

404119

20050107000009580 Pg 1/2 14.00
Shelby Cnty Judge of Probate, AL
01/07/2005 11:34:00 FILED/CERTIFIED

AFFIDAVIT TO MORTGAGE

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared David A. Bedgood, who after being duly sworn, deposes and says as follows:

My name is David A. Bedgood, and I am a staff attorney with Surety Land Title, Inc., and am familiar with the facts and circumstances contained herein.

Surety Land Title, Inc., conducted a closing on real property in Jefferson County in which Billy Jo Reid and Patricia D. Reid were the grantors and John M. Feagans was the grantee. That deed is recorded in Instrument number 200402/6525. Simultaneous with the purchase, John M. Feagans closed a mortgage transaction in which the land conveyed to him was encumbered. That mortgage is recorded in Instrument number 200402/6527.

In the transactions the legal description for the land conveyed and mortgaged was typed onto an exhibit A. It is my testimony that the wrong exhibit was attached to the documents and therefore the legal description in the conveyances is incorrect.

The correct legal description for the land intended to have been conveyed is as follows

A PARCEL OF LAND SITUATED IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 14 SOUTH, RANGE 3 WEST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 23, TOWNSHIP 14 SOUTH, RANGE 3 WEST AND RUN SOUTH ALONG THE EAST LINE OF SAID SECTION FOR 1914.90 FEET; THENCE TURN 82 DEGREES 33 MINUTES 24 SECONDS RIGHT, SOUTHWESTERLY FOR 209.74 FEET; THENCE TURN 86 DEGREES 20 MINUTES 42 SECONDS RIGHT NORTHWESTERLY FOR 30.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE LAST DESCRIBED COURSE FOR 176.88 FEET; THENCE TURN 76 DEGREES 09 MINUTES 48 SECONDS LEFT, WESTERLY FOR 108.73 FEET; THENCE TURN 31 DEGREES 27 MINUTES 05 SECONDS LEFT, SOUTHWESTERLY FOR 46.82 FEET; THENCE TURN 60 DEGREES 59 MINUTES 41 SECONDS LEFT, SOUTHERLY FOR 209.99 FEET; THENCE TURN 97 DEGREES 23 MINUTES 01 SECONDS LEFT, NORTHEASTERLY FOR 102.72 FEET TO A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 68 DEGREES 56 MINUTES 50 SECONDS AND A RADIUS OF 51.96 FEET; THENCE TURN 66 DEGREES 56 MINUTES 20 SECONDS LEFT TO TANGENT, RUN ALONG THE ARC OF SAID CURVE FOR 62.53 FEET; THENCE CONTINUE, TANGENT TO SAID CURVE FOR 37.75 FEET TO THE POINT OF BEGINNING.

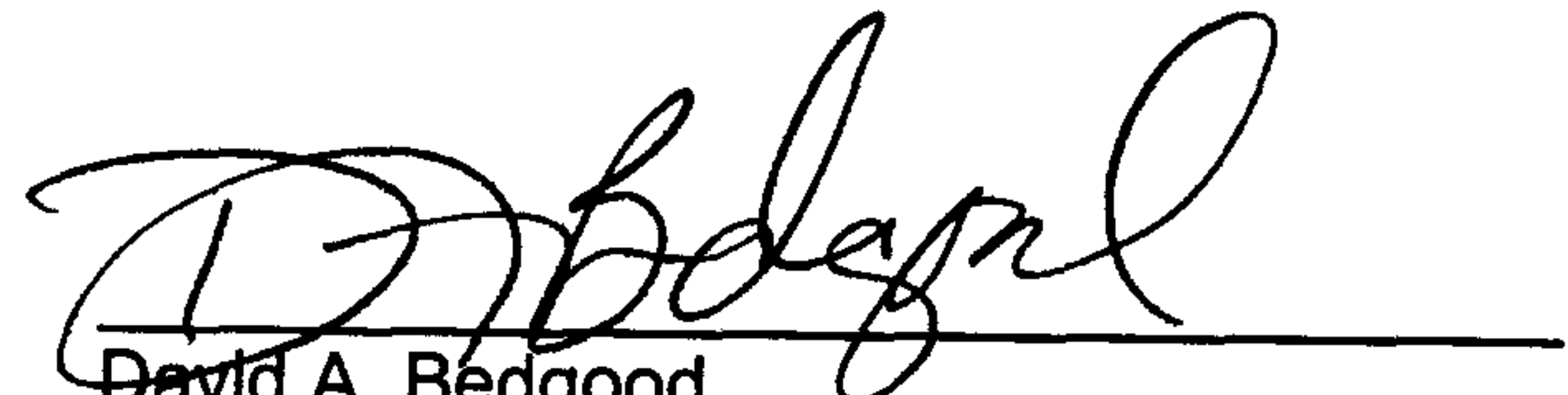
ALSO: A 12 FOOT WIDE ACCESS EASEMENT SOUTH OF TRACT DESCRIBED IN CIVIL-ACTION 198-572.

