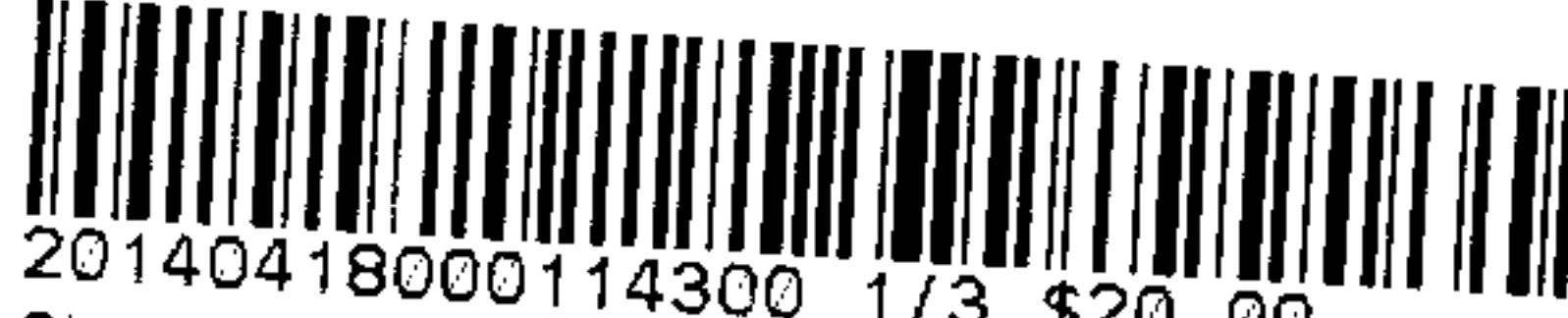


THIS INSTRUMENT PREPARED BY AND
FOLLOWING RECORDING RETURN TO:
JAY F. PUMROY, ESQ.
WILSON, DILLON, PUMROY & JAMES, L.L.C.
POST OFFICE BOX 2333
ANNISTON, ALABAMA 36202
TELEPHONE (256) 236-4222


20140418000114300 1/3 \$20.00
Shelby Cnty Judge of Probate, AL
04/18/2014 02:33:43 PM FILED/CERT

STATE OF ALABAMA

COUNTY OF SHELBY

AFFIDAVIT CONCERNING SCRIVENER'S ERROR

Before me, the undersigned, a Notary Public in and for said State and County personally appeared Jay F. Pumroy, who after being duly sworn did depose and say as follows:

"My name is Jay F. Pumroy. I am an attorney duly licensed to practice law in the State of Alabama where I have continuously practiced since the year 1982. My practice is devoted almost entirely to matters involving real estate. I have reviewed thousands of deeds during the time I've practiced law and am, and have been since 1982, an issuing agent for multiple national title insurance companies. I have reviewed a Warranty Deed (hereinafter referred to as "Deed") from Henry Ralph Jones to Shiloh Creek, LLC, which Deed is recorded as Instrument No. 20040924000529290 in the Probate Office of Shelby County, Alabama. The land (hereafter, the "real estate") conveyed by such Deed is described as follows:

Commence at the Southeast corner of the NE 1/4 of the NE 1/4 of Section 10, Township 24 North, Range 13 East, Shelby County, Alabama; thence run North 00° East along the East line of said Section 10, a distance of 210.0 feet to the point of beginning; thence North 00° East along the last described course a distance of 420.0 feet; thence turn left 90°00' and run West a distance of 420.0 feet; thence turn left 90°00' and run South a distance of 420.0 feet; thence turn left 90°00' and run East a distance of 420.0 feet to the point of beginning.

From the Southeast corner of the Northeast 1/4 of the Northeast 1/4, Section 10, Township 24 North, Range 13 East, Shelby County, Alabama, as beginning point, run along the South 1/4 - 1/4 Section line South 89°58'03" West 1,305.48 feet; thence North 00°59'50" West 19.36 feet; thence North 89°25'26" West 316.02 feet; thence North 00°15'23" West 409.28 feet; thence South 89°40'45" East 965.06 feet; thence North 00°15'59" East 243.01 feet; thence South 89°40'43" East 659.72 feet; thence South 00°11'29" West 34.98 feet; thence North 89°48'31" West 420.0 feet; thence South 00°11'29" West 420.00 feet; thence South 89°48'31" East 420.00 feet; thence South 00°11'29" West 210.0 feet, back to the beginning point.

