

SCRIVENERS AFFIDAVIT

STATE OF ALABAMA SHELBY COUNTY

BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY KATHY MORGAN AND STATE PERSONALLY APPEARED WHO IS KNOWN TO ME AND WHO BEING FIRST BY ME DULY SWORN, DEPOSES AND SAYS AS FOLLOWS:

FIRST COMMERCIAL BANK PREPARED THAT CERTAIN SUBORDINATION AGREEMENT EXECUTED BY TONYA T. MACKINAW, ASSISTANT VICE PRESIDENT DATED JUNE 20, 2000 AND FILED OF RECORD IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA, IN INSTRUMENT 20050712000348970 1/2 ON July 12, 2005. THE BORROWERS BEING ROY STEVEN BOGGAN, A MARRIED MAN AND JULIE H. BOGGAN, HIS WIFE.

THE LEGAL DESCRIPTION SHOWN ON SAID DOCUMENT CONTAINS AN INCORRECT LOT NUMBER. THE LEGAL IS DESCRIBED AS FOLLOWS:

LOT 061A, ACCORDING A RESURVEY LOT 601 OF GREYSTONE LEGACY, 6TH SECTOR, AS RECORDED IN MAP BOOK 31, PAGE 100, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

IT IS THE PURPOSE OF THIS AFFIDAVIT TO CORRECT THE LEGAL DESCRIPTION ON SAID DOCUMENTS AS FOLLOWS:

LOT 601A, ACCORDING TO A RESURVEY OF LOT 601 OF GREYSTONE LEGACY, 6TH SECTOR, AS RECORDED IN MAP BOOK 31, PAGE 100, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

IN WITNESS WHEREOF, THE UNDERSIGNED HAS CAUSED THIS AFFIDAVIT TO BE EXECUTED ON THIS THE 16th DAY OF NOVEMBER, 2005.

FIRST COMMERCIAL BANK

ITS: LOAN DOCUMENTATION

STATE OF ALABAMA COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said State and County, hereby certify that Logn' Documentation of First Commercial Bank, a corporation is/are signed to the foregoing conveyance and who is/are known to me acknowledged before me on this day, that, being informed of the contents of the conveyance, he/she/they as such officer and with full authority, executed the same voluntarily on the day the same bears date.

GIVEN UNDER MY HAND AND SEAL THIS 16th DAY OF NOVEMBER 2005.

NOTARY PUBLIC

MY COMMISSION EXP:

MY COMMINION EXPERS: Dat 11, 1006

THIS INSTRUMENT PREPARED BY: CHRISTOPHER P. MOSELEY MOSELEY & ASSOCIATES, P.C. 3800 COLONNADE PARKWAY, SUITE 630 BIRMINGHAM, ALABAMA 35243