

STATE OF ALABAMA)
 :
COUNTY OF SHELBY)


20080314000105250 1/2 \$14.00
Shelby Cnty Judge of Probate, AL
03/14/2008 08:01:32AM FILED/CERT

SCRIVENER AFFIDAVIT

Before me, the undersigned Notary Public in and for said county in said state, personally appeared Patricia K. Martin, Attorney at Law, who being by me first duly sworn, deposed and says as follows:

1. That she is an attorney authorized to practice law in the State of Alabama and that she was the Scrivener of that certain Warranty Deed, dated August 26, 2003, from A. D. Jordan and wife, Jean F. Jordan, to Donald B. Hoffman and wife, Bonnie Hoffman, recorded as Instrument Number 20030829000577280 in the Office of the Judge of Probate of Shelby County, Alabama (the "Jordan Deed").
2. The Jordan Deed contained an error in the legal description of the property conveyed thereby. As evidenced by the attached contract, dated July 19, 2003, and MLS Listing, it was the intention of the parties that the property to be conveyed by the deed was to be approximately 15 acres, on which a residence and barn are located, more particularly described as:

Lot 1-B, according to the Jordan Resurvey of Lot 1 of Bosshart Resurvey of Parcel "L" Tract Nine Subdivision, said Resurvey recorded in Map Book 29, Page 40, in the Office of the Judge of Probate of Shelby County, Alabama.

ALSO AND TOGETHER with and subject to:

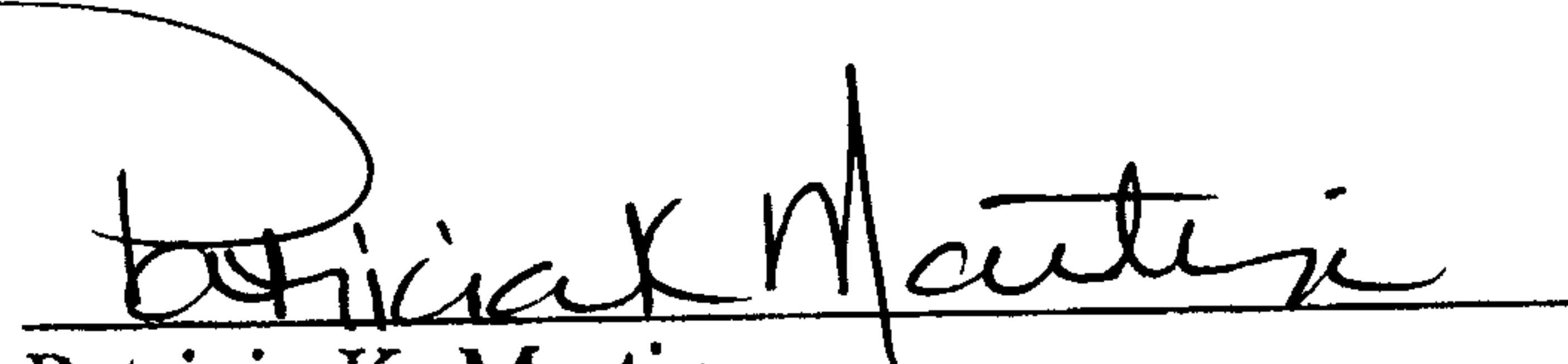
A 30 foot wide private non-exclusive ingress and egress easement across the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 22, Township 20 South, Range 1 West, Shelby County, Alabama, more particularly described as follows:

Commence at the Southeast corner of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 22, Township 20 South, Range 1 West, said point being the Southeast corner of aforementioned Lot 1 of said Bosshart Resurvey of Parcel "L" – Tract Nine Subdivision, Map Book 13, Page 60, Shelby County, Alabama; thence run Northerly along the East line of said $\frac{1}{4}$ $\frac{1}{4}$ section for 15.00 feet to the Point of beginning of the centerline of a 30 foot wide private ingress-egress easement; thence $64^{\circ}20'15''$ left and run Northwesterly for 464.98 feet to a point; thence $36^{\circ}35'43''$ right and run Northwesterly for 99.48 feet to a point; thence $19^{\circ}36'00''$ right and run Northwesterly for 92.32 feet to a point; thence $29^{\circ}05'20''$ right and run Northeasterly for 91.34 feet to a point; thence $05^{\circ}00'50''$ right and run Northeasterly for 84.50 feet to a point; thence $13^{\circ}12'20''$ left and run

