SCRIVENER S AFFIDAVIT

STATE OF ALABAMA)
)
SHELBY COUNTY)

BEFORE ME, the undersigned Notary Public, personally appeared Joseph Charles Somma, who being first duly sworn doth depose and say as follows:

THAT ON the 31st day of March, 2005, I, Joseph Charles Somma, did notarize a Mortgage granted by Wayne A. Benson and Deborah Johnson Benson in favor of Mortgagebanc LLC, recorded in Instrument # 20050411000166860 in the Probate Office of Shelby County, Alabama.

NOW THEREFORE, the affiant herein avers and avows that the martial status of the mortgagors was not provided, this mistake was a scrivener's error in the preparation of said mortgage and the following is the correct marital status of the mortgagor's:

The grantors were husband and wife respectively at the time of the signing of the mortgage dated the 31st day of March, 2005.

FURTHER AFFIANT said not on this the 15th day of June, 2006.

Joseph Charles Somma

STATE OF ALABAMA
)

JEFFERSON COUNTY
)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Joseph Charles Somma**, whose name is signed to the foregoing affidavit, and who is known to me (or identity is satisfactorily proven), acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 15th day of June, 2006.

Notary Public

My Commission Expires:

(Seal)

BLAKE TOMPKINS
Notary Public, State of Alabama
Alabama State At Large
My Commission Expires
December 28, 2008