Prepared by:

Realty Title & Escrow Company, Inc.
5111 Maryland Way, Ste 101
Brentwood, TN 37027

Davidson County AFFIDAVIT
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State of Tennessee
County of Williamson

Scrivener's Affidavit
(Re: Warranty Deed,
Register's Office for Davidson County, Tennessee.)

Comes now, J. Andrew Wiley and states on oath:

1. That he/she is authorized employee on behalf of Realty Title & Escrow Company, Inc.;
2. That a certain Warranty Deed was prepared by Realty Title & Escrow Company, Inc. dated June 20, 2008 by and between Daniel G. Lustig and Mary P. Conniff, ("Grantors") to Kelly R. Smith, unmarried and Benjamin O. Modena, unmarried as tenants in common with rights of survivorship ("Grantees")
3. That said Warranty Deed was recorded with the Register of Deeds of Davidson County, Tennessee in Instrument No. 20080710-0070949, on July 10, 2008;
4. And that the Warranty Deed contains an error in vesting of the new buyers. The new buyers should read as follows: Kelly R. Smith, unmarried and Benjamin O. Modena, unmarried as joint tenants with rights of survivorship.
5. That this affidavit is made of my personal knowledge and given to correct and explain the above-described errors.

In witness whereof, this affidavit is executed this the 23rd day of July, 2008.

Realty Title & Escrow Company, Inc.

By: _____
Attorney

State of Tennessee

County of Williamson

Personally appeared before me, the undersigned, a notary public in and for said county and state the within named J. Andrew Wiley, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who, upon oath, acknowledged that he/she is the Attorney of Realty Title & Escrow Company, Inc. the within named bargainor, a company and that as such Attorney executed the foregoing instrument for the purposes therein contained, by personally signing the name of the company as Attorney.

Witness my hand and seal at Brentwood, Tennessee, this 23rd day of July, 2008.

_____
Notary Public

My commission expires: 11-22-2010

BONNIE J. CURRY
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON