AFTER RECORDATION, RETURN TO:
TENNESSEE TITLE & ESCROW AFFILIATES, LLC
501 CORPORATE CENTRE DRIVE, SUITE 280
FRANKLIN, TN 37067

Davidson County AFFIDAVIT
Recvd: 11/05/08 12:11 3 pgs
Fees:17.00 Taxes:0.00
20081105-0110084

PREPARED BY:
TENNESSEE TITLE & ESCROW AFFILIATES, LLC
501 CORPORATE CENTRE DRIVE, SUITE 280
FRANKLIN, TN 37067

AFFIDAVIT OF SCRIVENER'S ERROR

Before me, the undersigned attesting officer, came Trey Cain (the "Affiant"), who being sworn, duly deposes as follows:

1. **Tennessee Title and Escrow Affiliates, LLC was the closing agent on the 13th day of June, 2008, for a transaction involving the property described on Exhibit "A" attached hereto and incorporated herein by reference.**

2. **In conjunction with the above closing, Tennessee Title & Escrow Affiliates, LLC, prepared a Substitute Trustee's Deed, recorded on June 26, 2008, in Instrument Number 20080626-0066116, in the Register's Office for Davidson County, Tennessee, which Substitute Trustee's Deed listing the following incorrect Legal Description:**

TRACT I
LAND IN DAVIDSON COUNTY, TENNESSEE, BEING ALL OF LOT NO. 35, ON THE PLAN OF SECTION TWO, HIGHLAND CREEK, AS SHOWN BY PLAT APPEARING OF RECORD IN INSTRUMENT NO. 20030424-0055118, OF THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR MORE COMPLETE DETAILS OF SAID LOTS.

TRACT II
LAND IN DAVIDSON COUNTY, TENNESSEE, BEING ALL OF LOTS NOS. 108-113, ON THE PLAN OF SECTION FIVE, HIGHLAND CREEK, AS SHOWN BY PLAT APPEARING OF RECORD IN INSTRUMENT NO 20040915-0111296, OF THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR MORE COMPLETE DETAILS OF SAID LOTS.

BEING THE SAME PROPERTY CONVEYED TO CLASSIC HOMES, BOS, LP, BY WARRANTY DEED OF RECORD IN INSTRUMENT NO. 20060125-0009501, OF THE REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

3. **A Scrivener's Error was made in the preparation of the Substitute Trustee's Deed and Legal Description such that following, correct Legal Description should have been listed on the Substitute Trustee's Deed:**

TRACT I
LAND IN DAVIDSON COUNTY, TENNESSEE, BEING ALL OF LOT NO. 35, ON THE PLAN OF SECTION TWO, HIGHLAND CREEK, AS SHOWN BY PLAT APPEARING OF RECORD IN INSTRUMENT NO. 20030424-0055118, OF THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR MORE COMPLETE DETAILS OF SAID LOTS.

BEING THE SAME PROPERTY CONVEYED TO CLASSIC HOMES, BOS, LP, BY WARRANTY DEED OF RECORD IN INSTRUMENT NO. 20060125-0009501, OF THE REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

4. **The purpose of this affidavit is to put all parties on notice of the above-described error and to correct the same.**

5. **Affiant is aware that this Affidavit will be relied upon by lenders, attorneys, title holders, prospective purchasers and title insurance companies.**

Trey Cain

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Before me, the undersigned authority, a Notary Public of the State and county mentioned, personally appeared **Trey Cain**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself/herself to be the president (or other officer authorized to execute the instrument) of Tennessee Title & Escrow Affiliates, LLC, the within named bargainor, a limited liability company, and that such officer, executed the foregoing instrument for the purpose therein contained, by personally signing the name of the limited liability company as president (or other authorized officer).

Witness my hand, at office, this Wednesday, October 22, 2008.

Notary Public

FATIMA E. ROBERTSON
STATE OF TENNESSEE
NOTARY PUBLIC
WILLIAMSON COUNTY

My commission expires: Commission Expires November 28, 2011

Exhibit A
Legal Description

TRACT I
LAND IN DAVIDSON COUNTY, TENNESSEE, BEING ALL OF LOT NO. 35, ON THE PLAN OF SECTION TWO, HIGHLAND CREEK, AS SHOWN BY PLAT APPEARING OF RECORD IN INSTRUMENT NO. 20030424-0055118, OF THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR MORE COMPLETE DETAILS OF SAID LOTS.

BEING THE SAME PROPERTY CONVEYED TO CLASSIC HOMES, BOS, LP, BY WARRANTY DEED OF RECORD IN INSTRUMENT NO. 20060125-0009501, OF THE REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

FILE NO: TN0851