Davidson County DEEDWARR
Recvd: 01/17/07 08:23 2 pgs
Fees:12.00 Taxes:0.00
20070117-0006548

SCRIVENER'S AFFIDAVIT

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

MAP/PARCEL
176-1-3-40C0

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Comes now Michael J. Philbin, a licensed attorney in the State of Tennessee whose address is 2021 Richard Jones Road, Suite 220, Nashville, TN 37215 and would state as follows:

On the 28th day of June, 2006, under the direction of the Affiant, an employee of Lawyer's Escrow Service, Inc. prepared the Warranty Deed reference below. One of the employee's duties was to insert the correct lot number in the description of said instrument.

Recorded as Instrument No. 20060711-0083363, in the Register's Office for Davidson County, Tennessee, is a Warranty Deed executed by Ruth Lyon, Agent on behalf of Beazer Homes Corporation, as Grantor, and names Patrick J. Yancey and Pamela M. Yancey, husband and wife, as Grantees. The description that appears of record in said Deed of Trust is set forth as follows:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT #118 ON PLAN OF MAXWELL PLACE P.U.D. OF RECORD IN INSTRUMENT #20050418-0042714, REGISTER'S OFFICE FOR SAID COUNTY, TO WHICH PLAN REFERENCE IS HEREBY MADE FOR A MORE COMPLETE AND ACCURATE DESCRIPTION.

The foregoing description contains an inadvertent scrivener's error in that the lot number should have been 116 not 118. This error was unintentional. The correct legal description that should appear in the Warranty Deed recorded as Instrument No. 20060711-0083363, is as follows:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT #116 ON PLAN OF MAXWELL PLACE P.U.D. OF RECORD IN INSTRUMENT #20050418-0042714, REGISTER'S OFFICE FOR SAID COUNTY, TO WHICH PLAN REFERENCE IS HEREBY MADE FOR A MORE COMPLETE AND ACCURATE DESCRIPTION.

This Affidavit is made of my personal knowledge to correct the above-described Scrivener's error.

EXECUTED this 12th day of January 2007.

Michael J. Philbin, Affiant

OATH AND ACKNOWLEDGMENT

Personally appeared before me the within named Michael J. Philbin who made oath that he has read the foregoing Affidavit and that 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 error herein described.

SUBSCRIBED AND SWORN TO before me this 12th day of January 2007.

My Commission Expires: 3-21-09

LAURA B. RININGER STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

Notary Public

MJPPC/10-19-06 Yancey Scriveners Affidavit.doc