


SCRIVENER'S AFFIDAVIT


20070914000430810 1/2 \$15.00
Shelby Cnty Judge of Probate, AL
09/14/2007 08:55:06AM FILED/CERT

STATE OF ALABAMA)

SHELBY COUNTY)

Mortgagor: Charles Gragg

Mortgagee/Grantee: Deutsche Bank National Trust Company, as Trustee FKA Bankers Trust Company of California, N.A., as Trustee under the Pooling and Servicing Agreement, dated March 29, 2001, among Asset Backed Funding Corporation Mortgage, Ameriquest Mortgage Company and Bankers Trust Company of California, N.A., ABFC Mortgage Loan Asset-Backed Certificates, Series 2001-AQ1, without recourse

I, Ginny Rutledge, being duly sworn, depose and state the following:

1. I am the attorney who prepared that certain Foreclosure Deed dated September 19, 2006, recorded in instrument number 20060928000481290, in the Office of the Judge of Probate of Shelby, Alabama, which evidences the foreclosure of that certain mortgage granted by Charles Gragg, a single man, in favor of Ameriquest Mortgage Company, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in instrument number 2002-17381, said mortgage having subsequently been transferred and assigned to Deutsche Bank National Trust Company, as Trustee FKA Bankers Trust Company of California, N.A., as Trustee under the Pooling and Servicing Agreement, dated March 29, 2001, among Asset Backed Funding Corporation Mortgage, Ameriquest Mortgage Company and Bankers Trust Company of California, N.A., ABFC Mortgage Loan Asset-Backed Certificates, Series 2001-AQ1, without recourse by instrument recorded in instrument number 20060811000393050 in the aforesaid Probate Office;

2. Said Foreclosure Deed incorrectly stated the legal description as follows:

A part of the Southeast quarter of the Southeast quarter of section 32, Township 17 South, Range 1 East, Shelby County, Alabama, more particularly described as follows:

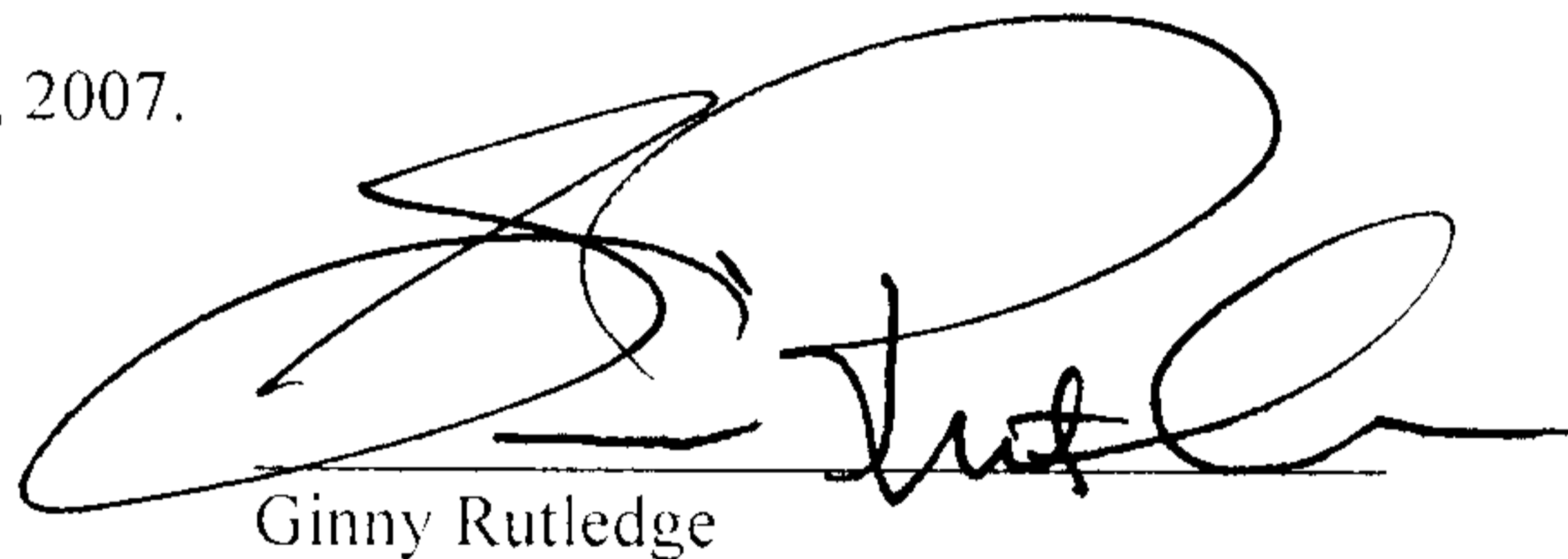
Commence at the southwest corner of said quarter-quarter section and run 33 degrees 28 minutes 43 seconds left from the south line thereof and run northeasterly 299.74 feet thence 2 degrees 33 minutes 51 seconds right and continue northeasterly 638.77 feet; thence 4 degrees 49 minutes 19 seconds left and continue northeasterly 180.00 feet to the Point of Beginning; thence 13 degrees 31 minutes 00 seconds right and continue northeasterly 121.66 feet; thence 7 degrees 48 minutes 00 seconds left and continue northeasterly 66.90 feet to the southwesterly right of way of Alabama Highway No. 25; thence 121 degrees 27 minutes 51 seconds right to the tangent of a curve to the left with a radius of 1759.83 feet and a central angle of 8 degrees 12 minutes 44 seconds and run Southerly along said curve 252.23 feet; thence continue tangent along said right of way 91.39 feet to the northerly right of County Road No. 478 thence 124 degrees 57 minutes 58 seconds right to the tangent of a curve to the left with a radius of 2060.51 feet and a central angle of 2 degrees 50 minutes 59 seconds and run westerly along the arc of said curve 102.49 feet to a compound curve a radius of 265.00 feet and a central angle 14 degrees 05 minutes 18 seconds; thence run southwesterly along the arc of said curve 65.16 feet; thence 66 degrees 41 minutes 52 seconds right seconds right from tangent and run northerly 221.91 feet to the point of beginning. According to the survey of Thomas L. Douglas Reg. NO. 5344, dated February 27, 1995.

