



20061114000556940 1/2 \$14.00  
Shelby Cnty Judge of Probate, AL  
11/14/2006 12:11:31PM FILED/CERT

STATE OF ALABAMA  
COUNTY OF SHELBY

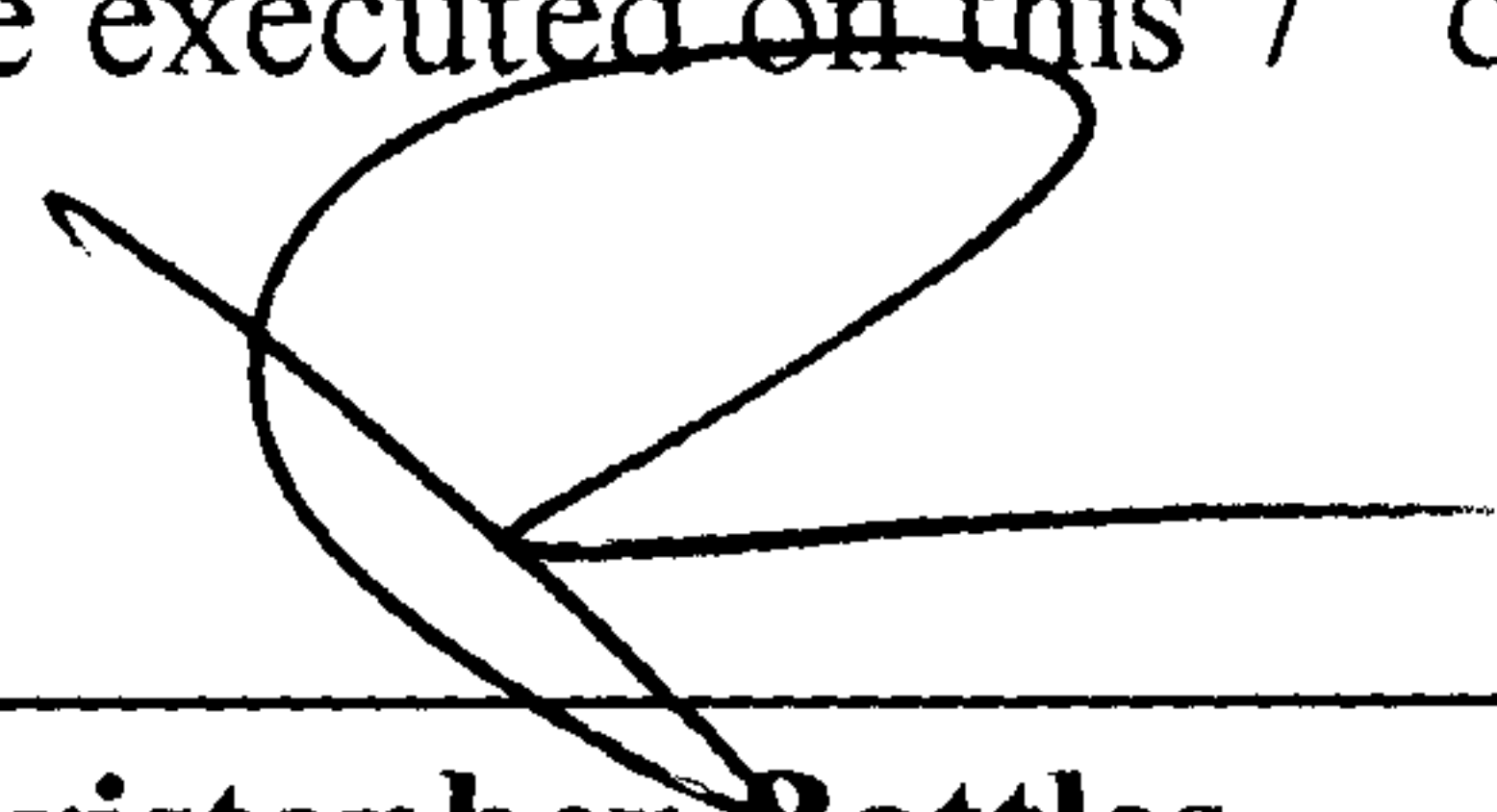
## SCRIVENER'S AFFIDAVIT

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

Affiant prepared that certain mortgage from Jeffrey B. Benson and Susan P. Benson, husband and wife to Mortgage Professionals, Inc. dated June 2, 2006 and recorded in Instrument No. 20060609000274980 in the Probate Office of Shelby County, Alabama. In preparation of said instrument, the legal description contained an error. This Scrivener's Affidavit is executed by B. Christopher Battles, said scrivener as stated hereinabove and is given for the purpose of giving the correct legal description of the property. The legal description should read as follows:

See Exhibit "A" Legal Description attached hereto and made a part hereof.

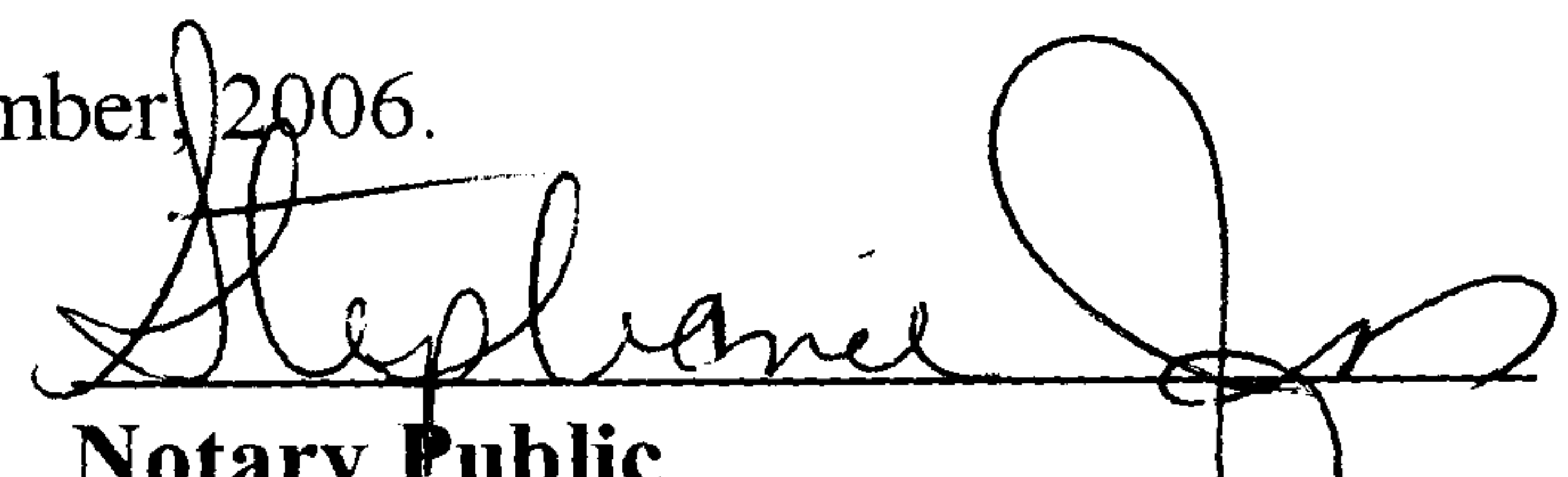
In Witness Whereof, the undersigned has caused this affidavit to be executed on this 7<sup>th</sup> day of November, 2006.

  
\_\_\_\_\_  
**B. Christopher Battles**

STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that B. Christopher Battles, 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 7<sup>th</sup> day of November, 2006.

  
\_\_\_\_\_  
**Notary Public**  
**My Commission Expires: 02-26-09**

**STEPHANIE JONES**  
Notary Public - Alabama, State At Large  
My Commission Expires 2 / 26 / 2009



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## EXHIBIT "A"

### LEGAL DESCRIPTION

A tract of land located in the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 36, Township 21 South, Range 3 West, Shelby County, Alabama, described as follows:

Commence at the SE corner of the above mentioned  $\frac{1}{4}$   $\frac{1}{4}$ ; thence North 90 deg. 00 min. 00 sec. West, a distance of 42.80 feet (map); thence North 02 deg. 03 min. 42 sec. West, a distance of 576.88 feet (meas.) 577.55 (map); thence South 77 deg. 40 min. 30 sec. West, a distance of 528.26 feet to the Point of Beginning; thence South 77 deg. 30 min. 07 sec. West, a distance of 68.90 feet (meas.) 69.15 (deed); thence North 43 deg. 35 min. 35 sec. West, a distance of 707.79 feet (meas.) 714.31 (deed); thence South 89 deg. 50 min. 38 sec. East, a distance of 498.82 feet (meas.) 502.80 feet (deed); thence South 06 deg. 29 min. 35 sec. East a distance of 499.55 feet (meas.) 499.70 (deed) to the point of beginning; being situated in Shelby County, Alabama.

ALSO, a 30 foot non-exclusive easement described as follows:

Commence at the SE corner of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 36, Township 21 South, Range 3 West, Shelby County, Alabama; thence North 90 deg. 00 min. 00 sec. West, a distance of 42.80 feet; thence North 02 deg. 03 min. 42 sec. West, a distance of 546.39 feet to the Point of Beginning, said point lying on the westerly right of way line of Shelby County Highway # 107 (60' ROW); thence continue along the last described course and said ROW line, a distance of 30.49 feet; thence South 77 deg. 40 min. 30 sec. West and leaving said ROW line, a distance of 528.26 feet; thence South 12 deg. 19 min. 30 sec. East, a distance of 30.00 feet; thence North 77 deg. 40 min. 30 sec. East, a distance of 522.83 feet to the point of beginning.

Also;

An easement 30 foot wide for the purposes of ingress, egress and utilities, 15 feet on each side of the following described centerline:

Commence at the SE corner of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 36, Township 21 South, Range 3 West, Shelby County, Alabama; thence run Westerly along the south line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a distance of 42.8 feet to a point on the West right-of-way of Shelby County Highway # 107; thence turn right 87 deg. 56 min. 17  $\frac{1}{2}$  sec. along said right-of-way a distance of 577.55 feet; thence turn left 99 deg. 53 min. 17  $\frac{1}{2}$  sec. a distance of 521.59 feet; thence turn left 90 deg. 00 min. a distance of 15 feet to the point of beginning of said centerline; thence turn right 90 deg. 00 min. a distance of 50 feet to the end of said centerline. Said easement is located adjacent to and south of that certain parcel described in Deed Book 287, page 186, as recorded in the Office, of the Judge of Probate, Shelby County, Alabama.

All being situated in Shelby County, Alabama.