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Shelby Cnty Judge of Probate, AL  
11/24/2008 12:26:58PM FILED/CERT

STATE OF ALABAMA  
JEFFERSON COUNTY

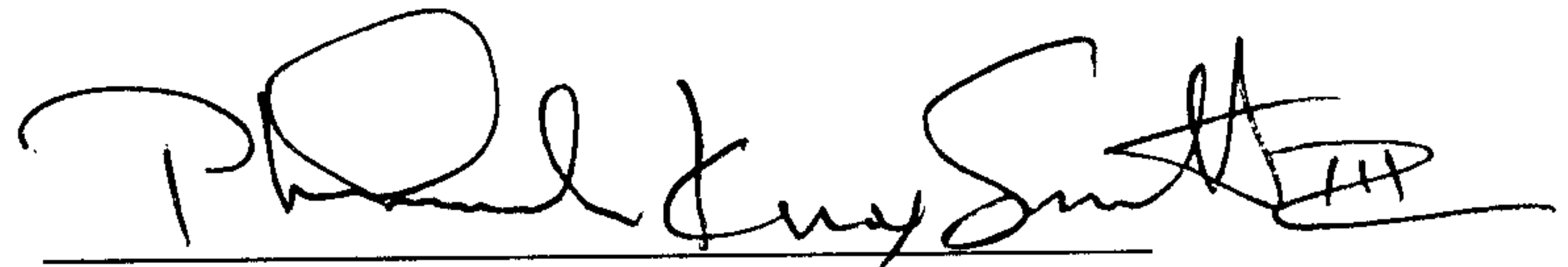
SCRIVENER'S AFFIDAVIT

Know all men by these presents that I, the undersigned, a notary public in and for said county and in said state, hereby certify that before me personally appeared Philander Knox Smartt, III, known to me, and who being by me first duly sworn to depose and state the following:

I, Philander Knox Smartt, III and in my capacity as such did prepare that certain mortgage from Scott B. Boyd and Tracy T. Boyd, husband and wife to Regions Bank DBA AmSouth Bank dated January 26, 2007 and filed January 31, 2007 in Instrument 20070131000046480 in the amount of \$300,000.00 in the public records of Shelby County, Alabama. Also the Mortgage Modification Agreement from Scott B. Boyd and Tracy T. Boyd, husband and wife to Regions Bank dated February 15, 2008 and filed February 19, 2008 in Instrument 20080219000066470 to increase the loan amount to \$360,000.00.

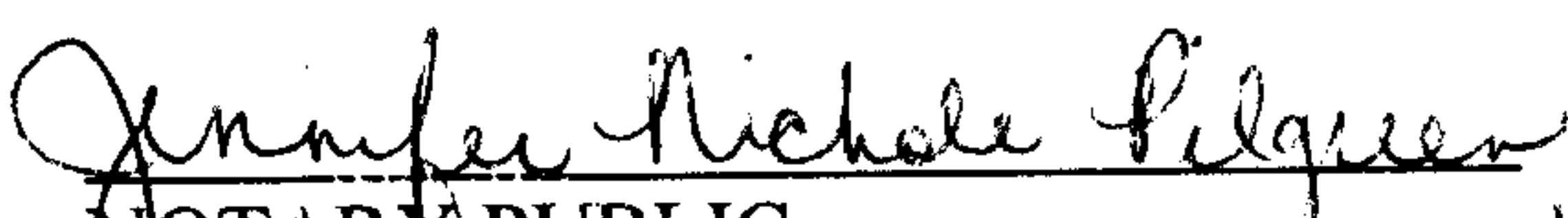
It is the purpose and intent of this affidavit to correct the legal description to read as follows:

**LOT 23, ACCORDING TO THE SURVEY OF THE AMENDED INDIAN GATE, AS  
RECORDED IN MAP BOOK 33, PAGE 64 IN THE OFFICE OF THE JUDGE OF  
PROBATE OF SHELBY COUNTY, ALABAMA**



Affiant

Sworn and subscribed before me this 20<sup>th</sup> day of October, 2008.

  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 4/01/09