

SCRIVENER'S AFFIDAVIT

State of Alabama)
)
Shelby County)

Before me the undersigned authority, a Notary Public in and for said County, in said State, personally appeared Larry R. Newman, who is known to me, and who, being by me first duly sworn, deposes and says as follows:

My name is Larry R. Newman. I am over the age of nineteen (19) years and have personal knowledge of the facts set out herein.

I am a member in good standing of the Alabama State Bar and engaged in the practice of law in the State of Alabama. In my capacity as an attorney I prepared or had prepared under my direction and supervision the following described document:

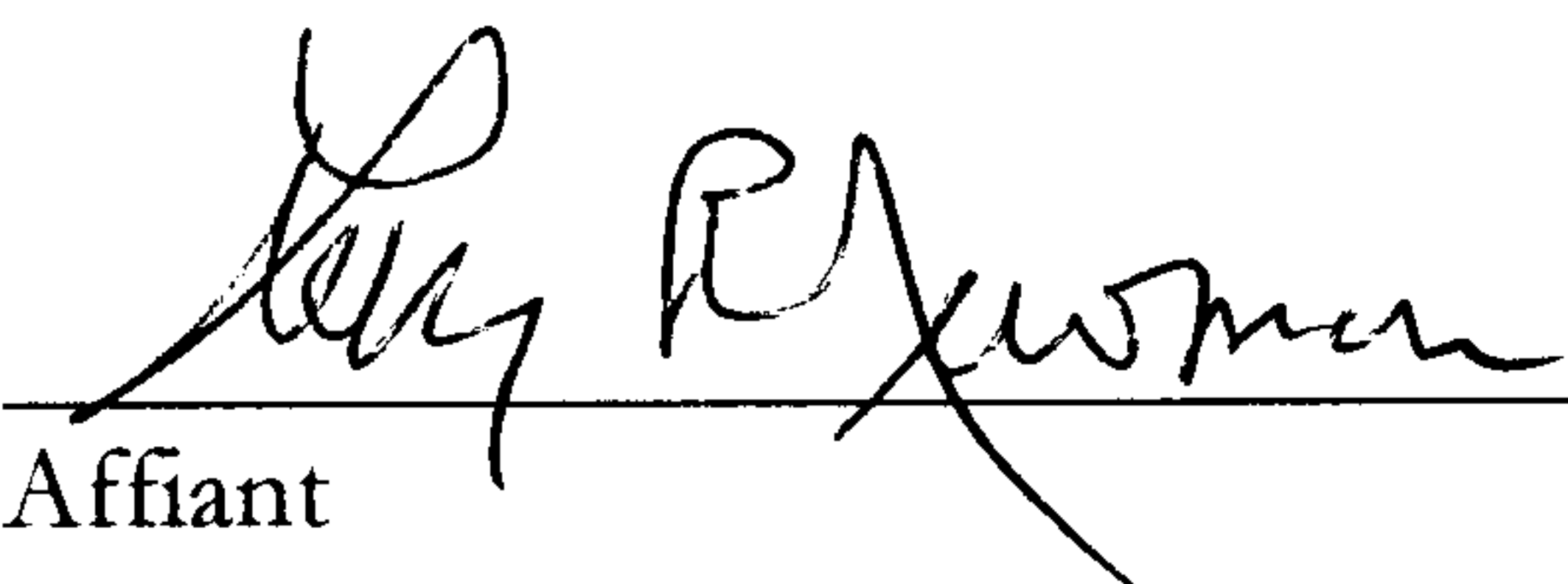
Purchase Money Mortgage from Donald Lowe, a married man, to MortgageAmerica, Inc., dated September 25, 2006, which was filed for record on or about November 8, 2006, and is recorded in Instrument No. 2006-54980, in the Probate Office of Shelby County, Alabama, (herein referred to as "Instrument").
(Probate Court - Please see note below).

That in the preparation of the purchase money mortgage, the name of the spouse was not affixed to the face of the mortgage, nor did the spouse enter into the transaction. The subject mortgage by virtue of it being a purchase money mortgage, the consent of the spouse under Alabama law is not required. Stanley, et al. v. Johnson, 113 Ala. 344 (Ala. 1896). A purchase money mortgage executed by the sole grantee of a deed (which the mortgagor was) and given contemporaneously with the execution of the deed will not require the signature of the grantee's spouse, if the grantee had never been in possession of the property, (which the mortgagor was not), since no homestead interest could vest prior to the execution of the mortgage. Citibanc of Alabama/Tuskegee v. Potter, et al., 379 So. 2d 553 (Ala. 1979).

That the purpose of this affidavit is to clarify the reason the spouse of the mortgagor did not enter into the mortgage transaction.

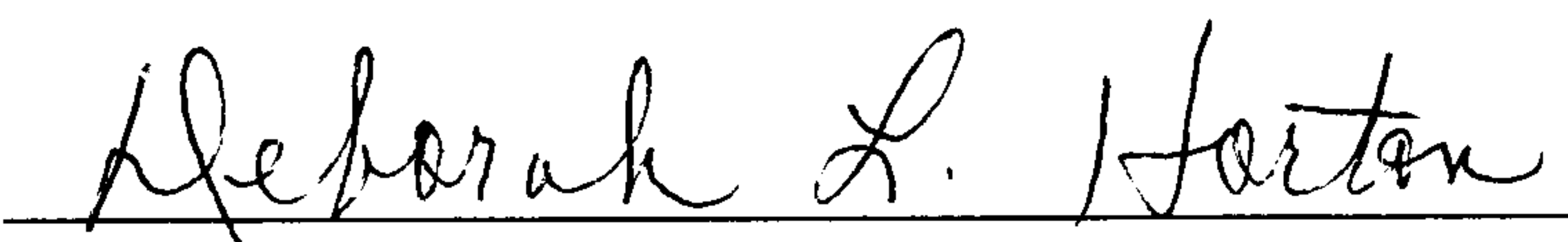
Further affiant saith not.

In witness thereof, the undersigned has caused this affidavit to be executed on this 19th day of March, 2007.



Affiant

Sworn to and subscribed before me this 19th day of March, 2007.



Notary Public

NOTE TO PROBATE COURT: Please also index under the names of the Parties as stated herein above.

DEBORAH L. HORTON
NOTARY PUBLIC STATE AT LARGE
COMMISSION EXPIRES
MARCH 28, 2008