



AFFIDAVIT TO CORRECT LEGAL DESCRIPTION

STATE OF ALABAMA }
SHELBY COUNTY }

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared WILLIAM R. JUSTICE, whose names is signed to this Affidavit and who is known to me and who being by my first duly sworn, deposes and says as follows;

My name is William R. Justice. I am In-House Attorney for FIRST NATIONAL BANK OF SHELBY COUNTY in the City of Columbiana, Shelby County, Alabama. On or about September 30, 2002 a Mortgage was prepared by First National Bank of Shelby County from **L. Douglas Joseph and Kathy L. Joseph, husband and wife**, to First National Bank of Shelby County which said mortgage is recorded in Instrument Number 20021001000473860 and on or about October 3, 2002 a Modification of Mortgage was prepared by First National Bank of Shelby County from **L. Douglas Joseph and Kathy L. Joseph, husband and wife**, to First National Bank of Shelby County which said mortgage is recorded in Instrument Number 20021007000488280 in the Probate Office of Shelby County, Alabama.

The legal description in the aforesaid **MORTGAGE** was incorrect. The property was described as follows:

N ½ of NW 1/4 of NW 1/4, Section 26, Township 20 South, Range 3 West, lying East of the right of way of County Paved Road No. 47; being situated in Shelby County Alabama.

The correct description of the property described in the aforesaid mortgage is as follows:

N ½ of NW 1/4 of NW 1/4, Section 26, Township 20 South, Range 1 West, lying East of the right of way of County Paved Road No. 47; being situated in Shelby County Alabama.

ALSO, the legal description in the aforesaid **MODIFICATION OF MORTGAGE** was incorrect. The property was described as follows:

N ½ of NW 1/4 of NW 1/4, Section 26, Township 20 South, Range 3 West, lying East of the right of way of County Paved Road No. 47; being situated in Shelby County Alabama.

Also, begin at the Northeast corner of the NE 1/4 of the NE 1/4 of Section 27, Township 20 South, Range 1 West and run thence South 00 deg. 48 min. 24 sec. West a distance of 709.23 feet to the North line of Shelby County Highway 69; thence run in a Northwesterly direction along the Northerly line of said Highway 1446.11 feet to the West line of the NE 1/4 of the NE 1/4 of said Section 27, Township 20 South, Range 1 West; thence North 01 deg. 47 min. 56 sec. East 102.39 feet to a point; thence North 00 deg. 55 min. 26 sec. East a distance of 634.59 feet to the North line of the 100 foot Alabama Power Company Transmission line easement; thence run in an Easterly direction along the northerly right of way line of the 100 foot Alabama Power Company to the East line of the SE 1/4 of SE 1/4 of said Section 22; thence South along said East line of said 1/4 - 1/4 section to the point of beginning; being situated in the NE 1/4 of the NE 1/4 of said Section 27 and the SE 1/4 of the SE 1/4 of said Section 22; being situated in Shelby County, Alabama.

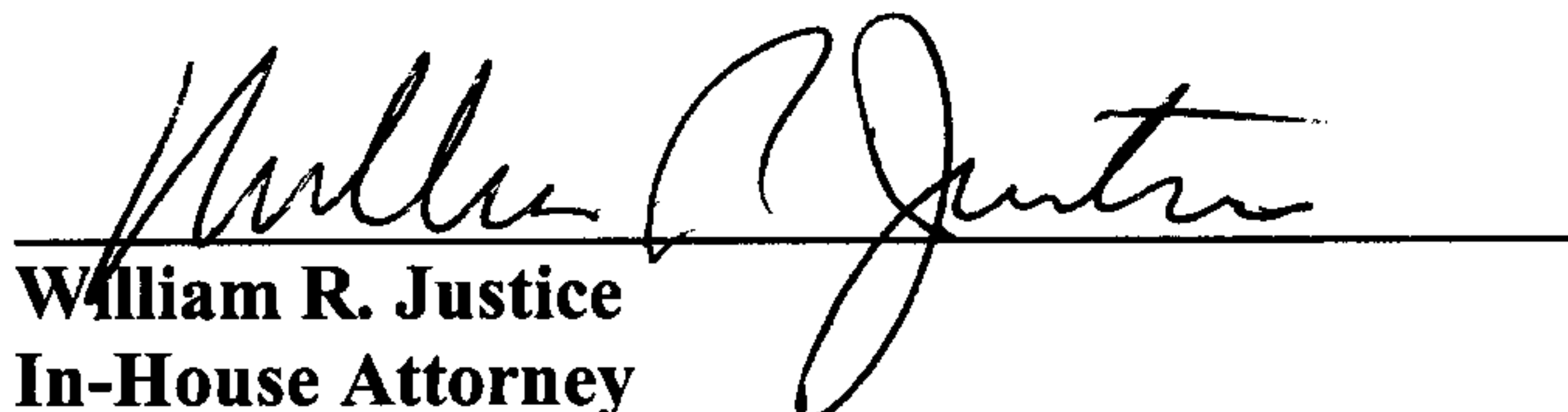
The correct description of the property described in the aforesaid mortgage is as follows:

