

Recording Fee
TOTAL

23.00
23.00

STATE OF ALABAMA)
COUNTY OF JEFFERSON)



20050823000433200 1/4 \$20.00
Shelby Cnty Judge of Probate, AL
08/23/2005 12:02:56PM FILED/CERT

SCRIVENER'S AFFIDAVIT

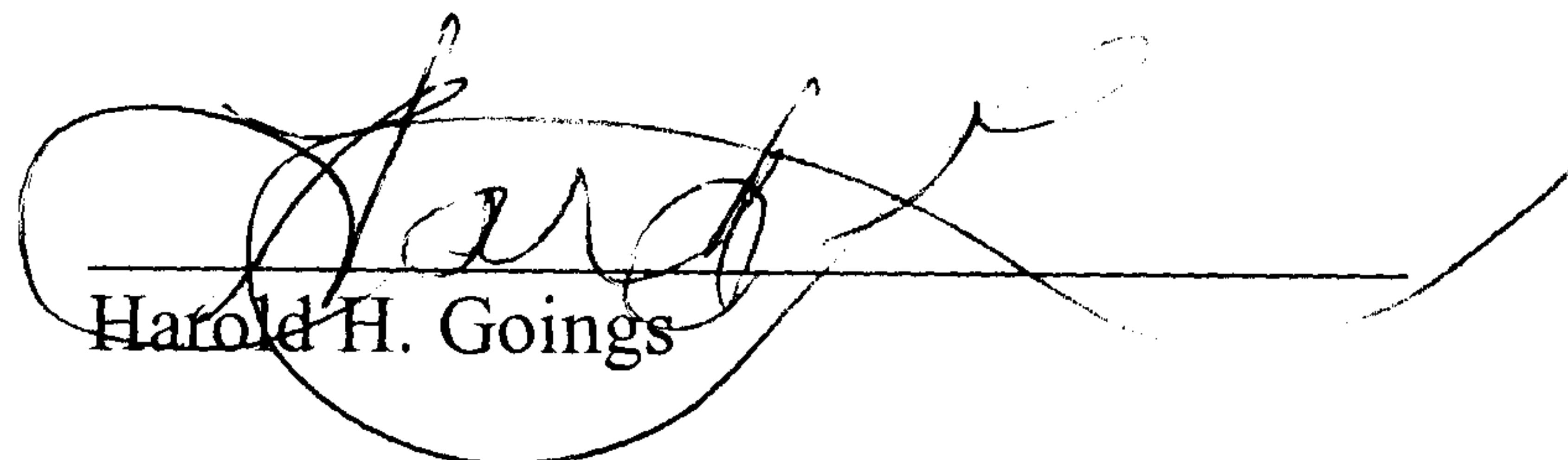
Before me, the undersigned, a Notary Public in and for said County and State, personally appeared a. Harold H. Goings, who after being duly sworn by me, deposes and says:

Affiant prepared that certain Mortgage and Absolute Assignment of Rents and Leases and Security Agreement from DGJASPER, LLC to Mortgage Electronic Registration Systems, Inc., dated June 15, 2005, and recorded in Book 1959, Page 741 in the Probate Office of Walker County, Alabama, and recorded in instrument number 20050617000300690 in the Probate Office of Shelby County, Alabama.

