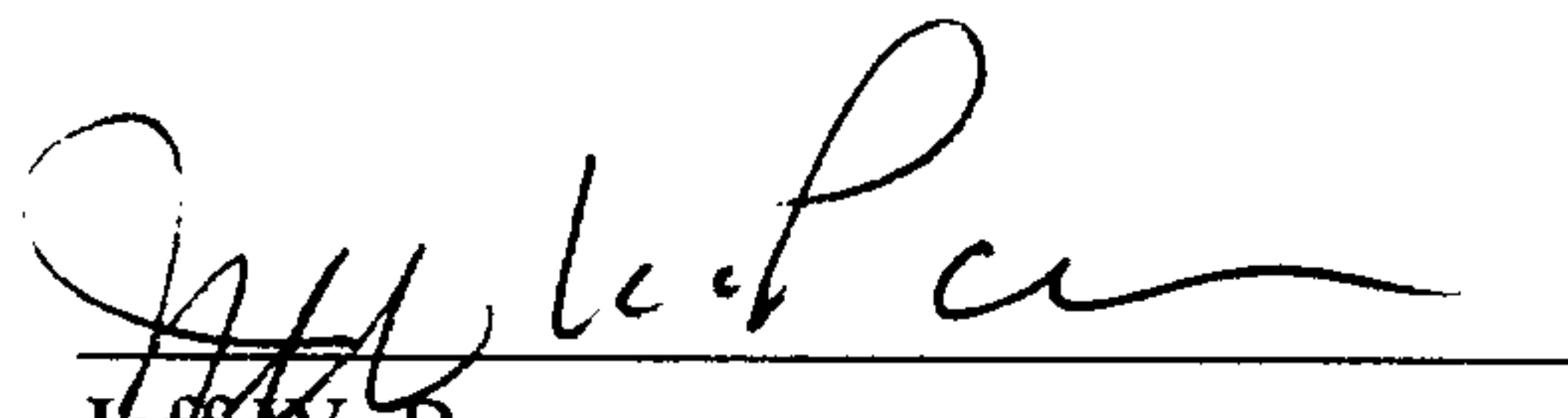


SCRIVENER'S AFFIDAVIT

Before me, the undersigned authority, appeared Jeff W. Parmer, who, after being duly sworn, deposes and says on oath as follows:

- 1.) That my name is Jeff W. Parmer, that I am over the age of 21 years, I have personal knowledge of the information contained herein. I am an attorney licensed to practice law in the State of Alabama.
- 2.) That on or about, December 15, 2004, I prepared a Joint Survivorship Deed (the "Deed") which is recorded in Instrument Number 20041221000694360 in the Probate Office of Shelby County, Alabama, which Deed conveyed the property from Joseph Lynn Storey and wife Susan Storey, to James Robert Payton, an unmarried person and Darrell S. Ward, an unmarried person. The property conveyed is described in Exhibit "A" attached hereto and made a part hereof..
- 3.) The Deed that was recorded erroneously reflected a purchase price of "One Hundred Sixty Nine Thousand Nine Hundred and 00/100 (\$282,500.00) DOLLARS." The Deed should have reflected a purchase price of "One Hundred Sixty Nine Thousand Nine Hundred and 00/100 (\$169,900.00) DOLLARS."


Jeff W. Parmer

Sworn to and subscribed before me on this the 27th day of December, 2004.

