

STATE OF ALABAMA)
)
SHELBY COUNTY)

SCRIVENER'S AFFIDAVIT

Before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared John Burdette Bates, to me known, who after first being duly sworn, deposes and says as follows. to-wit: "My name is John Burdette Bates. and I am an attorney licensed to practice law in the State of Alabama, and I am the attorney who prepared a deed dated on or about the 7th day of April, 2004, from Sherman Holland, Jr., to Token Investments. LLC, and purporting to convey a parcel of land situated in Shelby County, Alabama more particularly described as follows, to-wit:

Part of the Northeast Quarter of the Northeast Quarter of Section 36, Township 20 South, Range 3 West, more particularly described as follows, to-wit:

Commence at the Southwest corner of the Northeast Quarter of the Northeast Quarter of Section 36, Township 20 South, Range 3 West and run Easterly along the South line of said quarter-Quarter section 442.90 feet to a point on the West Right-of-Way of Interstate 65, said point being on a curve to the left, said curve having a radius of 11,334.30 feet and a central angle of 1 degree, 35 minutes 23 seconds, thence run Northerly along said Right-of-Way and along the arc of said curve 324.37 feet to the Point of Beginning, thence continue Northerly along said Right-of-Way and along the arc of said curve 736.69 feet; thence run South 87 degrees, 18 minutes, 20 seconds West, 89.96 feet; thence run South 7 degrees, 53 minutes, 21 seconds West, 202.87 feet; thence run South 1 degree, 13 minutes, 37 seconds East, 158.48 feet to the Point of Beginning.

After the execution and recording of the deed I was informed that the description furnished me to use in the preparation of the above described deed was not correct and that the correct description of the property to be conveyed should have been a parcel of land situated in Shelby County, Alabama, more particularly described as follows, to-wit:

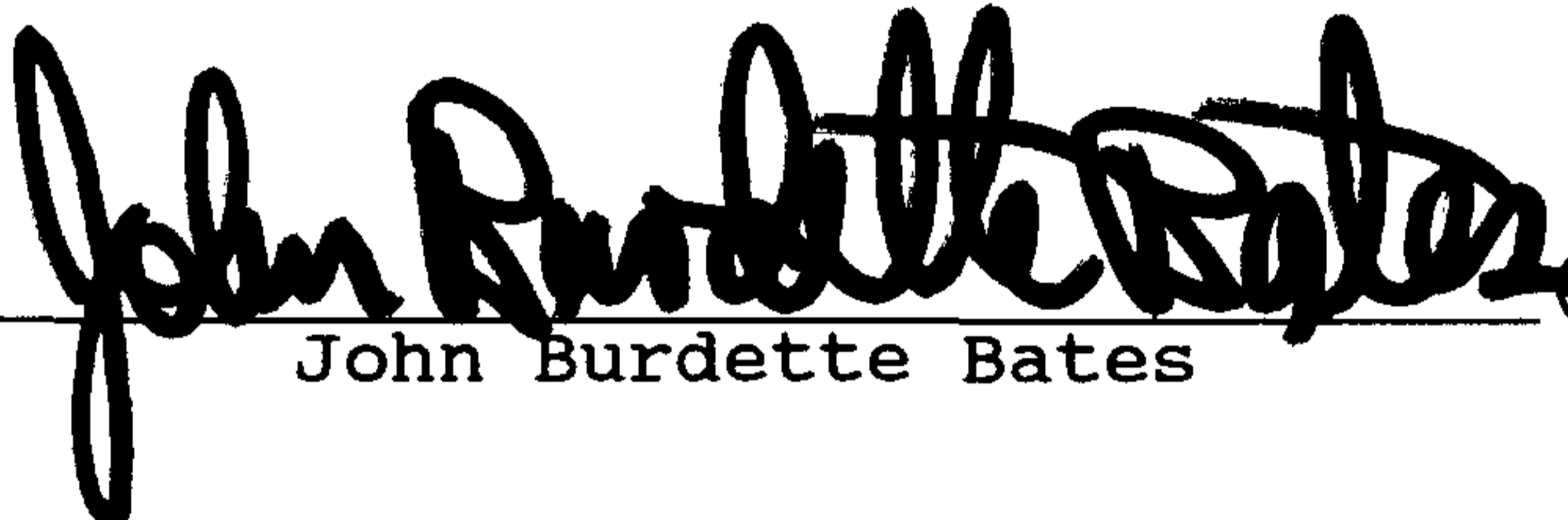
A parcel of land containing 2.0 acres, more or less, located in the NE 1/4 of Section 36, Township 20 South, Range 3 West, Shelby County, Alabama. Commence at the SW Corner of the NE 1/4 of the NE 1/4 of said Section 36 and run N 00 degrees 00 minutes 00 seconds E along the West line for 447.26 feet; thence left 90 degrees and run West 101.26 feet to a point on the Southeasterly right-of-way of Shelby County Road #11; thence right 110 degrees 58 minutes 30 seconds and run Northeasterly along said right-of-way 255.43 feet; thence left 90 degrees and run Northwesterly 10.00 feet to a point; thence right 90 degrees and run Northeasterly along said right-of-way 122.94 feet to a point of curve or a curve to the right, having a radius of 1607.04 feet and a central angle of 0 degrees 45 minutes 02 seconds; thence run Northeasterly and along arc of said curve 21.05 feet to a point on said curve; thence right 90 degrees from tangent of said point and run Southeasterly 10.00 feet to a point of curve of said right-of-way having a radius of 1597.04 feet and a central angle of 8 degrees 58 minutes 46 seconds; thence turn left 90 degrees to the tangent of said point on curve and run Northeasterly and along arc of said right-of-way 250.29 feet; thence right 57 degrees 25 minutes 33 seconds from tangent of said point and run Easterly 196.73 feet to the POINT OF BEGINNING of herein described parcel; thence continue along last course 90.00 feet to

a point on a curve on the Westerly right-of-way of I-65 having a radius of 11334.30 feet and a central angle of 3 degrees 43 minutes 26 seconds; thence turn right 88 degrees 58 minutes 13 seconds to the tangent of said point on curve and run Southerly along arc of said right-of-way 736.65 feet; thence right 122 degrees 52 minutes 55 seconds from tangent of said point and run Northwesterly 158.56 feet; thence right 55 degrees 58 minutes 53 seconds and run Northerly 445.00 feet; thence right 9 degrees 06 minutes 48 seconds and run Northerly 202.87 feet to the POINT OF BEGINNING.

I am convinced, from the evidence furnished me, that the newest description is the correct description of the property intended to be conveyed in that certain deed from Sherman Holland, Jr. to Token Investments, LLC, which said deed is found of record in the Probate Office of Shelby County, Alabama.

I am making this affidavit to correct an error in the description of the aforesaid deed."

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 6th day of May, 2004.


John Burdette Bates (SEAL)

Sworn to and subscribed before me on this the 6th day of May, 2004, as witness my hand and official seal of office.


Notary Public, State of Alabama, at Large

MY COMMISSION EXPIRES JUNE 28, 2004

This instrument was prepared by:
John Burdette Bates, Attorney at Law
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Birmingham, Alabama 35223