LESS AND EXCEPT:

From the Northeast corner of Section 10, Township 24 North, Range 13 East, Shelby County, Alabama, run along the North Section line North 89°38'02" West for 1,317.7 feet; thence South 00°20'30" West 666.31 feet; thence North 89°40'49" West 307.55 feet; thence South 00°15'23" East 243.02 feet to the point of beginning of the parcel here described; from said point continue said course 409.28 feet; thence South 89°25'26" East 212.86 feet; thence North 00°15'17" West 410.23 feet; thence **North 40°45" West (emphasis added)** 212.86 feet, back to the beginning.

From the Southeast corner of the NE 1/4 of the NE 1/4, Section 10, Township 24 North, Range 13 East, Shelby County, Alabama, run South 89°58'03" West 898.48 feet to the beginning point of the parcel of land herein described; from said point continue said course 407.0 feet; thence North 00°59'50" West 430.13 feet; thence South 89°40'45" East 407.0 feet; thence Southerly 427.6 feet back to the beginning point.

Also, a 30 foot easement for ingress, egress and utilities across the following described property:

Begin at the SE corner of the NE 1/4 of NE 1/4 of Section 10, Township 24 North, Range 13 East; thence run South 89°58'03" West 898.48 feet; thence run Northerly parallel to the East line of said 1/4 - 1/4 Section a distance of 30 feet; thence run Easterly parallel with the South line of said 1/4 - 1/4 Section a distance of 898.48 feet to a point on the East line of said 1/4 - 1/4 Section; thence run Southerly 30 feet to point of beginning.

There is an obvious scrivener's error in the first paragraph of the "Less and Except" portion of the legal description for the real estate. That first paragraph should have been typed as follows:

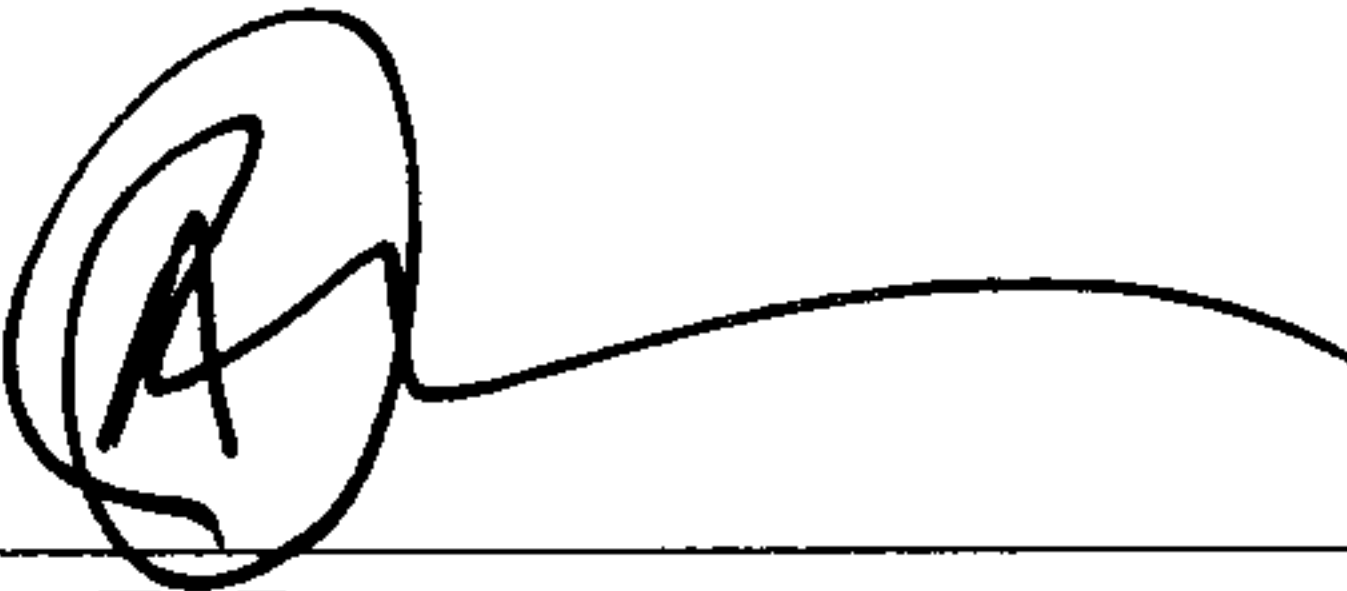
LESS AND EXCEPT:

From the Northeast corner of Section 10, Township 24 North, Range 13 East, Shelby County, Alabama, run along the North Section line North 89°38'02" West for 1,317.7 feet; thence South 00°20'30" West 666.31 feet; thence North 89°40'49" West 307.55 feet; thence South 00°15'23" East 243.02 feet to the point of beginning of the parcel here described; from said point continue said course 409.28 feet; thence South 89°25'26" East 212.86 feet; thence North 00°15'17" West 410.23 feet; thence North 89°40'45" West 212.86 feet, back to the beginning.