**ALSO: AN EASEMENT FOR INGRESS/EGRESS DESCRIBED AS FOLLOWS:
COMMENCE AT THE NORTHEAST CORNER OF SECTION 23, TOWNSHIP 14 SOUTH, RANGE 3 WEST, AND RUN SOUTH ALONG THE EAST LINE OF SAID SECTION FOR 1914.90 FEET; THENCE TURN 82 DEGREES 33 MINUTES 24 SECONDS RIGHT, SOUTHWESTERLY FOR 250.59 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE LAST DESCRIBED COURSE FOR 48.53 FEET TO A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 68**

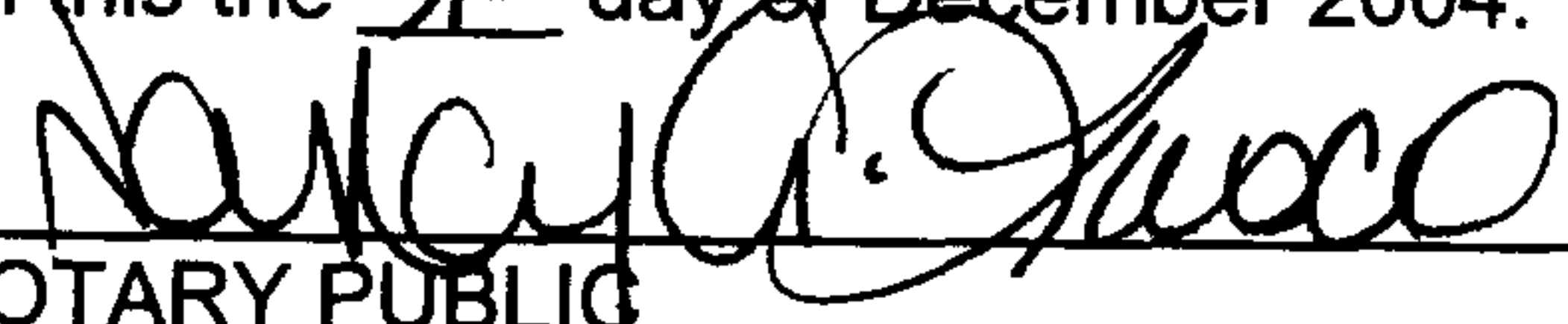
DEGREES 56 MINUTES 50 SECONDS AND A RADIUS OF 51.96 FEET; THENCE TURN 113 DEGREES 03 MINUTES 40 SECONDS RIGHT TO TANGENT, RUN ALONG THE ARC OF SAID CURVE FOR 62.53 FEET; THENCE TURN 90 DEGREES 00 MINUTES RIGHT FOR 31.42 FEET TO THE POINT OF BEGINNING.

This affidavit is given for the purpose of correcting the legal description of the land conveyed in the mortgage recorded in Instrument number 200402/6257.

I hereby affirm and certify that the above mentioned facts set out in this Affidavit are true and correct.


David A. Bedgood

Sworn to and subscribed before me
on this the 31st day of December 2004.


NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

