

9210D-11

STATE OF ALABAMA )  
COUNTY OF SHELBY )

**AFFIDAVIT EVIDENCING SCRIVENER'S ERROR**

Before me, the undersigned Notary Public, personally appeared MITCHELL A SPEARS, Attorney at Law, who being duly sworn deposes and says as follows:

My name is Mitchell A Spears and I am the attorney that prepared the following documents. I hereby certify that I have personal knowledge of the matters set forth herein.

On August 10, 2001, Carl A Edfeldt executed a warranty deed into Amelia E Lawley recorded in Instrument 2001-34374 on August 14, 2001 in the Probate Office of Shelby County, Alabama. Carl A Edfeldt reserved a life estate in the property conveyed.

Subsequently, on November 17, 2004, Carl A Edfeldt and Amelia E Lawley conveyed the following legal description to James C Culpepper and Susan E Culpepper in Instrument 20041123000642820 filed for record in November 23, 2004.

A parcel of land, located in the SE 1/4 of the SW 1/4 of Section 2, Township 22 South, Range 3 West, Shelby County, Alabama, described as follows: Commence at the SW corner of said 1/4-1/4 Section; thence run South a distance of 1.58 feet; thence run West a distance of 14.59 feet; thence run N 02° 10' 22" West a distance of 249.84 feet; thence continue along the last described course for 398.06 feet; thence run S 75° 57' 24" E a distance of 534.68; thence run N 86° 24' 34" W for a distance of 496.49; thence run S 02° 50' 33" E for a distance of 299.85 feet; thence run N 89° 07' 42" W for a distance of 22.96 feet to the point of beginning.

Carl A Edfeldt died on May 5, 2008. His death extinguished the life estate reserved in the deed recorded in Instrument 2001-34374.

On May 16, 2011, I prepared a deed from Amelia E Lawley to Edith Edfeldt Whitaker, Amelia Edfeldt Lawley and Susan Edfeldt Culpepper recorded in Instrument 20110517000146390, recorded on May 17, 2011. The above mentioned warranty deed contains an error in the legal description in that it failed to less and except the property sold in Instrument 20041123000642820. The true and correct legal description in said Warranty Deed should have been as follows:

**See Exhibit A**

This Affidavit is made for the purpose of duly acknowledging and correcting the error in said deed.

FURTHER, Affiant saith not.

Mitchell A Spears, Attorney at Law.

  
\_\_\_\_\_

Sworn to and subscribed before me this 21<sup>st</sup> day of Nov., 2011.

