THIS INSTRUMENT PREPARED BY:
Elite Title Company, LLC
109 West Park Drive, Suite 350
Brentwood, TN. 37027
File # 6040430

Davidson County AFFIDAVIT
Recvd: 06/10/08 11:43 2 pg:
Fees:12.00 Taxes:0.00
20080610-0059686

SCRIVENER'S AFFIDAVIT
Pursuant to TCA 66-24-101 (a) (27)

STATE OF TENNESSEE)

COUNTY OF WILLIAMSON)

Comes now Margaret R. Means, who is over eighteen (18) years of age and whos' address is 109 West Park Drive, Suite 350, Brentwood, TN. 37027, and would state as follows:

I am an employee of Elite Title Company, LLC which is a licensed title insurance agency doing business in the state of Tennessee. In the aforesaid capacity, one of my duties is to engage in the preparation and review of various documents including Deeds, Deeds of Trust, or other similar conveyances of real estate. In connection with my work I am called upon, from time to time, to prepare and/or review real estate property descriptions.

Recorded in Instrument Number 20040908-0108365, in the Register's Office for Davidson County, Tennessee is a Warranty Deed executed by Beazer Homes Corp., d/b/a Phillips Builders by Ruth Lyons as Agent, (Grantor) to Cynthia M. Counter and husband, James D. Counter (Grantees).

The above purporting to describe certain real property located at 1704 Hickory Bark Lane Nashville, TN 37211.

The foregoing documents contain a scrivener's error in that the said Warranty Deed contains a mistake in which the Legal description erroneously referenced Lots Nos. 37 and 81. This error was unintentional.

The said incorrect legal description and derivation clause read as follows:
Land lying in the Sixth Civil District of Davidson County, Tennessee being Lot Nos. 37 and 81 on the Final Plat of Section Three of Wexford Downs of record as Instrument Number 20000810-00079246, in the Register's Office for Davidson County, Tennessee.

Being the same property conveyed to Beazer Homes Corporation d/b/a Phillips Builders by Warranty Deed from Wexford Downs, LLC, a Tennessee Limited Liability Company, dated August 10, 2004, recorded August 13, 2004 in Book 20040813-0098315, Register's Office for Davidson County, Tennessee.

The said correct legal description and derivation clause should read as follows:
Land lying in the Sixth Civil District of Davidson County, Tennessee being Lot No. 81 on the Final Plat of Section Three of Wexford Downs of record as Instrument Number 20000810-00079246, in the Register's Office for Davidson County, Tennessee.

Being part of the same property conveyed to Beazer Homes corporation d/b/a Phillips Builders by Warranty Deed from Wexford Downs, LLC, a Tennessee Limited Liability Company, dated August 10, 2004, recorded August 13, 2004 in Instrument Number 20040813-0098315, Register's Office for Davidson County, Tennessee.

This Affidavit will serve as a correction to the aforementioned Warranty Deed.
This Affidavit is made of my personal knowledge to correct the error above described.

EXECUTED this 6th day of May, 2008.

Margaret Means

OATH AND ACKNOWLEDGMENT

Personally appeared before me the within named Margaret Means who made oath that she has read the foregoing Affidavit and the things and matters contained therein are true. The Affiant did further acknowledge that he executed the within described document for the purpose of correcting the scrivener's error herein described.

Witness my hand this 6th day of May, 2008.

7/27/10
NOTARY PUBLIC

MY COMMISSION EXPIRES

DANA L. AUSTIN
STATE OF TENNESSEE
NOTARY PUBLIC
CHEATHAM COUNTY, TENN.

After Recording Return To:
Cumberland Title
505 East Main St.
Hendersonville, TN 37075
(615) 264-2722