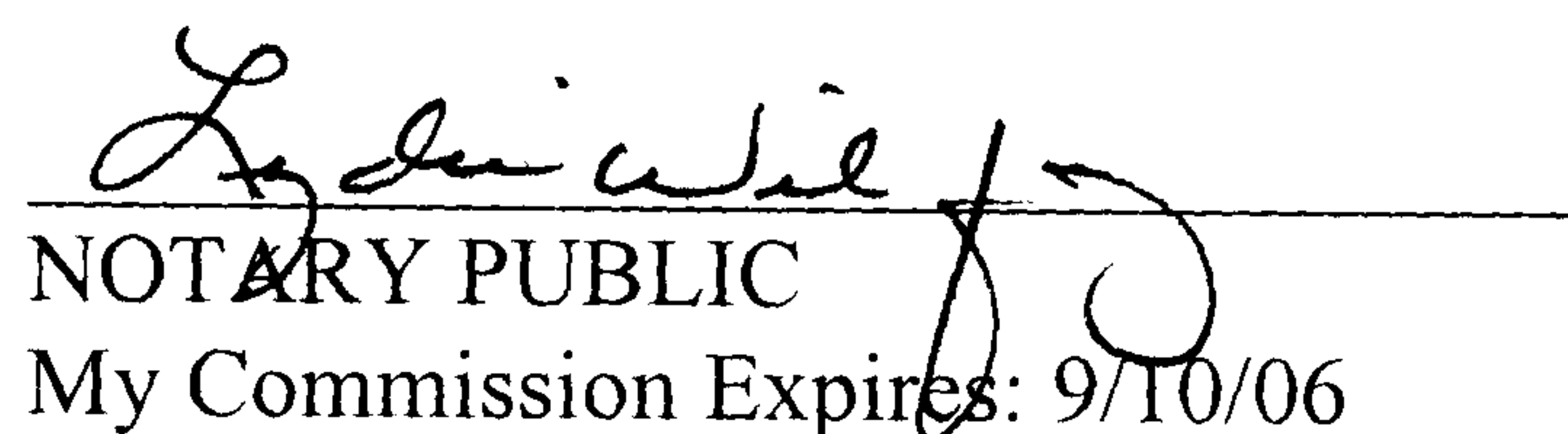
In the preparation of said Mortgage Affiant and Scrivener had an error in one foot call in the legal description for Parcel I in Walker County. The last foot call should be 392.09 feet rather than 382.09 feet.

This Scrivener's Affidavit is executed by Harold H. Goings, said scrivener as stated hereinabove, and is given for the purpose of correcting the legal description in the above referenced mortgage by replacing it with the correct legal description attached hereto as Exhibit "A"

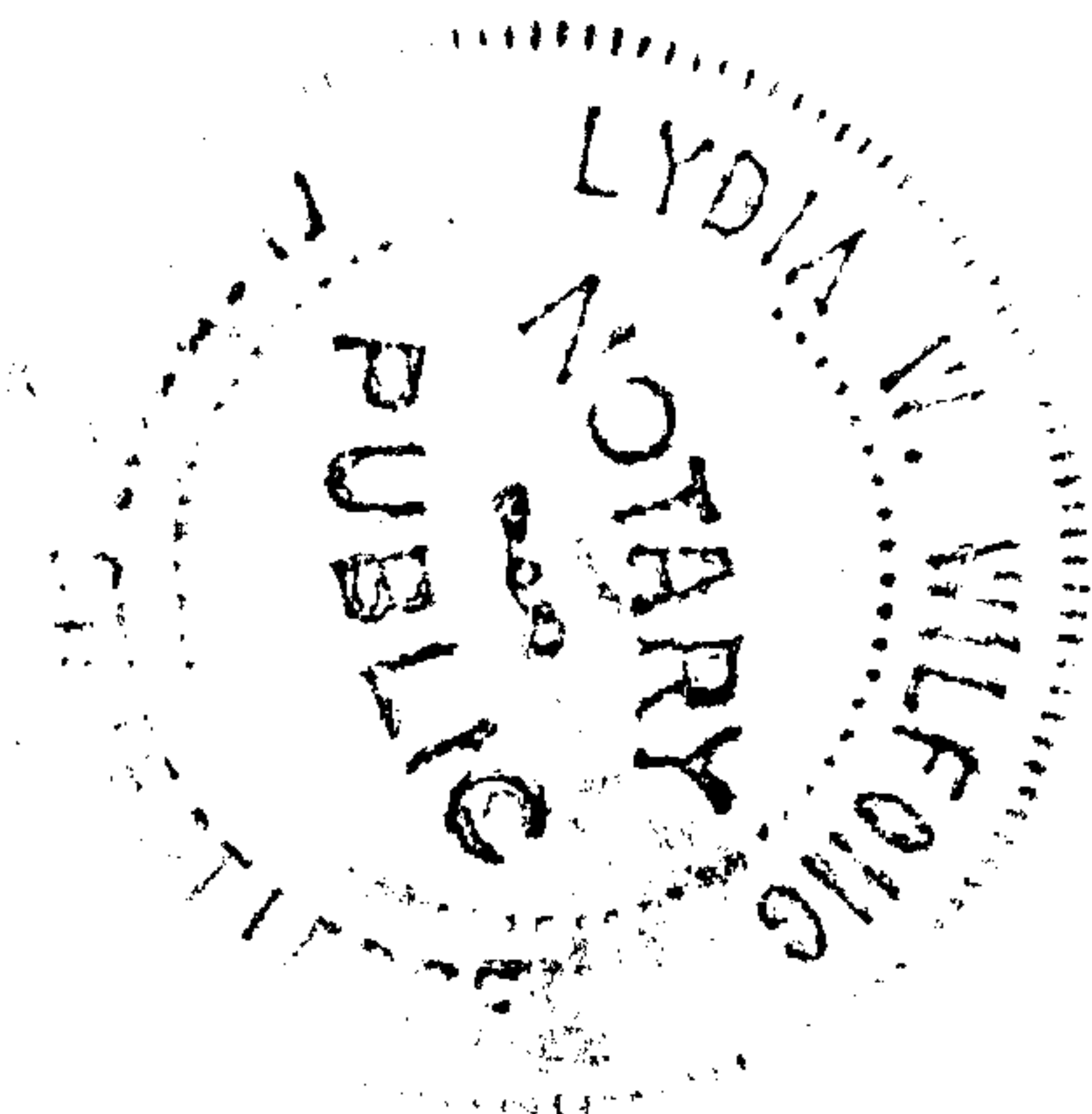
In witness whereof, the undersigned has caused this affidavit to be executed this 17th day of August, 2005.