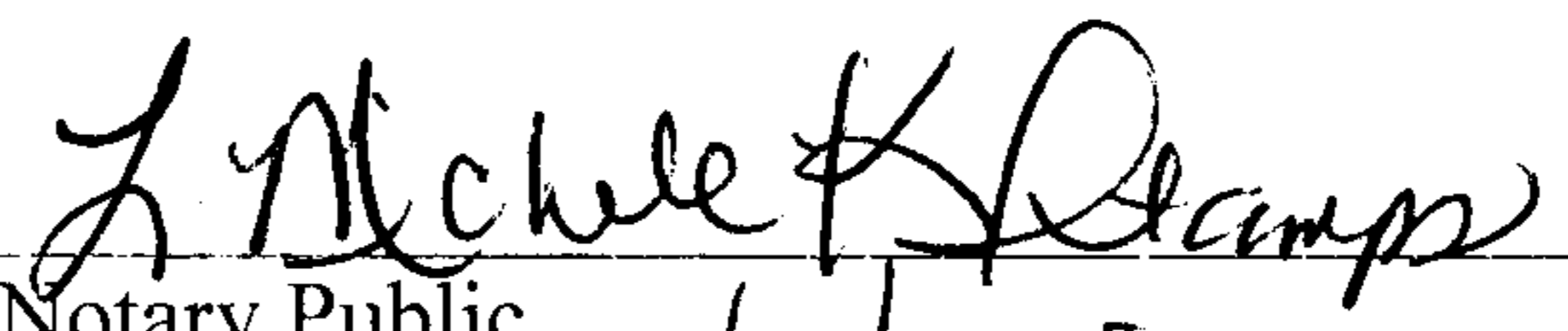

  
\_\_\_\_\_  
Notary Public  
Comm. Exp. 5/17/2015

Exhibit A

  
20111130000361300 1/2 \$19.00  
Shelby Cnty Judge of Probate, AL  
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All of the E ½ of the SW ¼ of Section 2, Township 22, Range 3 West, in Shelby County, Alabama, lying south of Moore's Spring Branch, and West of the Montevallo and Ashville Public Road (Highway 119) as the same is now located, more particularly described as follows: Begin on the South line of said quarter-quarter section at a point 300 feet West of the SE corner of said quarter-quarter section and which beginning point is on the West line of the Highway above named, run thence West along the south line of said quarter-quarter section for 1014.1 feet to the southwest corner of the SE ¼ of the SW ¼ of said Section 2, run thence North 3 degrees 30 minutes West for 1220.9 feet to Moore's Spring Branch, thence Northeasterly along said Spring Branch following the meanderings thereof to the West side of said Montevallo and Ashville Public Road (Highway 119) as the same is now located, thence in a southerly direction along the West line of said Highway for 1505.4 feet, more or less, to point of beginning, all being situated in Shelby County, Alabama.

LESS AND EXCEPT:

PARCEL I:

A parcel of land a part of which is situated in the SE ¼ of the SW ¼ of Section 2, Township 22 South, Range 3 West, a part in the SW ¼ of the SW ¼ of said Section and a part in the North ½ of the NW ¼ of Section 11, Township 22 South, Range 3 West and described as follows: Begin at the SW corner of the SE ¼ of the SW ¼ of said Section 2 and go South 1.58 feet and then West 14.59 feet to a point at the Junction of a fence, forming the West boundary this tract, with a fence forming the South boundary of same for point of beginning; thence go N 89°45' E along this fence, forming the South border 1026.22 feet to West border of Highway 119, thence N 0°27' W along this Highway border 193.58 feet, thence continue along this border N 4°27' W 36.42 feet, thence N 89°08' W 1031.67 feet, thence S 2°13' E along fence forming West border 249.84 feet to point of beginning.

PARCEL II:


A parcel of land, located in the SE ¼ of the SW ¼ of Section 2, Township 22 South, Range 3 West, Shelby County, Alabama, described as follows: Commence at the SW corner of said ¼ - ¼ Section; thence run South a distance of 1.58 feet; thence run West a distance of 14.59 feet, thence run N 02°13' W a distance of 249.84 feet; thence run S 89°08' E a distance of 23.17 feet to the point of beginning; thence continue last course a distance of 775.00 feet; thence run N 00°26' W a distance of 125.00 feet; thence run S 89°08' E a distance of 226.05 feet to the Westerly right-of-way of Highway 119; thence run N 03°58'49" W along said right-of-way a distance of 126.72 feet; thence run N 86°24'34" W a distance of 1007.82 feet; thence run S 02°48'06" E a distance of 299.74 feet to the point of beginning.

PARCEL III:

A parcel of land, located in the SE ¼ of the SW ¼ of Section 2, Township 22 South, Range 3 West, Shelby County, Alabama, described as follows: Commence at the SW corner of said ¼ - ¼ Section; thence run South a distance of 1.58 feet; thence run West a distance of 14.59 feet; thence run N 02°13' W a distance of 249.84 feet; thence run S 89°08' E a distance of 798.17 feet to the point of beginning; thence continue last course a distance of 233.50 feet to the Westerly right-of-way of Highway # 119; thence run N 03°50'27" along said right-of-way a distance of 125.39 feet; thence run N 89°08' W a distance of 226.05 feet; thence run S 00°26' E a distance of 125.00 feet to the point of beginning.

PARCEL IV:

A parcel of land, located in the SE 1/4 of the SW 1/4 of Section 2, Township 22 South, Range 3 West, Shelby County, Alabama, described as follows: Commence at the SW corner of said 1/4-1/4 Section; thence run South a distance of 1.58 feet; thence run West a distance of 14.59 feet; thence run N 02° 10' 22" West a distance of 249.84 feet; thence continue along the last described course for 398.06 feet; thence run S 75° 57' 24" E a distance of 534.68; thence run N 86° 24' 34" W for a distance of 496.49; thence run S 02° 50' 33" E for a distance of 299.85 feet; thence run N 89° 07' 42" W for a distance of 22.96 feet to the point of beginning.

  
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