

NOTE TO RECORDING CLERK:

Please index this Scrivener's Affidavit
Against the Multifamily Mortgage, Assignment of
Leases and Rents, Security Agreement and Fixture Filing
Recorded on June 27, 2014, at
Instrument No. 20140627000196530,
Shelby County Probate Office.
Also against the Scrivener's Affidavit Recorded on
July 16, 2014, at Instrument No. 20140716000217450,
Shelby County Probate Office.

20140725000229350 1/2 \$18.00
Shelby Cnty Judge of Probate: AL
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SECOND SCRIVENER'S AFFIDAVIT

Before me, the undersigned Notary Public, personally appeared Edwin C. Cox, who being by me first duly sworn, deposes and says as follows:

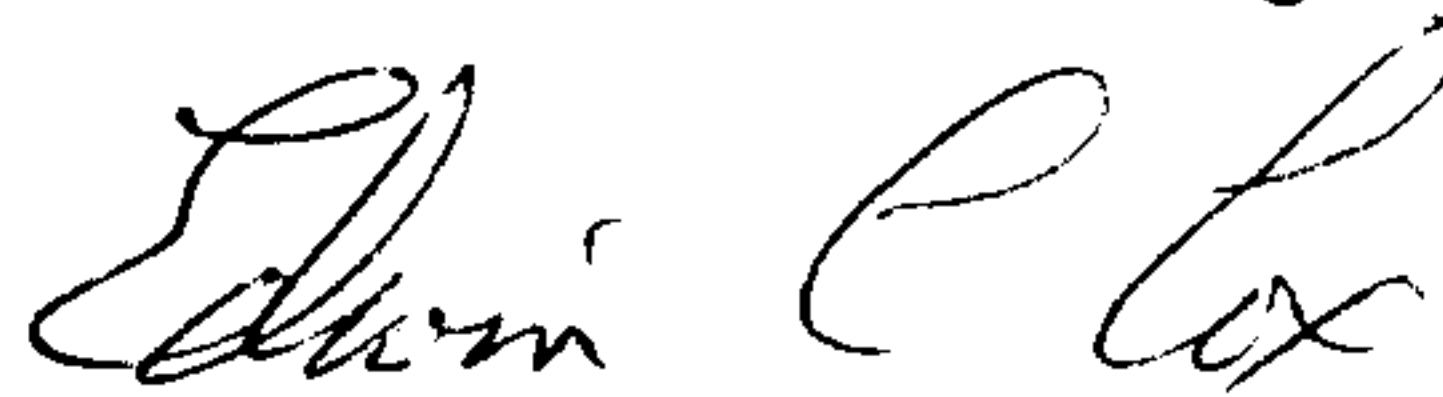
I, Edwin C. Cox, am a practicing Attorney in the State of Virginia.

In the course of my practice, I prepared the Multifamily Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing (the "**Security Instrument**") that was executed and delivered by The Overlook Apartments Hoover, LLC, a Georgia limited liability company (the "**Borrower**") on June 27, 2014, to Capital One Multifamily Finance, LLC, a Delaware limited liability company (the "**Lender**"), which Security Instrument was recorded on June 27, 2014, at Instrument No. 20140627000196530, of the Shelby County Probate Office, Alabama (the "**County**").

The undersigned examined said Security Instrument and found that there was a scrivener's error in the legal description, which was corrected by a Scrivener's Affidavit, recorded in the County on July 16, 2014, at Instrument No. 20140716000217450. The undersigned has examined said Scrivener's Affidavit and finds that there is a scrivener's error in the legal description attached thereto as "Exhibit A". A corrected Exhibit A is attached hereto and recorded herewith which shall replace in its entirety the Exhibit A attached to and recorded with the Scrivener's Affidavit.

This Second Scrivener's Affidavit is executed to correct the legal description in the Security Instrument and the Scrivener's Affidavit.

