

THIS INSTRUMENT WAS PREPARED BY:

GERON DANIELS
Merchants & Farmers Bank
107 Inverness Corners
Birmingham, AL 35242

STATE OF ALABAMA
SHELBY COUNTY

SCRIVENER'S AFFIDAVIT

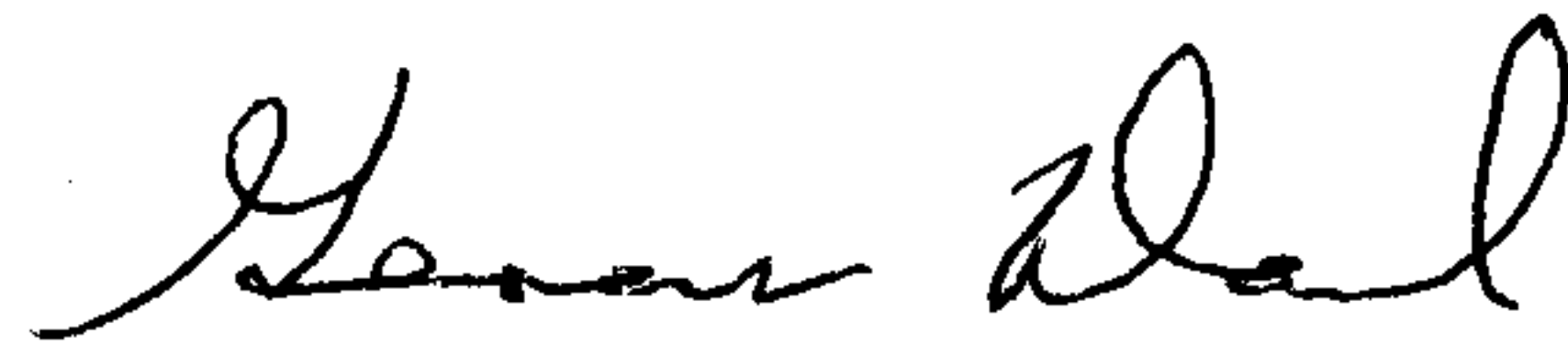
Before me, the undersigned authority, a Notary Public in and for said County, in said State, personally appeared Geron Daniel, who after being by me first duly sworn, deposes and says on oath as follows:

My name is Geron Daniel, and I am a loan officer with Merchants & Farmers Bank, and I was the preparer of that certain mortgage from David J. Smelcer, to Merchants & Farmers Bank, dated July 7, 2011, recorded in the Probate Office of Shelby County, Alabama, in Instrument #20110714000205570.

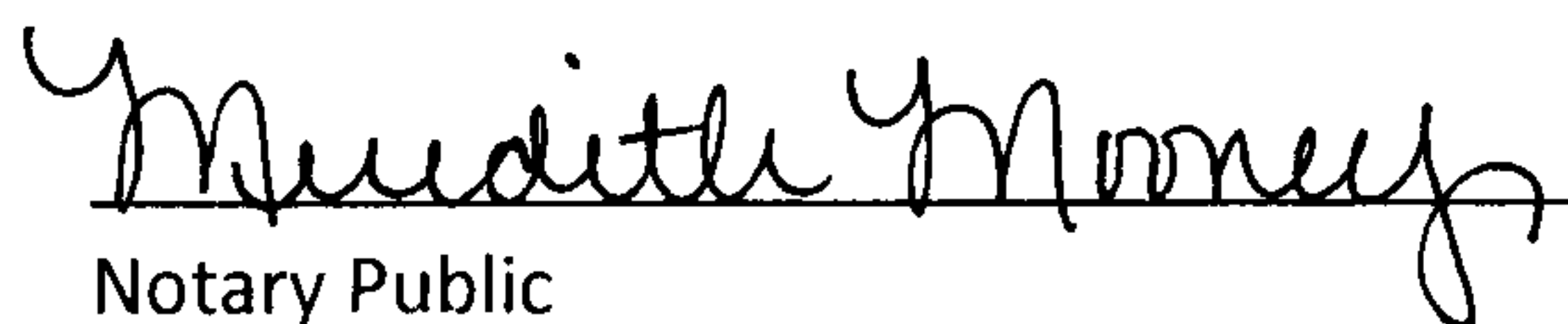
It has been brought to my attention that no marital status is shown in said mortgage for David J. Smelcer. I know that at the date of the execution of said mortgage, David J. Smelcer was a single man, and the property described in the mortgage was not his homestead.

This affidavit is given to correct the deficiency in the above recited mortgage and to induce Shelby County Abstract & Title Company, Inc., to issue its final title policy in Case No. S-11-18969.

Further the affiant saith not.


Geron Daniel

Sworn to and subscribed to before me
This 29th day of February, 2012


Notary Public

My commission expires: 1/20/2013


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Shelby Cnty Judge of Probate, AL
03/09/2012 04:00:44 PM FILED/CERT