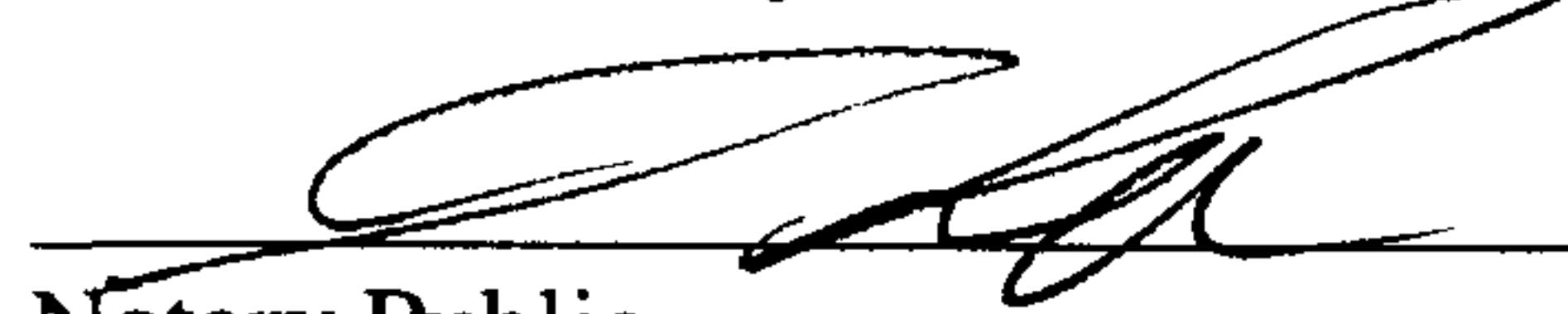

Notary Public
My Commission Expires: 2/23/05

EXHIBIT "A"

Also a Right of Way to use the existing driveway access from Highway 145 across the following described property, to-wit; Begin at the Northeast corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 22, Township 21 South, Range 1 East; thence run Southerly along the East boundary of said Section for 100.00 feet; thence turn an angle of 90 Degrees 00 Minutes to the right and run Westerly for 88.71 feet to a point on the Southeast Right of Way line of Alabama Highway No. 145; thence turn an angle of 119 Degrees 45 Minutes 29 Seconds to the right and run Northeasterly along said Right of Way line for 116.03 feet to the point of intersection with the North boundary line of the aforementioned SE $\frac{1}{4}$ of SE $\frac{1}{4}$; thence turn an angle of 61 Degrees 35 Minutes 23 Seconds to the right and run easterly along said north boundary of said $\frac{1}{4}$ for 31.13 feet to the point of beginning.

EXHIBIT "A"

A parcel of land in the Northwest Quarter of Section 26, Township 21 South, Range 1 East; said parcel of land being more particularly described as follows: Beginning at the Northwest corner of said Section 26; thence run South 00 Degrees 20 Minutes 47 Seconds East a distance of 333.97 feet; thence North 89 Degrees 45 min 17 Seconds East a distance of 4003.00 feet; thence North 61 Degrees 12 Minutes 38 Seconds East a distance of 270.05 feet to the approximate 397 foot contour of Lay Lake; thence North 33 Degrees 38 Minutes 54 Seconds West a distance of 219.82 feet along said 397 foot contour line; thence North 87 Degrees 52 Minutes 19 Seconds West a distance of 517.24 feet to the point of beginning.

Together with the following easements for ingress, egress and utilities more particularly described as follows:

A Right of Way located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 26, Township 21 South, Range 1 East, Shelby County, Alabama for ingress and egress and utilities, 60 feet wide, 30 feet on each side of the following described centerline: Commence at the Northwest corner of said Section 26; thence run South along the West Section line 334.00 feet; thence turn left 89 Degrees 47 Minutes 23 Seconds and run East 57.76 feet to the point of beginning of said centerline; thence run right 89 Degrees 23 Minutes 18 Seconds and run South 45.00 feet; thence turn left 89 Degrees 23 Minutes 18 Seconds and run East 290.00 feet to the point of clockwise curve having a Delta angle of 55 Degrees 00 Minutes 00 Seconds and a radius of 175.00 feet; thence run along the arc of said curve 167.99 feet to the point of tangent; thence continue tangent to said curve 188.09 feet to the end of said centerline and the center of cul-de-sac with a radius of 55.00 feet.

A Right of Way located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 23 and in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 26, Township 21 South, Range 1 East; for ingress, egress and utilities, 60 feet wide, 30 feet on each side of the following described centerline: Commence at the Northwest corner of said Section 26; thence run south along the west Section line 334.00 feet; thence turn left 89 Degrees 47 Minutes 23 Seconds and run east 57.76 feet to the beginning of said centerline; thence turn left 90 Degrees 36 Minutes 42 Seconds and run North 1351.88 feet to the point of a clockwise curve having a delta angle of 91 Degrees 07 Minutes and a radius of 250.00 feet; thence run along the arc of said curve 397.57 feet to the point of tangent; thence continue tangent to said curve and run east 1088.98 feet to the center of a County maintained road and the end of said centerline.