

*Clerk: please record and return to:*  
R. Timothy Estes, Esq.  
2188 Parkway Lake Drive, Ste. 101  
Hoover, AL. 35244

REF: GF# 422-235000742

**STATE OF ALABAMA     )**

**COUNTY OF SHELBY     )**

Indexing References:

Instrument Number 20231003000295390

Instrument Number 20231003000295410

**Current Owner: Donald Francis**

**McDonnell & Wyann S. McDonnell**

## **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 September 28, 2023, as the closing attorney, I conducted a real estate closing by which Donald Francis McDonnell and Wyann S. McDonnell (hereinafter referred to as "Purchasers") purchased the property located at 252 Koslin Loop, Calera, Alabama 35040 (hereinafter referred to as the "Property"), from D.R. Horton, Inc., - Birmingham (hereinafter referred to as "Seller"). In order to convey title to said Purchasers, Seller executed a Statutory Warranty Deed. Said Statutory Warranty Deed was recorded on October 03, 2023, in the Office of the Judge of Probate for Shelby County, Alabama as Instrument Number 20221003000295390 (the "Statutory Warranty Deed").
3. That simultaneous with said purchase of the Property, Purchasers executed a Mortgage in the amount of \$299,400.00, encumbering said property. Said Mortgage was recorded on October 03, 2023, in the Office of the Judge of Probate for Shelby County, Alabama as Instrument Number 20231003000295410 (the "Mortgage").
4. That the Statutory Warranty Deed and the Mortgage both contain errors within the legal description in that the incorrect Phase, Book and, Page Number were referenced.
5. That the correct legal description is as follows:

Lot 118, as shown on the Final Plat Koslin Farms **Phase 1**, Sector 1, according to the map or plat thereof, recorded as amended in Plat **Book 56, Page 88**, 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 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.

**IN WITNESS WHEREOF**, I have set my hand and seal this the 1st day of February 2024.

  
R. Timothy Estes, as AFFIANT  
2188 Parkway Lake Drive, Suite 101  
Hoover, AL 35244

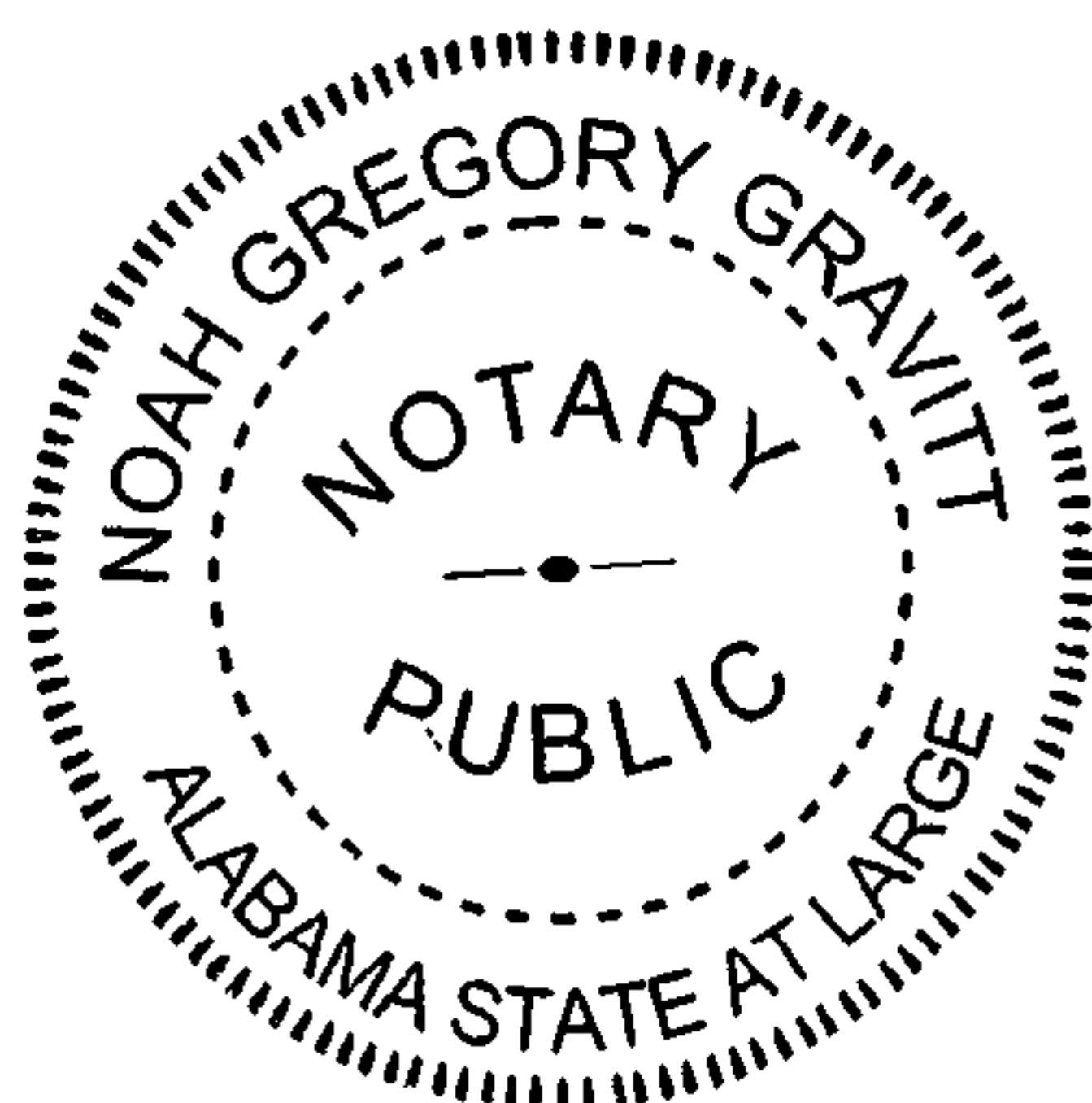
**STATE OF ALABAMA     )**

**ss.**

**COUNTY OF SHELBY     )**

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 seal on this the 1st day of February 2024.



  
Notary Public

My Commission Expires: 01-23-2027

Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County  
Clerk  
Shelby County, AL  
02/02/2024 08:01:43 AM  
\$27.00 BRITTANI  
20240202000026840

*Brittani S. Bayl*