

STATE OF ALABAMA)
SHELBY COUNTY)

20120117000018050 1/1 \$12.00
Shelby Cnty Judge of Probate, AL
01/17/2012 10:04:01 AM FILED/CERT

SCRIVENER'S AFFIDAVIT

Before me, the undersigned Notary Public, personally appeared PHILLIP G. STUTTS, who being by me first duly sworn, deposes and says the following:

I, PHILLIP G. STUTTS, am a practicing Attorney in the State of Alabama. In the course of my practice, I prepared a Declaration of Easements, Covenants, Conditions and Restrictions ("ECR") by and between P&N Pelham, LLC and P&N Pelham II, LLC that was recorded on January 8, 2002 in Instrument #2002-01273 in the Office of the Judge of Probate of Shelby County, Alabama.

The undersigned has examined said ECR and finds that there is a scrivener's error in the legal description of the Outparcel described on Exhibit "A" and the Shopping Center Property described on Exhibit "B". The correct reference in Exhibit "A" and Exhibit "B" should be to a map recorded in Map Book 28, Page 138 (not Map Book 22, Page 130). In addition, the reference in Exhibit "B" to Lot 1 should be to Lot 1A. The correct legal description contained in the ECR should be as follows:

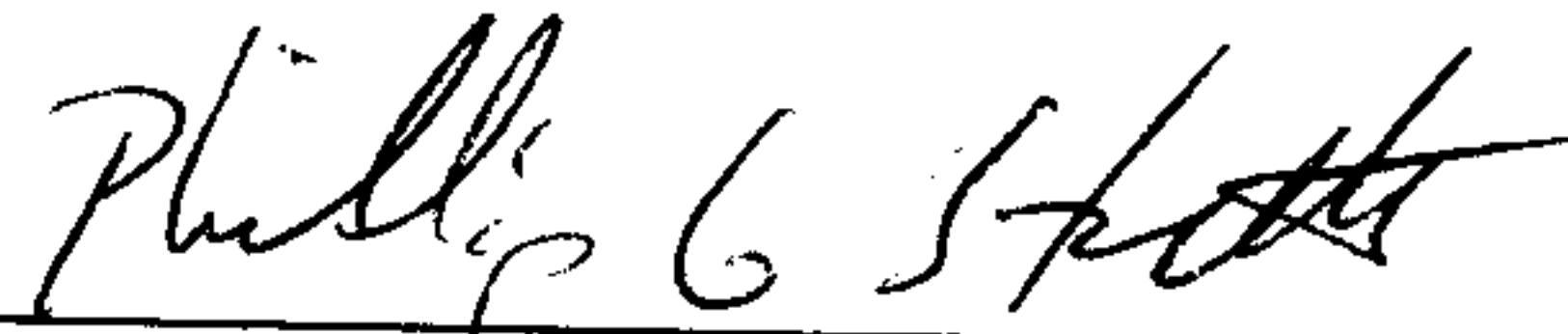
Exhibit "A"
Outparcel

Lot 3, according to the Survey of The State Teacher's Retirement System of Ohio, as recorded in Map Book 28, Page 138, in the Probate Office of Shelby County, Alabama.

Exhibit "B"
Shopping Center Property

Lot 1A, according to the Survey of The State Teacher's Retirement System of Ohio, as recorded in Map Book 28, Page 138, in the Probate Office of Shelby County, Alabama.

This Scrivener's Affidavit is executed to identify the correct legal description to be referenced in the above ECR.

