

STATE OF ALABAMA)
:
JEFFERSON AND SHELBY COUNTIES)

SCRIVENER'S AFFIDAVIT

Before me, the undersigned Notary Public, personally appeared Stephen R. Monk, who being duly sworn, deposes and says as follows:

My name is Stephen R. Monk and I am a licensed and practicing attorney in Birmingham, Alabama. I was the preparer of that certain Statutory Warranty Deed executed by NALL PARTNERSHIP, LTD., an Alabama limited partnership, WESLEY L. BURNHAM, JR., a married man, PEGGY BURNHAM, a married person, JEFFREY S. BURNHAM, a married person, and STACY BURNHAM TREPANIER, a married person, in favor of CITY OF VESTAVIA HILLS, an Alabama municipal corporation, which was recorded in Office of the Judge of Probate of Shelby County, Alabama as Instrument 20201216000577730 and in the Office of the Judge of Probate of Jefferson County, Alabama as Instrument #2020143317 (the "Deed").

It has come to my attention that the Deed contained an erroneous bearing with respect to the second parcel described in Exhibit A to the Deed which is referred to as the "O and I Parcel A". The discrepancy in the bearing is highlighted in yellow below (and underlined) in the legal description set forth below which refers to a bearing of "N 56° 10' 05" East". That bearing should have been "N 45° 10' 05" West".

A parcel of land situated in the SW 1/4 of the SE 1/4 in Section 33, Township 18 South, Range 2 West and the NW 1/4 of the NE 1/4 Section 4, Township 19 South, Range 2 West, Shelby County, Alabama and the NE 1/4 of the NW 1/4 of Section 4, Township 19 South, Range 2 West, Jefferson County, Alabama and part of Nyesle Property east of Acton Road survey as recorded in Map Book 168, Page 18, being more particularly described as follows:

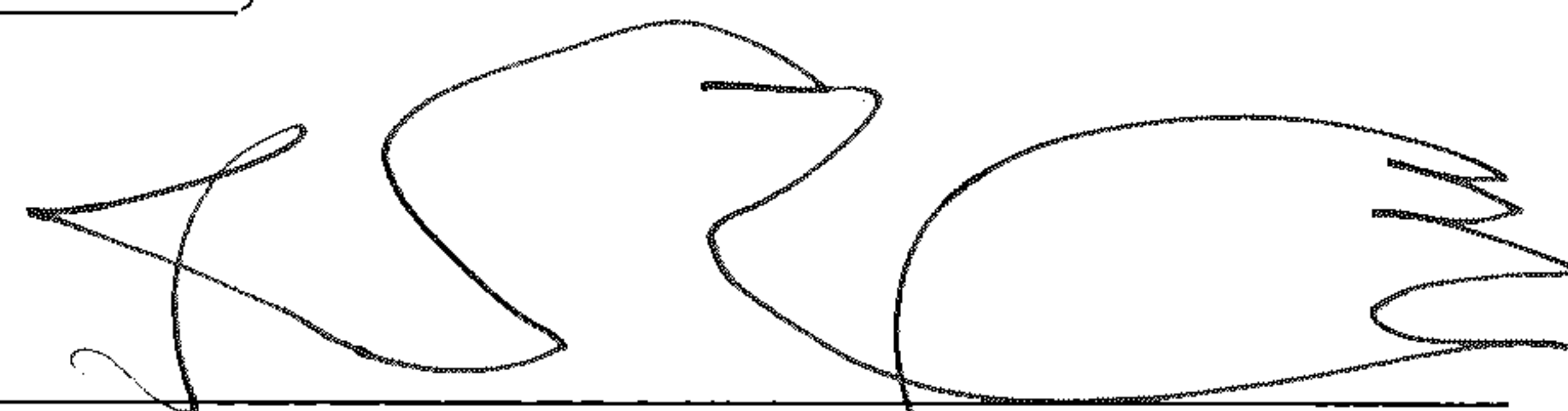
BEGIN at a 1" crimp at the NE corner of Lot 17 of Altadena Valley Country Club Sector as recorded in Map Book 4 Page 71 in the Office of the Judge of Probate in Shelby County, Alabama and Map Book 66 Page 39 in the Office of the Judge of Probate in Jefferson County, Alabama; thence S 42°47'55" W along the northwestern line of Lot 17 a distance of 263.37 feet to a 1" open pipe at the SW corner of Lot 17; thence S 43°16'06" W along the northwestern line of Lot 16 a distance of 76.33 feet to a 1" open pipe at the SW corner Lot 16; thence S 43°02'14" W along the northwestern line of Lot 15 a distance of 66.63 feet to a 5/8" rebar capped LDW at the SW corner of Lot 15; thence S 43°32'41"W along the northwestern line of Lot 14 a distance of 115.14 feet to a rebar capped EDG at the SW corner of Lot 14; thence S 31°14'26" W along the northwestern line of Lots 13 and 12 a distance of 261.37 feet to a 1" crimp at the SW corner of Lot 12; thence S

