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Box 14A

Davidson County AFFIDAVIT
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THIS INSTRUMENT PREPARED BY:
MICHAEL J. PHILBIN, ATTORNEY
2021 Richard Jones Road Suite 220
Nashville, Tennessee 37215

SCRIVENER'S AFFIDAVIT

WHEREAS Michael Comstock and wife, Julie D. Comstock, ("Grantees") conveyed to Wesley P. Thayer and wife, Sheila A. Thayer, ("Grantees") by a Warranty Deed dated April 13, 2005, and recorded as Instrument No. 20050415-0042127 in the Register's Office for Davidson County, Tennessee, the property commonly known as 5004 Wyoming Avenue, Nashville, Tennessee 37209, and

WHEREAS the property conveyed was described as:

> BEING part of Block 25 on the Plan of Realty Savings Bank and Trust Company's revised plan of West extension of Charlotte Park Company's First Addition, of record in Plat Book 421, Page 18, Register's Office for Davidson County, Tennessee.

WHEREAS a "scrivener's error" was made in the said legal description.

NOW THEREFORE, Michael J. Philbin, ("Affiant") makes the following statements:

I am an attorney at law, licensed under the laws of the State of Tennessee and acted as the closing attorney in the transaction wherein Michael Comstock and wife, Julie D. Comstock, conveyed subject property to Wesley P. Thayer and wife, Sheila A. Thayer. I was made aware of the reference in the legal description of the property wherein a portion of the legal description was omitted and this was the result of a "scrivener's error" by the Affiant or a member of his staff and that the intention of the Grantors in the said Warranty Deed was to further describe the property as follows:

> Beginning at a point 110 feet from the westerly margin of 50th Avenue North in the northerly margin of Wyoming Avenue, formerly Sixth Avenue, westerly with said Northern margin 50 feet to a point; thence North 150 feet to the southerly margin of a 20 ft. alley; thence easterly 50 feet with said alley to a point; thence South 150 feet to a point of beginning.

This Affidavit is made to correct any defect in title by reason of the aforesaid defective

instrument by showing that the defect resulted from a scrivener's error and not the intentional acts of the parties.

FURTHER, the Affiant sayeth not.

MICHAEL J. PHILBIN

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 Michael J. Philbin, the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal this 10th day of April, 2007.

Notary Public

My Commission Expires: 3-24-09

LAURA B. RUNIONS
NOTARY PUBLIC
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY