



20100325000086290 1/2 \$16.00
Shelby Cnty Judge of Probate, AL
03/25/2010 11:29:17 AM FILED/CERT

STATE OF ALABAMA)

JEFFERSON COUNTY)

SCRIVENERS AFFIDAVIT

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Richard ^{not} Theibert, who being sworn by me deposes and states on oath as follows:

My name is Richard ^{not} Theibert, I prepared that certain mortgage by Polo Farms Investments, LLC to AmSouth Bank, in the amount of \$8,250,000.00 dated October 16, 2006 and recorded in Inst. No. 20061024000523570; Assignment of Rents and Leases as recorded in Inst. No. 20061024000523580 and UCC Statement recorded in Inst. No. 20061024000523590 in the Probate Office of Shelby County, Alabama. I have been informed there were two typographical errors in the fourth and sixth lines of the legal description attached to said instruments.

The correct legal description is attached hereto as Exhibit A.

Richard ^{not} Theibert

^{not}

Sworn to and subscribed before me this the 16th day of March, 2010.

NOTARY PUBLIC

My commission expires:

NOTARY PUBLIC STATE OF ALABAMA
MY COMMISSION EXPIRES: APR 27, 2011
BONDED (U.S. NOTARY PUBLIC ORS. 2008, 2011)



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**COMMITMENT FOR TITLE INSURANCE
SCHEDULE A – PARAGRAPH 5
(continued)**

LEGAL DESCRIPTION

A parcel of land being part of the North half of the Northeast $\frac{1}{4}$ of Section 26, Township 19 South, Range 1 West, Shelby County, Alabama, lying North of Old Highway 280 and also part of the South half of the East half of Section 23, Township 19 South, Range 1 West that is South of Signal Valley Estates, Said parcel more particularly described as follows:

Commence and begin at the Northwest corner of the Northeast $\frac{1}{4}$ of Section 26, Township 19 South, Range 1 West; thence run S $02^{\circ} 12' 45''$ E a distance of 1323.07 feet along the East line of those properties owned by J.C. Clark and J.F. Melton; thence run N $87^{\circ} 11' 35''$ E a distance of 593.54 feet along the North line of those properties owned by S.P. Williamson, A.S. Ruth, D.W. Smith and Bellsouth; thence run N $02^{\circ} 40' 26''$ W a distance of 289.72 feet along the West line of that property owned by Hazel Elliott Williamson; thence run N $87^{\circ} 57' 26''$ E a distance of 737.05 feet along the North line of that property owned by Hazel Elliott Williamson; thence run S $01^{\circ} 09' 25''$ E a distance of 356.17 feet along the East line of that property owned by Hazel Elliott Williamson to the Northerly right-of-way line of Old U.S. Highway 280; thence run N $69^{\circ} 00' 00''$ E along the Northerly right-of-way line of Old U.S. Highway 280 a distance of 1236.71 feet; thence run N $02^{\circ} 03' 14''$ W a distance of 420.07 feet to a $\frac{1}{2}$ inch pipe found; thence run N $69^{\circ} 09' 30''$ E a distance of 210.67 feet to a 1-1/2 inch pipe found; thence run N $01^{\circ} 57' 38''$ W a distance of 527.35 feet to a concrete monument found at the Northeast corner of Section 26, Township 19 South, Range 1 West, Shelby County, Alabama; thence run N $04^{\circ} 50' 37''$ W a distance of 498.10 feet along the West line of the Randall Ridge Family Subdivision as recorded in Map Book 28, Page 95 in the Judge of Probate Office of Shelby County, Alabama to a $\frac{1}{2}$ inch capped rebar set (Marked "Carr 00010 LS"; thence run S $87^{\circ} 31' 08''$ W a distance of 2682.00 feet along the South line of the Dogwood Lakes Subdivision as recorded in Map Book 23, Page 34 in the Judge of Probate Office of Shelby County, Alabama and the Signal Valley Estates Subdivision as recorded in Map Book 23, Page 152 in the Judge of Probate Office of Shelby County, Alabama; thence run S $02^{\circ} 47' 41''$ E a distance of 512.49 feet to the point of beginning.

This commitment is invalid unless the Insuring Provisions and Schedules A and B are attached.

Commitment No. 158668-A
Schedule A-Paragraph 4 – Continued

ALTA Commitment (6-17-06)