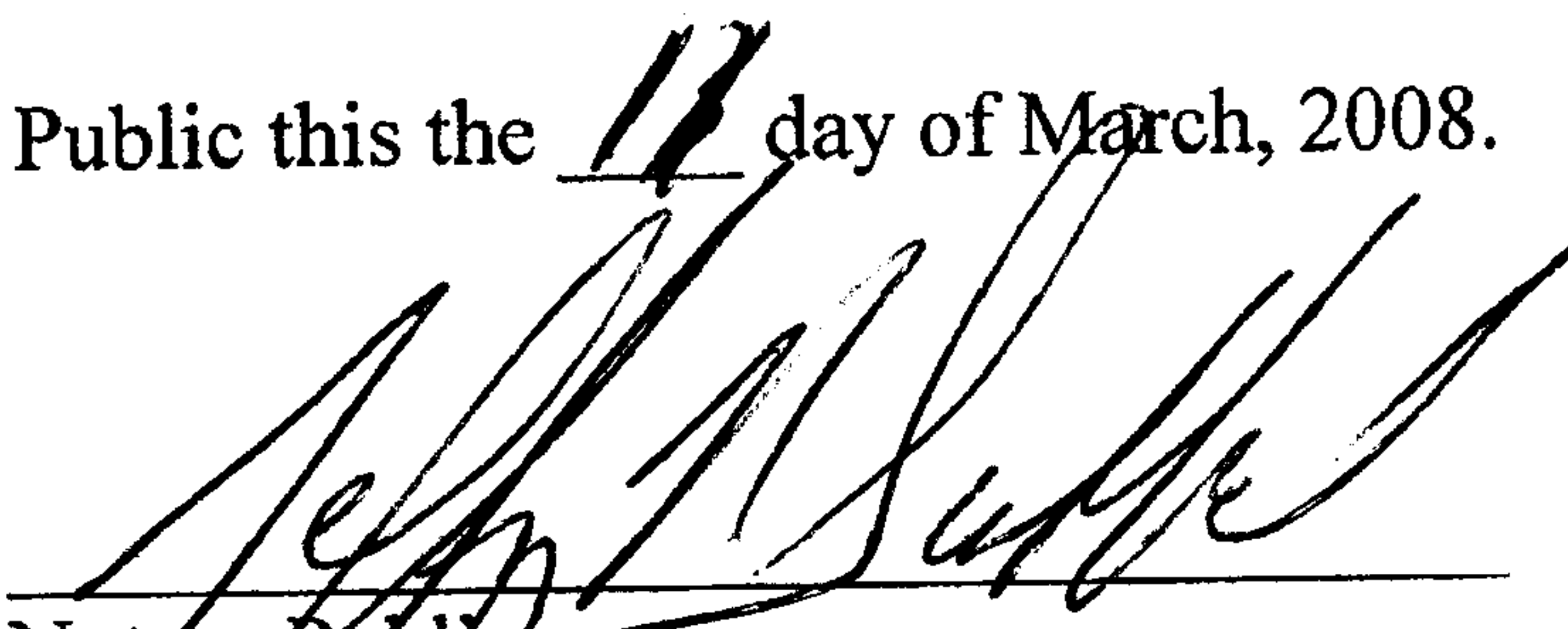
Northeasterly for 51.13 feet to a point; thence 03°03'25" left and run Northeasterly for 50.35 feet to a point on the South line of the Northeast ¼ of the Northwest ¼ of the Southeast ¼ of said Section 22, Township 20 South, Range 1 West, said point being the End of said easement.

3. Due to a scrivener's error, however, a 5-acre portion of the above described property, the portion on which a barn is located, was inadvertently omitted from the legal description of the Jordan Deed. The omission occurred due to the incorporation of an incorrect legal description provided to me by the title company.
4. The same erroneous legal description used in the Jordan Deed was subsequently used in that certain Warranty Deed by which Donald B. Hoffman and wife, Bonnie L. Hoffman, conveyed the subject property to Brian V. Marvin and Jerri A. Marvin, dated August 18, 2004, recorded as Instrument Number 20040908000499680 in said probate office (the "Hoffman Deed"). Patricia K. Martin was also the Scrivener of the Hoffman Deed.
5. The aforementioned Jordan Deed and Hoffman Deed are being corrected by filing this affidavit of record. Any subsequent documents executed by Brian V. Marvin and / or Jerri A. Marvin describing the subject property should contain the corrected legal description as set forth above.

In witness whereof I have hereunto set my hand and seal on this the 11th day of March, 2008.


Patricia K. Martin

Sworn to and subscribed before me a Notary Public this the 11 day of March, 2008.


Notary Public
My commission expires: 5-10-09