

THIS INSTRUMENT WAS PREPARED BY:

MICHAEL T. ATCHISON
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STATE OF ALABAMA
SHELBY COUNTY

SCRIVENER'S AFFIDAVIT

Before me, the undersigned authority, a Notary Public, in and for said County, in said State, personally appeared Michael T. Atchison, who after being by me first duly sworn, deposes, and says on oath as follows:

My name is Michael T. Atchison, and I am a practicing attorney in Shelby County, Alabama, and I am familiar with the following facts:

I was the preparer of that certain deed from Marvin Glenn Autry, Jr. and Richard Allen Autry, to Michael R. Poltorak and wife, Judith Ann Poltorak, dated December 15, 1994, recorded in Instrument #1994-36806, in the Probate Office of Shelby County, Alabama.

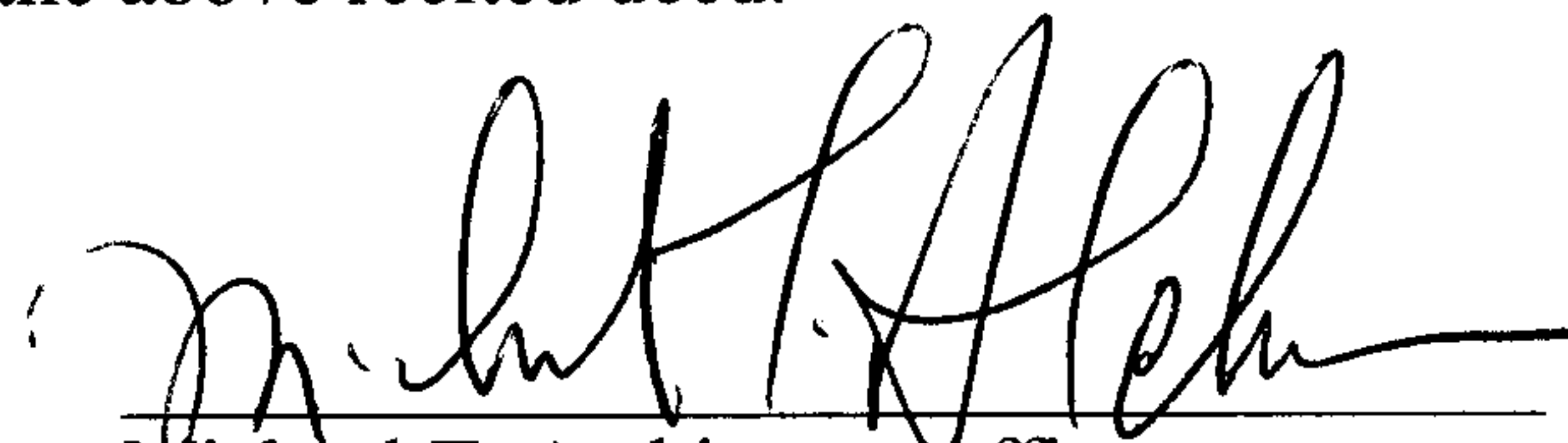
It has been brought to my attention that the legal description contained in said deed is incorrect. The correct legal description should be as follows:

A non-exclusive easement for ingress, egress, and utilities over and across an existing dirt drive situated on the East 25 feet of the following described property:

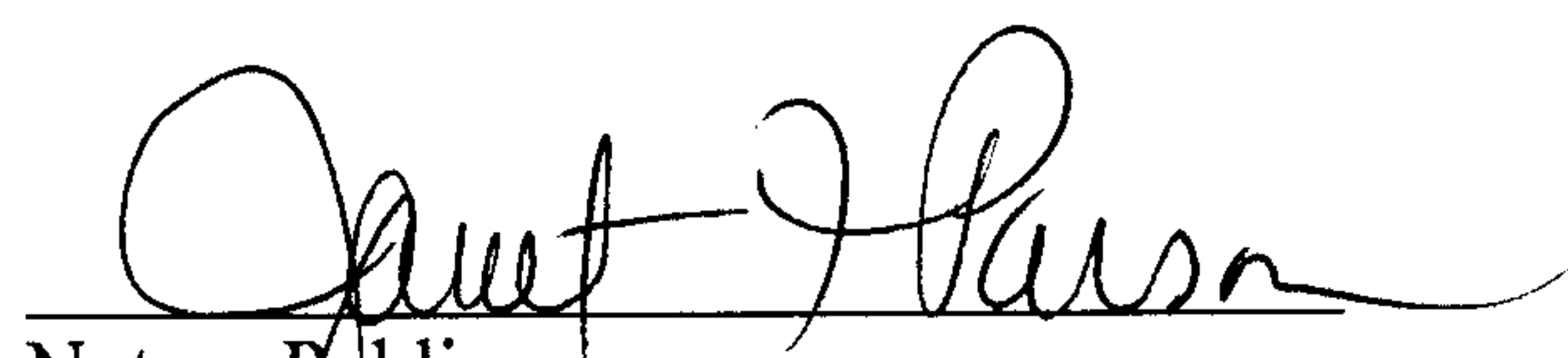
A 60-foot wide strip of land situated in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 28, and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 33, Township 21 South, Range 1 West, lying West of the following described line, to-wit: Commence at the Southeast corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 28, Township 21 South, Range 1 West; thence South 00 degrees 16 minutes 5 seconds West a distance of 578.89 feet; thence continue along the last described course a distance of 763.92 feet (deed) (751.79 feet measured) South 85 degrees 50 minutes 32 seconds West (deed) (South 83 degrees 11 minutes 47 seconds West measured) for a distance of 847.14 feet; thence North 2 degrees 10 minutes 54 seconds East (deed) (North 1 degree 34 minutes 06 seconds East measured) a distance of 378.92 feet (deed) (418.16 feet measured) to a point; thence continue along the last described course a distance of 1714.82 feet to the Southerly right of way of a 60-foot ingress and egress described in Deed Book 325, Page 732, in the Probate Office of Shelby County, Alabama, being the point of beginning of said 60-foot strip; thence South 68 degrees 59 minutes 35 seconds East (deed) (South 26 degrees 23 minutes East measured) a distance of 314.55 feet to the Westerly right of way line of a 60-foot ingress and egress easement; thence South 1 degree 48 minutes 47 seconds West a distance of 238.43 feet; thence South 24 degrees 29 minutes 13 seconds East a distance of 132.36 feet; thence South 1 degree 36 minutes 38 seconds West a distance of 109.37 feet; thence South 13 degrees 08 minutes 13 seconds West a distance of 240.67 feet; thence South 29 degrees 13 minutes 25 seconds East a distance of 65.47 feet; thence South 14 degrees 34 minutes 59 seconds West a distance of 171.05 feet; thence South 37 degrees 19 minutes 01 seconds East a distance of 247.05 feet; thence South 00 degrees 45 minutes 29 seconds West a distance of 47.34 feet; thence South 28 degrees 39 minutes 20 seconds West a distance of 161.09 feet; thence South 1 degree 44 minutes 14 seconds East a distance of 191.69 feet; thence South 75 degrees 32 minutes 03 seconds West a distance of 410.93 feet to the point of ending of said 60-foot strip. Being situated in Shelby County, Alabama.

This affidavit is given to correct the legal description in the above recited deed.

Further the affiant saith not.


Michael T. Atchison – Affiant

Sworn to and subscribed to before me
This 11th day of November, 2008.


Notary Public
My commission expires: 10/16/2012