

THIS INSTRUMENT WAS PREPARED BY:

MIKE T. ATCHISON
Attorney at Law, Inc.
P.O. Box 822
Columbiana, AL 35051

STATE OF ALABAMA

SHELBY COUNTY

AFFIDAVIT

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

My name is FRANK C. ELLIS, III, and I am the Managing Member of Frank C. Ellis, III, LLC, an Alabama limited liability company that owns property in Shelby County, Alabama. I also executed that certain mortgage from Frank C. Ellis, III, LLC, to Regions Bank, dated January 22, 2014, and recorded in Instrument #20140123000023210, in the Probate Office of Shelby County, Alabama. It has been brought to my attention that the title commitment obtained from Shelby County Abstract & Title Company, Inc. in preparation of said mortgage contained an incomplete legal description. The following is the complete and correct legal description, which should have been used:

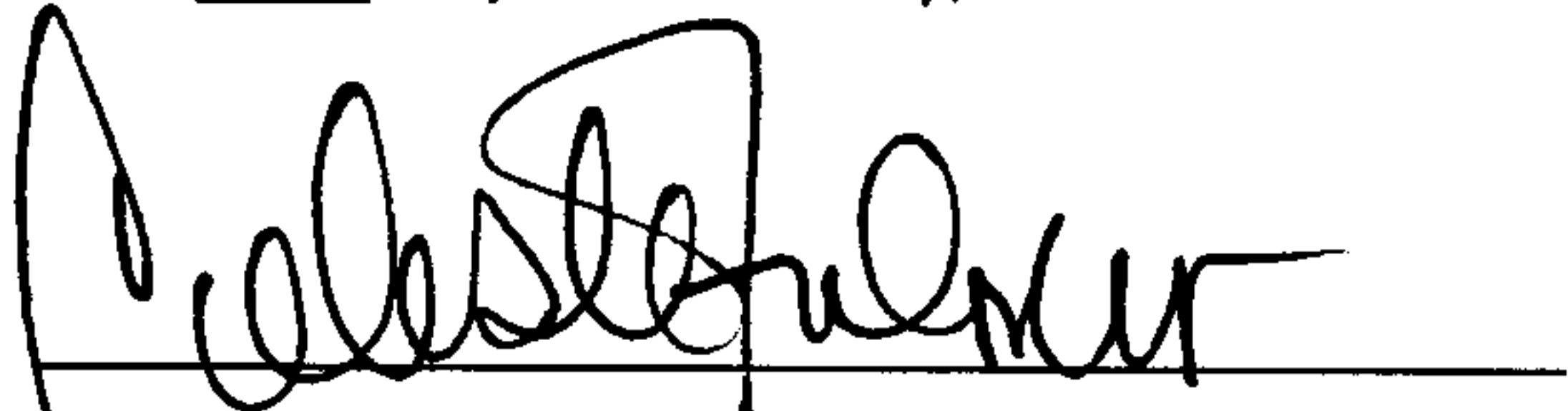
A parcel of land situated in the SW corner of the NW ¼ of NW ¼, Section 26, Township 21, Range 1 West, and described as follows: Commencing at the SW corner of said NW 1/4 of NW 1/4 and run North 85 degrees 30 minutes East 150 feet along the center of the old Columbiana-Saginaw Cut-off Road; thence North 72 degrees East 290.6 feet along the middle of said road to a culvert, said point being designated herein as reference point A; thence North 11 degrees 15 minutes West 328.2 feet, more or less, to a point 10 feet South of the South line of the R/O/W of Southern Railway; thence South 53 degrees 50 minutes West parallel with the South line of said R/O/W 90 feet to the point of beginning; thence North 10 feet to the South line of the Southern Railway R/O/W; thence run in a southwesterly direction along the southerly line of the R/O/W of said railroad 143 feet, more or less, to a point 278.5 feet northeasterly from the center of the Columbiana-Saginaw public road, which point is marked by an iron stake and is the NE corner of the John Rainey & Julia E. Hughes lot; thence southerly along the East line of said Hughes lot to a point on the North line of said Columbiana-Saginaw Cut-off road (being Highway 70) which point is 258.25 feet easterly of the point of intersection of said highway with said railroad R/O/W and is the SE corner of said Hughes lot; thence run in an easterly direction along the North R/O/W line of said Columbiana-Saginaw Cut-off Road, to an iron stob marking the Southwest corner of Jack and Venida Smith lot; thence run northerly 210 feet to the NW corner of said Smith lot, said point being 10 feet South of the South line of said railroad R/O/W; thence run easterly and parallel with said railroad R/O/W and along the northerly line of the Smith lot 85 feet to the point of beginning. Situated in Shelby County, Alabama.

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-13-20927.

Further the affiant saith not.


FRANK C. ELLIS, III

Sworn to and subscribed to before me
This 7th day of February, 2014.


Notary Public

My commission expires: 10-9-16

