

**AFFIDAVIT OF JAMES W. FUHRMEISTER**

STATE OF ALABAMA        )

COUNTY OF SHELBY        )

Before me, the undersigned, a Notary Public in and for said county and said state, personally appeared James W. Fuhrmeister, who after being duly sworn, deposes and says as follows:

“My name is James W. Fuhrmeister and I am a practicing attorney in the State of Alabama. On September 3, 2004, I prepared a deed conveying certain real property located in Shelby County, Alabama and executed by Town Builders, Inc. (Grantor) to MCED Consulting & Development, Inc. (Grantee). This deed was recorded on September 3, 2004 and appears of record in the Office of the Judge of Probate of Shelby County, Alabama as Instrument Number 20040903000495470.

I also prepared a Mortgage in which MCED Consulting & Development, Inc. is mortgagor and SouthTrust Bank is Mortgagee. This mortgage was recorded September 3, 2004 and appears of record in the Office of the Judge of Probate of Shelby County, Alabama as Instrument Number 20040903000495480.

In the aforesaid deed and mortgage there was a clerical error in that the incorrect legal description was attached to the deed and mortgage. The correct legal description is as follows:

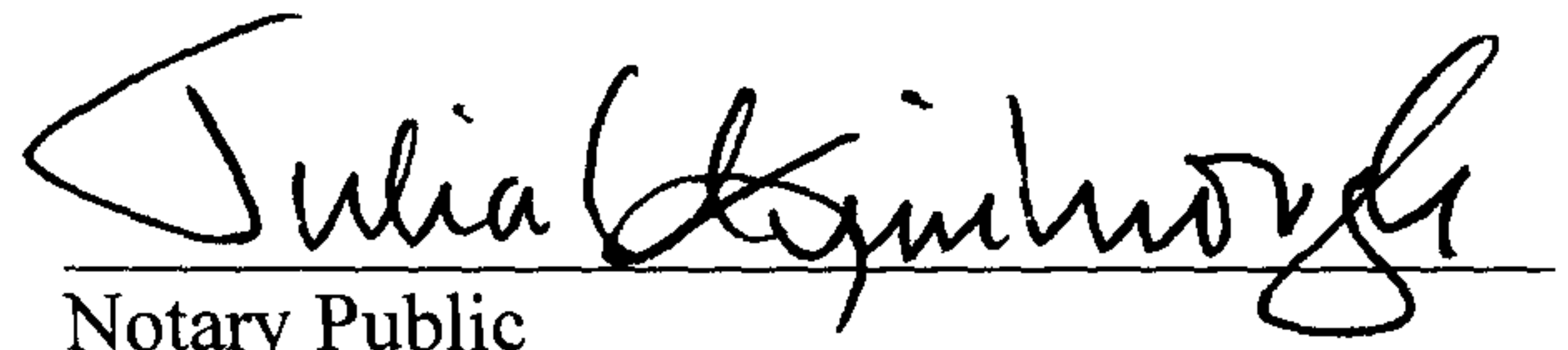
***Lot 7-07A, Block 7, according to a Resurvey of lots 7-06 through 7-12,  
Mt. Laurel, Phase 1A, as recorded in Map Book 31, Page 24, in the  
Probate Office of Shelby County, being situated in Shelby County,  
Alabama.***

I give this affidavit of my own personal knowledge of the facts set out herein.”

In Witness Whereof, I have hereunto set my hand and seal on this the 14th day of January, 2005.

  
\_\_\_\_\_  
JAMES W. FUHRMEISTER

Sworn to and subscribed before me this 14<sup>th</sup> day of January, 2005.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 11-23-08