

**This Instrument Prepared By:**

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20090728000289390 1/3 \$17.00  
Shelby Cnty Judge of Probate, AL  
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STATE OF ALABAMA

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SHELBY COUNTY

**SCRIVENER'S AFFIDAVIT**

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Jeff W. Parmer, whose name is signed to this affidavit and who is known to me and who being by me first duly sworn, does depose and say as follows:

My name is Jeff W. Parmer, and I am an attorney licensed to practice law in the State of Alabama.

On or about December 15, 2004, I prepared a Joint Survivorship Deed (Instrument #20041221000694360) from Joseph Lynn Storey and Susan Storey, husband and wife to James Robert Payton and Darrell S. Ward in the Probate Court in Shelby County and recorded on December 21, 2004.

In the body of said warranty deed, a typographical error exists within a call line of the legal description. The correct legal description of the property that the deed conveyed is as follows:

A parcel of land in the Northwest Quarter of Section 26, Township 21 South, Range 1 East said parcel of land being more particularly described as follows: Beginning at the Northwest corner of said Section 26; thence run South 00 degrees 20 minutes 47 seconds East a distance of 333.97 feet thence North 89 degrees 45 minutes 17 seconds East a distance of 403 feet; thence North 61 degrees 12 minutes 38 seconds East a distance of 270.05 feet to the approximate 397 foot contour of Lay Lake; thence North 33 degrees 38 minutes 54 seconds West a distance of 219.82 feet along said 397 foot contour line; thence North 87 degrees 52 minutes 19 seconds West a distance of 517.24 feet to the point of beginning.

Together with the following easements for ingress, egress and utilities more particularly described as follows:

A Right of Way located in the NW ¼ of the NW ¼ of Section 26, Township 21 South, Range 1 East, Shelby County, Alabama for ingress and egress and utilities, 60 feet wide, 30 feet on each side of the following



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described centerline: Commence at the Northwest corner of said Section 26; thence run South along the West Section line 334.00 feet; thence turn left 89 degrees 47 minutes 23 seconds and run East 57.76 feet to the point of beginning of said centerline; thence run right 89 degrees 23 minutes 18 seconds and run South 45.00 feet; thence turn left 89 degrees 23 minutes 18 seconds and run East 290.00 feet to the point of clockwise curve having a delta angle of 55 degrees 00 minutes 00 seconds and a radius of 175.00 feet thence run along the arc of said curve 167.99 feet to the point of tangent; thence continue tangent to said curve 188.09 feet to the end of said centerline and the center of cul-de-sac with a radius of 55.00 feet.

A Right of Way located in the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 23 and in the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 26, Township 21 South, Range 1 East; for ingress, egress and utilities, 60 feet wide, 30 feet on each side of the following described centerline: Commence at the Northwest corner of said Section 26; thence run south along the west section line 334.00 feet; thence turn left 89 degrees 47 minutes 23 seconds and run east 57.76 feet to the beginning of said centerline; thence turn left 90 degrees 36 minutes 42 seconds and run North 1351.88 feet to the point of clockwise curve having a delta angle of 91 degrees 07 minutes and a radius of 250.00 feet thence run along the arc of said curve 397.57 feet to the point of tangent; thence continue tangent to said curve and run east 1088.98 feet to the center of a County maintained road and the end of said centerline.

Also a Right of Way to use the existing driveway access from Highway 145 across the following described property, to-wit: Begin at the Northeast corner of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 22, Township 21 South, Range 1 East; thence run Southerly along the East boundary of said Section for 100.00 feet; thence turn an angle of 90 degrees 00 minutes to the right and run Westerly for 88.71 feet to a point on the Southeast Right of Way line of Alabama Highway No. 145; thence turn an angle of 119 degrees 45 minutes 29 seconds to the right and run Northeasterly along said Right of Way line for 116.03 feet to the point of intersection with the North boundary line of the aforementioned SE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  thence turn an angle of 61 degrees 35 minutes 23 seconds to the right and run easterly along said north boundary of said  $\frac{1}{4}$  -  $\frac{1}{4}$  for 31.13 feet to the point of beginning.

The purpose of this affidavit is to properly list the legal description of the property described in said deed.

I give this affidavit of my own personal knowledge of the facts set out herein.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 26<sup>th</sup> day of May, 2009.





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I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Jeff W. Parmer, whose name is signed to the foregoing, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 26<sup>th</sup> day of May, 2009.

  
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Notary Public  
My Commission Expires: 4/3/10