

STATE OF ALABAMA )  
SHELBY COUNTY )

SCRIVENER'S AFFIDAVIT

I, the undersigned, am the draftsman of the following deeds:

That certain Warranty Deed from James Eulmon O'Neal, a single man as Grantor to Atkinson Homes, Inc. as Grantee dated May 8, 2003 and recorded at #20030522000318490 Page 1/1 on May 22, 2003 in the Office of the Judge of Probate of Shelby County, Alabama.

AND ALSO

That certain Warranty Deed from Atkinson Homes, Inc., a corporation as Grantor to Enos C. O'Neal, an unmarried man as Grantee dated May 20, 2003 and recorded at #20030522000318500 Page 1/1 on May 22, 2003 in the Office of the Judge of Probate of Shelby County, Alabama.

The legal description on the deeds reads as follows:

From the Northeast corner of the SE1/4-SW1/4 of Section 36, Township 18 South, Range 2 East, Shelby County, Alabama proceed S 0 deg. 25' 15" W along the East boundary of said quarter-quarter section for 673.39 feet to a point; thence N 87 deg. 37' 23" W 52.12 feet to a 5/8" Rebar Set by Billy R. Martin, AL Reg. No. 10559, said point being on the Westerly right-of-way boundary of Fleming Lane (40'R/W), said point also being the POINT OF BEGINNING of herein described parcel of land; thence from said POINT OF BEGINNING proceed S 2 deg. 22' 37" W along the Westerly right-of-way of said Fleming Lane for 208.75 feet to a 5/8" Rebar Set by Billy R. Martin, AL reg. No. 10559; thence N 2 deg. 22' 37" E parallel to the Westerly boundary of said Fleming Road for 208.75 feet to a 5/8" Rebar Set by Billy R. Martin, AL Reg. No. 10559; thence S 87 deg. 37' 23" E parallel to the South boundary of herein described parcel of land for 208.75 feet, back to the POINT OF BEGINNING.

The above described parcel of land is located in the East one-half of the SE1/4-SW1/4 of Section 36, Township 18 South, Range 2 East, Shelby County, Alabama and contains 1.00 acre, more or less.

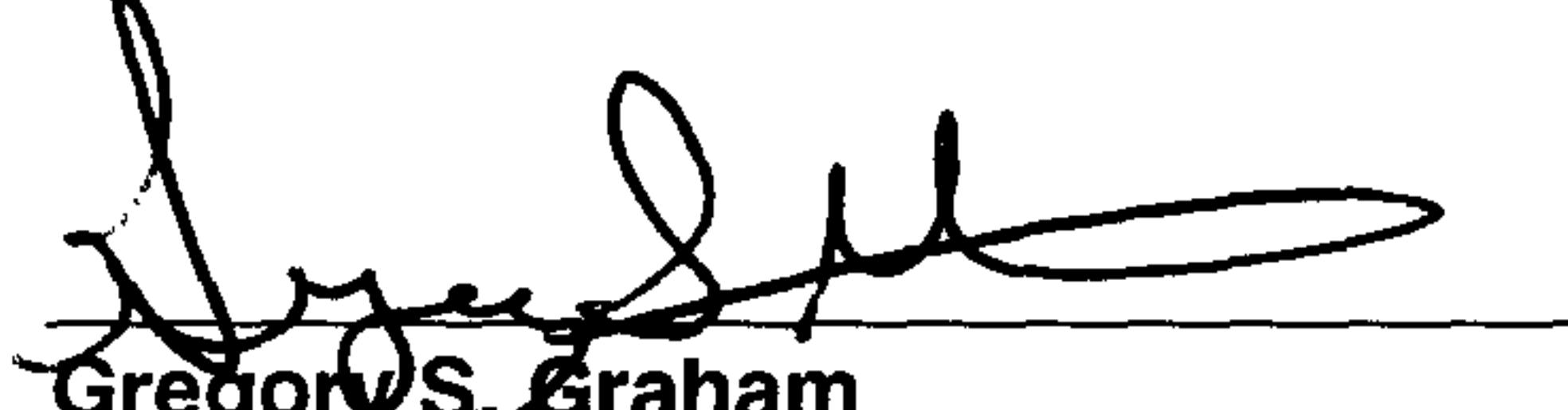
That legal description is incorrect and should read as follows:

From the Northeast corner of the SE1/4-SW1/4 of Section 36, Township 18 South, Range 2 East, Shelby County, Alabama proceed S 0 deg. 25' 15" W along the East boundary of said quarter-quarter section for 673.39 feet to a point; thence N 87 deg. 37' 23" W 52.12 feet to a 5/8" Rebar Set by Billy R. Martin, AL Reg. No. 10559, said point being on the Westerly right-of-way boundary of Fleming Lane (40'R/W), said point also being the POINT OF BEGINNING of herein described parcel of land; thence from said POINT OF BEGINNING proceed S 2 deg. 22' 37" W along the Westerly right-of-way of said Fleming Lane for 208.75 feet to a 5/8" Rebar Set by Billy R. Martin, AL reg. No. 10559; thence N 87 deg 37' 23" W 208.75 feet to a 5/8" Rebar Set by Billy R. Martin, AL. Reg. No. 10559; thence N 2 deg. 22' 37" E parallel to the Westerly boundary of said Fleming Road for 208.75 feet to a 5/8" Rebar Set by Billy R. Martin, AL Reg. No. 10559; thence S 87 deg. 37' 23" E parallel to the South boundary of herein described parcel of land for 208.75 feet, back to the POINT OF BEGINNING.

The above described parcel of land is located in the East one-half of the SE1/4-SW1/4 of Section 36, Township 18 South, Range 2 East, Shelby County, Alabama and contains 1.00 acre, more or less.

This affidavit is made for the purpose of recording the correct legal description in the Warranty Deeds recorded at #20030522000318490 and #20030522000318500 in the Office of the Judge of Probate of Shelby County, Alabama.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 3rd day of February, 2005.

  
Gregory S. Graham

STATE OF ALABAMA      )  
SHELBY COUNTY      )

Before me, the undersigned authority, a Notary Public in and for said County, in said state, personally appeared **Gregory S. Graham** and who first was duly sworn by me, did depose and say the above, and subscribed his name to the above, this the 3rd day of February 2005.

Jackie McElberry  
NOTARY PUBLIC  
My Commission Expires: 9/08/2007

This instrument prepared by:

**Mitchell & Graham, P.C.**  
P. O. Drawer 307  
803 3rd St. S. W.  
Childersburg, Alabama 35044