

STATE OF ALABAMA )

JEFFERSON COUNTY )

**AFFIDAVIT OF SCRIVENER**

Before me, the undersigned Notary Public in and for said County in said State, personally appeared Kristy Liggan Riley, who, being known to me, and who being by me first duly sworn, deposes under oath and says as follows:

1. That the undersigned is over the age of twenty-one (21) years and a resident of Birmingham, Jefferson County, Alabama, with knowledge and information pertaining to the facts in this Affidavit.

2. That I prepared the Statutory Warranty Deed from Cross Home Builders, Inc., an Alabama corporation, to Harold Toby Rigsby and Brittany J. Rigsby which was filed in the Office of the Judge of Probate of Shelby County, Alabama, on August 11, 2003, under Instrument #20030811000523810 (the "Deed").

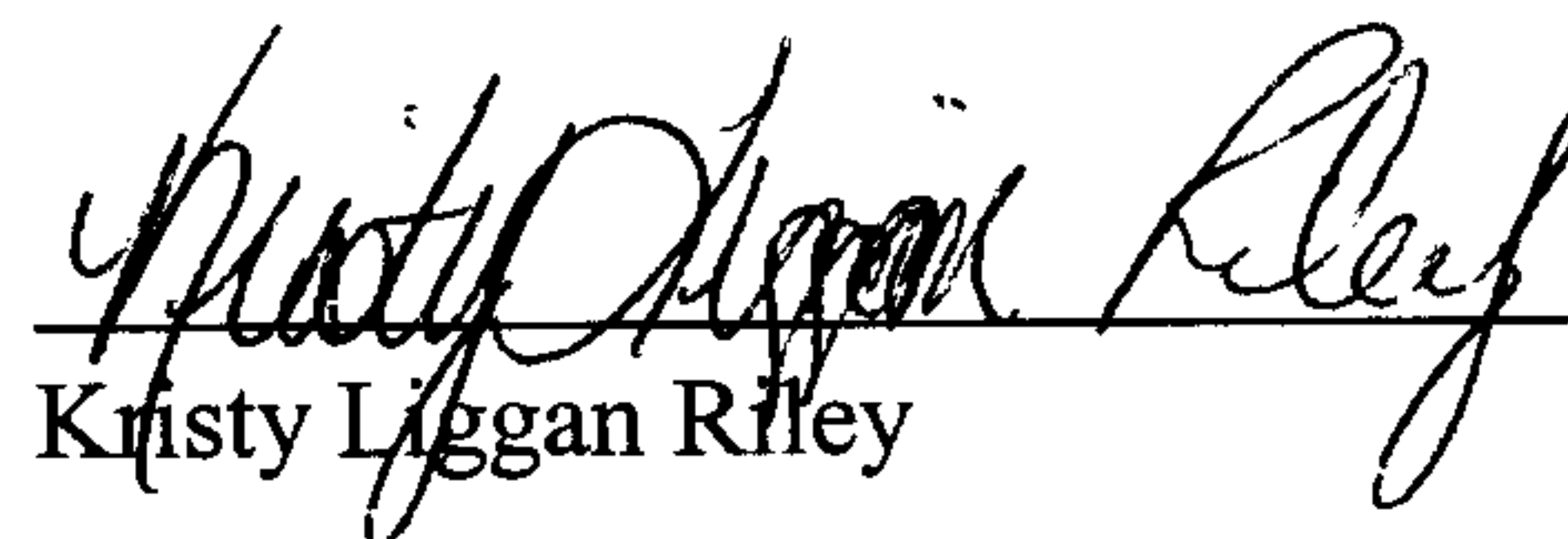
3. In said Deed there was a typographical error in the spelling of the name of the grantee.

4. The correct spelling of the grantee's names is as follows;

HAROLD TOBY RIGSBY AND BRITTANY J. RIGSBY

5. That such error is a scrivener's error and this affidavit is given for the purpose of correcting such scrivener's error.

IN WITNESS WHEREOF, I have set my hand and seal this 31st day of January, 2005.

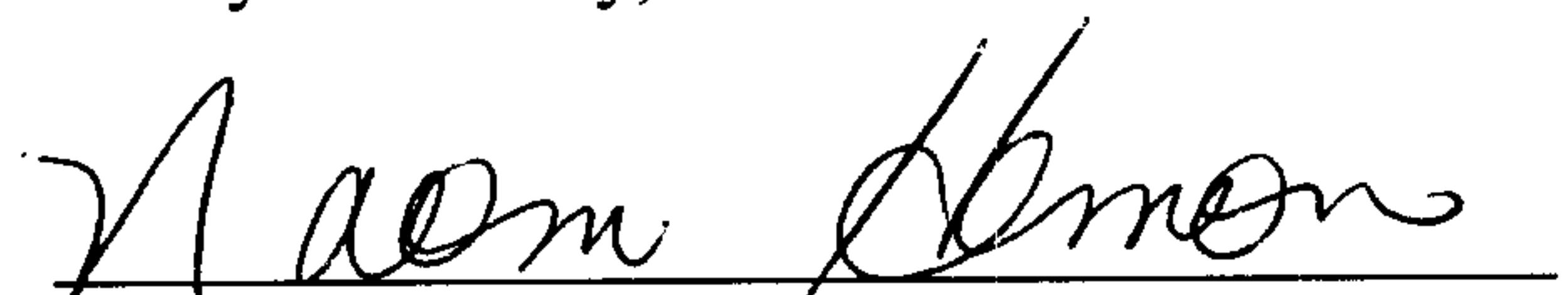
 (SEAL)  
Kristy Liggan Riley

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public, in and for said County in said State, hereby certify that Kristy Liggan Riley, whose name, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, she, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 31st day of January, 2005.

  
Notary Public

My Commission Expires: 5/28/07

THIS INSTRUMENT PREPARED BY:  
Kristy Liggan Riley  
Attorney at Law  
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Birmingham, Alabama 35242  
(205) 313-0335