20070215000069730 1/1 $11.00
Shelby Cnty Judge of Probate,AL
02/15/2007 09:34:38AM FILED/CERT

THIS INSTRUMENT WAS PREPARED BY: MICHAEL T. ATCHISON,
ATTORNEY AT LAW, INC.
P.O. BOX 822
COLUMBIANA, ALABAMA 35051

STATE OF ALABAMA
SHELBY COUNTY

SCRIVENER'S AFFIDAVIT

Before me, the undersigned authority, a Notary Public, in and for said County, in said State, personally appeared Michael T. Atchison, who after being by me first duly sworn, deposes, and says on oath as follows:

My name is Michael T. Atchison, and I am a practicing attorney in Shelby County, Alabama, and I am familiar with the following facts:

I handled a closing on October 17, 2006, between David Gilbert and wife, Rosemary Gilbert and John W. Armstrong, as evidenced by deed recorded in Instrument #20061024000523070, in the Probate Office of Shelby County, Alabama. The property conveyed is described as follows:

Lot 8, according to the survey of Bentley Addition to Shelby Shores, Sector II, as recorded in Map Book 13, Page 16, in the Probate Office of Shelby County, Alabama.

It has been brought to my attention that said deed is not dated. The date of the deed should have been October 17, 2006.

Also, it has been brought to my attention that there is a deed from John W. Armstrong, a married man, to John W. Armstrong and Pamela J. Armstrong, Trustees of the Armstrong Revocable Declaration of Trust, dated September 16, 2005, as recorded in Instrument #20061024000523080, in said Probate Office. This deed was executed at the conclusion of the closing, but there was no intention of recording said deed prior to the mortgage which is recorded in Instrument #20061024000523090, in said Probate Office. This deed was intended to be recorded subsequent to said mortgage.

This affidavit is given to explain the circumstances surrounding the deed intervening deed between the original vesting deed and the mortgage described above.

Further the affiant saith not.

Michael T. Atchison

Sworn to and subscribed to before me
This 5th day of January, 2007.

Notary Public

My commission expires: 10/16/208