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31°27'59" W along the northwestern line of Lot 11 a distance of 118.27 feet to a 1" open pipe at the SW corner of Lot 11; thence S 37°37'56" W along the northwestern line of Lot 10 a distance of 117.80 feet to a 1" crimp at the SW corner of Lot 10; thence S 37°19'38" W along the northwestern line of Lot 9 a distance of 89.09 feet to a 1" crimp; thence N 56°10'05" E a distance of 101.05 feet to a rebar capped EDG on the southeastern right-of-way of Acton Road; thence N 57°32'37" W along said right-of-way a distance of 9.98 feet to a rebar capped EDG; thence N 32°09'30" E along said right-of-way a distance of 77.23 feet to a 1/2" rebar; thence N 01°54' 10" W along said right-of-way a distance of 18.78 feet to a 1" crimp ; thence N 33°18'55" E along said right-of-way a distance of 318.67 feet to a rebar capped EDG at the point of curve to the left having a central angle of 09°54'07" and a radius of 1353.32 feet said curve subtended by a chord bearing N 28°21'52 " E and a chord distance of 233.59 feet ; thence along the arc of said curve and along said right-of-way a distance of 233.88 feet to a 1" crimp; thence N 23°24'49 " E along said right-of-way a distance of 141.98 feet to a 3/4" crimp at the point of curve to the right having a central angle of 40°23'15" and a radius of 405.01 feet said curve subtended by a chord bearing N 43°30'25" E and a chord distance of 279.62 feet ; thence along the arc of said curve and along said right-of-way a distance of 285.49 feet to a rebar capped EDG; thence N 63°42'02" E along said right-of-way a distance of 34.08 feet to a rebar capped EDG at the point of curve to the left having a central angle of 19°08'51 " and a radius of 324.93 feet , said curve subtended by a chord bearing N 54°07'37" E and a chord distance of 108.08 feet , thence along the arc of said curve and along said right-of-way a distance of 108.59 feet to a rebar capped EDG at the intersection of said right-of-way and the southwestern right-of-way of Altavista Circle; thence S 32°49'35 " E leaving Acton Road right-of-way and along the southwestern right-of-way of Altavista Circle a distance of 74.24 feet to a rebar capped EDG at the point of curve to the right having a central angle of 23°07'34" and a radius of 260.44 feet , said curve subtended by a chord bearing S 21°15'48" E and a chord distance of 104.41 feet; thence along the arc of said curve and along said right-of-way a distance of 105.12 feet to the POINT OF BEGINNING.

The true and correct legal description of Second Parcel (O and I Parcel A) set forth in Exhibit A to the Deed should have read as set forth in Schedule I attached hereto and incorporated herein by reference.

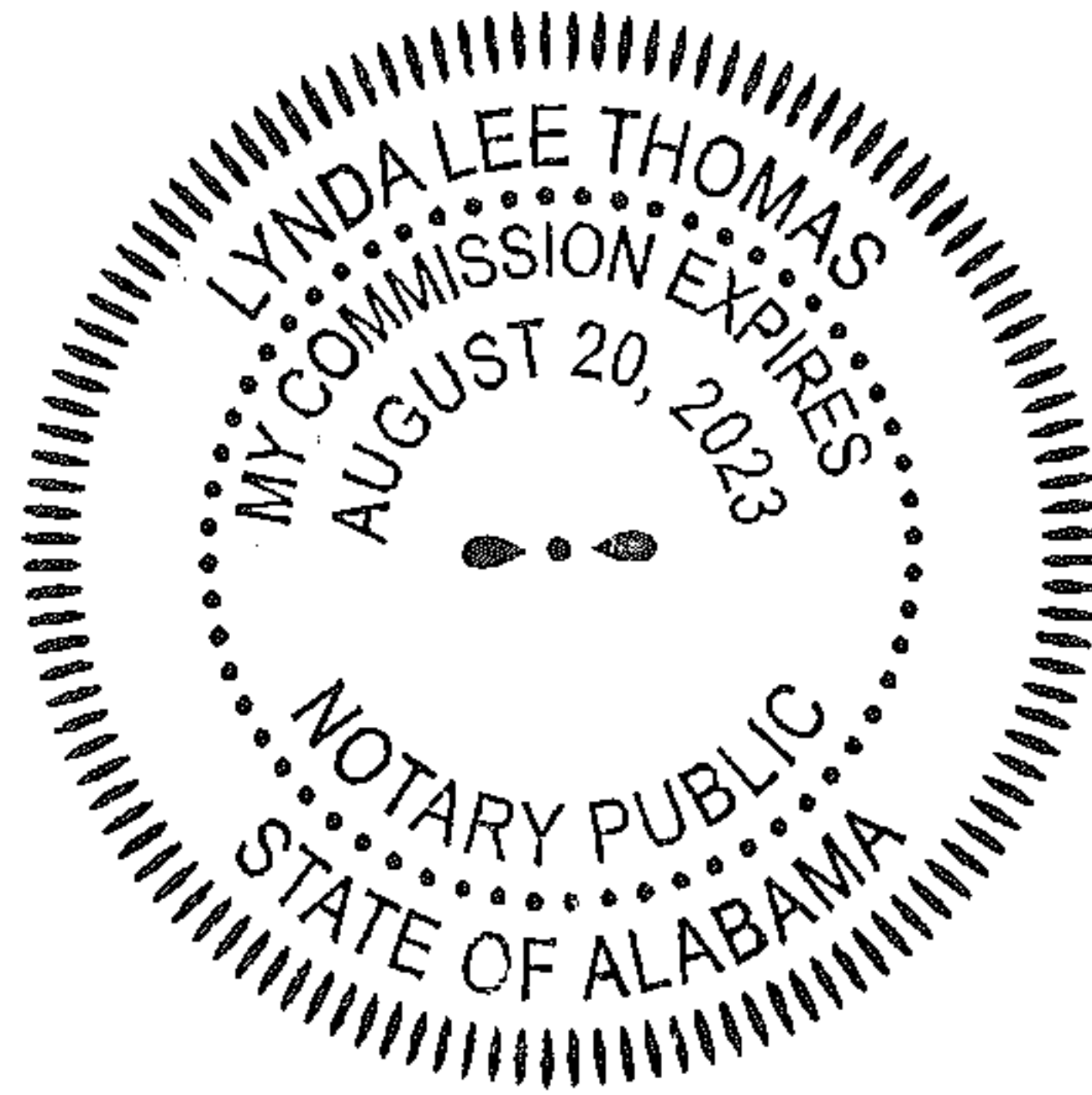
DATED as of this 18th day of April, 2023.



Stephen R. Monk

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Sworn to and subscribed before me on this 18th day of April, 2023.



