

THIS INSTRUMENT PREPARED BY:

PADEN & PADEN
ATTORNEYS AT LAW
✓ FIVE RIVERCHASE RIDGE, SUITE 100
BIRMINGHAM, AL 35244-2893

STATE OF ALABAMA)
COUNTY OF SHELBY)

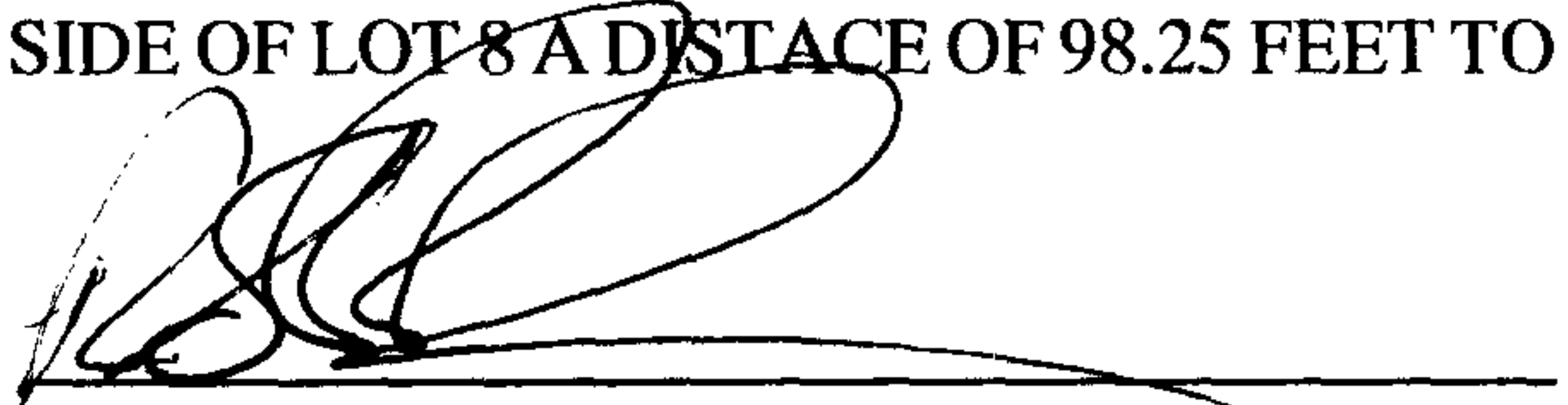
SCRIVENER'S AFFIDAVIT

Know all men by these presents, that, I, the undersigned, a notary public in and for said county and in said state, hereby certify that before me personally appeared R. SHAN PADEN, AS PARTNER OF PADEN & PADEN, ATTORNEYS AT LAW, who is known to me, and who being by me first duly sworn on his oath depose and say as follows:

I, R. SHAN PADEN, attorney at law, and in my capacity as such, do certify that certain DEED from H. LAMARR BURGESS AND WIFE, BONNIE J. BURGESS TO STEVE C. MCKAY dated FEBRUARY 15, 1991 and recorded in the office of the Judge of Probate of SHELBY COUNTY, Alabama, in REAL VOLUME 330, PAGE 691 was prepared PADEN & PADEN, ATTORNEYS AT LAW.

The legal description in said deed contained errors. It is the purpose and intent of this affidavit to correct the legal description to read as follows:

PORTION OF LOT 7, AND PORTION OF LOT 8 AND 9, AT BLOCK 1, ALABASTER HIGHLANDS, MAP BOOK 4, PAGE 43, SHELBY COUNTY, ALABAMA DESCRIBED AS FOLLOWS: A PARCEL OF LAND BEING A PORTION OF LOT 7 AND A PORTION OF LOT 8 AND LOT 9 OF BLOCK 1 OF ALABASTER HIGHLANDS ACCORDING TO THE MAP OF ALABASTER HIGHLANDS AS RECORDED IN MAP BOOK 4, PAGE 43, IN THE OFFICE OF THE JUDGE OF PROBATE IN SHELBY COUNTY, ALABAMA, AND MORE EXACTLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHWEST CORNER OF SAID LOT 8 AND PROCEED NORTHWARD ALONG THE WEST SIDE OF LOT 7 A DISTANCE OF 47.08 FEET; THENCE AT AN ANGLE OF 92 DEGREES TO THE RIGHT 185.0 FEET TO THE EAST SIDE OF SAID LOT 7; THENCE AT AN ANGLE OF 88 DEGREES TO THE RIGHT AND ALONG THE EAST SIDE OF LOTS 7 AND 8 AND 9 A DISTANCE OF 135.33 FEET; THENCE AT AN ANGLE OF 88 DEGREES 54' TO THE RIGHT 185.0 FEET TO THE WEST SIDE OF LOT 8; THENCE NORTHWARD ALONG THE WEST SIDE OF LOT 8 A DISTANCE OF 98.25 FEET TO THE POINT OF BEGINNING.

