After Recording Return To:
Wyatt, Tarrant & Combs, LLP
2525 West End Avenue, Ste 1500, Nashville, TN 37203-1423
Attn: Anthony Saunders

This instrument prepared by:
Gregory S. Perrone, PC
109 Westpark Drive, Ste. 330
Brentwood, Tennessee 37027

Davidson County AFFIDAVIT
Recvd: 05/27/08 09:24 2 pg
Fees:12.00 Taxes:0.00
20080527-0053369

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

AFFIDAVIT OF SCRIVENERS ERROR

This Affidavit is being executed for the purpose of correcting a Warranty Deed in which **MS Development**, a Tennessee general partnership, conveyed a certain parcel of land in Davidson County known as 1465 Stewarts Ferry Pike, Hermitage, Tennessee 37076, to **Towering Oaks Development Company, LLC**, a Tennessee limited liability company, but in which the Grantor was inadvertently referred to as "Towering Oaks Development Company, LL." Said Warranty Deed is of record as **Instrument No. 20050831-0104488**, Register's Office for Davidson County, Tennessee;

Comes now GREGORY C. PERRONE, who, having first been duly sworn according to law, deposes and says:

1. That I am an attorney at law licensed to practice in the Courts of the State of Tennessee, maintaining a law office in Brentwood, Tennessee;

2. That on or about the 22nd day of August, 2005, my office prepared said Warranty Deed, recorded as Instrument No. 20050831-0104488, Register's Office for said County;

3. That through inadvertence and mistake the Grantee was misidentified as Towering Oaks Development Company, LL.

4. That the intent of the parties to the transaction was to convey the property described in said Warranty Deed to Towering Oaks Development Company, LLC, a Tennessee limited liability company.

Further affiant says not.

GREGORY S. PERRONE

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

Personally appeared before me, Gregory S. Perrone, a Notary Public in and for said State and County duly commissioned and qualified, Gregory S. Perrone, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at office this 22 day of May, 2008.

NOTARY PUBLIC

My Commission Expires: 11.7.2011

EMILY H. PROPHET
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

45370987.1