

THIS INSTRUMENT PREPARED BY:

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

STATE OF ALABAMA)
COUNTY OF SHELBY)

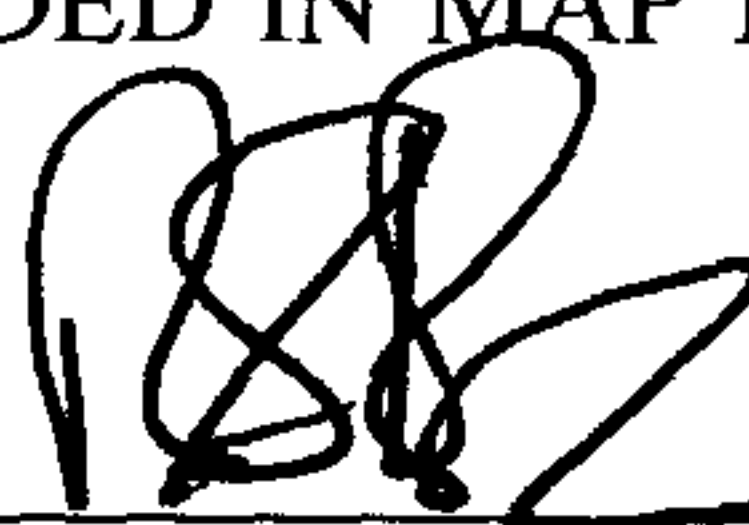
SCRIVENER'S AFFIDAVIT

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, 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 ARBOR HILLS, LLC to HPH PROPERTIES, LLC, dated JULY 26, 2004 and recorded in the office of the Judge of Probate of SHELBY COUNTY, Alabama, in INSTRUMENT NUMBER 2004-44712.

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:

LOTS 66, 67, 137, 142, 144, 145, 148, 149, 153, 154, 156, 175, 176 AND 177, ACCORDING TO THE FINAL PLAT OF ARBOR HILL, PHASE II, AS RECORDED IN MAP BOOK 33 PAGE 23 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.



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 25TH day of JANUARY, 2005.



Notary Public

My commission expires: 8-2008