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Property Address:
5204 Michigan Avenue
Nashville, TN 37209
Map-Par. 91-7-389

Davidson County AFFIDAVIT
Recvd: 08/09/07 15:55 1 pgs
Fees:12.00 Taxes:0.00
20070809-0095670

SCRIVENER'S AFFIDAVIT

WHEREAS, on June 3, 2005, ESQUIRE TITLE and ESCROW, INC. prepared a Deed wherein **Robert Fletcher Lance, Jr.** intended to convey certain real property to **Toni J. Rothfuss** with said Deed having been recorded in Record Instrument No. 20050610-0066672 Register's Office for Davidson County and;

WHEREAS, by Scrivener's error, the legal description contained in the Deed is incorrect. The document stated the Block Number in the legal was Block 169:

BEING LOTS NOS. 1109 AND 1111, **BLOCK NO. 169**, ON THE PLAN OF WEST NASHVILLE, NO. 1 AS OF RECORD IN BOOK 57, PAGE 74 AND 75, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, SAID LOTS NOS. 1109 AND 1111 FRONTS TOGETHER 50 FEET ON THE NORTHERLY SIDE OF MICHIGAN AVENUE, AND EXTENDS BACK BETWEEN PARALLEL LINES 150 FEET TO AN ALLEY.

BEING THE SAME PROPERTY CONVEYED TO ROBERT FLETCHER LANCE, JR. BY DEED FROM PHILLIP M. KLEINSMITH, TRUSTEE OF RECORD IN INSTRUMENT NO. 20050125-0008849 REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

The correct legal is as follows:

BEING LOTS NOS. 1109 AND 1111, **BLOCK NO. 168**, ON THE PLAN OF WEST NASHVILLE, NO. 1 AS OF RECORD IN BOOK 57, PAGE 74 AND 75, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, SAID LOTS NOS. 1109 AND 1111 FRONTS TOGETHER 50 FEET ON THE NORTHERLY SIDE OF MICHIGAN AVENUE, AND EXTENDS BACK BETWEEN PARALLEL LINES 150 FEET TO AN ALLEY.

BEING THE SAME PROPERTY CONVEYED TO ROBERT FLETCHER LANCE, JR. BY DEED FROM PHILLIP M. KLEINSMITH, TRUSTEE OF RECORD IN INSTRUMENT NO. 20050125-0008849 REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

WHEREAS, the said Toni J. Rothfuss at all times pertinent hereto, was the owner of Block No. 168 on the plan of West Nashville No. 1 and intended to convey said lot, but the undersigned preparer of the referenced documents inadvertently showed the legal description in error.

NOW, Therefore this Affidavit is being executed for the express purpose of acknowledging and correcting the Scrivener's error in said Deed. It is the intent of all parties that the Legal Description being conveyed was Lot No. 168. The above referenced legal description is hereby substituted for the legal descriptions contained in Record Instrument No. 20050610-0066672 as if recorded verbatim therein upon original execution.

Signed this 8th day of August, 2007.

Esquire Title and Escrow, Inc.

BY: _____
I. Dyke Tatum, President

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Before me, the undersigned Notary Public, of State and County aforesaid, personally appeared **I. Dyke Tatum** with whom I am personally acquainted, and who, upon oath, acknowledged himself to be **President of Esquire Title and Escrow, Inc.** the within named bargainor, and that he as such **President**, being authorized to do so, executed the foregoing instrument for the purpose therein contained, and that he executed the same as his free act and deed.

Witness my hand and official seal at **Nashville**, Tennessee this 8th day of August, 2007.

_____
Notary Public

My Commission expires: 11/22/2010

Prepared By:
ESQUIRE TITLE & ESCROW, INC.
30 BURTON HILLS BLVD. STE. 200
NASHVILLE, TN 37215

THERESA L. SMITH
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires NOV. 22, 2010