

State of ALABAMA)
County of SHELBY)

AFFIDAVIT EVIDENCING SCRIVENER'S ERROR

Before me, the undersigned, a Notary Public, in and for said County and said State, personally appeared Michael Nichol, Assistant Relationship Manager of Compass Bank, who being on oath, deposes and says as follows:

My Name is Michael Nichol and I am Assistant Relationship Manager for Compass Bank in Birmingham, Alabama. I was the preparer of that certain Note, Unlimited Continuing Guaranty, Future Advance Construction Mortgage recorded in Instrument # 20050801000385690 with Shelby County Judge of Probate and Construction Loan Agreement all dated July 8, 2005.

It has been brought to my attention that the name contained in said Note, Unlimited Continuing Guaranty, Future Advance Construction Mortgage recorded in Instrument #20050801000385690 with Shelby County Judge of Probate and Construction Loan Agreement is erroneous. The true and correct name in said Note, Unlimited Continuing Guaranty, Future Advance Construction Mortgage recorded in Instrument #20050801000385690 with Shelby County Judge of Probate and Construction Loan Agreement is:

McGinnis Construction Company, Inc.

This Affidavit is made for the purpose of duly acknowledging the scrivener's error in the Note, Unlimited Continuing Guaranty, Future Advance Construction Mortgage recorded in Instrument #20050801000385690 with Shelby County Judge of Probate and Construction Loan Agreement.


Affiant Name

Sworn to and subscribed before me this 30th day of March, 2006.


Notary Public