

STATE OF ALABAMA  
SHELBY COUNTY

**AFFIDAVIT OF SCRIVENER**

Before me, the undersigned Notary Public in and for said County in said State, personally appeared Kathryn S. Carver, who, being known to me, and who being by me first duly sworn, deposes under oath and says as follows:

1. That I am a practicing attorney, over the age of twenty-one (21) years and a resident of Jefferson County, Alabama, with knowledge and information pertaining to the facts in this Affidavit.

2. That I prepared the Statutory Warranty Deed from Ingrid Frances Smyer-Dubrow, Harald L. Smyer, Jr., and S. W. Smyer, to Stonegate Farms, LLC, an Alabama limited liability company, which was filed in the Office of the Judge of Probate of Shelby County, Alabama, on February 24, 2003, under Instrument #20030224000111640 (the "Deed").

3. That the legal description in the Deed purports to convey Lots 02A, 02B and 03, according to the Map of Stonegate Realty, Phase One – 1<sup>st</sup> Addition, as recorded in Map Book 31, page 11, in said Probate Office. However, such lot numbers are incorrect and no such lot numbers exist. The correct lot numbers intended to be conveyed by the Deed are Lots 1, 2 and 3, according to the Map of Stonegate Realty, Phase One – 1<sup>st</sup> Addition, as recorded in Map Book 31, page 11, in said Probate Office.

4. That such error is a scrivener's error and this affidavit is given for the purpose of correcting such scrivener's error and clarifying the ambiguity created in the Deed due to such error.

IN WITNESS WHEREOF, I have set my hand and seal this 13<sup>th</sup> day of April, 2004.

Kath S. Carver (SEAL)  
Kathryn S. Carver

STATE OF ALABAMA

JEFFERSON COUNTY

I, the undersigned authority, a Notary Public, in and for said County in said State, hereby certify that Kathryn S. Carver, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 13 day of April, 2004.

Pamala L. Eaton

Notary Public

My Commission Expires: \_\_\_\_\_

**My Commission Expires: 11/15/07**

THIS INSTRUMENT PREPARED BY:

Kathryn S. Carver

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