

STATE OF ALABAMA

COUNTY OF SHELBY

**SCRIVENER'S AFFIDAVIT**

Before me, the undersigned, personally appeared James E. Vann who being duly sworn hereby deposes and says as follows:

My name is James E. Vann, and I am an attorney licensed to practice law in the State of Alabama. In January, 2005, I prepared the following documents:

1. Statutory Warranty Deed between Noor A. Khan and Nasser Banilohi as Grantors and Strike Fore, LLC, as Grantee, recorded on January 18, 2005, in Instrument Number 20050118000025240 in the Office of the Judge of Probate of Shelby County, Alabama;
2. Mortgage and Security Agreement between Strike Fore, LLC, as Mortgagor and The Peoples Bank & Trust Company DBA Heritage Bank, as Mortgagee, recorded on January 18, 2005 in Instrument Number 20050118000025250 in the Office of the Judge of Probate of Shelby County, Alabama;
3. Assignment of Rents and Leases between Strike Fore, LLC, as Owner and The Peoples Bank & Trust Company DBA Heritage Bank, as Lender, recorded on January 18, 2002 in Instrument Number 20050118000025260 in the Office of the Judge of Probate of Shelby County, Alabama; and
4. UCC Financing Statement between Strike Fore, LLC, as Debtor and The Peoples Bank & Trust Company DBA Heritage Bank, as Secured Party, recorded on January 18, 2005 in Instrument Number 20050118000025270 in the Office of the Judge of Probate of Shelby County, Alabama.

The legal description attached to each of the above documents was taken from a title commitment issued by Preferred Title Agency, Inc. on or about December 28, 2004. After recordation of the above identified documents, it was discovered that said title commitment contained a typographical error in the last line.

The incorrect legal description as attached to the documents is as follows:

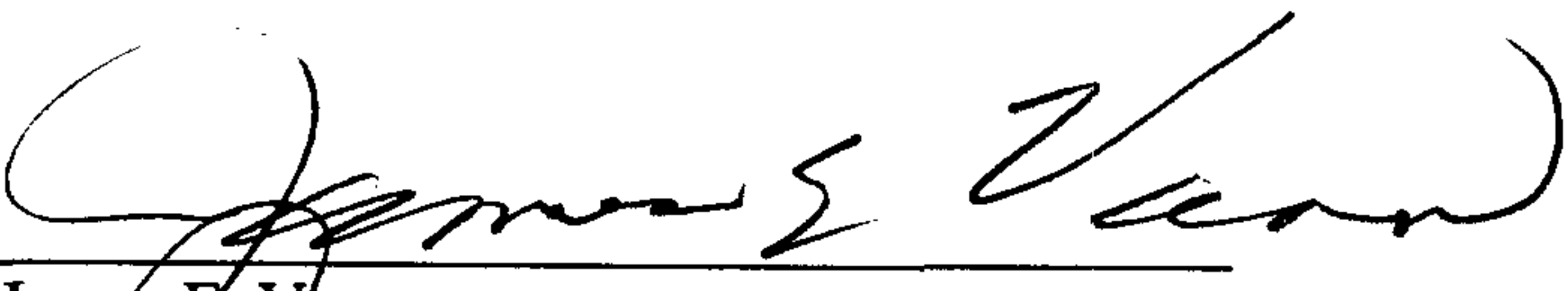
A parcel of land situated in the E ½ of the SE ¼ of Section 1, Township 20 South, Range 3 West, and in the W ½ of the SW ¼ of Section 6, Township 20 South, Range 2 West, Shelby County, Alabama, said parcel more particularly described as follows: Commence at the NE corner of the SE ¼ of the SE ¼ of said section 1 and run thence South 00° 00' West (assumed 191.48 feet) to the point of beginning of the property herein described; thence run North 72° 29' West 235.88 feet; thence run North 68°04'31" West 22.99 feet to a point on the Southeasterly right of way line of U.S. Highway 31 South; thence run North 27°30'00" east along said right of way line 200.00 feet; thence run South 69°47' East 258.28 feet; thence run South 27°49'13" West 189.62 feet to the point of beginning.

The correct legal description is as follows:

A parcel of land situated in the E ½ of the SE ¼ of Section 1, Township 20 South, Range 3 West, and in the W ½ of the SW ¼ of Section 6, Township 20 South, Range 2 West, Shelby County, Alabama, said parcel more particularly described as follows: Commence at the NE corner of the SE ¼ of the SE ¼ of said section 1 and run thence South 00° 00' West (assumed 191.48 feet) to the point of beginning of the property herein described; thence run North 72° 29' West 235.88 feet; thence run North 68°04'31" West 22.99 feet to a point on the Southeasterly right of way line of U.S. Highway 31 South; thence run North 27°30'00" east along said right of way line 200.00 feet; thence run South 69°47' East 258.28 feet; thence run South 27°48'13" West 189.62 feet to the point of beginning.

The purpose of this Affidavit is to correct the legal description as attached Shelby County, Alabama.

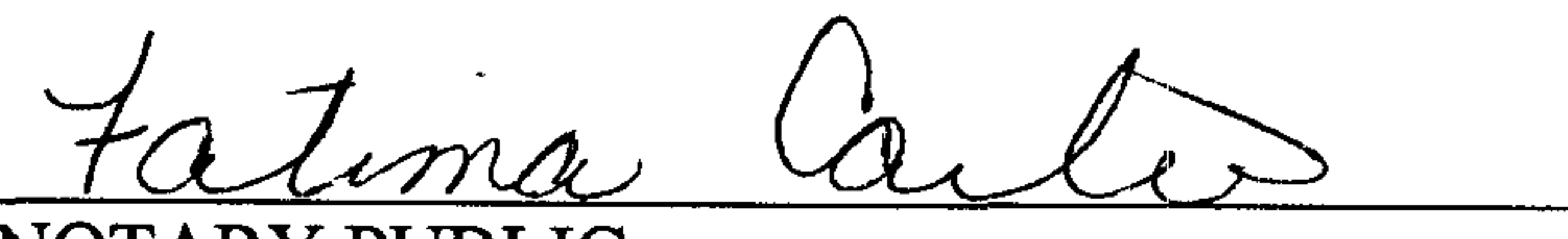
Witness my hand and seal this the 25 day of February, 2005.

  
James E. Vann

STATE OF ALABAMA       )  
COUNTY OF JEFFERSON    )

I, the undersigned, a Notary Public in and for said County and State, hereby certify that James E. Vann, 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 the instrument, he voluntarily executed the same on the day the same bears date.

Given under my hand and seal this the 25 day of February, 2005.

  
NOTARY PUBLIC  
My Commission Expires: 6-10-06