

SCRIVENER'S AFFIDAVIT


State of Alabama
County of Jefferson

Before me, the undersigned Notary Public, personally appeared William H. Halbrooks, who after being duly sworn, states as follows:

I, William H. Halbrooks, am a licensed attorney in Alabama with office at #1 Independence Plaza, Suite 704, Birmingham, Alabama. A mortgage was prepared by me and later recorded in Instrument 20040108000014340 in Shelby County, Alabama on January 8, 2004. The mortgage was made by James H. Collier, Jr. And Janice M. Collier, in favor of MERS, (SouthTrust Mortgage Corporation). The mortgage failed to recite that James H. Collier, Jr. And Janice M. Collier are husband and wife.

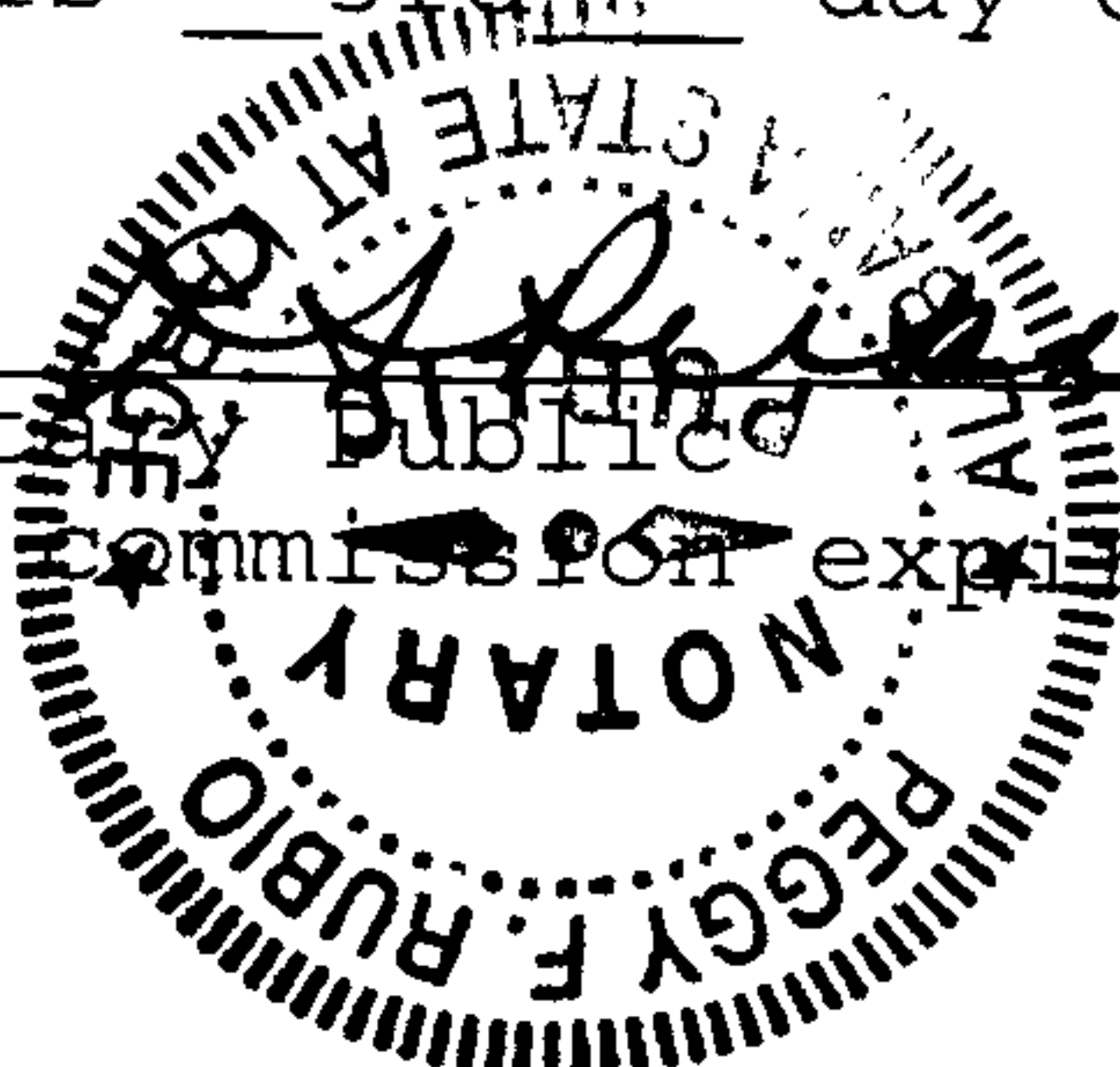
This Affidavit given to clear title to Lot 185, Brook Highland, an Eddleman Community, 6th Sector, 1st Phase, Map Book 14, Page 83 A & B, Shelby County, Alabama, under Alabama Title Co., Inc. binder #23-34215.

Further Affiant sayeth not.



William H. Halbrooks

Sworn to and subscribed before me
this 3rd day of March, 2004.


Notary Public
My commission expires: 4/21/04