

SCRIVENERS AFFIDAVIT

STATE OF ALABAMA
SHELBY COUNTY

BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED DAVID S. SNODDY WHO IS KNOWN TO ME AND WHO BEING FIRST BY ME DULY SWORN, DEPOSES AND SAYS AS FOLLOWS:

THE LAW FIRM OF MOSELEY & ASSOCIATES, P.C. PREPARED THAT CERTAIN MORTGAGE EXECUTED BY TANYA N. AVERETTE IN FAVOR OF AMERICA'S WHOLESALE LENDER, DATED JANUARY 15, 2004 AND FILED OF RECORD IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA, IN 20040128000046220 PAGE 1/16 ON JANUARY 28, 2004 ON THE FOLLOWING DESCRIBED PROPERTY, TO-WIT:

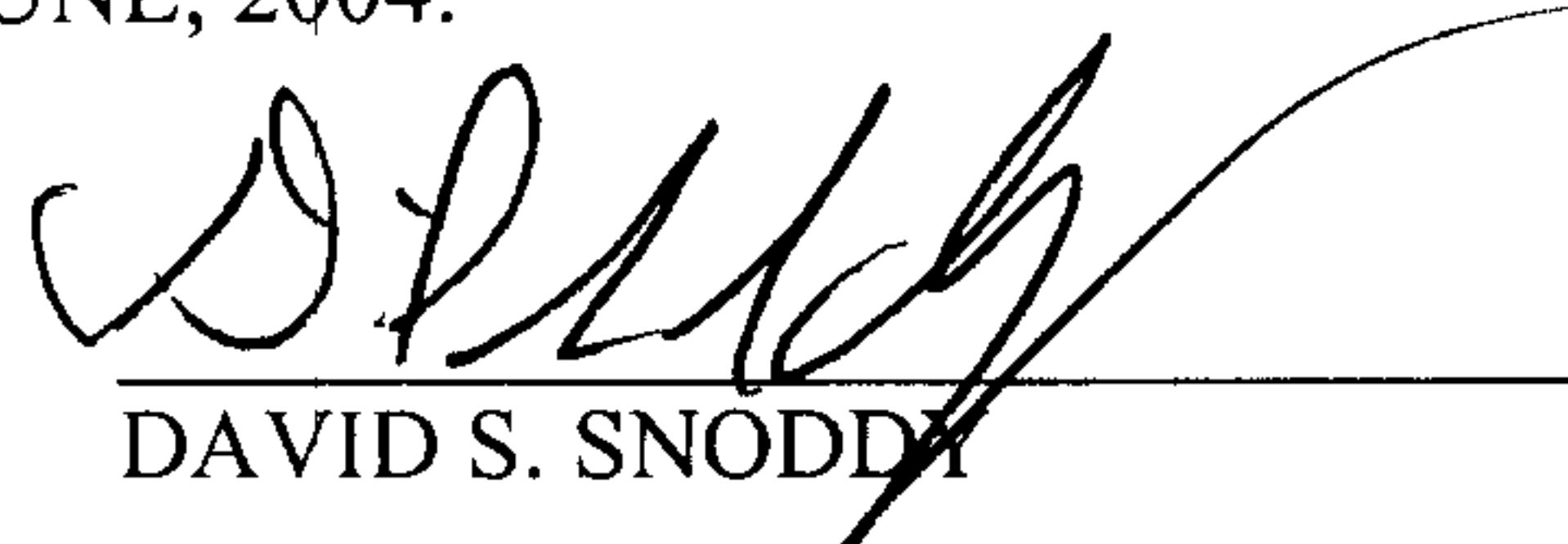
PART OF LOT 1, ACCORDING TO THE SURVEY OF SILO ACRES FIRST SECTOR, AS RECORDED IN MAP BOOK 7, PAGE 172, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NW CORNER OF LOT 1 SILO ACRES FIRST SECTOR, AS RECORDED IN MAP BOOK 7, PAGE 172; THENCE N 89 DEG. 30' 8" E ALONG THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 481.36' TO THE WESTERLY RIGHT-OF-WAY OF SHELBY COUNTY, HIGHWAY 467; THENCE S 15 DEG. 21' 47" W ALONG SAID RIGHT-OF-WAY A DISTANCE OF 260.06'; THENCE N 70 DEG. 51' 51" W AND LEAVING SAID RIGHT-OF-WAY A DISTANCE OF 435.61', THENCE N 0 DEG. 29' 52" W A DISTANCE OF 103.79' TO THE POINT OF BEGINNING.

