

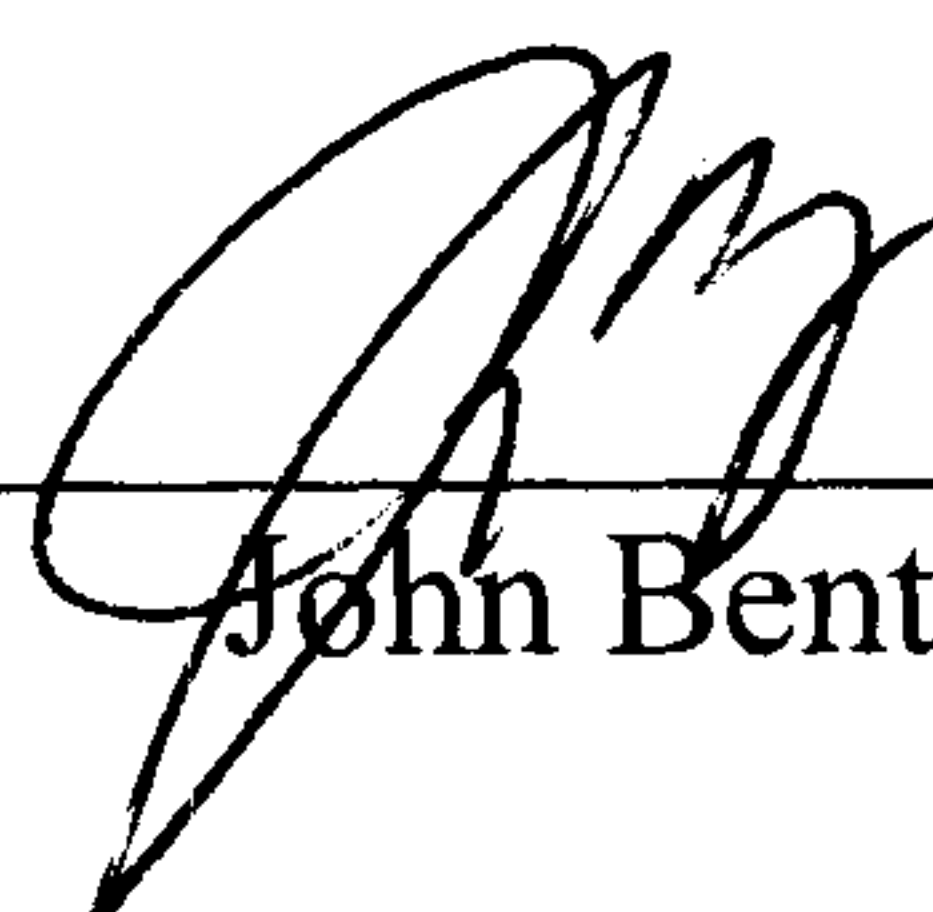
STATE OF ALABAMA
COUNTY OF SHELBY

SCRIVENER'S AFFIDAVIT

BEFORE ME, the undersigned authority, personally came and appeared John Bentley, who, after being duly sworn, deposed and stated as follows:

