THIS INSTRUMENT PREPARED BY:
MICHAEL J. PHILBIN, P.C.
2021 RICHARD JONES ROAD, STE 220
NASHVILLE, TN 37215-2860
(615) 345-0025
(615) 320-3280 (FAX)

Davidson County DEEDQC
Recvd: 12/29/05 13:15 2 pgs
Fees:12.00 Taxes:0.00
20051229-0156195

SCRIVENER'S AFFIDAVIT

STATE OF TENNESSEE COUNTY OF DAVIDSON

Comes now Henry Horrell, who is over eighteen (18) years of age and whose address is 16 Valley Forge, Nashville, TN 37205 and would state as follows:

On the 1st day of January, 1989, the Affiant prepared the below described Quitclaim Deed. One of his duties as the drafter of that instrument was to correctly insert the legal description of the property.

Recorded in Book 8273, Page 578, in the Register's Office for Davidson County, Tennessee, is a Quitclaim Deed conveying the interests of Fred Horrell, Steve Horrell and Henry Horrell d/b/a Horrell Realty Co., a Partnership to Henry Horrell and wife, Kathleen B. Horrell with respect to certain real property therein described. The description that appears of record in that Quitclaim Deed is set forth as follows:

Property located at 430 Allied Drive, Nashville, TN, being Parcel 235, Map 133-6 R.O.D.C.

The foregoing description contains a scrivener's error in that it fails to include the legal description of the aforesaid property which is as follows: Lot 11A on the Plan of the Resubdivision of Lot 11A Section One Allied Industrial Park of record in Book 5190, Page 643 Register's Office for said County. An additional scrivener's error in the aforesaid Quitclaim Deed is that it failed to recite a derivation clause which is as follows: Being part of the same property conveyed to the aforesaid partnership, Horrell Realty Company by Installment Deed of

record in Book 5697, Page 366 Register's Office for Davidson County, Tennessee. These errors were unintentional.

By way of further clarification the Affiant declares that "Horrell Realty and Investments – 3" the Grantee named in Book 5697, Page 366, R.O.D.C., was never a Limited Partnership, but only a General Partnership under Tennessee law and at the time the Partnership conveyed its interest in the property to Mr. and Mrs. Horrell by the Quitclaim Deed referenced above which was recorded on January 10, 1991, the Partnership had changed its name to Horrell Realty Company.

This Affidavit is made of my personal knowledge to correct the errors above described.

EXECUTED this 29th day of December, 2005.

Henry Horrell

OATH AND ACKNOWLEDGMENT

Personally appeared before me the within named Henry Horrell who made oath that he has read the foregoing Affidavit and the things and matters contained therein are true. The Affiant did further acknowledge that he executed the within described document for the purpose of correcting the scrivener's errors herein described.

SUBSCRIBED AND SWORN TO before me this 29th day of December, 2005.

My Commission Expires: 3/21/09

Notary Public

MICHAEL J. PHILBIN STATE OF TENNSEESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

Michael J. Philbin
My Commission Expires
March 21, 2009