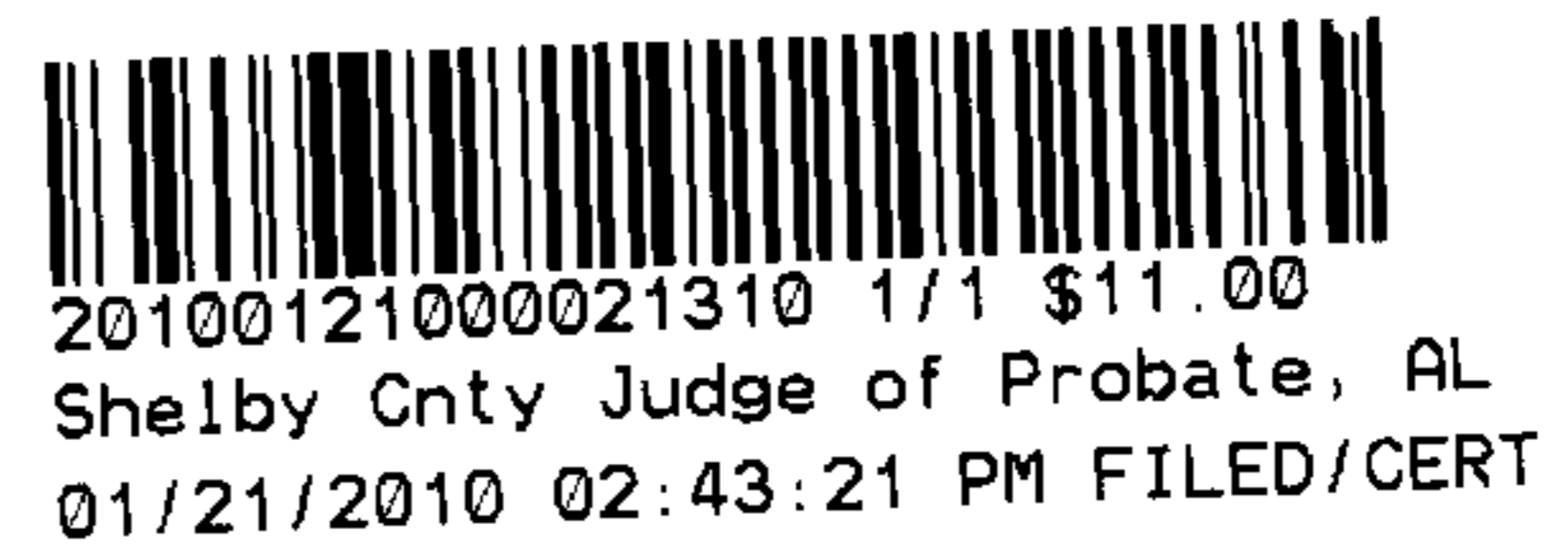


SCRIVENER'S AFFIDAVIT

STATE OF ALABAMA
COUNTY OF SHELBY



LENDER— SUPERIOR BANK

BORROWER— JAMES McPHAIL DEWAR, AN UNMARRIED MAN

KNOW ALL MEN BY THESE PRESENTS: That I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that before me personally appeared CHARLES D. STEWART, JR., who is known to me and who being by me first duly sworn does on her oath depose and say as follows:

I, CHARLES D. STEWART, JR., was the closing attorney for the transaction of the property located at 3312 TARTAN LANE, BIRMINGHAM, ALABAMA, 35242. The mortgage given by JAMES McPHAIL DEWAR., AN UNMARRIED MAN to SUPERIOR BANK dated the 23rd day of OCTOBER, 2009 and filed for record on NOVEMBER 4, 2009 in INSTRUMENT #20091104000411800 in the office of the Judge of Probate, SHELBY County, Alabama.

It is the purpose and intent of this Affidavit to correct the legal description to read as follows:

LOT 9, BLOCK 1, ACCORDING TO THE PLAT OF KERRY DOWNS, A SUBDIVISION OF INVERNESS, AS RECORDED IN MAP BOOK 5, PAGES 135 AND 136 IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.

DATED this 30th DAY OF DECEMBER, 2009.

CHARLES D. STEWART, JR.

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that CHARLES D. STEWART, JR., whose name as MANAGING MEMBER/OWNER of EXECUTIVE REAL ESTATE GROUP, LLC D/B/A LAW OFFICE OF CHARLES D. STEWART, JR. 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 the said instrument, he as such Managing Member/Owner and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal this the 30th day of DECEMBER, 2009.

Notary Public

Print Name: Valerie a. England

Commission Expires: 02/25/2012

PREPARED BY:
Charles D. Stewart, Jr.
Attorney at Law
4898 Valleydale Road, Suite A-2
Birmingham, AL 35242



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