Davidson County AFFIDAVIT
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20070726-0088680

State of Tennessee
County of Davidson

This instrument prepared by:
Denise C. Allis
Commonwealth Title Agency of Nashville, Inc.
333 Gallatin Road South
Madison, TN 37115

Scrivener's Affidavit
(Re: Warranty Deed of record in Instrument No. 20040929-0117278, Register's Office for Davidson County, TN)

Comes now Denise C. Allis and states on oath:

1. That she is the President of Commonwealth Title Agency of Nashville, Inc.;
2. That the legal description attached as Exhibit A to that certain Warranty Deed dated September 16, 2004, wherein A V Enterprises, a Tennessee General Partnership, conveyed certain property to Ohm Shiv Shankar, Inc., a Tennessee corporation, which Warranty Deed was prepared by Commonwealth Title Agency of Nashville, Inc., 333 Gallatin Road South, Madison, TN 37115;
3. That said Warranty Deed was recorded with the Register of Deeds of Davidson County, Tennessee in Instrument No. 20040929-0117278 on September 29, 2004;
4. That the description in Exhibit "A" paragraph 1 of said Warranty Deed, through inadvertence and mistake on the part of the closing agent, stated that the property was lots 18 and 19 and should have stated that the property was a portion of lots 18 and 19;
5. That the correct legal description of the property intended to be attached to the Warranty Deed referenced above is described as shown on Exhibit A attached hereto; and
6. That this affidavit is made of my personal knowledge and given to correct and explain the above-described error.

In witness whereof, this affidavit is executed this the 15th day of May, 2005.

COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.

By: Denise C. Allis
DENISE C. ALLIS, PRESIDENT

Subscribed and sworn to before me, the undersigned, on this 15th day of May, 2007.

Kristie S. Taylor
Notary Public

KRISTIE S. TAYLOR Notary Public at Large DAVIDSON CO., TENNESSEE

My commission expires: 07-24-2010

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 Denise C. Allis, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who, upon oath, acknowledged that she is the President of Commonwealth Title Agency of Nashville, Inc., the within named bargainor, a corporation, and that as such President executed the foregoing instrument for the purposes therein contained, by personally signing the name of the corporation by herself as such President.

Witness my hand and seal at Madison, Tennessee, this 15th day of May 2007.

Kristie S. Taylor
Notary Public

KRISTIE S. TAYLOR Notary Public at Large DAVIDSON CO., TENNESSEE

My commission expires: 07-24-2010

EXHIBIT "A"

A tract of land situated in the 2nd Civil District, 20th Councilmanic District of Nashville Davidson County, Tennessee and being a portion of lots Nos. 18 & 19 in the subdivision Mount Hickory of Record in Plat Book 332, page 68 R.O.D.C., Tn, and being more particularly described as per the survey of R.L. Montoya Land Surveying, R.L. Montoya, TN R.L.S. No. 697, dated August 30, 2004, as follows:

Beginning at a Concrete Highway Monument (found this survey) in the Northerly margin of Charlotte Pike and the Easterly Margin of the East-Bound access ramp Right-Of-Way of Interstate Route 40; thence, with said easterly Margin of Interstate 40 for the next 4 calls; North 15 deg. 28' 55" West 164.39' to a Concrete Highway Monument (found this survey); thence, North 11 deg. 44' 39" East 222.10' to a Concrete Highway Monument (found this survey); thence, North 43 deg. 10' 00" East 192.44 feet to a Iron Rod (set this survey); thence, North 43 deg. 16' 00" East 315.84' to a Concrete Highway Monument (found this survey), said Monument in the Westerly line of the property conveyed to Nashville West Shopping Center, LLC as evidenced in Instrument # 20010130-11507 R.O.D.C., Tn, and also being the Northeast corner for this hereon described tract of land; thence, South 42 deg. 23' 19" East 313.59' to a Iron Rod (found this survey) in the Easterly line of the property conveyed to Horizon Real Estate L.P. as evidenced in Instrument #20021018-128141 R.O.D.C., Tn.; thence, South 25 deg. 37' 02" East 110.60' to a Iron Rod (found this survey), said rod being the Northeast corner of the property conveyed to Norris R. Hall, Etux as evidenced in Deed Book 6231, page 387 R.O.D.C., Tn. thence, with Hall's North Line South 71 deg. 26' 18" West 205.60' to a Iron Rod (found this survey), said rod being the Northwest corner of aforementioned Hall's Property; thence, with Hall's West line South 18 deg. 32' 46" East 200.20' to a iron Rod (set this survey) in the North Margin of Charlotte Pike; thence, with said margin of Charlotte Pike South 71 deg. 30' 49" West 503.42' to the point-of-beginning containing 263,078 S.F., or 6.04 acres more or less.

BEING the same property conveyed to A V ENTERPRISES, A TENNESSEE GENERAL PARTNERSHIP, by Warranty Deed from Nashville Associates, of record in Book 8194, page 568, Register's Office for Davidson County, Tennessee.