Box 39-B

AFFIDAVIT

RE: Warranty Deed of record as Instrument No. 20061218-0155606, Register's Office of Davidson County, Tennessee: to place of record the Exhibit B" referenced and incorporated therein, and attached to the said Warranty Deed at execution.

Comes now Kenneth M. Ballew, the Affiant, a resident of Davidson County, Tennessee, who is over 18 years of age, and would state as follows, to wit:

That on December 14, 2006, Kenneth M. Ballew, as a Notary Public At Large for the State of Tennessee, witnessed the execution of the Warranty Deed from Cherokee Crossing Partnership, a Tennessee Partnership to Mathew R. Zenner and wife, Lisa Collins Zenner, that he signed the acknowledgement forms therein contained, and that he applied his notary seal to the acknowledgements in the said Warranty Deed; and,

That it has come to the attention of the Affiant that the Exhibit "B" referenced and incorporated in said Warranty Deed and attached and included at the time of execution by the Grantor, and as acknowledged by the affiant, does not appear in the copy of the said document maintained as Instrument No. 20061218-0155606, in the Register's Office of Davidson County, Tennessee; and,

That in order to clarify the record of the grant and conveyance of "The Grantor hereby grants and conveys to the Grantee, Grantee's heirs and assigns, an adjoining permanent "Outdoor living space easement over Lot 4 for the benefit of Lot 5", as shown on, and described by reference on Exhibit "B" attached hereto and incorporated herein. Said easement to run with the land.", as recited in the said Warranty Deed, the Affiant has attached a copy of the said referenced Exhibit "B" to this Affidavit for the purpose of making the Exhibit "B" referenced in said Warranty Deed as acknowledged by the affiant a matter of public record referencing said Warranty Deed.

This Affidavit is made of my personal knowledge of the matter described above.

EXECUTED this the 26th day of July, 2007:

Davidson County AFFIDAVIT
Recvd: 07/26/07 13:09 2 pgs
Fees:12.00 Taxes:0.00
20070726-0088860

Kenneth M. Ballew

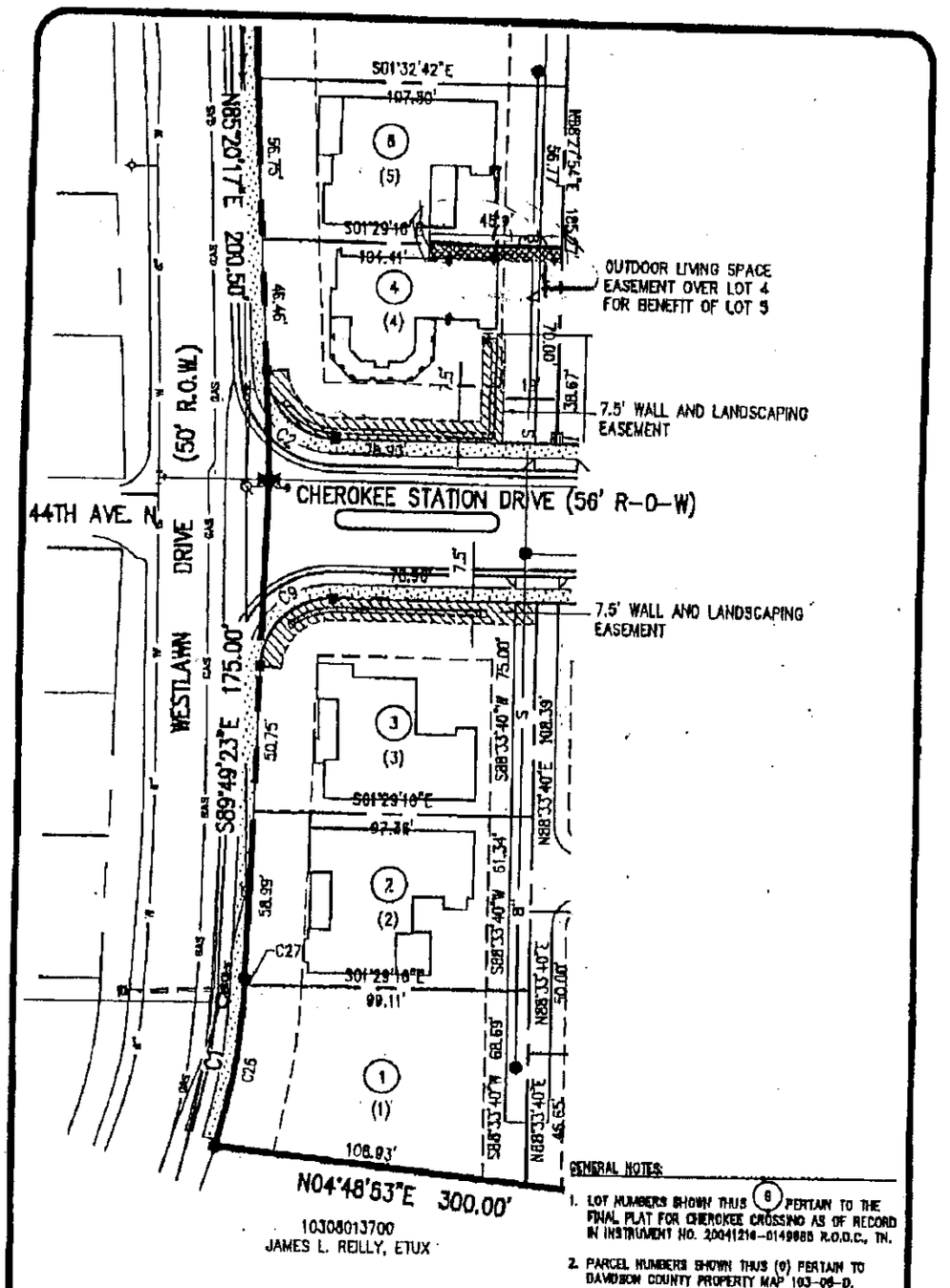
Appeared, Executed and Sworn to before me this 26 day of July, 2007

Notary Public

Commission Expires: 5/22/10

NOTARY PUBLIC STATE OF TENNESSEE DAVIDSON COUNTY, TENN.

This instrument Prepared by:
Kenneth M. Ballew
30 Burton Hills Blvd.
Nashville, TN 37215



GENERAL NOTES:

1. LOT NUMBERS SHOWN THUS (6) PERTAIN TO THE FINAL PLAT FOR CHEROKEE CROSSING AS OF RECORD IN INSTRUMENT NO. 20041216-0149885 R.O.D.C., TN.
2. PARCEL NUMBERS SHOWN THUS (0) PERTAIN TO DAVIDSON COUNTY PROPERTY MAP 103-06-D.

EXHIBIT "B"

CHEROKEE CROSSING

NASHVILLE, DAVIDSON COUNTY, TENNESSEE

DATE: DEC. 14, 2005

40' 0' 40' 80'

SCALE IN FEET

Wamble & Associates, PLLC
40 Middleton St. Nashville, Tennessee 37210
Telephone (615)251-9555 Fax (615)251-9034
Civil Engineering | Land Surveying

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Received Time Dec. 14. 5:16PM