Box 36

Davidson County AFFIDAVIT
Recvd: 02/01/08 14:38 1 pgs
Fees:12.00 Taxes:0.00

20080201-0010803

THIS INSTRUMENT PREPARED BY:
Richard W. Sebastian, Atty.
ORTALE, KELLEY, HERBERT & CRAWFORD
200 Fourth Avenue North, Third Floor, Noel Place
Nashville, TN 37219
#21875

SCRIVENER'S AFFIDAVIT

Whereas, by Special Warranty Deed of record as Instrument No. 20070327-0036595 in the Register's Office for Davidson County, Tennessee, Alliant Partners IV, GP, a Tennessee General Partnership, Grantor, conveyed to Bettie J. Winton, Trustee, Grantee, property described therein subject to certain encumbrances enumerated on said deed; and

Whereas, Item No. 2 of said permitted encumbrances contained an error with regard to a 10 ft. utility and drainage easement shown on plat of record in Book 11190, page 26, in said Register's Office.

Now, therefore, comes Richard W. Sebastian, Attorney at Law, a resident of Davidson County, Tennessee, hereinafter referred to as **"Affiant,"** being duly sworn according to law, who states as follows:

That Affiant, a partner of Ortale, Kelley, Herbert & Crawford, did on November 17, 2006, prepared said Special Warranty Deed by and between the above parties to convey real property in Davidson County; that said deed contained an error in paragraph No. 2 on page 3 of said deed, and that said paragraph No. 2 is hereby corrected to read as follows:

> "2. Matters shown on plat of record in Book 11190, page 26, in the Register's Office for Davidson County, Tennessee, and delineated on Survey by James G. Terry, Tenn. R.L.S. No. 2287, dated June 18, 2005, last updated November 5, 2006, as follows: A 7ft. strip along the right-of-way of Central Pike reserved for future widening; a 20 ft. public utility easement along the right-of-way of Central Pike; a 20 ft. sewer easement and a 10 ft. utility and drainage easement along the southerly line; a 10 ft. utility and drainage easement along the *westerly* line, and an old wire fence encroaching the southerly line."

That Affiant makes this Affidavit for the purpose of correcting said item contained in the Special Warranty Deed of record as Instrument No. 20070327-0036595 in said Register's Office, Tennessee.

Executed at Nashville, Tennessee, this the 30th day of January, 2008.

RICHARD W. SEBASTIAN, AFFIANT

STATE OF TENNESSEE, COUNTY OF DAVIDSON

On this 30th day of January, 2008, personally appeared before me, the undersigned a Notary Public in and for said County and State, the within named Richard W. Sebastian, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the foregoing instrument for the purposes therein contained.

Carolyn R. Bullion
NOTARY PUBLIC

MY COMMISSION EXPIRES:_____

CAROLYN R. BULLION STATE OF TENNESSEE NOTARY PUBLIC WILLIAMSON COUNTY, TENN.

NOTARY PUBLIC
AT LARGE
Carolyn R. Bullion
My Commission Expires
December 28, 2010
STATE OF TENNESSEE