

STATE OF ALABAMA)

JEFFERSON COUNTY)

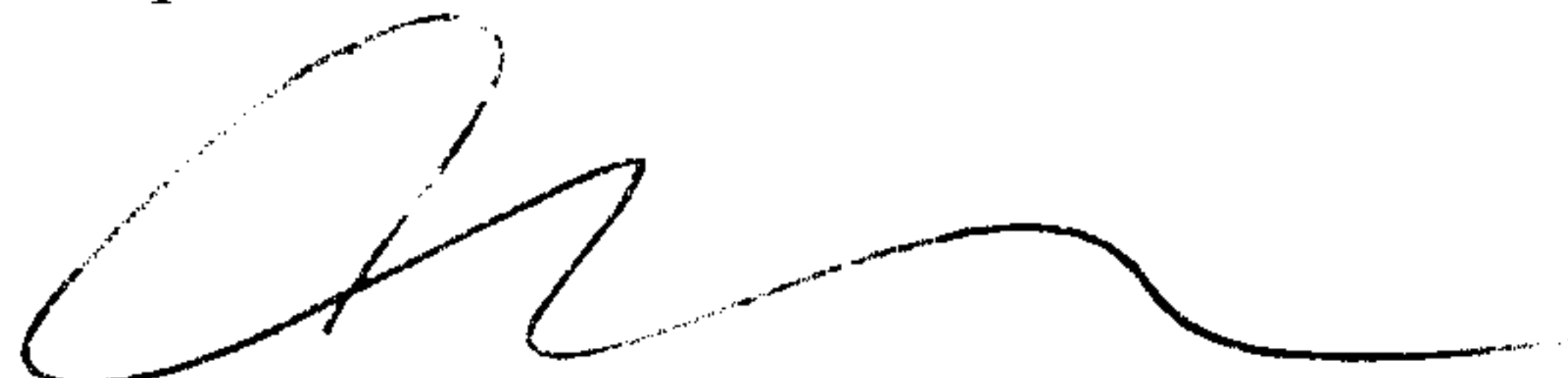
Before me, the undersigned, a Notary Public in and for said County and in said State, personally appeared, Thomas L. Foster, Attorney, who after being by me first duly sworn, deposes and says as follows:

My name is Thomas L. Foster, Attorney. I am a practicing attorney in Jefferson and Shelby Counties, Alabama. I was the attorney who prepared a mortgage from Nathan Bell and wife, Bridget Bell to ARK-LA-TEX Financial Services, LLC DBA Benchmark Mortgage in the sum of \$204,300.00 and recorded in Instrument #20080707000273920 in the Probate Office of Shelby County, Alabama.

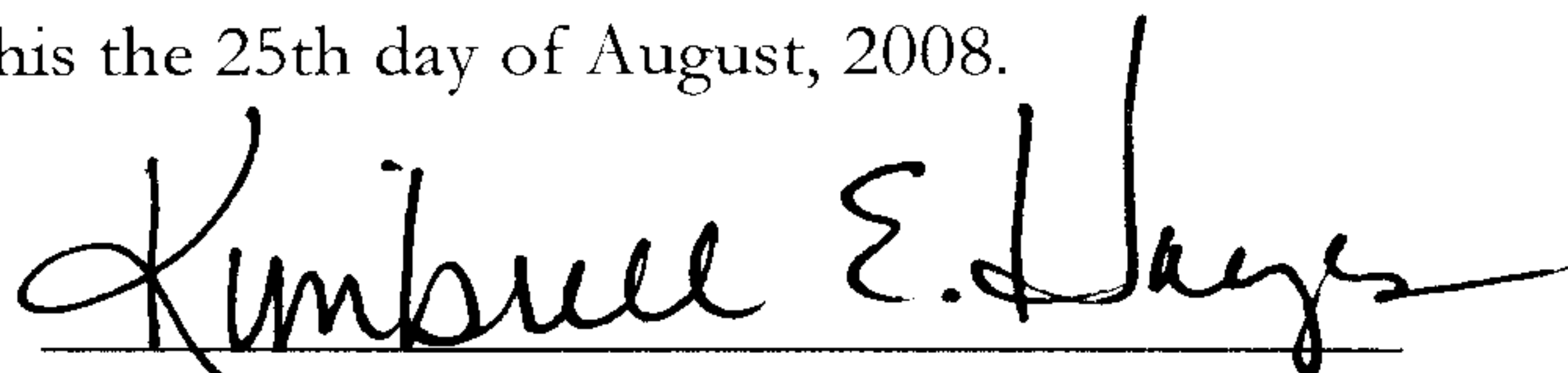
This affidavit is given for the purpose of certifying that in preparation of the said mortgage an error was made wherein the legal description that was typed as "Lot 1404, according to the Survey of Old Cahaba IV, 2<sup>nd</sup> Addition, Phase Three, as recorded in Map Book 33, at Page 130, in the Probate Office of Shelby County, Alabama." and is in fact an incorrect legal. The correct legal description of this property is "Lot 1401, according to the Survey Old Cahaba IV, 2<sup>nd</sup> Addition, Phase Three, as recorded in Map Book 33, at Page 130, in the Probate Office of Shelby County, Alabama" This is to further certify that I should have typed Lot 1401 instead of Lot 1404.

This affidavit is given to induce Sirote & Permutt, P.C. and/or Fidelity National Title to issue its final title policy without exception for the above stated error.

Further affiant saith not.

  
\_\_\_\_\_  
Thomas L. Foster

Sworn to and subscribed before me this the 25th day of August, 2008.

  
\_\_\_\_\_  
Notary Public

