

SCRIVENERS AFFIDAVIT

STATE OF ALABAMA  
COUNTY OF Shelby

Before me, the undersigned, a Notary Public in and for said county and state, personally appeared Robert McNearney, III who after being duly sworn, deposes and says as follows:

1. My name is Robert McNearney, III. I am a practicing attorney. My address is 4320 Eagle Point Parkway, Birmingham, Al. 35242.

2. On April 15, 2010 I prepared a Mortgage from Richard C. Duell, IV and Dana B. Duell, husband and wife to Mortgage Electronic Registration Systems, Inc., said Mortgage being recorded in Instrument #20100421000121630 and recorded on April 21, 2010 in the Probate Office of Shelby County, Alabama for property described as:

Lot 436, according to the Survey of Final Plat Forest Lakes, Sector 5, as recorded in Map Book 34, page 122 A,B & C in the Probate Office of Shelby County, Alabama.

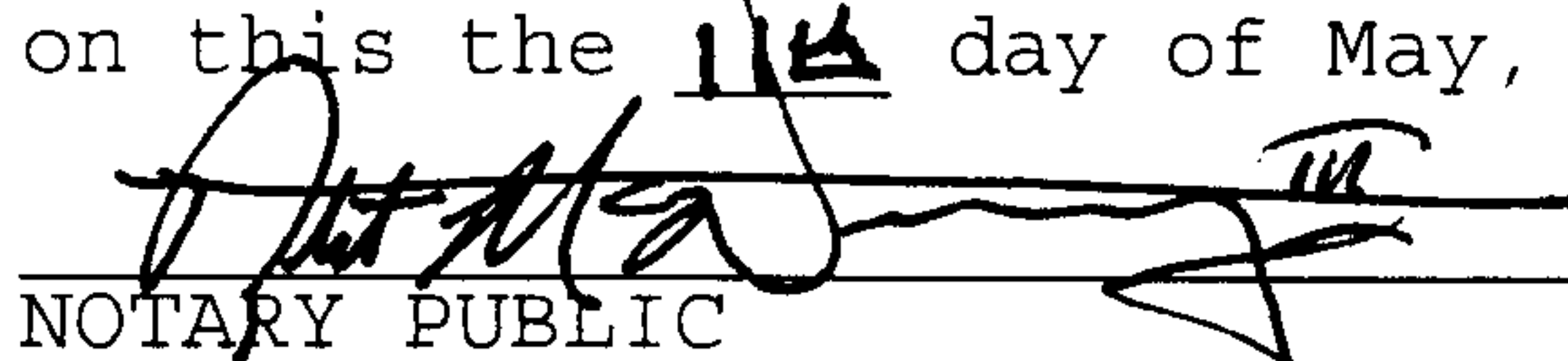
3. Said mortgage was notarized by me on April 15, 2010, however the Notary Acknowledgment stated that Marcus L. Hunt was the Notary.

4. The purpose of this Scriveners Affidavit is to attach as Exhibit A the Notary Acknowledgment showing the correct name as the Notary Public.

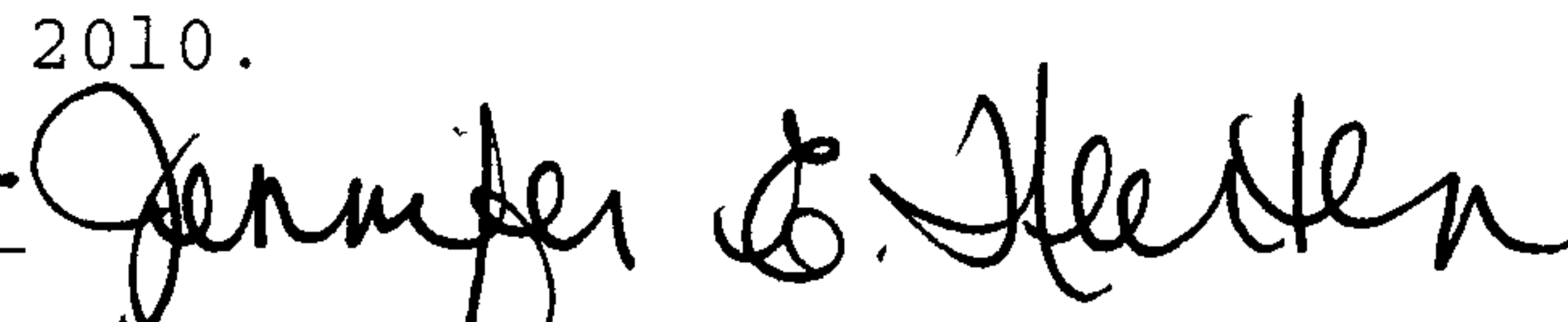
5. This affidavit is given to correct that Mortgage from Richard C. Duell, IV and Dana B. Duell to Mortgage Electronic Registration Systems, Inc., being recorded in Instrument #20100421000121630 by replacing the Notary Acknowledgement which originally had the Notary Public's name shown incorrectly.

