

SCRIVENERS AFFIDAVIT

STATE OF ALABAMA
SHELBY COUNTY

BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED CHRISTOPHER P. MOSELEY 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 WARRANTY DEED EXECUTED BY ROBERT J. BROGDEN AND NICOLE G. BROGDEN HUSBAND AND WIFE TO BARTON J. SCHAEFER DATED MAY 19, 2004 AND FILED OF RECORD IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA, IN 20040524000273030, PAGE 1/1 ON MAY 24, 2004. MOSELEY & ASSOCIATES ALSO PREPARED THAT CERTAIN MORTGAGE EXECUTED BY BARTON J. SCHAEFER, AN UNMARRIED MAN IN FAVOR OF AMERICA'S WHOLESALE LENDER, DATED MAY 19, 2004 AND FILED OF RECORD IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA, IN 20040524000273040, PAGE 1/12, ON MAY 24, 2004. THEY ALSO PREPARED THAT SECOND MORTGAGE FROM BARTON J. SCHAEFER, AN UNMARRIED MAN IN FAVOR OF COUNTRYWIDE BANK, A DIVISION OF TREASURY BANK, N.A, DATED MAY 19, 2004 AND FILED OF RECORD IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA, IN 20040524000273080, PAGE 1/6, ON MAY 24, 2004. .

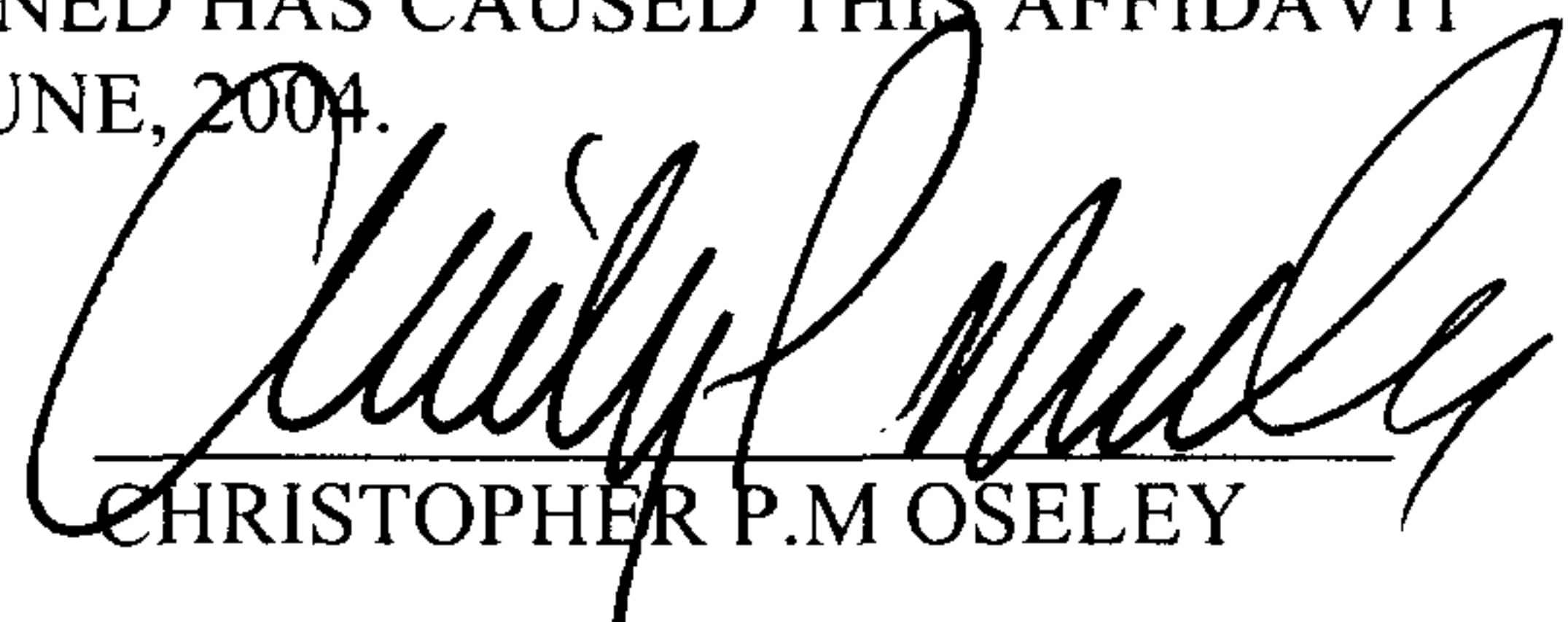
IN THE AFOREMENTIONED DOCUMENTS, THE LEGAL DESCRIPTION IS INCORRECT IN THAT IT CONTAINS THE WRONG PAGE NUMBER. THE LEGAL IS DESCRIBED AS FOLLOWS, TO-WIT:

