

STATE OF ALABAMA
COUNTY OF SHELBY

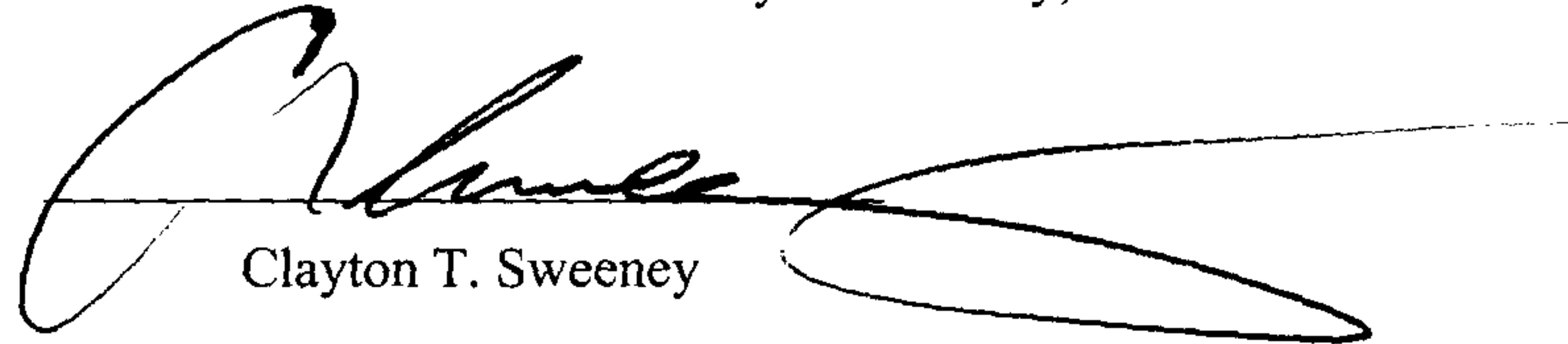
SCRIVENER'S AFFIDAVIT

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Clayton T. Sweeney. Who, after, being duly sworn by me, deposes and says:

Affiant prepared that certain Mortgage from Merrill Lynch Credit Corporation (Grantors) to J Randolph Esser, trustee for the Esser Family Living Trust and J Randolph Esser and Carolyn Esser, trustee for the Esser Family Living Trust and Carolyn S. Esser, Husband and Wife (Grantees), dated December 17, 2004 and recorded in Instrument # 20041230000709320 in the Probate Office of Shelby County, Alabama. In preparing said Mortgage, the Map Book number was typed incorrectly. This Scrivener's Affidavit is executed by Clayton T. Sweeney, said scrivener as stated hereinabove and is given for the purpose correcting the Map Book to read 63 A & B instead of 64 A & B. The correct legal description should read:

Lot 924, according to the Brook Highland, an Eddleman Community, 9th Sector, as recorded in Map Book 17 page 63 A & B, in the Office of Judge of Probate of Shelby County, Alabama; being situated in Shelby County, Alabama.


In Witness Whereof, the undersigned has caused this affidavit to be executed on this 9th day of February, 2005.


Clayton T. Sweeney

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that Clayton T. Sweeney, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 9th day of February, 2005.


Notary Public

My commission expires: 10/17/07

CLAYTON T. SWEENEY, ATTORNEY AT LAW