

STATE OF ALABAMA
COUNTY OF SHELBY

20041022000583120 Pg 1/1 11.00
Shelby Cnty Judge of Probate, AL
10/22/2004 10:02:00 FILED/CERTIFIED

SCRIVENER'S AFFIDAVIT

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared B. Christopher Battles, who, after being duly sworn by me, deposes and says:

Affiant prepared that certain mortgage from Sidney R. Perry, IV and Marie T. Perry, husband and wife to HMSV-USB Lending, LLC D.B.A. MortgageSouth dated March 31, 2004 and recorded in Instrument No. 2004-23196 in the Probate Office of Shelby County, Alabama. In preparation of said instrument, the legal description contained an error. This Scrivener's Affidavit is executed by B. Christopher Battles, said scrivener as stated hereinabove and is given for the purpose of giving the correct legal description of the property being mortgaged. The legal description should read as follows:

Lot 38, Block 2, according to the Survey of Norwick Forest, Third Sector, First Phase, as recorded in Map Book 18, Page 15, in the Probate Office of Shelby County, Alabama.

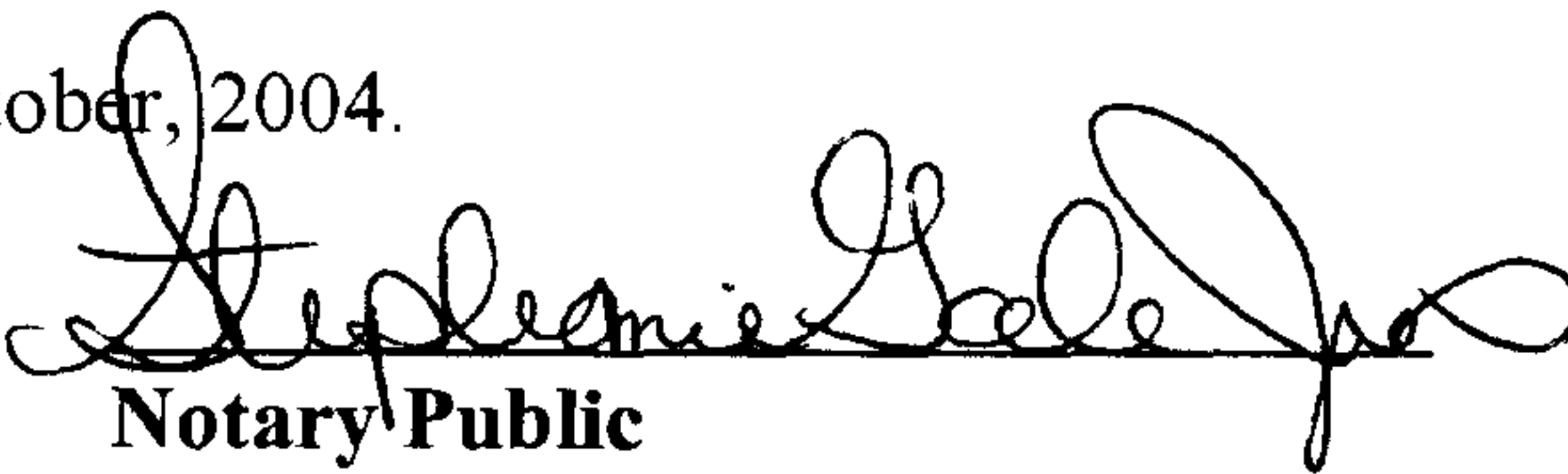
In Witness Whereof, the undersigned has caused this affidavit to be executed on this 18th day of October, 2004.


B. Christopher Battles

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that B. Christopher Battles, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 18th day of October, 2004.


Notary Public
My Commission Expires: 02-26-05

C. Battles