The person who prepared (or typed) the legal description left out the degrees "89°" in the call or bearing "thence North 89°40'45" West 212.86 feet, back to the beginning." ***This is an obvious drafting mistake or error*** evidenced by (i) the bearing "North 40'45" West 212.86

feet” would not permit the legal description to close or to go “back to the beginning” and (ii) the intent is to create a tract measuring approximately 410 feet by 213 feet and the call or bearing that precedes “thence North 00°15'17" West 410.23 feet” is “South 89°25'26" East 212.86 feet” which requires the last bearing to be “North 89°40'°45” West 212.86 feet” to create the desired tract and for the legal description to close.

This the 18th day of April, 2014.



Jay F. Pumroy

STATE OF ALABAMA

NOTARY ACKNOWLEDGMENT

COUNTY OF CALHOUN

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Jay F. Pumroy, whose name is signed to the foregoing Affidavit Concerning Scrivener's Error, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Affidavit Concerning Scrivener's Error, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 18th day of April, 2014.

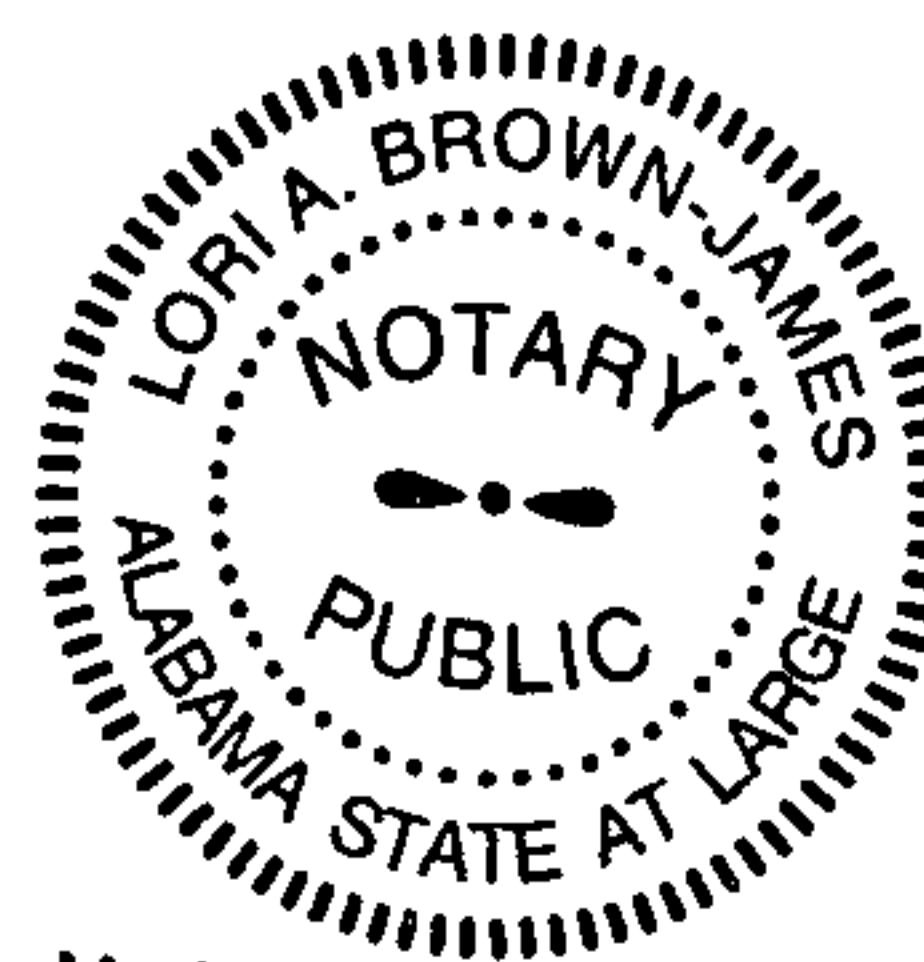
(Notary Seal)



Notary Public

My Commission Expires: _____

REF: Shiloh Creek-Tract V



My Commission Expires
August 11, 2017