  
ROBERT MCNEARNEY, III

Sworn to and subscribed before me  
on this the 11th day of May, 2010.

  
NOTARY PUBLIC

My commission expires: 11/8/2013



JENNIFER E. HEERTEN  
NOTARY PUBLIC  
STATE OF ALABAMA  
MY COMMISSION EXPIRES APRIL 3, 2012

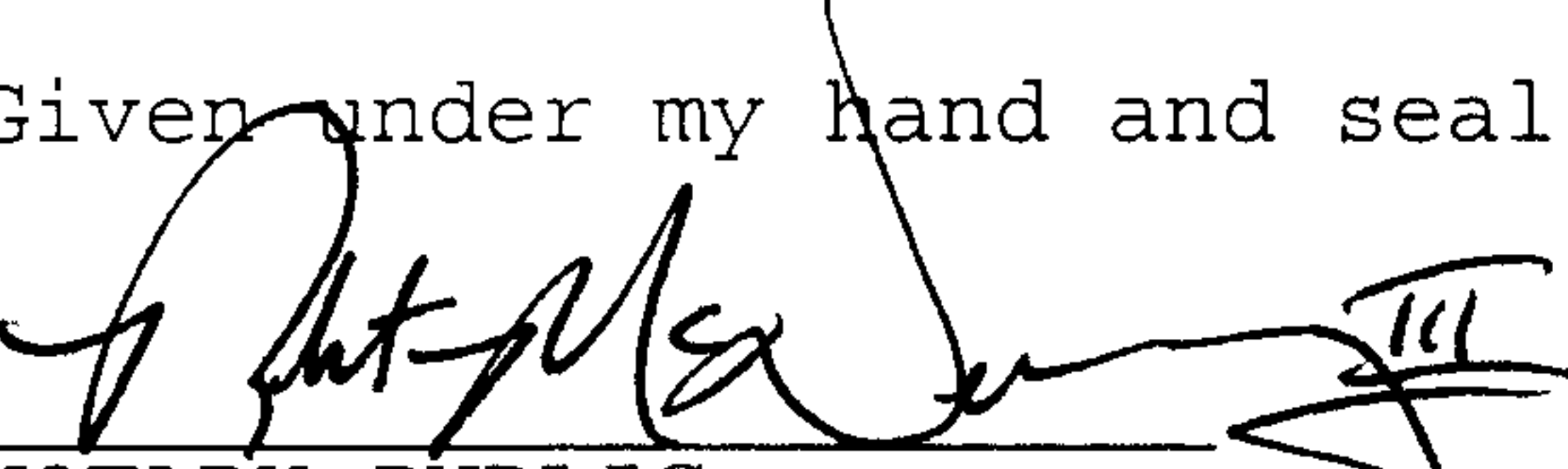
EXHIBIT A

  
20100514000151860 2/2 \$14.00  
Shelby Cnty Judge of Probate, AL  
05/14/2010 10:11:32 AM FILED/CERT

State of Alabama  
Shelby County

On this 15th day of April, 2010, I, Robert McNearney, III, a Notary Public in and for said county and in said state, hereby certify that Richard C. Duell, IV and Dana B. Duell, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me that being informed of the contents of the conveyance they executed the same voluntarily and as their act on the day the same bears date.

Given under my hand and seal this the 15th day of April, 2010.

  
NOTARY PUBLIC

My commission expires: 11/5/13