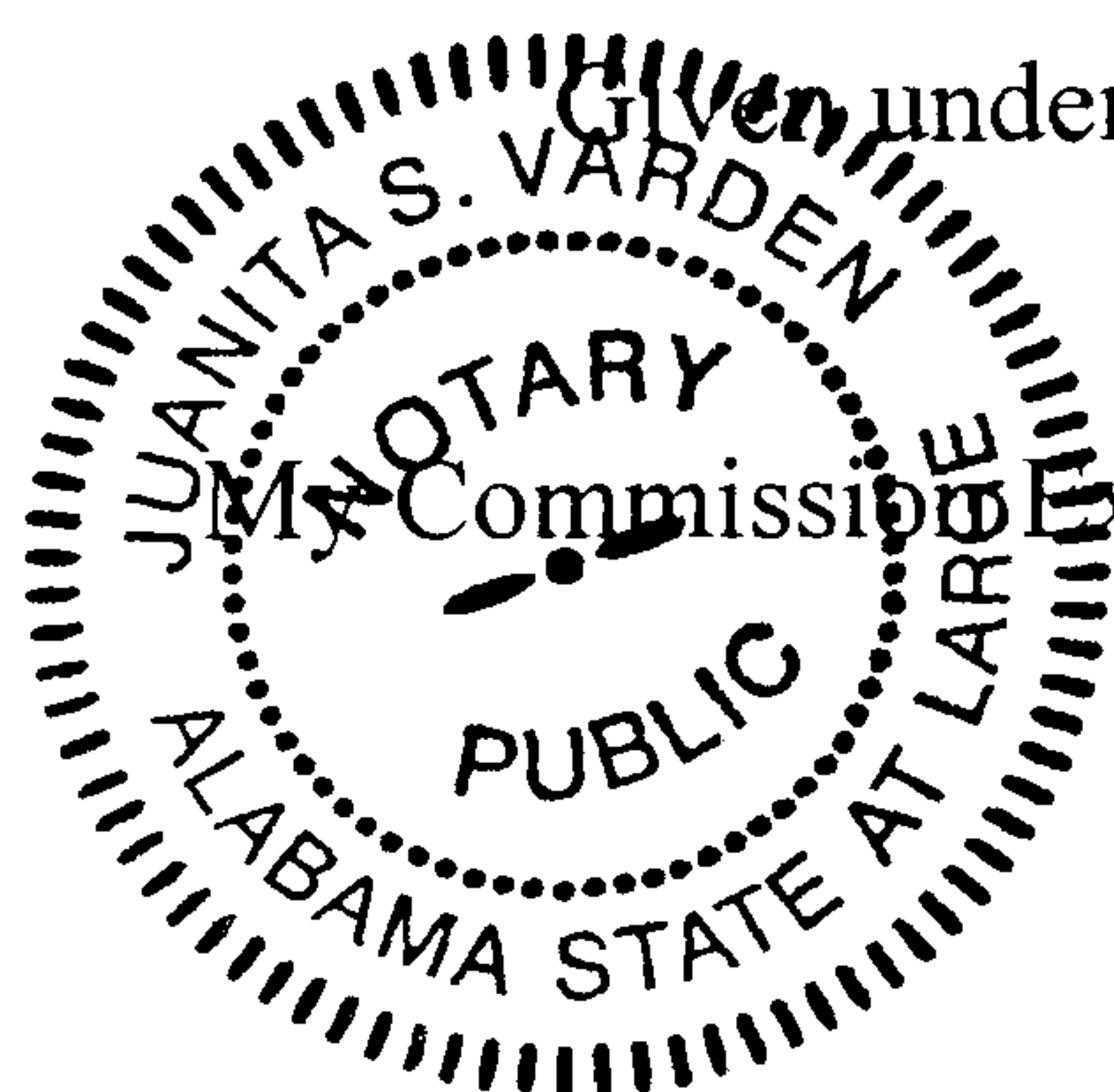
1. My name is John Bentley. I am the Senior Vice President of Bank of Alabama. I have personal knowledge of the facts and statements contained herein.
2. Bank of Alabama made a loan to Gary R. Underwood and Mary M. Underwood (hereinafter the "Borrower(s)"), which loan was secured by a mortgage on property owned by the Borrower(s). The mortgage was duly recorded on November 1, 2004 in Instrument No. 20041101000599710 with the Judge of Probate of Shelby County, Alabama.
3. Bank of Alabama unintentionally omitted the county and state in which the signatures on the mortgage were notarized. The signatures of both the Lender and the Borrowers were notarized in the County of Jefferson, State of Alabama.
4. Bank of Alabama is submitting this Scrivener's Affidavit to show the correct county and state in which Borrower and Lender executed the mortgage, which was the County of Jefferson, State of Alabama.
5. All other information contained in the mortgage is correct except as stated herein, and all other provisions of the mortgage shall remain in full force and effect.

DONE AND DATED this 29TH day of September, 2005.


John Bentley

Before me, the undersigned Notary Public, in said county and state, hereby certify that John Bentley, Senior Vice President of Bank of Alabama, Birmingham, whose name is signed to the foregoing Affidavit and who is known to me, acknowledged before me on this day that being informed of the contents of such Affidavit, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 29TH day of September, 2005.




Notary Public