LOT 302, ACCORDING TO THE SURVEY OF TOCOA PARC SUBDIVISION, PHASE 3, AS RECORDED IN MAP BOOK 25, PAGE 134, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

IT IS THE PURPOSE OF THIS AFFIDAVIT TO CORRECT THE LEGAL DESCRIPTION IN THE ABOVE REFERENCED DOCUMENTS TO READ AS FOLLOWS:

LOT 302, ACCORDING TO THE SURVEY OF TOCOA PARC SUBDIVISION, PHASE 3, AS RECORDED IN MAP BOOK 25, PAGE 124, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

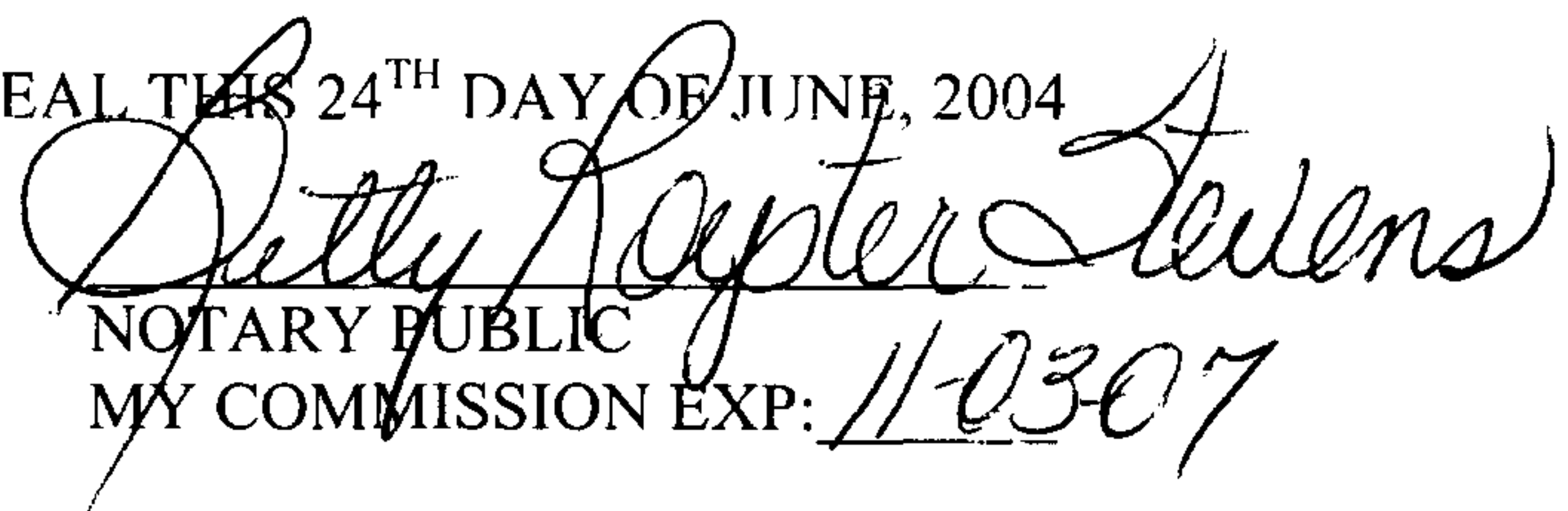
IN WITNESS WHEREOF, THE UNDERSIGNED HAS CAUSED THIS AFFIDAVIT TO BE EXECUTED ON THIS THE 24TH DAY OF JUNE, 2004.


CHRISTOPHER P.M OSELEY

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said State and County, hereby certify that CHRISTOPHER P. MOSELEY 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 24TH 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