N ½ of NW 1/4 of NW 1/4, Section 26, Township 20 South, Range 1 West, lying East of the right of way of County Paved Road No. 47; being situated in Shelby County Alabama.

Also, begin at the Northeast corner of the NE 1/4 of the NE 1/4 of Section 27, Township 20 South, Range 1 West and run thence South 00 deg. 48 min. 24 sec.

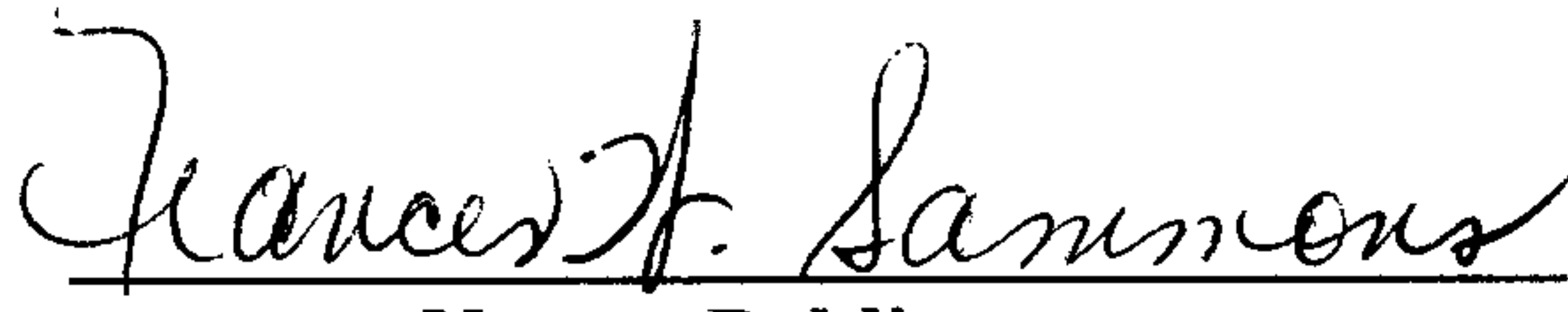
West a distance of 709.23 feet to the North line of Shelby County Highway 69; thence run in a Northwesterly direction along the Northerly line of said Highway 1446.11 feet to the West line of the NE 1/4 of the NE 1/4 of said Section 27, Township 20 South, Range 1 West; thence North 01 deg. 47 min. 56 sec. East 102.39 feet to a point; thence North 00 deg. 55 min. 26 sec. East a distance of 634.59 feet to the North line of the 100 foot Alabama Power Company Transmission line easement; thence run in an Easterly direction along the northerly right of way line of the 100 foot Alabama Power Company to the East line of the SE 1/4 of SE 1/4 of said Section 22; thence South along said East line of said 1/4 - 1/4 section to the point of beginning; being situated in the NE 1/4 of the NE 1/4 of said Section 27 and the SE 1/4 of the SE 1/4 of said Section 22; being situated in Shelby County, Alabama.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 19th day of November, 2004.

