

THIS INSTRUMENT PREPARED BY:
RICHARD THEIBERT, ESQ.
NAJJAR DENABURG, P.C.
2125 MORRIS AVENUE
BIRMINGHAM, ALABAMA 35203

SCRIVENER'S AFFIDAVIT

STATE OF ALABAMA)
COUNTY OF SHELBY)

Know all men by these presents, that, I, the undersigned authority, a Notary Public in and for said county and in said state, hereby certify that before me personally appeared **RICHARD W. THEIBERT**, who is known to me, and who being by me first duly sworn on his oath depose and say as follows:

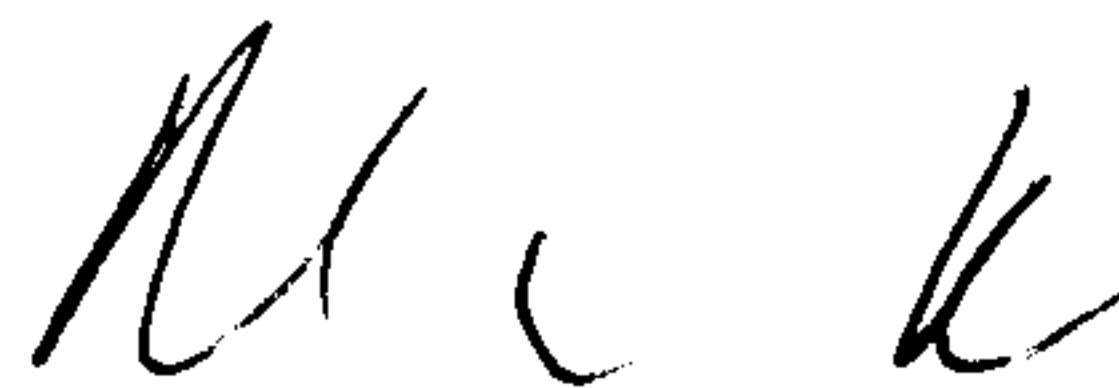
I, **RICHARD W. THEIBERT**, Attorney at Law, and in my capacity as such, did prepare that certain Mortgage dated September 12, 2008 and filed for record in the office of the Judge of Probate of **SHELBY COUNTY**, Alabama, in Instrument No. 20080918000370750.

I, the undersigned, have examined the Mortgage prepared and find that upon preparation of the same the clarification of the Mortgagors', Frank A. Paduch and Kim T. Paduch, marital status was not shown.

From this date forward, let the records reflect that Frank A. Paduch and Kim T. Paduch were husband and wife at the time of the execution of the above mentioned Mortgage.

This Affidavit is made for the purpose of duly acknowledging the scrivener's error in that drafting of said Mortgage filed in the Office of the Judge of Probate of Shelby County, Alabama, and also to induce Chicago Title Insurance Company to issue its title insurance policy to said mortgagor covering said Mortgage.

FURTHER, Affiant saith not.



RICHARD W. THEIBERT

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

Sworn and subscribed before me this the 3rd day of November, 2008.



Notary Public

My Commission Expires: _____

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Apr 27, 2012
BONDED THROUGH NOTARY PUBLIC UNDERWRITERS