Davidson County AFFIDAVIT
Recvd: 02/19/08 09:42 3 pgs
Fees:17.00 Taxes:0.00

20080219-0015628

This Instrument Prepared By and Return to:
Rudy Title & Escrow
2012 21st Avenue South
Nashville, TN 37212

Maximum Principal Indebtedness for Tennessee tax recording purposes is $-0-.

SCRIVENER'S AFFIDAVIT

STATE OF Tennessee
COUNTY OF Davidson

Comes now, **Cara Monforte**, hereinafter referred to as Affiant, on this 18th day of February, 2008, and after first being duly sworn according to law, does state the following as true and correct to the best of her knowledge, information and belief:

1. The affiant is an employee of Rudy Title and Escrow, LLC.

2. On November 20, 2007, Rudy Title and Escrow, LLC, prepared the Warranty Deed of record at Inst. No. 20071205-0140942, Register's Office for Davidson County, Tennessee (a copy of which is attached herewith and marked Exhibit "A").

3. Said Warranty Deed is erroneous as the result of a scrivener's error by the Affiant or a member of her staff due to the incorrectly referenced plat in the legal description.

4. That Affiant makes this affidavit for the purpose of amending the original Legal Description by correcting the Legal Description as follows:

   Land in Davidson County, Tennessee, being Unit 107, GERMANTOWN MADISON SQUARE Condominiums, as established under Master Deed of record in Instrument 20061019-0129740, in the Register's Office, Davidson County, Tennessee, to which master deed reference is hereby made for a more particular description of said unit.

5. 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

Cara Monforte
AFFIANT

STATE OF Tennessee
COUNTY OF Davidson

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and State aforesaid, **Cara Monforte**, the within named bargainor, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence and who acknowledged that he/she executed the within instrument for the purposes therein contained.

Witness my hand and official seal this 18th day of February, 2008.

Notary Public

My Commission Expires: 1/9/12

MELISSA HAZEKAMP
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires JAN. 9, 2012

Exhibit "A"

WARRANTY DEED R-KW-07-514	STATE OF Tennessee COUNTY OF Davidson THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $159,000.00 Affiant Subscribed and sworn to before me, this 30th DAY OF November, 2007. Notary Public MY COMMISSION EXPIRES: 7-2470 (AFFIX SEAL)

JOHN GLEAVES NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

THIS INSTRUMENT WAS PREPARED BY
Rudy Title and Escrow
2012 21st Ave South
Nashville, TN 37212

ADDRESS NEW OWNER(S) AS FOLLOWS: (NAME)	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
James H. Kelly	Franklin American Mortgage Co.	
514 Madison Street #107 (ADDRESS)	501 Corporate Centre Drive, Suite 400 (ADDRESS)	
Nashville, TN 37208 (CITY) (STATE) (ZIP)	Franklin, TN 37067 (CITY) (STATE) (ZIP)	82-13-D-107 CO

For and in consideration of the sum of TEN DOLLARS, cash in hand, paid hereinafter named Grantee(s), and other good and valuable considerations, the receipt of which is hereby acknowledged, we PEGGY BURKHALTER AND HUSBAND, TERRY BURKHALTER, hereinafter called the Grantor(s), have bargained and sold, and by these presents do transfer and convey unto JAMES H. KELLY, UNMARRIED, hereinafter called the Grantee(s), their heirs and assigns, that certain tract or parcel of land in DAVIDSON COUNTY, STATE OF TENNESSEE, described as follows, to wit:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING UNIT 107, GERMANTOWN MADISON SQUARE CONDOMINIUMS, AS ESTABLISHED UNDER MASTER DEED OF RECORD IN INSTRUMENT 20061019-0129760, IN THE REGISTER'S OFFICE, DAVIDSON COUNTY, TENNESSEE, TO WHICH MASTER DEED REFERENCE IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION OF SAID UNIT.

BEING THE SAME PROPERTY CONVEYED BY WARRANTY DEED FROM GERMANTOWN MADISON SQUARE LLC, A TENNESSEE LIMITED LIABILITY COMPANY TO PEGGY BURKHALTER, MARRIED AND HUSBAND, TERRY BURKHALTER AS RECORDED ON THE 26TH DAY OF SEPTEMBER, 2007 IN INSTRUMENT NO. 20070926-0114834, CORRECTED BY SCRIVENER'S AFFIDAVIT AS RECORDED ON THE 4TH DAY OF OCTOBER, 2007 IN INSTRUMENT NO. 20071004-0118422, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.

THIS CONVEYANCE IS SUBJECT TO ANY AND ALL EXISTING EASEMENTS AND RESTRICTIONS AS SHOWN OF RECORD INCLUDING THOSE OF RECORD IN BOOK 10, PAGE 604; INSTRUMENT NUMBERS 20060912-0113067; 20060929-0120772; 20061019-0129740; 20061220-0156745; 20061214-0154052, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

unimproved ( )
This is improved (X) property, known as 514 Madison Street #107, Nashville, Tennessee 37208
(House Number) (Street) (P.O. Address) (City or Town) (Postal ZIP)

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE(S), their heirs and assigns forever; and we do covenant with the said GRANTEE(S) that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEE(S), their heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Davidson County DEEDWARR
Recvd: 12/05/07 14:39 2 pgs
Fees:13.00 Taxes:588.30
[redacted]
20071205-0140942

Witness my/our hand(s) this 30th day of November, 2007.

Peggy Burkhalter

Terry Burkhalter

STATE OF Tennessee
COUNTY OF Davidson

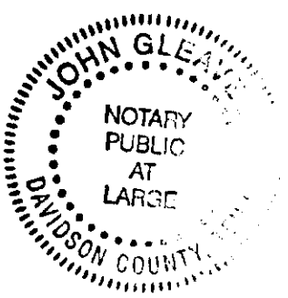
Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Peggy Burkhalter and Terry Burkhalter, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he/she/they executed the within instrument for the purposes therein contained.

Witness my hand and official seal, this the 30th day of November, 2007.

Notary Public

My Commission Expires: 7-24-10

(SEAL)



RETURN TO:
Rudy Title and Escrow
2012 21st Ave South
Nashville, TN 37212
Phone: (615)383-2903