

## SCRIVENERS AFFIDAVIT

STATE OF ALABAMA )


COUNTY OF SHELBY )

BEFORE ME, the undersigned Notary Public, personally appeared Blake J. Tompkins, who being first duly sworn doth depose and say as follows:

That on the 7th day of November, 2008, I, Blake J. Tompkins, did draft a Statutory Warranty Deed given by Freedom Land Developers, Limited Liability Company, an Alabama limited liability company, as grantor in favor of Woods and Water Properties, L.L.C., an Alabama limited liability company, said Statutory Warranty Deed being recorded on November 10, 2008, as Instrument #20081110000434730, in the Probate Office of Shelby County, Alabama (the "Deed").

NOW THEREFORE, the affiant herein avers and avows that (i) the legal description recited in the Deed was incorrect and the corrected legal description is attached hereto as EXHIBIT A, and (ii) this mistake was an inadvertent scrivener's error in the preparation of said Deed.

FURTHER AFFIANT said not on this the 21<sup>st</sup> day of November, 2008.

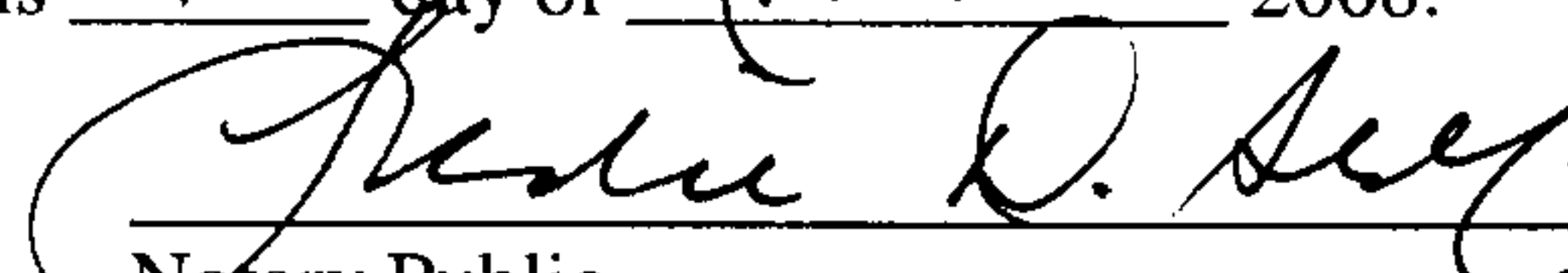
  
Blake J. Tompkins

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

I, THE UNDERSIGNED, A Notary Public in and for said County, in said State, hereby certify that Hallie L. Leavell, whose name is signed to the foregoing Affidavit, and who is known to me (or identity is satisfactorily proven), acknowledged before me on this day that, being informed of the contents of said Affidavit, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 21<sup>st</sup> day of November 2008.

  
Notary Public  
My Commission Expires:

10-28-12

## EXHIBIT A

A part of the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 21 Township 22 South Range 2 West being more particularly described as follows:

Begin 75 feet East of Northwest corner, Block 204, and run East 75 feet; South 180 feet; West 75 feet; North 180 feet to beginning, as per Dunstan's Survey and Map of the Town of Calera, Shelby County, Alabama, being the same property conveyed to Dave Miller and wife Tessie Miller by deed dated April 20, 1944, and recorded in Deed Book 120 at page 335, in the Office of the Judge of Probate of Shelby County, Alabama; being situated in Shelby County, Alabama.

Also that certain lot or parcel of land situated in the Town of Calera, Alabama, more particularly described as follows:

Begin at the Northwest corner of Block "N", according to Dare's Map of Calera, Alabama, which said map is recorded in the Probate Judge's Office of Shelby County, Alabama, and which said point of beginning is, also, at the intersection of the Southern boundary of Gardner Street with the Eastern boundary of Gilmer Street, and run South, along the said Eastern boundary of Gilmer Street, 120 feet; thence run Easterly, parallel with said Gardner Street, 75 feet; thence run Northerly, parallel with said Gilmer Street 120 feet to the South boundary of said Gardner Street; thence run Westerly, along the said Southern boundary of Gardner Street, 75 feet to the point of beginning, being the same property conveyed to David Miller by deed dated December 27, 1947, and recorded in Deed Book 132 page 34 in the Office of the Judge of Probate of Shelby County, Alabama; being situated in Shelby County, Alabama.

Less and except:

One house and lot in Block "N" in the Town of Calera, Alabama, according to Dare's Map and survey and described on as beginning at a point 110 feet South of the Northwest corner of Block "N" according to Dare's Map and Survey of the Town of Calera, Alabama, and on the East side of Gilmer Street and from said point of beginning continue thence South along the East margin of Gilmer Street a distance of 70 feet to an alley; run thence East 75 feet along the North side of said alley; run thence North 70 feet; run thence West 75 feet to the point of beginning on the East side of Gilmer Street, and being a part of what has heretofore been known as the Northwest  $\frac{1}{4}$  of Block 204 according to J. H. Dunstan's Survey and Map of the Town of Calera as recorded in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

NOTE: The Map of J.H. Dunstan's Survey of the Town of Calera, Alabama is unrecorded and is unavailable for recordation in the Probate Office.