Harold H. Goings

Sworn to and subscribed before me
this 17th day of August, 2005.


NOTARY PUBLIC
My Commission Expires: 9/10/06

DML 1967 313
Recorded In Above Book and Page
08/18/2005 10:16:38 AM
Rick Allison
Judge of Probate
Walker County, Alabama



20050617000300690 20/22 \$75.00
Shelby Cnty Judge of Probate, AL
06/17/2005 12:05:53PM FILED/CERT

Loan No. 41-0902644

EXHIBIT A
Description of Land
Shelby County, Alabama

20050823000433200 2/4 \$20.00
Shelby Cnty Judge of Probate, AL
08/23/2005 12:02:56PM FILED/CERT

The parties to this MORTGAGE AND ABSOLUTE ASSIGNMENT OF RENTS AND LEASES AND SECURITY AGREEMENT (AND FIXTURE FILING) ("Mortgage"), dated as of June 15, 2005, are DGJASPER, LLC., an Alabama limited liability company ("Mortgagor"), and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., a Delaware corporation, as "Mortgagee".

Description of Land. The Land referred to in this Mortgage is situated in Shelby County, Alabama and is described as follows:

SHELBY COMPOSITE OF PARCELS I-VII

Lot 8B, according to the Survey of White Stone Center Subdivision as recorded in Map Book 33, Page 138A and 138B, in the Probate Office of Shelby County, Alabama.

DML 1967 314
Recorded In Above Book and Page
08/18/2005 10:16:38 AM
Rick Allison
Judge of Probate
Walker County, Alabama

Recorded In DML BK 1959 Pg 760, 08/17/2005 09:48:41 AM
Rick Allison, Judge of Probate, Walker County, Alabama

Loan No. 41-0902644

EXHIBIT A
Description of Land
Walker County, Alabama

20050823000433200 3/4 \$20.00
Shelby Cnty Judge of Probate, AL
08/23/2005 12:02:56PM FILED/CERT

The parties to this MORTGAGE AND ABSOLUTE ASSIGNMENT OF RENTS AND LEASES AND SECURITY AGREEMENT (AND FIXTURE FILING) ("Mortgage"), dated as of June 15, 2005, are DGJASPER, LLC., an Alabama limited liability company ("Mortgagor"), and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., a Delaware corporation, as "Mortgagee".

Description of Land. The Land referred to in this Mortgage is situated in Walker County, Alabama and is described as follows:

WALKER PARCEL I:

A parcel of land located in a part of the Northwest ¼ of the Southwest ¼ of Section 34 Township 13 South, Range 7 West, Walker County, Alabama, being more particularly described as follows:

Commence at the Northeast corner of said Northwest ¼ of the Southwest ¼, said point being a 4 by 4 inch concrete monument and run South 86 degrees 53 minutes 30 seconds West along the North line of said Northwest ¼ of the Southwest ¼ for a distance of 87.57 feet; thence run South 02 degrees 03 minutes 11 seconds East for a distance of 214.03 feet, to a 5/8 inch capped iron and the point of beginning; thence continue South 02 degrees 03 minutes 11 seconds East for a distance of 137.57 feet to a 5/8 inch capped iron; thence run 88 degrees 50 minutes 01 second West for a distance of 372.93 feet to a 5/8 inch capped iron on the Easterly right of way of Airport Road; thence run North 09 degrees 58 minutes 44 seconds West, along said Easterly right of way for a distance of 139.49 feet to a 5/8th inch capped iron; thence run North 88 degrees 52 minutes 39 seconds East for a distance of ~~382.09~~ 392.09 feet to THE POINT OF BEGINNING.