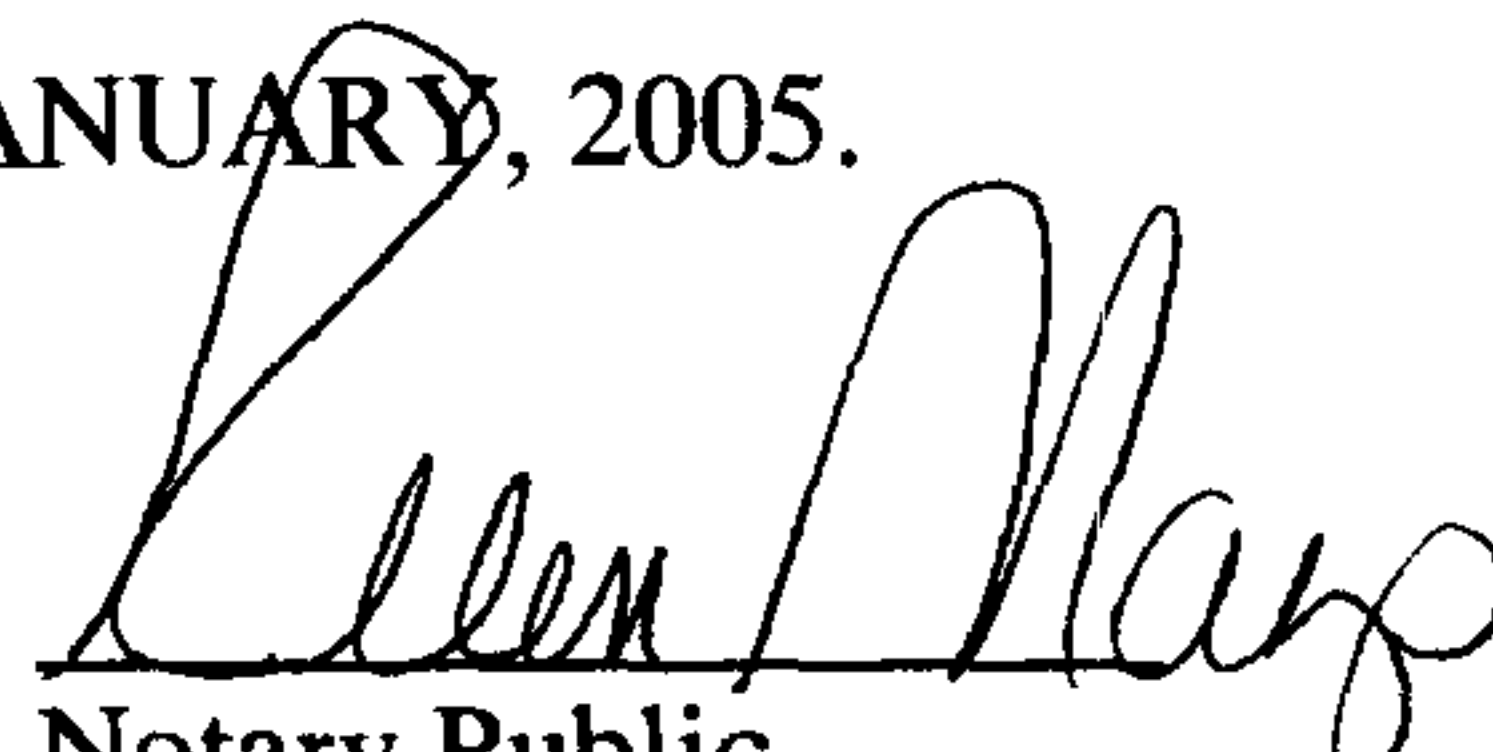

R. SHAN PADEN

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I the undersigned, a Notary Public, in and for said County in said State, hereby certify that R. SHAN PADEN is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily.

Given under my hand this the 18TH day of JANUARY, 2005.


Notary Public

My commission expires: 12-20-08