


THIS INSTRUMENT WAS PREPARED BY:  
Douglas Corretti  
CORRETTI, NEWSOM & HAWKINS  
1804 7<sup>th</sup> Avenue North  
Birmingham, AL 35203

  
20041103000604360 Pg 1/2 14.00  
Shelby Cnty Judge of Probate, AL  
11/03/2004 08:44:00 FILED/CERTIFIED

THE STATE OF ALABAMA     )  
JEFFERSON COUNTY         )

AFFIDAVIT

BEFORE ME, the undersigned authority, a Notary Public, in and for said County in said State, personally appeared this day, Douglas Corretti, who being by me first duly sworn, deposes and says on oath as follows:

Your affiant is a practicing attorney in the City of Birmingham, Jefferson County, Alabama.

Your affiant did on the 1<sup>st</sup> day of October, 2004 prepare a warranty deed which was executed by Agnes L. Harris and husband George C. Harris, Margaret L. Kerlin and husband, Reginald Kerlin, Stanley Linwood Lacey, Suzanne Lacey, Amy Templin Green Fiorella and Leslie Ann Gorman to Lacey's Grove, LLC which is recorded in Instrument #20041012000563160, in the Office of the Judge of Probate of Shelby County (the "Warranty Deed").

Your affiant did also on the 1<sup>st</sup> day of October, 2004 prepare a mortgage which was executed by Lacey's Grove, LLC to Agnes L. Harris and husband George C. Harris, Margaret L. Kerlin and husband, Reginald Kerlin, Stanley Linwood Lacey, Suzanne Lacey, Amy Templin Green Fiorella and Leslie Ann Gorman and is recorded in Instrument #20041012000563170, in said Probate Office (the "Mortgage").

The legal description for Parcel III contained in said Warranty Deed and also contained in said Mortgage erroneously described the property. The legal description for Parcel III set out in said Warranty Deed and Mortgage is as follows:

**"PARCEL III:**

***Commencing at the Southeast corner of the Northeast Quarter of the Southwest Quarter of Section 8, Township 21 South, Range 3 West, Huntsville Principal Meridian, Shelby County, Alabama; thence North 01°08'57" East, 490.40 feet to the Point of Beginning; thence North 88°18'23" West, 1335.41 feet to a point on the West line of said quarter-quarter section; thence North 01°03'13" East 2161.97 feet to the Northwest corner of the Northwest quarter of the Northeast quarter; thence South 88°15'09" East, along and with the North line of said quarter-quarter section, 1339.03 feet to the Northeast corner of said quarter-quarter section; thence South 01°08'57" West, along and with the East line of said quarter-quarter section 2160.67 feet to the Point of Beginning, containing 66.34 acres, more or less.***


The quarter – quarter section for Parcel III set out in said Warranty Deed and Mortgage was in error.

The correct legal description is as follows:

**"PARCEL III:**

**Commencing at the Southeast corner of the Southwest Quarter of the Northeast Quarter of Section 8, Township 21 South, Range 3 West, Huntsville Principal Meridian, Shelby County, Alabama; thence North 01°08'57" East, 490.40 feet to the Point of Beginning; thence North 88°18'23" West, 1335.41 feet to a point on the West line of said quarter-quarter section; thence North 01°03'13" East 2161.97 feet to the Northwest corner of the Northwest quarter of the Northeast quarter; thence South 88°15'09" East, along and with the North line of said quarter-quarter section, 1339.03 feet to the Northeast corner of said quarter-quarter section; thence South 01°08'57" West, along and with the East line of said quarter-quarter section 2160.67 feet to the Point of Beginning, containing 66.34 acres, more or less."**

This affidavit is given for the purpose of placing all persons on notice that the correct legal description is as set out hereinabove.

  
Affiant

THE STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said County, hereby certify that Douglas Corretti, whose name is signed to the foregoing affidavit, and who is known to me, acknowledged before me on this day that, being informed of the contents of the affidavit, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 1st day of November, 2004.

  
NOTARY PUBLIC  
My commission expires: 11/28/04