Date: 7/24/14

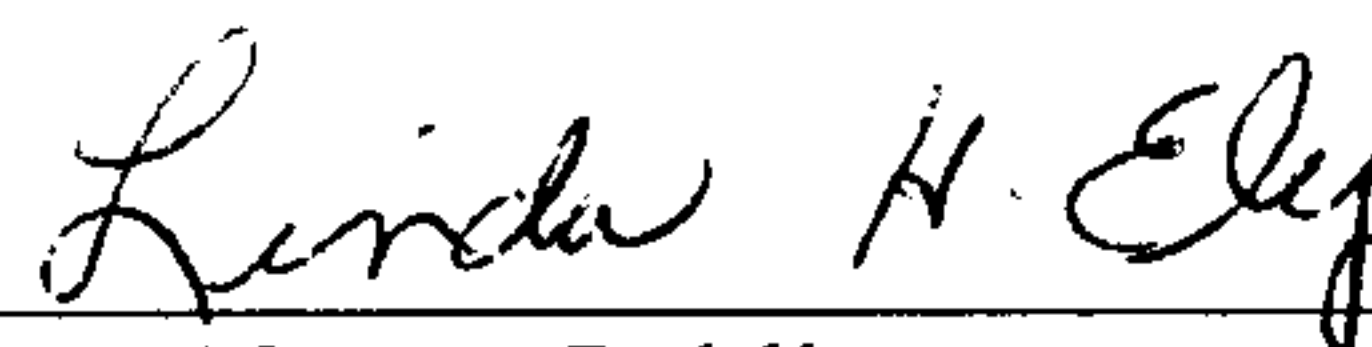
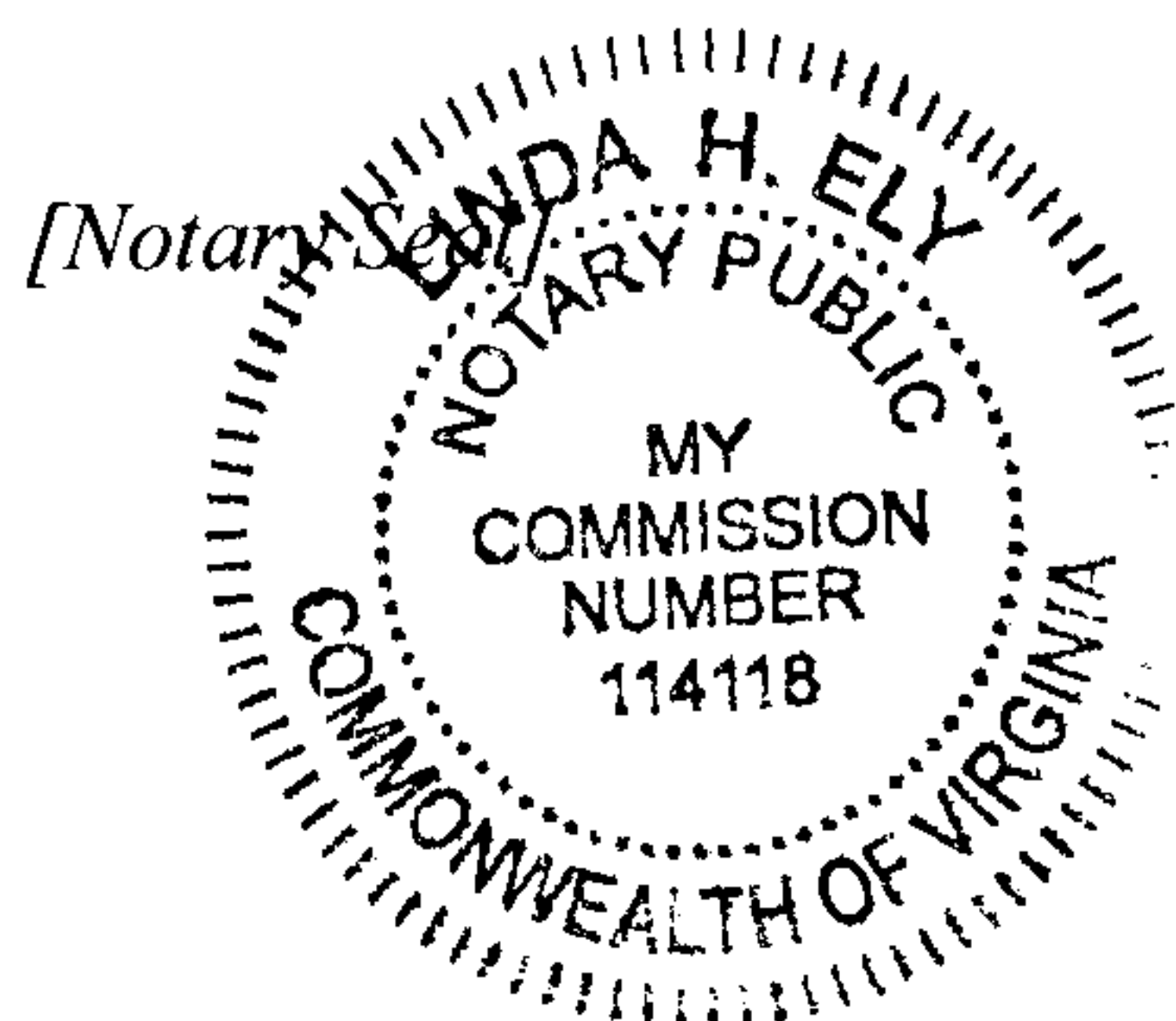


Edwin C. Cox

STATE OF VIRGINIA
City of Richmond, to-wit:

I, the undersigned, a Notary Public in and for said City in said State, personally appeared Edwin C. Cox, who, being first duly sworn, deposes and says that he executed the foregoing affidavit, and that the facts stated therein are true and correct.

Sworn to and subscribed before me this 24th day of July, 2014.



Notary Public

My commission expires:

2/28/15

EXHIBIT A

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SHELBY, STATE OF ALABAMA, AND IS DESCRIBED AS FOLLOWS:

PARCEL I:

Lot 1, according to the Survey of Riverchase Gardens, First Sector, as recorded in Map Book 8, Page 153, in the Probate Office of Shelby County, Alabama.

PARCEL II:

Lot 2, according to the Survey of Riverchase Properties, Second Addition to Riverchase, as recorded in Map Book 9, Page 40, in the Probate Office of Shelby County, Alabama.

PARCEL III:

Easement for the benefit of Parcel II as created by that certain Easement dated December 13, 1983, and recorded in Real 2571, Page 628 and refiled by Real 99, Page 911, for the purpose of a sanitary sewer pipeline.

PARCEL IV:

Easement for the benefit of Parcel II as created by that certain Easement dated 11-30-83, recorded in Real 2429, Page 31 and refiled in Real 85, Page 53, for the purpose of a sanitary sewer pipeline.

PARCEL V:

Easement for the benefit of Parcel II as created by that certain Easement recorded in Shelby Real 351, Page 963, in said Probate Office.

PARCEL VI:

Appurtenant Easement referenced in Section 6.2 of the Restrictive Covenants recorded in Misc. Book 19, Page 633, in said Probate Office.



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