

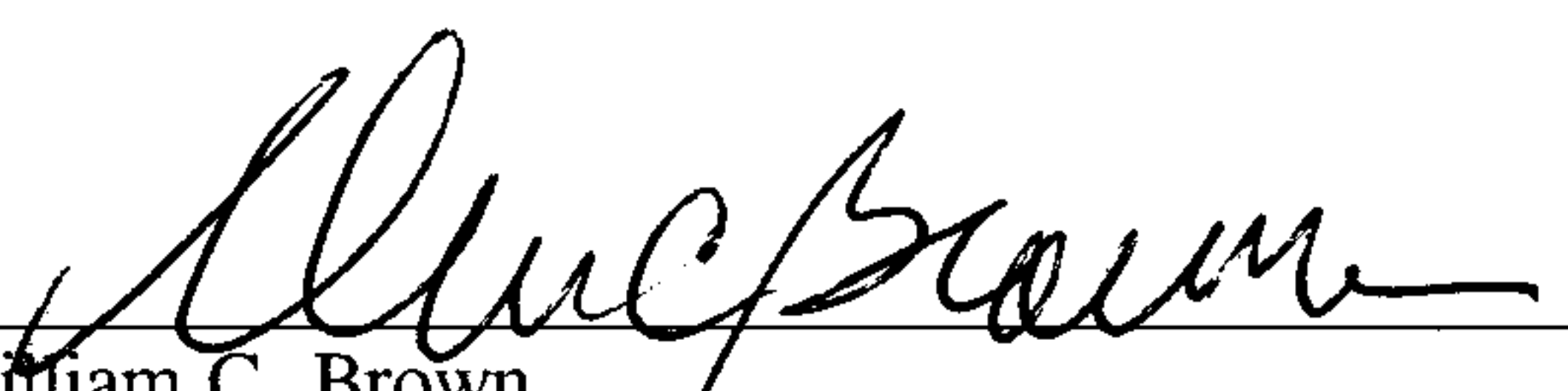
SCRIVENER'S AFFIDAVIT

STATE OF ALABAMA
COUNTY OF SHELBY

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

1. I am William C. Brown, an attorney practicing law in the State of Alabama.
2. In July of 2009, my office prepared a Mortgage for Regions Bank as security for a promissory note in the original principal amount of \$429,796.00 (hereinafter "Mortgage").
3. The Mortgage was from 5 Riverchase Ridge, LLC, (as Mortgagor) to Regions Bank (as Mortgagee), and is recorded as Instrument No. 20090720000 in the Office of the Judge of Probate of Shelby County, Alabama.
278850
4. The Mortgage refer to the property described therein as "Lot 5, according to the Survey of Southwood Office Park, as recorded in Map Book 23, page 59 in the Office of the Judge of Probate of Shelby County, Alabama."
5. Unfortunately that survey, map book and page reference is incorrect and the property is in fact described as "Lot 5, according to the Survey of the Resurvey of Southwood Office Park, as recorded in Map Book 25, page 27 and also recorded in Map Book 25, page 28, in the Probate Office of Shelby County, Alabama."
6. 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"):

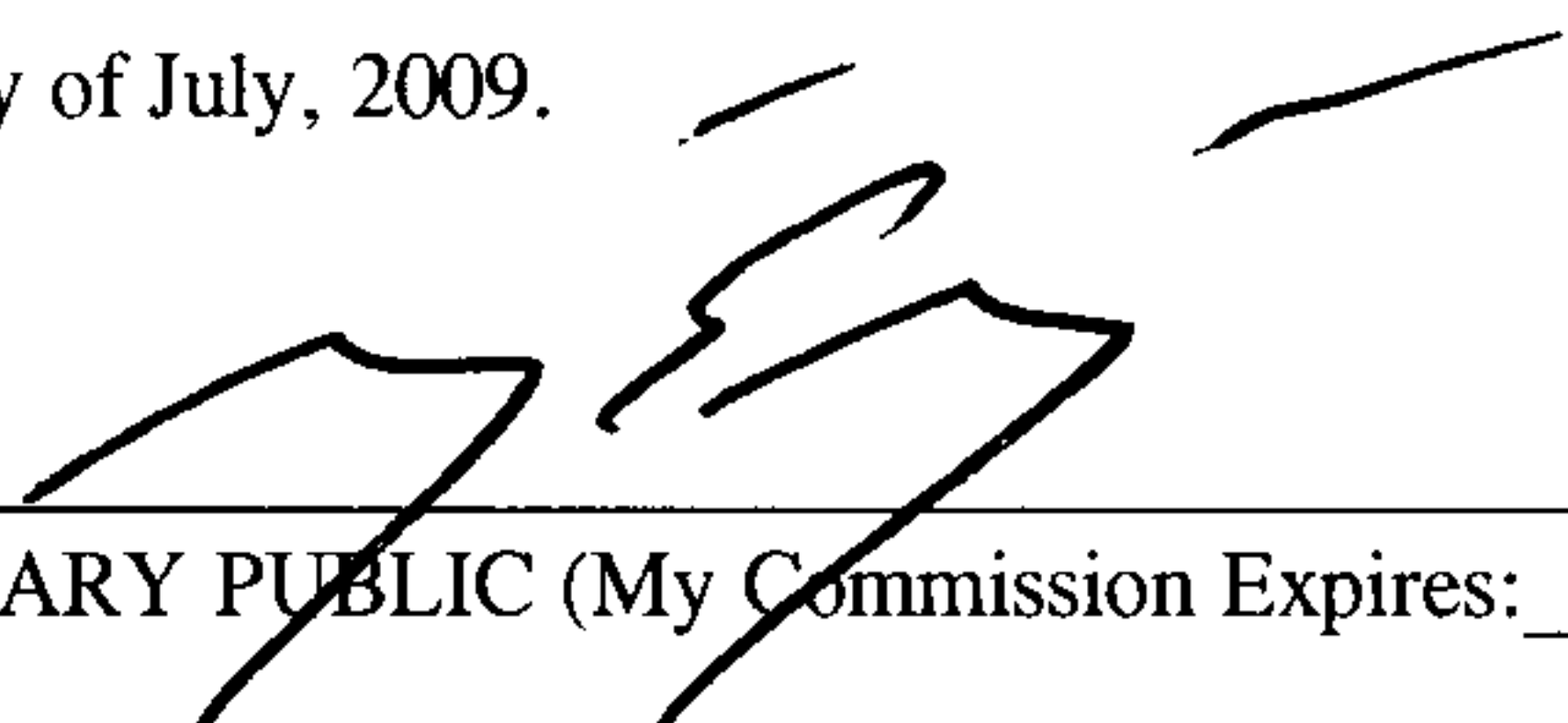
Lot 5, according to the Survey of Resurvey of Southwood Office Park, as recorded in Map Book 25, Page 27 and also recorded in Map Book 25, Page 28, in the Probate Office of Shelby County, Alabama.
7. This Correct Legal is the property described in the deed wherein the Mortgagor obtained title to the property.
8. 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 C. Brown L.S.

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William C. Brown, 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 30 day of July, 2009.


NOTARY PUBLIC (My Commission Expires: 6/17/09)

6/17/11