

SCRIVENER'S AFFIDAVIT

20050304000102770 Pg 1/1 11.00
Shelby Cnty Judge of Probate, AL
03/04/2005 11:17:00 FILED/CERTIFIED

State of Alabama)
)
Shelby County)

Before me the undersigned authority, a Notary Public in and for said County, in said State, personally appeared Larry Newman, who is known to me, and who, being by me first duly sworn, deposes and says as follows:

My name is Larry Newman, I am over the age of nineteen (19) years and have personal knowledge of the facts set out herein.

I am a member in good standing of the Alabama State Bar and engaged in the practice of law in the State of Alabama. In my capacity as an attorney I executed or had executed under my direction and supervision the following described document:

That certain mortgage from Deborah Otts to MortgageAmerica, Inc., and recorded in Instrument No. 20040820000466450, in the Probate Office of Shelby County, Alabama, (herein referred to as "Instrument"). (Probate Court - Please see note below).

That in the preparation of the Instrument, the following scrivener's error was made:

Date was omitted on the first page of the Planned Unit Development Rider of the Instrument listed above.

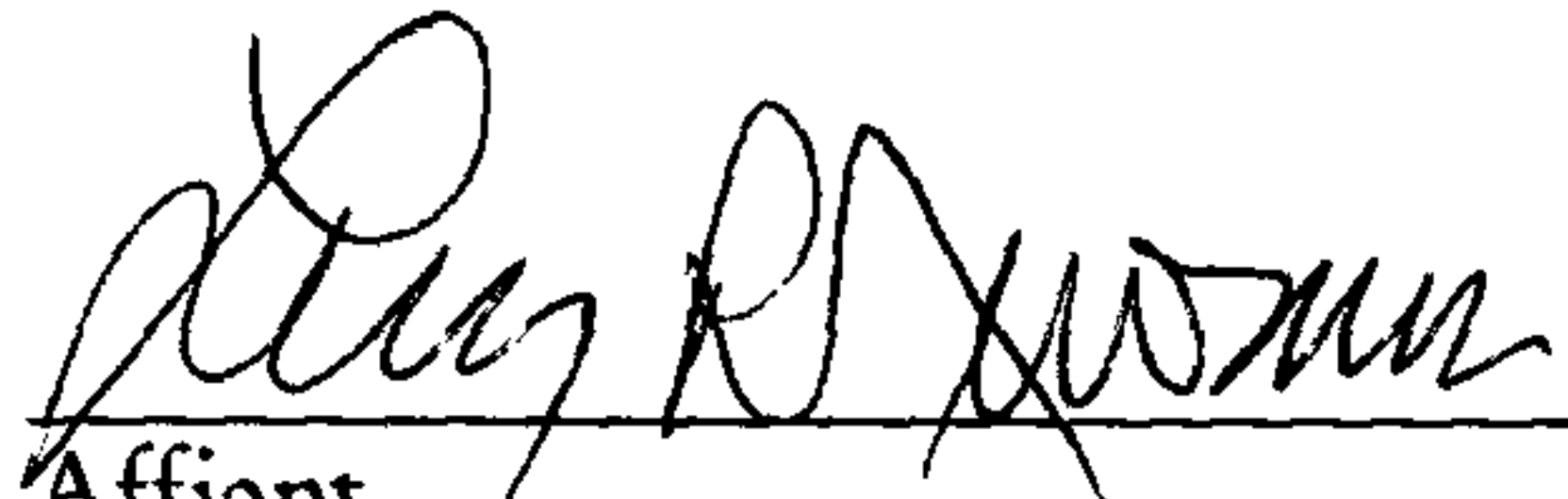
The Instrument should be corrected in the following manner in order for it to conform with the true intentions of the parties thereto:

The date on the first page of the Planned Unit Development Rider attached to the above mentioned mortgage is to read as follows: July 26, 2004

That the purpose of this affidavit is to correct the Probate Records of Shelby County, Alabama, and specifically, to correct that certain mortgage that is recorded in Instrument No. 20040820000466450, in the Office of the Judge of Probate of Shelby County, Alabama, and to state that the error made in the preparation of said mortgage was not a contractual obligation between the parties to the document, but merely an error on the part of the scrivener .

