

AFFIDAVIT OF JAMES W. FUHRMEISTER

STATE OF ALABAMA)

COUNTY OF SHELBY)

Before me, the undersigned, a Notary Public in and for said county and said state, personally appeared James W. Fuhrmeister, who after being duly sworn, deposes and says as follows:

“My name is James W. Fuhrmeister and I am a practicing attorney in the State of Alabama. On May 1, 2002 I prepared a deed conveying certain real property located in Shelby County, Alabama and executed by Town Builders, Inc. (Grantors) to Brian S. Smith and Rita K. Smith, husband and wife, (Grantee). This deed was recorded at Instrument Number 2002-0509000218610 in the Office of the Judge of Probate of Shelby County, Alabama.

The aforesaid deed was recorded with a typographical error in the legal description. An Affidavit was filed on January 21, 2003 at Instrument Number 20030121000040390 to correct the typographical error but it also was incorrect. The correct Legal Description is as follows:

Lot 9-17, Block 9, according to the Survey of Mt. Laurel, Phase 1A, as recorded in Map Book 27, Page 72 A & B, in the Office of the Judge of Probate of Shelby County, Alabama.


I give this affidavit of my own personal knowledge of the facts set out herein.”

In Witness Whereof, I have hereunto set my hand and seal on this the 16th day of August, 2004.



JAMES W. FUHRMEISTER

Sworn to and subscribed before me this 16th day of August, 2004.



Notary Public
My Commission Expires: 2-2-05