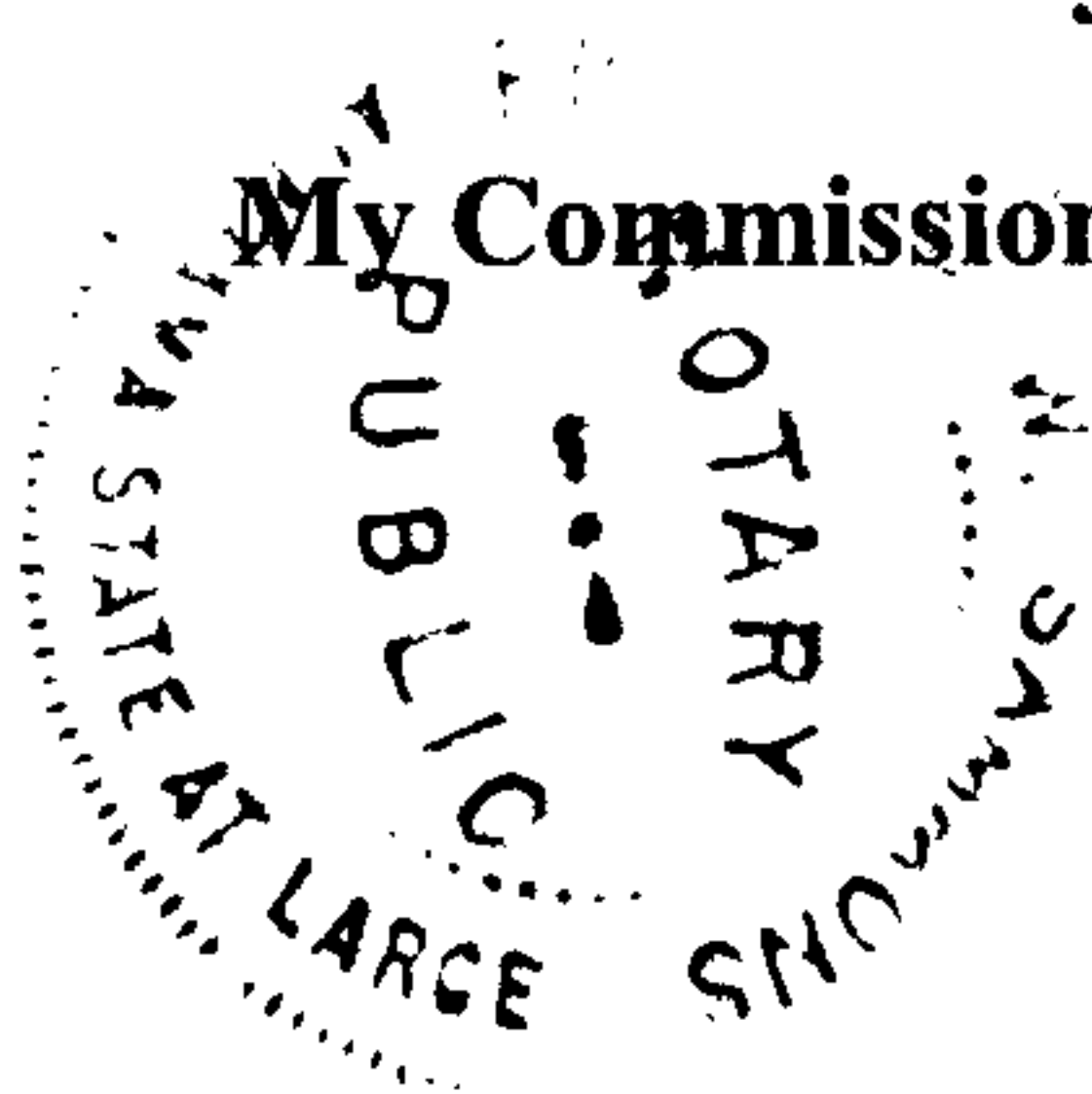

William R. Justice
In-House Attorney

Sworn to and subscribed before me
on this 19th day of November, 2004.

20041123000645230 Pg 2/2 18.00
Shelby Cnty Judge of Probate, AL
11/23/2004 14:47:00 FILED/CERTIFIED


Notary Public

My Commission Expires: 5-24-08



First National Bank of Shelby County
P. O. Box 977
Columbiana, AL 35051