

STATE OF ALABAMA )

SHELBY COUNTY )

20081114000440840 1/1 \$12.00  
Shelby Cnty Judge of Probate, AL  
11/14/2008 03:26:24PM FILED/CERT

### SCRIVENER'S AFFIDAVIT

Before me, the undersigned authority in and for said county in said state, did on this day personally appear George M. Vaughn, who is known to me, and who did after first being duly sworn, testified and affirmed as follows:

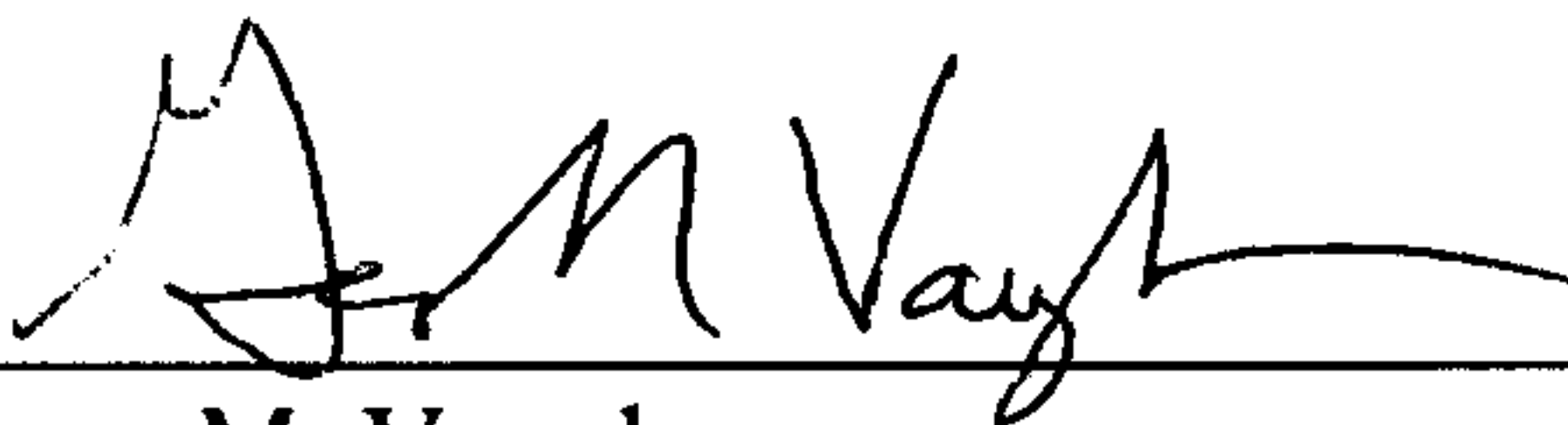
My name is George M. Vaughn. I am an attorney licensed to practice law in the State of Alabama. I have personal knowledge of the matters set forth herein and am over the age of 19. I am under no duress or compulsion to give this testimony.

On May 9, 2008, I prepared mortgages whereby Scott H. Sikes, Hillarie J. Sikes, Benjamin H. Foster and Judith Foster conveyed to the Lender (as such term is defined in the Mortgages) a security interest in certain real property located in Shelby County, Alabama. The Mortgages were recorded in Instrument #20080611000238590 and Instrument # 20080611000238600. The Mortgages, as recorded, were defective in that they did not show the marital status of Benjamin H. Foster and Judith Foster to each other.

Benjamin H. Foster and Judith Foster are husband and wife.

This affidavit is being given for the express and limited purpose of correcting the marital status of Benjamin H. Foster and Judith Foster to each other.

Further, affiant sayeth not.

  
George M. Vaughn

**SWORN AND SUBSCRIBED** before me this 14<sup>th</sup> day of November, 2008.

  
Notary Public

My Commission Expires: 8/30/2010