



STATE OF ALABAMA)

SHELBY COUNTY)

SCRIVENER'S AFFIDAVIT

I, Steven A. Brickman, who supervised the work of Stephen G. Collins, the Scrivener, being duly sworn, depose and state the following:

1. I am the party who supervised the preparation of that certain Easement Agreement dated March 12, 1999, between **SOUTHMARK PROPERTIES, L.L.C.**, an Alabama limited liability company, **INTERSTATE RESTAURANT INVESTORS, L.L.P.**, an Alabama limited liability partnership and **FRANK C. ELLIS, JR.**, a married man, as Grantor to **RESOURCE MANAGEMENT SERVICE, INC.**, an Alabama corporation, as Grantee and **LOGAN'S ROADHOUSE, INC.**, a Tennessee corporation as Grantor's Tenant. Such Easement Agreement was recorded on March 31, 1999 in Inst. No. 1999-13441, in the Office of the Judge of Probate of Shelby County, Alabama. *Due to a typographical error*, the metes and bounds legal description omitted the following lines which are hereby inserted beginning in line 7 thereof after the words "RIGHT OF WAY FOR 75.18 FEET:"

"THENCE TURN 90°00'00" RIGHT AND RUN SOUTH-WESTERLY ALONG SAID ROAD RIGHT OF WAY FOR 10.00 FEET; THENCE TURN 90°00'00" LEFT AND RUN SOUTHEASTERLY ALONG SAID ROAD RIGHT OF WAY FOR 185.00 FEET;"

2. The corrected legal description is attached hereto as **Exhibit "A."**

Executed this 31st day of August, 2004.


Steven A. Brickman

STATE OF ALABAMA)

JEFFERSON COUNTY)

The undersigned Notary Public in and for said County and in said State, does hereby certify that Steven A. Brickman who is known to me, acknowledged before me that, being informed of the contents of this document, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 31st day of August, 2004.



Notary Public
My Commission Expires: 10-27-2007

EXHIBIT "A"

CORRECTED LEGAL DESCRIPTION

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 36, TOWNSHIP 18 SOUTH, RANGE 2 WEST SHELBY COUNTY, ALABAMA AND RUN EASTERLY ALONG THE NORTH LINE OF SAID $\frac{1}{4}$ - $\frac{1}{4}$ SECTION FOR 839.29 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY #280; THENCE TURN $42^{\circ}05'22''$ RIGHT AND RUN SOUTHEASTERLY ALONG SAID ROAD RIGHT OF WAY FOR 75.18 FEET; THENCE TURN $90^{\circ}00'00''$ RIGHT AND RUN SOUTHWESTERLY ALONG SAID ROAD RIGHT OF WAY FOR 10.00 FEET; THENCE TURN $90^{\circ}00'00''$ LEFT AND RUN SOUTHEASTERLY ALONG SAID ROAD RIGHT OF WAY FOR 185.00 FEET; THENCE TURN $90^{\circ}0'00''$ LEFT AND RUN NORTHEASTERLY ALONG SAID ROAD RIGHT OF WAY FOR 10.00 FEET; THENCE TURN $90^{\circ}01'56''$ RIGHT AND RUN SOUTHEASTERLY ALONG SAID ROAD RIGHT OF WAY FOR 37.12 FEET TO THE POINT OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00 FEET AND RUN ALONG THE ARC OF SAID CURVE FOR 16.09 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE ARC OF SAID CURVE AND ALONG RESOURCE CENTER PARKWAY RIGHT OF WAY FOR 22.64 FEET TO A POINT; THENCE TURN $90^{\circ}00'00''$ RIGHT FROM THE TANGENT TO SAID CURVE AT SAID POINT AND RUN NORTHWESTERLY FOR 16.99 FEET; THENCE TURN $91^{\circ}06'53''$ RIGHT AND RUN NORTHEASTERLY FOR 19.83 FEET; THENCE TURN $90^{\circ}07'35''$ RIGHT AND RUN SOUTHEASTERLY FOR 7.03 FEET TO THE POINT OF BEGINNING.