

AFFIDAVIT TO CORRECT LEGAL DESCRIPTION

STATE OF ALABAMA
SHELBY COUNTY

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared WILLIAM R. JUSTICE, whose names is signed to this Affidavit and who is known to me and who being by my first duly sworn, deposes and says as follows;

My name is William R. Justice. I am In-House Counsel for FIRST NATIONAL BANK OF SHELBY COUNTY in the City of Columbiana, Shelby County, Alabama. On or about May 4, 2005 a mortgage was prepared by First National Bank of Shelby County from **Nell J. Fulton, unmarried**, to First National Bank of Shelby County which said mortgage is recorded in Instrument Number 20050509000221180 in the Probate Office of Shelby County, Alabama.

The legal description in the aforesaid mortgage was incorrect. The property was described as follows:

A part of the SE 1/4 of SW 1/4, Section 24, Township 21 South, Range 1 West, more particularly described as follows: Commencing at the NE corner of said SE 1/4 of SW 1/4 of Section 24, Township 21 South, Range 1 West and run along the North Line of said forty acres South 89 degrees 00 minutes West 808.00 feet; thence turn an angle of 90 degrees to the left and run South 1 degree 00 minutes East along East side of Moon and Rabren lots 425.0 feet to the point of beginning of the lot herein described and conveyed; thence turn as angle of 90 degrees to the right and run South 89 and run South one degree 00 minutes East 185.0 feet; thence turn an angle to the left of 90 degrees and run North 89 degrees 00 minutes East 208.4 feet; thence turn and angle to the left of 90 degrees and run North 1 degree00 minutes West 185.0 feet to point of beginning. Situated in the Town of Columbiana, Alabama.

The correct description of the property described in the aforesaid mortgage is as follows:

A part of the SE 1/4 of SW 1/4, Section 24, Township 21 South, Range 1 West, more particularly described as follows: Commencing at the NE corner of said SE 1/4 of SW 1/4 of Section 24, Township 21 South, Range 1 West and run along the North Line of said forty acres South 89 degrees 00 minutes West 808.00 feet; thence turn an angle of 90 degrees to the left and run South 1 degree 00 minutes East along East side of Moon and Rabren lots 425.0 feet to the point of beginning of the lot herein described and conveyed; thence turn an angle of 90 degrees to the right and run South 89 degrees 00 minutes West 208.4 feet; thence turn an angle to the left of 90 degrees and run North 89 degrees 00 minutes East 185.0 feet; thence turn an angle to the left of 90 degrees and run North 89 degrees 00 minutes East 208.4 feet; thence turn and angle to the left of 90 degrees and run North 1 degree 00 minutes West 185.0 feet to point of beginning. Situated in the Town of Columbiana, Alabama.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 25th day of July, 2005.

William R. Justice

Sworn to and subscribed before me on this 25th day of July, 2005.

Notary Public

My Commission Expires: 5-24-08

First National Bank of Shelby County P. O. Box 977

Columbiana, AL 35051