3. The purpose of this Affidavit is to correct the legal description in said Foreclosure Deed as follows:

A part of the Southeast quarter of the Southeast quarter of section 32, Township 17 South, Range 1 East, Shelby County, Alabama, more particularly described as follows:


Commence at the southwest corner of said quarter-quarter section and run 38 degrees 28 minutes 43 seconds left from the south line thereof and run northeasterly 299.74 feet thence 2 degrees 33 minutes 51 seconds right and continue northeasterly 638.77 feet; thence 4 degrees 49 minutes 19 seconds left and continue northeasterly 180.00 feet to the Point of Beginning; thence 13 degrees 31 minutes 00 seconds right and continue northeasterly 121.66 feet; thence 7 degrees 48 minutes 00 seconds left and continue northeasterly 66.90 feet to the southwesterly right of way of Alabama Highway No. 25; thence 121 degrees 27 minutes 51 seconds right to the tangent of a curve to the left with a radius of 1759.83 feet and a central angle of 8 degrees 12 minutes 44 seconds and run Southerly along said curve 252.23 feet; thence continue tangent along said right of way 91.39 feet to the northerly right of County Road No. 478 thence 124 degrees 57 minutes 58 seconds right to the tangent of a curve to the left with a radius of 2060.51 feet and a central angle of 2 degrees 50 minutes 59 seconds and run westerly along the arc of said curve 102.49 feet to a compound curve a radius of 265.00 feet and a central angle 14 degrees 05 minutes 18 seconds; thence run southwesterly along the arc of said curve 65.16 feet; thence 66 degrees 41 minutes 52 seconds right seconds right from tangent and run northerly 221.91 feet to the point of beginning. According to the survey of Thomas L. Douglas Reg. NO. 5344, dated February 27, 1995.

Executed this 16th day of February, 2007.



Ginny Rutledge

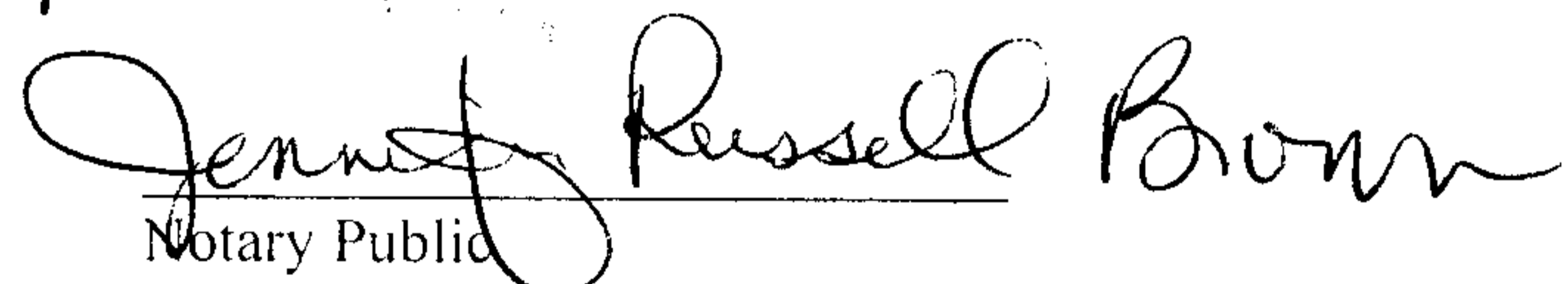
STATE OF ALABAMA)
JEFFERSON COUNTY)



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I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Ginny Rutledge, who is known to me, acknowledged before me on this date, that being informed of the contents of the affidavit, she executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 16th day of February 2007.



Notary Public
My Commission Expires: _____

MY COMMISSION EXPIRES MAY 30, 2010

This Instrument Prepared By:
Sirote & Permutt, P.C.
Ginny Rutledge, Esq.
2311 Highland Avenue South
Birmingham, AL 35205

Return to:

Chicago Title
ServiceLink Division
4000 Industrial Blvd
Aliquippa, PA 15001

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