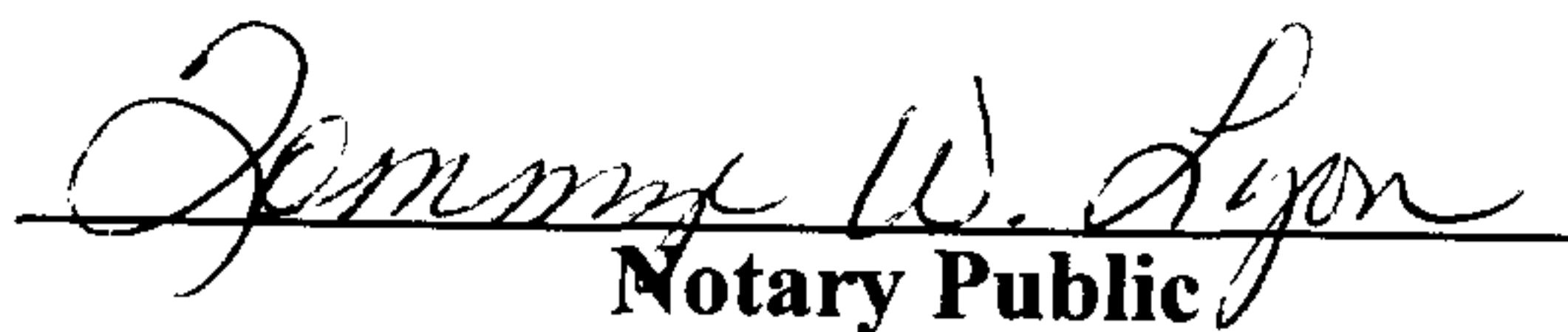
The correct description of the property described in the aforesaid mortgage is as follows:

**Lot 5, Block 2, according to the Survey of Navajo Hills, Second Sector, as recorded in Map Book 5 Page 24 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.**

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 15th day of March, 2004.

  
William R. Justice

Sworn to and subscribed before me  
on this 15th day of March, 2004.

  
Notary Public

My Commission Expires: 12-19-07