## SCRIVENER'S AFFIDAVIT

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

Affiant prepared that certain deed from TSD, LLC, a limited liability company, to Stephen D. Guillory and wife, Angela T. Guillory, dated March 30, 2007, and recorded in Instrument 20070330000145800 in the Probate Office of Shelby County, Alabama, the Construction/Permanent Mortgage Security Agreement and Fixture Filing from Stephen D. Guillory and wife, Angela T. Guillory to Merrill Lynch Credit Corporation, dated March 30, 2007, recorded in Instrument 20070330000145810 in said Probate Office, and the Mortgage with Future Advance Clause from Stephen D. Guillory, and wife, Angela T. Guillory, to Merrill Lynch Credit Corporation, dated March 30, 2007, and recorded in Instrument 20070404000154550 in said Probate Office.

It the is purpose of this affidavit to correct the legal description on said deed and both mortgages. The correct legal description should be as follows:

Lot 4, according to the Resurvey of Lots 4 and 5, O'Hara Subdivision, as recorded in Map Book 37 page 140 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Together with the right to use the easement known as O'Hara Drive, running from Tara Drive through O'Hara Subdivision as depicted on the plat of said O'Hara Subdivision.

All other particulars of said deed remain the same.

In Witness Whereof, the undersigned has caused this affidavit to be executed on this the 3rd day of May, 2007.

Philip F. Hutcheson

State of Alabama County of Shelby

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that Philip F. Hutcheson, 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 3rd day of May, 2007.

Notary Public

My Commission Expires: 3 2000

Please indu under Stephin D. Guilleri