THIS INSTRUMENT PREPARED BY:
Kevin D. Montgomery, Attorney
4301 Hillsboro Road
Suite 300
Nashville, TN 37215

BOX 10-A

RETURN TO:
PREMIER ESCROW, LLC
4301 HILLSBORO ROAD, STE 300
NASHVILLE, TN 37215

SCRIVENER'S AFFIDAVIT

WHEREAS Richard B. Hope, ("Grantors") conveyed to James Dudney Fox, unmarried, ("Grantees") by a Warranty Deed dated July 31, 2000, and recorded in Instrument #20000801-0075779, and re-recorded in 20010917-0100404, in the Register's Office for Davidson County, Tennessee, the property commonly known as 3815 Hilldale Drive, Nashville, TN 37215, and

WHEREAS the property conveyed was described as:

> Land in the 7th Civil District of Davidson County, Tennessee being Lot No. 2 on the unrecorded Plan of a resubdivision of part of Lot No. 3 on the Plan of Billington's Subdivision of part of Lot No. 2 of the Compton Lands, of record in Book 547, page 118, Register's Office for Davidson County, Tennessee, said Compton plan being of record in Plan Book 2, page 58 of the Chancery Court at Nashville and described according to a survey made May 15, 1947, by E. R. Southgate & Son, Surveyors, as follows:
>
> Beginning at an iron pin in the westerly margin of Hilldale Road or Drive, the common corner of Lots 1 and 2 of said unrecorded plan, said point being 293.4 feet, more or less, north of the center line of Abbott Martin Road, being the northeast corner of the property conveyed to George W. Henegar and wife, by deed of record in Book 1490, page 600, said Register's Office; thence with Henegar's north line, and the same, if extended, 215 feet to a point; thence north 4 deg. east 100 feet to the corner of Lots 2 and 3; thence with the line between said lots, easterly 215 feet to the west margin of Hilldale Road; thence with the margin of said Road, southerly 100 feet to the beginning.

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

NOW THEREFORE, Kevin D. Montgomery, ("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 Richard B. Hope, conveyed subject property to James Dudney Fox, unmarried. I was made aware of the reference in the legal description as to the insertion of the words "Book 547, page 118" and that the page number is incorrect 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 reference Book 547, page 116, Register's Office for Davidson County, Tennessee.

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.

KEVIN D. MONTGOMERY

Davidson County AFFIDAVIT
Recvd: 05/02/07 14:23 1 pgs
Fees:12.00 Taxes:0.00
20070502-0052599

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 Kevin D. Montgomery, 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 1st day of May, 2007.

Alison L Rutledge
Notary Public

My Commission Expires:

ALISON L. RUTLEDGE
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TN
My Commission Expires May 23 2009