Clerk: please record and return to: Alliant National Title Attn: Ann Harpole 82 Plantation Point, #206 Fairhope, Alabama 36532

REF: GF# 420-202800505

State of ALABAMA
County of SHELBY

Indexing References: INSTRUMENT # 20200330000169550 INSTRUMENT # 20200330000169560

Current Owner: Menthorn Williams, Jr.,

## SCRIVENER'S AFFIDAVIT

Personally appeared before me the undersigned Deponent, R. Timothy Estes, as the closing attorney, and who, being duly sworn, deposes and states under oath as follows:

- 1. That Affiant has personal knowledge of the matters stated herein and gives this Affidavit based upon such personal knowledge.
- 2. That on or about April 29<sup>th</sup>, 2020, as the closing attorney, I conducted a real estate closing by which Menthorn Williams, Jr., purchased the property located at 1148 Aronimink Drive, Calera, Alabama 35040, from D.R. Horton, Inc., Birmingham. In order to convey title to Menthorn Williams, Jr., D.R. Horton, Inc.- Birmingham, executed a Statutory Warranty Deed. Said Statutory Warranty Deed was recorded on April 30<sup>th</sup>, 2020 in the Office of the Judge of Probate for Shelby County, Alabama as Instrument Number 20200330000169550 (the "Statutory Warranty Deed").
- 3. That simultaneous with said purchase of the property located at 1148 Aronimink Drive, Calera, Alabama 35040, Menthorn Williams, Jr., executed a Mortgage in the amount of \$244,489.00, encumbering said property. Said Mortgage was recorded on April 30<sup>th</sup>, 2020 in the Office of the Judge of Probate for Shelby County, Alabama as Instrument Number 20200330000169560 (the "Mortgage");
- 4. That the Statutory Warranty Deed and the Mortgage both contain an error within the legal description in that the incorrect Map Book and Page is referenced;
- 5. That the correct legal description is as follows:
  - LOT 107, ACCORDING TO THE FINAL PLAT MAP OF TIMBERLINE PHASE 5 SECTOR 1, AS RECORDED IN MAP BOOK 52, PAGE 2, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.
- 6. That Affiant's attention has been directed to the fact that the within affidavit is to be presented for recording and shall constitute notice of the facts recited herein and may be

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relied upon by purchasers, lenders, lessees, title insurance companies, and any others who might acquire rights in or insure title to the property in question.

Further affiant sayeth not.

—— R. Timothy Estes, as AFFIANT

Estes Closings, LLC

2188 Parkway Lake Drive, Suite 101

Hoover, AL 35244

STATE OF ALABAMA

I, the undersigned notary public in and for said county in and for said state, hereby certify that R. TIMOTHY ESTES, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing instrument he executed the same voluntarily on the day the same bears date.

Given under my hand and official scal on this the 27 day of 104

2020.



Notary Public

My Commission Expires: 6/11/24



Filed and Recorded Official Public Records Judge of Probate, Shelby County Alabama, County Clerk **Shelby County, AL** 07/30/2020 07:30:48 AM **\$25.00 JESSICA** 

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