20051104000575470 1/3 $17.00
Shelby Cnty Judge of Probate,AL
11/04/2005 01:17:27PM FILED/CERT

STATE OF ALABAMA

COUNTY OF SHELBY

SCRIVENER'S AFFIDAVIT

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

Affiant prepared that certain Deed, attached as Exhibit "A", from Sterling Companies, LLC, an Alabama Limited Liability Company (Grantor) to Highland Lakes Development, Ltd. (Grantee), dated December 19, 2002 and recorded on January 6, 2003 in Instrument #20030106000011040 in the Probate Office of Shelby County, Alabama. In preparing said Deed, the legal description was typed incorrectly. The Lot being conveyed was Lot 2145, Highland Lakes, 21st Sector; however, following that legal is an extra legal the typist failed to delete which was previously in the computer for Lot 1219, according to the Map of Highland Lakes, 12th Sector, Phase 1, an Eddleman Community, as recorded in Map Book 26, Page 137, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Scrivener is also preparing a Corrective Deed to Highland Lakes, Ltd. from Sterling Companies, LLC, an Alabama Limited Liability Company to clarify the erroneous mention of Lot 1219 in Instrument #20030106000011040 and correct the Legal description.. Lot 1219 was outside the chain of title as it was previously and correctly deeded by Scrivener on March 14, 2002, from Sterling Companies, LLC, an Alabama Limited Liability Company, to Kafi W. Terry and Timothy L. Terry and recorded in the Probate Office of Shelby County on March 20, 2002 in Instrument # 2002/13223. This Scrivener's Affidavit is executed by Clayton T. Sweeney, said scrivener as stated herein above, and is given for the purpose of correcting the Legal to delete the erroneously mentioned Lot 1219 and stating that the Legal was to read as follows:

> Lot 2145, according to the Map of Highland Lakes, 21st Sector, an Eddleman Community, as recorded in Map Book 30, Page 6 A & B, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama;
> Together with nonexclusive easement to use the private roadways, Common Area all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Instrument #1994-07111 and amended in Inst. # 1996-17543 and amended in Inst. #1999-31095 in the Probate Office of Shelby County, Alabama , and the Declaration of Covenants, Conditions, and Restrictions for Highland Lakes, a Residential Subdivision, 21st Sector, recorded as Instrument No. 20020716000332740 in the Probate Office of Shelby County, Alabama (which, together with all amendments

CLAYTON T. SWEENEY, ATTORNEY AT LAW

thereto, is hereinafter collectively referred to as, the "Declaration").

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In Witness Whereof, the undersigned has caused this affidavit to be executed on this 26th day of September, 2005.

Clayton T. Sweeney

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that Clayton T. Sweeney , whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 26th day of September, 2005.

Elizabeth B.J.
Notary Public

My commission expires: 4/29/06

EXHIBIT "A"

20030106000011040 Pg 1/1 68.50
Shelby Cnty Judge of Probate,AL
01/06/2003 14:57:00 FILED/CERTIFIED

This instrument was prepared by:
Clayton T. Sweeney, Attorney
2700 Highway 280 East, Suite 160
Birmingham, AL 35223

Send Tax Notice To:
Highland Lakes Development, Ltd.
2700 Highway 280 E, Suite 425
Birmingham, AL 35223

STATE OF ALABAMA)
: **STATUTORY WARRANTY DEED**
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of **Fifty-Seven Thousand Five Hundred and 00/100 ($57,500.00)**, and other good and valuable consideration, this day in hand paid to the undersigned **Sterling Companies, LLC, an Alabama limited liability company** (hereinafter referred to as GRANTOR), in hand paid by the GRANTEES herein, the receipt whereof is hereby acknowledged, the GRANTOR does hereby give, grant, bargain, sell and convey unto the GRANTEES, **Highland Lakes Development, Ltd.**, (hereinafter referred to as GRANTEES), its successors and assigns, the following described Real Estate, lying and being in the County of **Shelby**, State of Alabama, to-wit:

Lot 2145, according to the Map of Highland Lakes, 21st Sector, an Eddleman Community, as recorded in Map Book 30, Page 6 A & B, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.Lot 1219, according to the Map of Highland Lakes, 12th Sector, Phase I, an Eddleman Community, as recorded in Map Book 26, Page 137, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Together with nonexclusive easement to use the private roadways, Common Area all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Instrument #1994-07111 and amended in Inst. #1996-17543 and amended in Inst. # 1999-31095 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 21st Sector, 20020716000332740 recorded as Instrument No. 2000-20771 in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").

Subject To:
Ad valorem taxes for 2003 and subsequent years not yet due and payable until October 1, 2003. Existing covenants and restrictions, easements, building lines and limitations of record.

TO HAVE AND TO HOLD, the tract or parcel of land above described together with all and singular the rights, privileges, tenements, appurtenances, and improvements unto the said GRANTEES, its successors and assigns forever.

IN WITNESS WHEREOF, said GRANTOR has hereunto set his hand and seal this the 19th day of **December, 2002.**

Sterling Companies, LLC

Ingram D. Tynes, Member

20051104000575470 3/3 $17.00
Shelby Cnty Judge of Probate,AL
11/04/2005 01:17:27PM FILED/CERT

STATE OF ALABAMA)
:
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Ingram D. Tynes, whose name as Member of Sterling Companies, LLC, an Alabama limited liability compANY, is signed to the foregoing Instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the Instrument, he as such Officer and with full authority, signed the same voluntarily for and as the act of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 19th day of December, 2002.

NOTARY PUBLIC
My Commission Expires: 6-5-2003

CLAYTON T. SWEENEY, ATTORNEY AT LAW