

## SCRIVENER'S AFFIDAVIT

20050304000102780 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 Mortgage America, 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:

"See Attached Legal" was omitted from page no. 3 of the above referenced mortgage

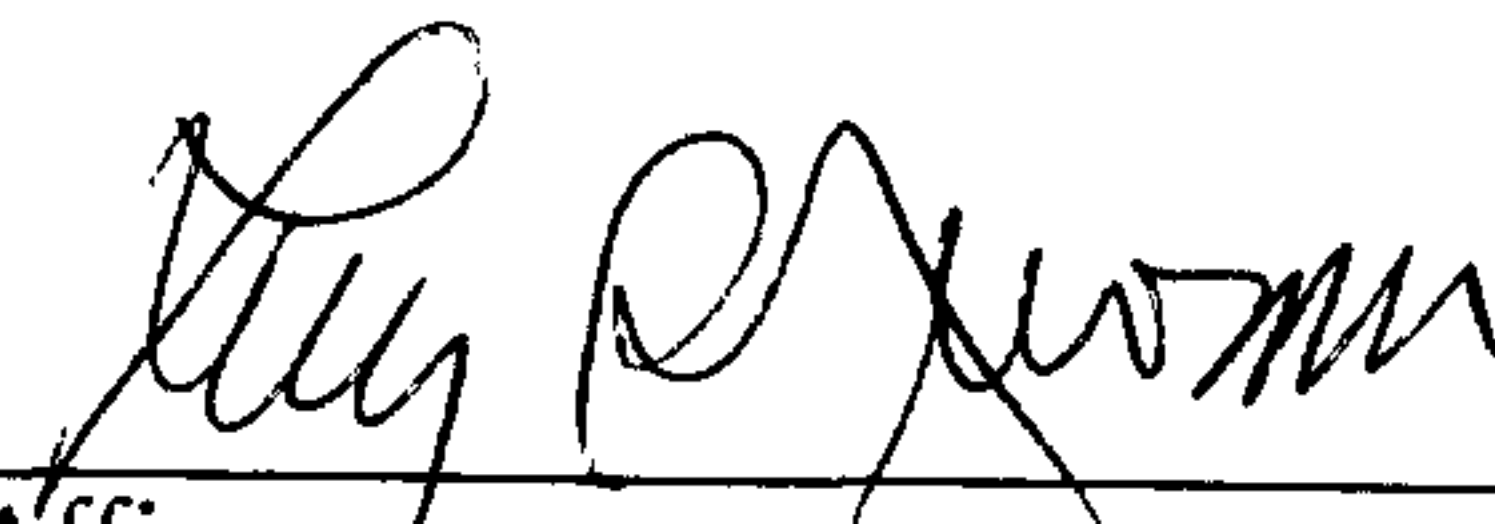
The Instrument should be corrected in the following manner in order for it to conform with the true intentions of the parties thereto:

Page no. 3 of the above referenced mortgage is to include the following: "See Attached Legal"

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 [deed or 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 3<sup>rd</sup> day of March, 2005

  
\_\_\_\_\_  
Affiant

Sworn to and subscribed before me this 3<sup>rd</sup> day of March, 2005

  
\_\_\_\_\_  
Notary Public

MY COMMISSION EXPIRES SEPTEMBER 28, 2008

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



Tulla Teah