

THE STATE OF ALABAMA)
COUNTY OF SHELBY)

20110902000259920 1/2 \$15.00
Shelby Cnty Judge of Probate, AL
09/02/2011 10:18:01 AM FILED/CERT

AFFIDAVIT EVIDENCING SCRIVENER'S ERROR

Before me, the undersigned Notary Public, personally appeared Thunda Nesbitt
a representative of Compass Bank, who being duly sworn deposes and says as follows:

My name is Thunda Nesbitt
of Compass Bank.

and I am the Lending Specialist

The undersigned has examined the Modification Of Mortgage executed by Gary D. Barnett And His Wife Vickie D. Barnett, dated June 25, 2007, filed in the Office of the Judge of Probate of Shelby County, Alabama, recorded in Instrument # 20070717000333700, (the "Modification Of Mortgage").

The undersigned finds that an incorrect legal description was reflected in the Modification Of Mortgage. From this date forward, let the records reflect that the correct legal description of the Modification Of Mortgage is as follows:

TRACT 5-A: A RESURVEY OF PART OF LOT 5 SHELBY ESTATES, AND ALSO BEING A PART OF THE SOUTH 1/2 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 9, TOWNSHIP 19 SOUTH, RANGE 2 EAST AND A PART OF THE NE 1/4 OF THE NW 1/4 SECTION 16, TOWNSHIP 19 SOUTH, RANGE 2 EAST, SHELBY COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 9, TOWNSHIP 19 SOUTH, RANGE 2 EAST, THENCE RUN SOUTH ALONG THE WEST LINE THEREOF A DISTANCE OF 92.26 FEET; THENCE TURN LEFT 84 DEGREES 26 MINUTES AND RUN SOUTHEASTERLY A DISTANCE OF 1100.00 FEET TO THE POINT OF BEGINNING OF THE PROPERTY DESCRIBED HEREIN; THENCE CONTINUE ALONG THE LAST DESCRIBED COURSE A DISTANCE OF 300.00 FEET; THENCE TURN RIGHT 84 DEGREES 26 MINUTES AND RUN SOUTH A DISTANCE OF 742.59 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 83; THENCE TURN RIGHT AND RUN NORTHWESTERLY ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 320 FEET, MORE OR LESS, THENCE TURN RIGHT AND RUN NORTHERLY A DISTANCE OF 646.62 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PROPERTY IS ONE AND THE SAME AS PROPERTY CONVEYED TO GARY D. BARNETT AND VICKIE D. BARNETT IN WARRANTY DEEDS RECORDED IN BOOK 357, PAGE 597 AND BOOK 009, PAGE 782, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

LESS AND EXCEPT ANY PORTION OF SUBJECT PROPERTY LYING WITHIN A ROAD RIGHT OF WAY.

This Affidavit is made for the purpose of duly acknowledging the error in that drafting of said Modification Of Mortgage filed in the Office of the Judge of Probate of Shelby County, Alabama, and also to induce Chicago Title Insurance Company to issue its title insurance policy to said mortgagee, its successors and assigns, reflecting said corrections.

FURTHER, Affiant saith not.

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Gary D. Barnett / Vickie D. Barnett
Scrivener's Affidavit

COMPASS BANK

By: *Khonda Nesbitt*

Printed Name: Khonda Nesbitt

Title: Foreclosure Specialist

Sworn to and subscribed before me this 26th day of August, 2011.

John P. [Signature] 12/16/14
Notary Public

This Instrument Was Prepared By:
Najjar Denaburg, P.C.
2125 Morris Avenue
Birmingham, AL 35203
(205) 250-8400