WALKER PARCEL II:

A parcel of land located in the part of the Northwest ¼ of the Southwest ¼ of Section 34, Township 13 South, Range 7 West, Walker County, Alabama, being more particularly described as follows: Commence at the Northeast corner of said Northwest ¼ of Southwest ¼, said point being a 4 by 4 inch concrete monument and run South 86 degrees 53 minutes 30 seconds West along the North line of said Northwest ¼ of the Southwest ¼ for a distance of 87.57 feet; thence run South 02 degrees 03 minutes 11 seconds East for a distance of 351.60 feet, to a 5/8 inch capped iron and the point of beginning; Thence continue South 02 degrees 03 minutes 11 seconds East for a distance of 44.52 feet, to a capped iron; Thence run South 88 degrees 58 minutes 37 seconds West for a distance of 109.92 feet to a capped iron; Thence run South 02 degrees 04 minutes 18 seconds East for a distance of 70.66 feet, to a capped iron; Thence run South 88 degrees 53 minutes 30 seconds West for a distance of 247.11 feet to a point on the Easterly right of way of Airport Road; Thence run North 09 degrees 56 minutes 44 seconds West, along said Easterly right of way for a distance of 116.00; Thence run North 88 degrees 50 minutes 01 second East for a distance of 372.93 feet to the point of beginning.

WALKER PARCEL III:

Being a part of Block 220, according to the Jasper Land Company Map of the City of Jasper, Alabama, as the same appears of record in Map Book 1, Page 38, in the Probate Office of Walker County, Alabama and being more particularly described as follows:

Commencing at the Southeast corner of said Block 220 and run North 01 degree 08 minutes 15 seconds East along the East line of said Block 220 and West right-of-way line of 7th Avenue for a distance of 80.04 feet to the point of beginning. Thence run North 88 degrees 51 minutes 48 seconds West for a distance of 115.00 feet; thence run North 37 degrees 57 minutes 28 seconds West for a distance of 119.48 feet; thence run North 01 degree 01 minutes 25 seconds East for a distance of 83.15 feet; thence run North 89 degrees 31 minutes 16 seconds East for a distance of 86.28 feet; thence run North 01 degree 19 minutes 12 seconds East for a distance of 88.07 feet, to a point on the North boundary of said Block 220; thence run South 86 degrees 12 minutes 18 seconds East on the North boundary of said Block 220 and the South right-of-way line of 19th Street for a distance of 29.01 feet; thence run South 01 degree 08 minutes 12 seconds West for a distance of 229.03 feet; thence run South 88 degrees 51 minutes 48 seconds East for a distance of 75.00 feet to a point on the East boundary of said Block 220; thence run South 01 degree 08 minutes 15 seconds West along said East line of said Block 220 for a distance of 36.00 feet to the Point of Beginning

WALKER PARCEL IV:

Being a part of Block 220, according to the Jasper Land Company Map of the City of Jasper, Alabama, as the same appears of record in Map Book 1, Page 38, in the Office of the Judge of Probate of Walker County, Alabama and being more particularly described as follows:

Begin at the Southeast corner of said Block 220 and run North 01 degree 08 minutes 15 seconds East along the East line of said Block 220 and West right-of-way line of 7th Avenue for a distance of 341.59 feet to the Northeast corner of said Block 220; thence run North 86 degrees 12 minutes 18 seconds West along the North line of said Block 220 and the South right-of-way line of 19th Street for a distance of 104.09 feet; thence run South 01 degree 19 minutes 12 seconds West for a distance of 88.07 feet; thence run South 89 degrees 31 minutes 16 seconds West for a distance of 148.08 feet; thence run north 89 degrees 54 minutes 52 seconds West for a distance of 109.88 feet; thence run South 00 degrees 41 minutes 57 seconds West for a distance of 150.88 feet; thence run South 88 degrees 37 minutes 10 seconds East for a distance of 180.79 feet; thence run South 01 degree 01 minutes 25 seconds West for a distance of 99.91 feet to a point on the South boundary of said Block 220 and a point on the North right-of-way line of 20th Street; thence run South 88 degrees 40 minutes 16 seconds East, along said North right of way and South boundary of Block 220, for a distance of 180.00 feet, to the Point of Beginning.