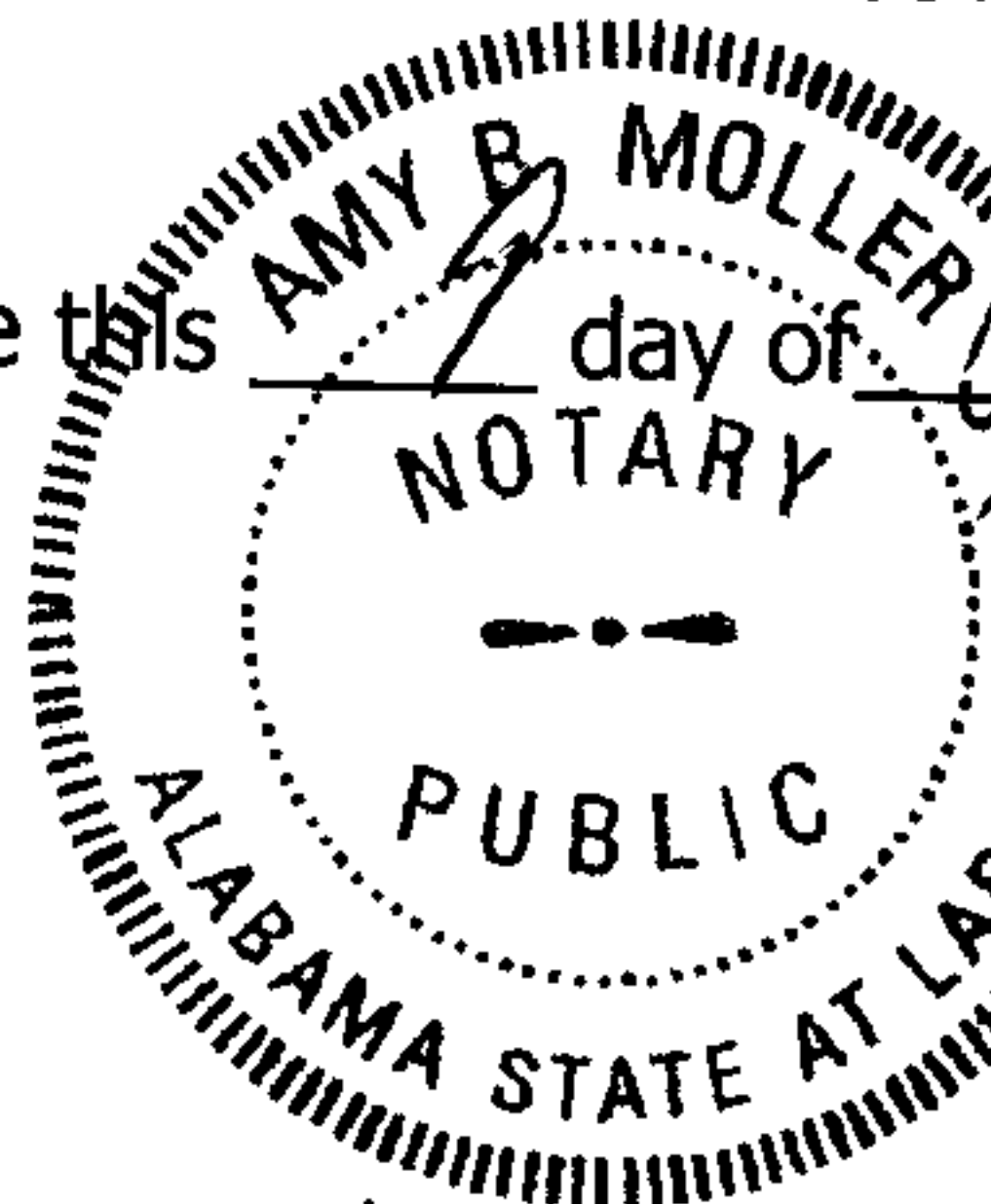


PHILLIP G. STUTTS

STATE OF ALABAMA)
JEFFERSON COUNTY)

Before me, the undersigned authority, personally appeared PHILLIP G. STUTTS, who, being first duly sworn, deposes and says that he executed the above and foregoing Affidavit and that the facts stated therein are true and correct.

Sworn to and subscribed before me this 17 day of January, 2012.



Notary Public

Commission Expires: 12/12/15

Note to Recording Clerk:
Please index this Affidavit against
the above-referenced parties and documents.