IT IS THE PURPOSE OF THIS AFFIDAVIT TO INCLUDE THE FOLLOWING WHICH WAS OMITTED FROM THE ORIGINAL MORTGAGE:

TANYA N. AVERETTE IS THE SURVIVING GRANTEE OF THAT CERTAIN DEED RECORDED IN INSTRUMENT 2002/13677, THE OTHER GRANTEE, ADAM AVERETTE HAVING DIED ON OR ABOUT DECEMBER 2, 2003.

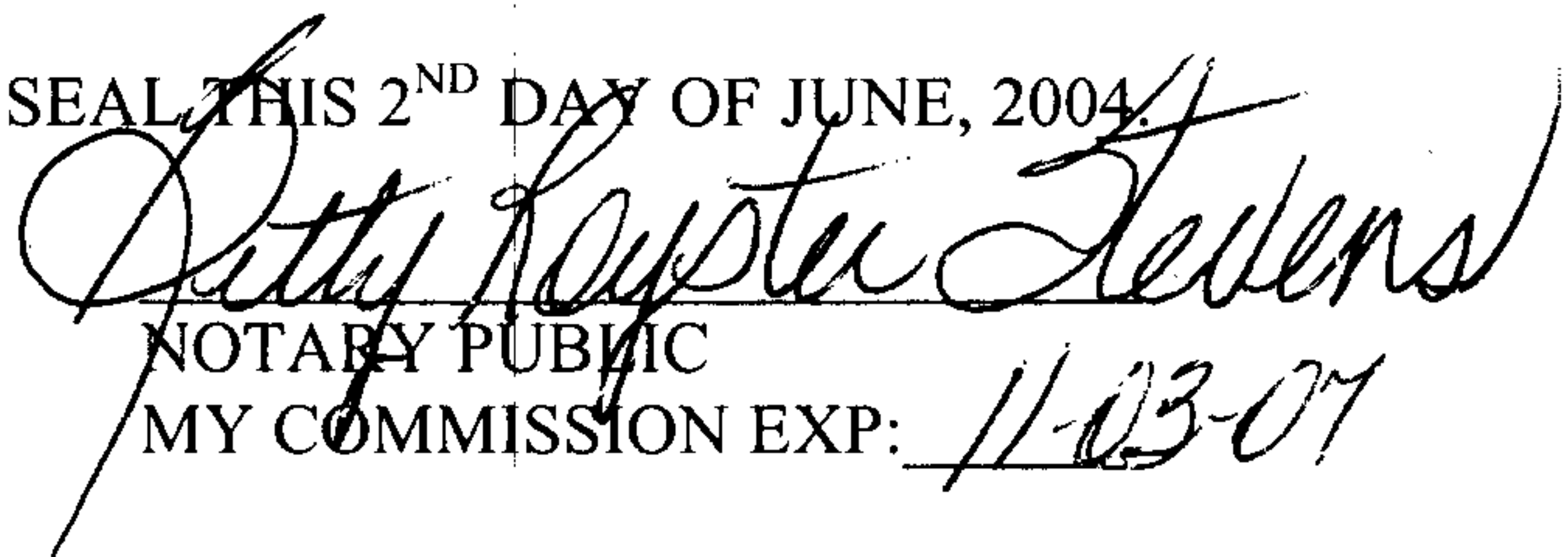
IN WITNESS WHEREOF, THE UNDERSIGNED HAS CAUSED THIS AFFIDAVIT TO BE EXECUTED ON THIS THE 22ND DAY OF JUNE, 2004.


DAVID S. SNODDY

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said State and County, hereby certify that DAVID S. SNODDY, whose name(s) is/are signed to the foregoing conveyance and who is/are known to me acknowledged before me on this day, that, being informed of the contents of the conveyance, he/she/they executed the same voluntarily on the day the same bears date.

GIVEN UNDER MY HAND AND SEAL THIS 2ND DAY OF JUNE, 2004


NOTARY PUBLIC
MY COMMISSION EXP: 11-03-07

THIS INSTRUMENT PREPARED BY:
CHRISTOPHER P. MOSELEY
MOSELEY & ASSOCIATES, P.C.
3800 COLONNADE PARKWAY, SUITE 630
BIRMINGHAM, ALABAMA 35243