Davidson County AFFIDAVIT
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THIS INSTRUMENT PREPARED BY:
KEVIN D. MONTGOMERY, ATTORNEY
4301 Hillsboro Road, Suite 300
Nashville, Tennessee 37215

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

BOX 10-A

SCRIVENER'S AFFIDAVIT

WHEREAS, Margaret F. Houk Poteat, Unmarried, ("Grantor") conveyed to R & B, LLC, a Tennessee Limited Liability Company, ("Grantee") by a Warranty Deed dated October 6, 2005 and recorded in Instrument #20051011-0122348, in the Register's Office for Davidson County, Tennessee, the property commonly known as 4006 Copeland Drive, Nashville, TN 37215.

WHEREAS the property conveyed was described as:

Land in Davidson County, Tennessee, being Lot No. 38 on the Plan of Evergreen Heights, Part II, of record in Book 1835, page 19, Register's Office for said County.

Said Lot No. 38 fronts 75 feet on the easterly side of Copeland Drive and runs back 201.1 feet on the southerly line and 322.1 feet on the northerly line to a dead line in the rear on which it measures 189.1 feet.

WHEREAS a "scrivener's error" was made in the Grantee's Name.

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 Margaret F. Houk Poteat, unmarried, conveyed subject property to R & B, LLC, a Tennessee Limited Liability Company. I was made aware of the Grantee's name and that it 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 convey to R & B Development, LLC, a Tennessee Limited Liability Company the property described therein.

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

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 7th day of June, 2007.

KATHY SNIDER
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires May 22, 2010

Notary Public