Lynda Lee Thomas
Notary Public

My Commission Expires: 8/20/2023

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Schedule I

A parcel of land situated in the SW 1/4 of the SE 1/4 in Section 33, Township 18 South, Range 2 West and the NW 1/4 of the NE 1/4 Section 4, Township 19 South, Range 2 West, Shelby County, Alabama and the NE 1/4 of the NW 1/4 of Section 4, Township 19 South, Range 2 West, Jefferson County, Alabama and part of Nyesle Property east of Acton Road survey as recorded in Map Book 168, Page 18, being more particularly described as follows:

BEGIN at a 1" crimp at the NE corner of Lot 17 of Altadena Valley Country Club Sector as recorded in Map Book 4 Page 71 in the Office of the Judge of Probate in Shelby County, Alabama and Map Book 66 Page 39 in the Office of the Judge of Probate in Jefferson County, Alabama; thence S 42°47'55" W along the northwestern line of Lot 17 a distance of 263.37 feet to a 1" open pipe at the SW corner of Lot 17; thence S 43°16'06" W along the northwestern line of Lot 16 a distance of 76.33 feet to a 1" open pipe at the SW corner Lot 16; thence S 43°02'14" W along the northwestern line of Lot 15 a distance of 66.63 feet to a 5/8" rebar capped LDW at the SW corner of Lot 15; thence S 43°32'41" W along the northwestern line of Lot 14 a distance of 115.14 feet to a rebar capped EDG at the SW corner of Lot 14; thence S 31°14'26" W along the northwestern line of Lots 13 and 12 a distance of 261.37 feet to a 1" crimp at the SW corner of Lot 12; thence S 31°27'59" W along the northwestern line of Lot 11 a distance of 118.27 feet to a 1" open pipe at the SW corner of Lot 11; thence S 37°37'56" W along the northwestern line of Lot 10 a distance of 117.80 feet to a 1" crimp at the SW corner of Lot 10; thence S 37°19'38" W along the northwestern line of Lot 9 a distance of 89.09 feet to a 1" crimp; thence N 56°10'05" W a distance of 101.05 feet to a rebar capped EDG on the southeastern right-of-way of Acton Road; thence N 57°32'37" W along said right-of-way a distance of 9.98 feet to a rebar capped EDG; thence N 32°09'30" E along said right-of-way a distance of 77.23 feet to a 1/2" rebar; thence N 01°54' 10" W along said right-of-way a distance of 18.78 feet to a 1" crimp ; thence N 33°18'55" E along said right-of-way a distance of 318.67 feet to a rebar capped EDG at the point of curve to the left having a central angle of 09°54'07" and a radius of 1353.32 feet said curve subtended by a chord bearing N 28°21'52 " E and a chord distance of 233.59 feet ; thence along the arc of said curve and along said right-of-way a distance of 233.88 feet to a 1" crimp; thence N 23°24'49 " E along said right-of-way a distance of 141.98 feet to a 3/4" crimp at the point of curve to the right having a central angle of 40°23'15" and a radius of 405.01 feet said curve subtended by a chord bearing N 43°30'25" E and a chord distance of 279.62 feet ; thence along the arc of said curve and along said right-of-way a distance of 285.49 feet to a rebar capped EDG; thence N 63°42'02" E along said right-of-way a distance of 34.08 feet to a rebar capped EDG at the point of curve to the left having a central angle of 19°08'51 " and a radius of 324.93 feet , said curve subtended by a chord bearing N 54°07'37" E and a chord distance of 108.08 feet , thence along the arc of said curve and along said right-of-way a distance of 108.59 feet to a rebar capped EDG at the intersection of said right-of-way and the southwestern right-of-way of Altavista Circle; thence S 32°49'35 " E leaving Acton Road right-of-way and along the southwestern right-of-way of Altavista Circle a distance of 74.24 feet to a rebar capped EDG at the point of curve to the right having a central angle of 23°07'34" and a radius of 260.44 feet , said curve subtended by

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a chord bearing S 21°15'48" E and a chord distance of 104.41 feet; thence along the arc of said curve and along said right-of-way a distance of 105.12 feet to the POINT OF BEGINNING.



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
04/18/2023 10:42:15 AM
\$38.00 PAYGE
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Allie S. Bayl