

SCRIVENER'S AFFIDAVIT

STATE OF ALABAMA
COUNTY OF SHELBY

Before me the undersigned a Notary Public in and for said County and State, personally appeared William B. Hairston III, who having been duly sworn, doth depose and state as follows:

1. I am William B. Hairston, III, an attorney practicing law in the State of Alabama.
2. I prepared a Mortgage, Assignment of Rents and Leases and Security Agreement (hereinafter "Mortgage").
3. The Mortgage was from DOUBLE OAK COMMUNITY CHURCH (also known as DOUBLE OAK COMMUNITY CHURCH, INC.), an Alabama corporation (as Mortgagor) to RED MOUNTAIN BANK, N.A. (as Mortgagee), and is recorded as Instrument 20090206000040040 in the Office of the Judge of Probate of Shelby County, Alabama.
4. Unfortunately between the time the Mortgage was prepared and the time the Mortgage was recorded, the map filed in Map Book 39, page 126 of the Office of the Judge of Probate of Shelby County, Alabama was re-filed as Map Book 40, page 121 of the Office of the Judge of Probate of Shelby County, Alabama, and the refiled map reference information was not picked up in the Mortgage.
5. The correct description of the property that should have been referred to in the Mortgage (and the documents executed in connection therewith) is the following (hereinafter "Correct Legal"):

Lot 1-02B2, according to the Final Plat of the Private Subdivision of Mt. Laurel - Phase I, Block 1, Sector 1, Resurvey of Lots 1-02A and 1-02B as recorded in Map Book 39, page 126 **and re-recorded in Map Book 40, page 121**, in the Probate Office of Shelby County, Alabama.
6. Due to a scrivener's error, the Correct Legal was not included in the Mortgage, and this affidavit is being filed for the purposes of amending the Mortgage to correct this scrivener's error and include therein the Correct Legal for the property incorrectly described therein.


William B. Hairston III

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William B. Hairston III, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, he executed the same voluntarily on the day the same bears date.
Given under my hand and official seal, this the 17th day of February, 2009.


NOTARY PUBLIC (My Commission Expires: 9/20/09)