SCRIVENER'S AFFIDAVIT

THIS INSTRUMENT PREPARED BY:
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MAP/PARCEL
161-13-B-455CO

Davidson County AFFIDAVIT
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STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Comes now Michael J. Philbin, Esq., a licensed attorney in the State of Tennessee whose address is 2021 Richard Jones Road, Suite 220, Nashville, Tennessee 37215 and would state as follows:

On the 26th day of November 2007, my employee, under my direction, prepared the below described Warranty Deed. One of this employee's duties was to insert the correct Unit Number in the block section on the first page of the Warranty Deed designated ("Address New Owner(s) as Follows:".

Recorded as Instrument No. 20071129-0138493 in the Register's Office for Davidson County, Tennessee, is a Warranty Deed naming Pulte Homes Tennessee Limited Partnership, as Grantor and Sarah Smithmier, unmarried, and Chris Kimball, unmarried, as Grantees.

The legal description and the street address of the property setforth on page one of the aforesaid deed are both correct in all respects. However, in the block section designated "Address of New Owner(s) As Follows:" near the top of page one, the unit number inserted after the street address is incorrect. It recites unit number 457 when in fact it should have recited unit 455. This was an unintentional and inadvertent

scrivener's error.

The correct address of new owner (s) should have appeared as follows:

SARAH SMITHMIER AND CHRIS KIMBALL
5721 EDMONDSON PIKE #455
NASHVILLE, TN 37211

This Affidavit is made of my personal knowledge for the purpose of correcting the above described error.

EXECUTED this 17th day of October, 2008.

Affiant

Michael J. Philbin

OATH AND ACKNOWLEDGMENT

Personally appeared before me the within named Michael J. Philbin who made oath that he has read the foregoing Affidavit and that the statements contained therein are true and correct based upon his knowledge, information and belief. The Affiant further acknowledged that he executed the within described document for the purpose of correcting the scrivener's error herein described.

SUBSCRIBED AND SWORN TO before me 17th day of October, 2008.

My Commission Expires: 7-3-12

Notary Public