This instrument prepared by:
Realty Title and Escrow Company, Inc.
1187 Old Hickory Blvd Suite 100
Brentwood, TN 37027

Davidson County AFFIDAVIT
Recvd: 05/23/05 16:12 2 pgs
Fees:12.00 Taxes:0.00
20050523-0058133

State of Tennessee
County of Davidson

Corrective Scrivener's Affidavit

(reference to Scrivener's Affidavit of record Instrument No. 20040922-0113908)

Comes now Realty Title and Escrow Company, Inc. (hereinafter Realty Title) 3815 Cleghorn Avenue, Suite 102, Nashville, Tennessee 37215 by and through its authorized agent, and states on oath:

1. That Realty Title prepared a certain Warranty Deed dated December 22, 2003, wherein Robert W. Bolster, Sr. and wife, Alice T. Bolster, were the grantors and David Chad Ellis and wife, Teresa Lynn Ellis were the grantees;
2. That Realty Title prepared a legal description that was attached to a certain Deed of Trust wherein David Chad Ellis, married, and Teresa Lynn Ellis, married were the mortgagors and Freeman Webb Mortgage Corporation was the mortgagee executed on December 24, 2003;
3. That Realty Title prepared a legal description that was attached to a certain Tennessee Deed of Trust (Home Equity Line of Credit) wherein David Chad Ellis and Teresa Lynn Ellis were the mortgagors and First Tennessee Bank National Association was the mortgagee executed on December 24, 2003;
4. That it was initially thought that said Warranty Deed and Deeds of Trust incorrectly omitted part of the legal description containing part of Lot 449 Block C;
5. That a Scrivener's Affidavit was prepared and recorded to correct the legal description on said instruments to include said part of Lot 449 Block C;
6. That said Scrivener's Affidavit was recorded with the Register of Deeds of Davidson County, Tennessee in **Instrument No. 20040922-0113908**
7. **That said Scrivener's Affidavit is erroneous and the subject matter thereof is an inappropriate use of a scrivener's affidavit**;
8. That the complete **correct legal description was as originally stated on the above Warranty Deed and Deeds of Trust** and is attached hereto and marked as Exhibit "A";
9. That said Warranty Deed was originally recorded with the Register of Deeds of Davidson County, Tennessee in **Instrument No. 20040105-0001090** on January 5, 2004 and the ***legal description on that instrument is hereby confirmed;***
10. That said Deed of Trust in favor of Freeman Webb Mortgage Corporation was originally recorded with the Register of Deeds of Davidson County, Tennessee in **Instrument No. 20040105-0001091** on January 5, 2004 and the ***legal description on that instrument is hereby confirmed***;
11. That said Tennessee Deed of Trust (Home Equity Line of Credit) in favor of First Tennessee Bank National Association was originally recorded with the Register of Deeds of Davidson County, Tennessee in **Instrument No. 20040105-0001093** on January 5, 2004 and the ***legal description on that instrument is hereby confirmed;***
12. That in consideration of the above, **the Scrivener's Affidavit of record in Instrument No. 20040922-0113908 is null and void.**
13. That this affidavit is given to explain these mistakes and to assist the present owner, as well as all future owners, lenders, title examiners and insurers.

Realty Title and Escrow Company, Inc.
By: Brian Payne

Subscribed and sworn to before me the undersigned on this 16th day of May, 2005.

Notary Public
Commission expires 9-22-07

DONNA J. VANDERMEER STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

State of Tennessee
County of Davidson

Personally appeared before me, the undersigned, a notary public in and for said county and state the within named Brian Payne, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and seal at Nashville, Tennessee, this 16th day of May, 2005.

Notary Public
My commission expires: 9-22-07

DONNA J. VANDERMEER STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

Exhibit A

Land in Davidson County, Tennessee, being Lot No. 445 on the map of the Richland Realty Company's Subdivision "C" of record in Book 421, Page 31, Register's Office for Davidson County, Tennessee.

Said Lot No. 445 fronts sixty feet on the southerly side of Meadowbrook Avenue and runs back between parallel lines 200 feet to an alley.