



20120210000049600 1/2 \$15.00
Shelby Cnty Judge of Probate, AL
02/10/2012 10:53:45 AM FILED/CERT

STATE OF ALABAMA)
:
SHELBY COUNTY)

This instrument was prepared by:
Walter Francis Scott, III
Galloway & Scott, LLC
2200 Woodcrest Place, Suite 310
Birmingham, AL 35209

AFFIDAVIT

I, Randall W Jordan, hereby testify under oath as follows:

1. I am over the age of nineteen (19) years, and competent to make this affidavit.

2. I am the Exec. Vice President of the mortgage department of Bryant Bank.

3. A mortgage dated March 12, 2008 and recorded March 12, 2008 in the Office of the Judge of Probate of Shelby County, Alabama as Instrument # 20080328000126160 (the "Mortgage") was prepared by my department.

4. The mortgage mistakenly used the following legal description which legal description stated "Northeast" when it should have stated "Southeast. The incorrect legal description being:

A parcel of land in the Northeast quarter of the Northwest quarter of Section 26, Township 21 South, Range 1 West, said parcel of land being more particularly described as follows: Commencing at the Northwest corner of the Northeast quarter of the Northwest quarter of said Section 26; thence South 01 degree 15 minutes 00 seconds East, along the west line of said sixteenth section, a distance of 1238.19 feet to a point; thence North 79 degrees 33 minutes 00 seconds East, a distance of 346.21 feet to a point; thence South 10 degrees 27 minutes 00 seconds East, a distance of 200.00 feet to a point; thence South 10 degrees 00 minutes 36 seconds East, a distance of 350.37 feet to a point; thence North 79 degrees 44 minutes 31 seconds East, a distance of 105.80 feet to the point of beginning; thence South 00 degrees 45 minutes 08 seconds East, a distance of 169.29 feet to the center of a creek; thence North 86 degrees 25 minutes 01 seconds East, along the center of the creek, a distance of 59.50 feet to a point; thence North 86 degrees 10 minutes 50 seconds East along the center of the creek, a distance of 101.33 feet to a point on the right of way of State Highway No. 25; thence North 23 degrees 48 minutes 12 seconds East, along said right of way at 25.00 feet, set a reference iron with cap stamped "S. Wheeler, RPLS 16165", a total distance of 175.28 feet to a 1/2" rebar set with a cap stamped "S. Wheeler RPLS 16165"; thence North 66 degrees 11 minutes 48 seconds West, a distance of 77.79 feet to a 3/4" pipe found; thence South 79 degrees 44 minutes 31 seconds West, a distance of 165.14 feet to the point of beginning.


5. The correct legal description should be:

A parcel of land in the Southeast Quarter of the Northwest Quarter of Section 26, Township 21 South, Range 1 West, said parcel of land being more particularly described as follows: Commencing at the Northwest corner of the Northeast Quarter of the Northwest Quarter of said Section 26; thence South 01 degrees 15 minutes 00 seconds East, along the West line of said sixteenth section, a distance of 1238.19 feet to a point; thence North 79 degrees 33 minutes 00 seconds East, a distance of 346.21 feet to a point; thence South 10 degrees 27 minutes 00 seconds East, a distance of 200.00 feet to a point; thence South 10 degrees 00 minutes 36 seconds East, a distance of 350.37 feet to a point; thence North 79 degrees 44 minutes 31 seconds East, a distance of 105.80 feet to the point of beginning; thence South 00 degrees 45 minutes 08 seconds East, a distance of 169.29 feet to the center of a creek; thence North 86 degrees 25 minutes 01 seconds East, along the center of the creek, a distance of 59.50 feet to a point; thence North 88 degrees 10 minutes 50 seconds East along the center of the creek, a distance of 101.33 feet to a point on the right of way of State Highway No. 25; thence North 23 degrees 48 minutes 12 seconds East, along said right of way at 25.00 feet, set a reference iron with cap stamped "S. Wheeler, RPLS 16165", a total distance of 175.28 feet to a 1/2" rebar set with a cap stamped "S. Wheeler, RPLS 16165"; thence North 66 degrees 11 minutes 48 seconds West, a distance of 77.79 feet to a 3/4" pipe found; thence South 79 degrees 44 minutes 31 seconds West, a distance of 165.14 feet to the point of beginning.

Situated in Shelby County, Alabama.

6. The Mortgage is hereby corrected by this affidavit to reflect the correct legal description.


Sworn to by me this 7th day of February, 2012.

By: 
Randall W. Jordan
Its: Exec. Vice President

STATE OF ALABAMA)
:
SHELBY COUNTY)

I, Connie C Benson, a notary for said County and in said State, hereby certify that Randall W. Jordan, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed the contents of said instrument, he executed the same voluntarily on the day the same bears date.

Given under my official hand and seal this the 7th day of February, 2012.


Notary Public
Commission Expires: _____

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Feb 8, 2015
BONDED THRU NOTARY PUBLIC UNDERWRITERS