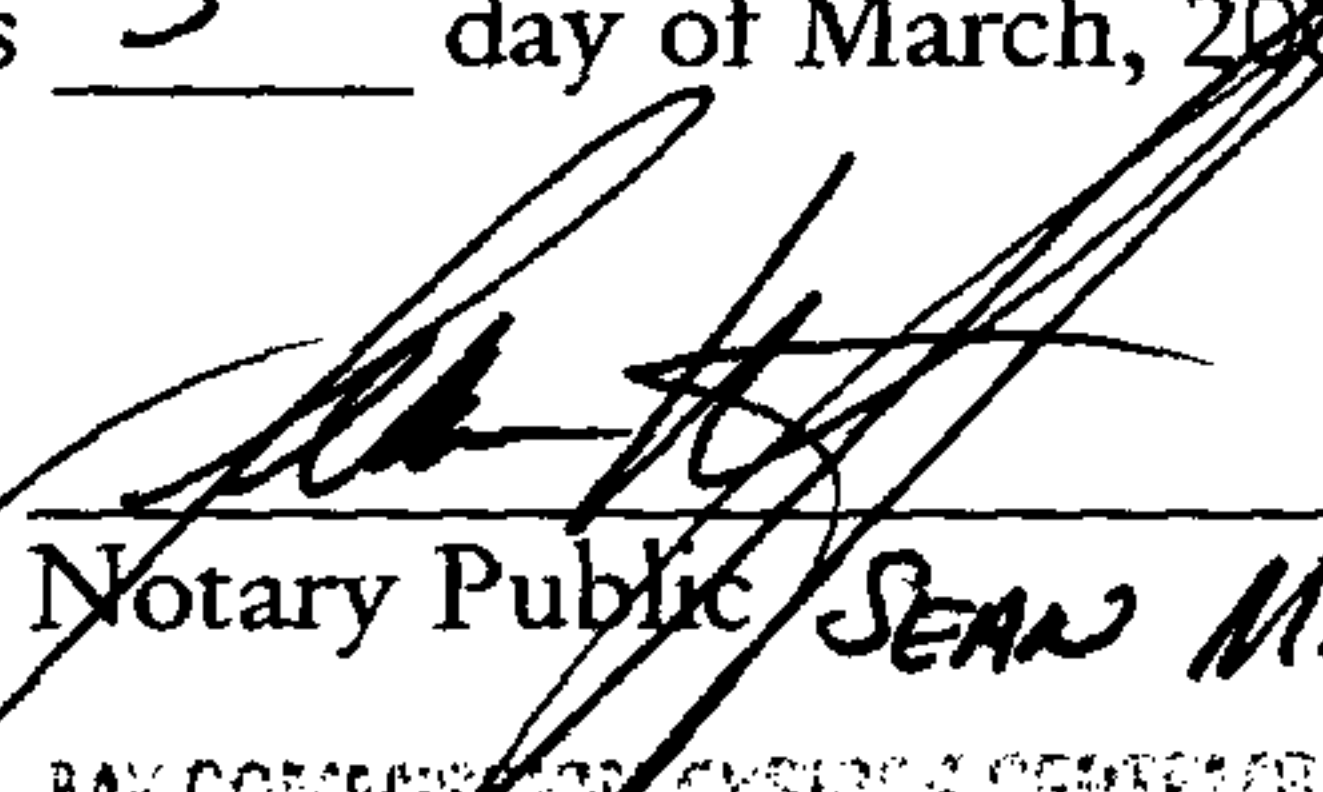
Further affiant saith not.

In witness thereof, the undersigned has caused this affidavit to be executed on this 3RD day of March, 2005



Affiant

Sworn to and subscribed before me this 3RD day of March, 2005.



Notary Public SEAN M. SWIFT
MY COMMISSION EXPIRES SEPTEMBER 23, 2008

NOTE TO PROBATE COURT: PLEASE ALSO INDEX UNDER THE NAMES OF THE PARTIES AS STATED HEREIN.

Title Tech