SCRIVENER'S AFFIDAVIT

return to:
Greater Nashville
Title & Closing Co.
200 Madison Street
Madison, TN 37115

The undersigned Affiant, Deanie L. Gregory of Greater Nashville Title and Closing Company, prepared a certain Warranty Deed executed by **Don Johnson and Bobby Smith** as Grantors conveying certain property described therein and known as 304 E. Trinity Lane, Nashville, TN 37207 to **James U. Rust, IV** as Grantee, which deed is dated March 6, 2009 and recorded March 10, 2009 at 10:40 AM as Instrument No. 20090310-0021477 in the Register's Office for Davidson County, Tennessee. An error was made in submitting the deed for recording in that the third (3rd) page of said deed was not attached. ~~A copy of~~ **Said** Warranty Deed ~~is presently recorded~~ is attached as Exhibit "A". **(in its entirety) for re-recording**

dls

This Scrivener's Affidavit has been executed and presented for recording for the sole purpose of attaching the third page of said deed and re-recording the entire instrument to include said third (3rd) page.

BILL GARRETT, Davidson County
Trans:T20090030669 AFFIDAVIT
Recvd: 05/08/09 10:21 4 pgs
Fees:22.00 Taxes:0.00
20090508-0042516

Deanie L. Gregory
Affiant
Deanie L. Gregory

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, a Notary Public in and for County and State, the within named Deanie L. Gregory, the bargainor, with whom I am personally acquainted (or who proved to me on the basis of satisfactory evidence) and who acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand and official seal at office at Madison, Tennessee, this the 29th day of April, 2009.

Sandy Balent
Notary Public

My commission expires:

MY COMMISSION EXPIRES 1/23/2010

SANDY BALENT
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

RETURN TO:
THIS INSTRUMENT PREPARED BY:
Deanie L. Gregory, Attorney
200 Madison Street
Madison, TN 37115

Re-record to include third page of this Deed.

WARRANTY DEED

Davidson County DEEDWARR
Recvd: 03/10/09 10:49 2 pgs
Fees:13.00 Taxes:111.00
20090310-0021477

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ 30,000.00

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 6th DAY OF March, 2009

Notary Public

MY COMMISSION EXPIRES: March 20, 2010 (AFFIX SEAL)

DEANIE L. GREGORY NOTARY PUBLIC STATE OF TENNESSEE MADISON COUNTY

THIS INSTRUMENT WAS PREPARED BY
Deanie L. Gregory, Attorney-at-Law, 200 Madison Street, Madison, TN 37115

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
James U. Rust, IV	SAME AS NEW OWNER	07106019500
3410 Hobson Pike (NAME)	(NAME)	
Hermitage, TN (ADDRESS) 37076	(ADDRESS)	
(CITY) (STATE) (ZIP)	(CITY) (STATE) (ZIP)	

FOR AND CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, WE, Don Johnson and Bobby Smith

HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO James U. Rust, IV

HEREINAFTER CALLED THE GRANTEES, THEIR HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN Davidson COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

Being Land in Davidson County, Tennessee, being the West one-half of Lot No. 4 on the Map of Trinity Heights, as of record in Book 332, Page 4, Register's Office for Davidson County, Tennessee, said part of said Lot fronts 50 feet on the south side of Trinity Lane and runs back between lines 164.69 feet, more or less, on the westerly line and 165.23 feet, more or less, on the easterly line, to the north margin of an alley on which it measures 50 feet.

Being the same property conveyed to Don Johnson and Bobby Smith, a one-half undivided interest eash as tenants in common from Cordia M. Lamb by Warranty Deed recorded as Instrument Number 20080103-0000700 in the Register's Office for Davidson County, Tennessee.

THIS CONVEYANCE IS MADE SUBJECT TO PROPERTY TAXES FOR 2009, FURTHER Subject to the Plan of Trinity Heights, of record in Book 332, Page 4, Register's Office for Davidson County, Tennessee, which shows an owner's certificate, certain notes, easements and building setback lines, if any, as may be set forth thereon and FURTHER SUBJECT TO A Permanent right-of-way easement and Temporary Construction Easement conveyed to Metropolitan Government of Nashville and Davidson County, Tennessee in Book 8342, Page 699, Register's Office for Davidson County, Tennessee.

INCLUDED IN THE ABOVE DESCRIBED PROPERTY BUT EXCLUDED FROM THIS DESCRIPTION IS THAT CERTAIN DESCRIBED PROPERTY CONVEYED TO METROPOLITAN GOVERNMENT OF NASHVILLE & DAVIDSON COUNTY, TENNESSEE OF RECORD IN BOOK 8342, PAGE 699 FOR PERMANENT RIGHT-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENT

CONTINUED

unimproved ( )
This is improved (X) property, known as 304 E. Trinity Lane, Nashville, TN 37207
(House Number) (Street) (P.O. Address) (City or Town) (Postal Zip)

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns forever; and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness our hand s this 6th day of March 2009

Don Johnson

Bobby Smith

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Don Johnson and Bobby Smith

the bargainor s, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that they executed the within instrument for the purposes therein contained. Witness my hand and official seal at Madison, Tennessee, this 6th day of March, 2009.

Commission expires March 20, 2010

Notary Public

STATE OF TENNESSEE
COUNTY OF

Before me, _____ a Notary Public within and for the State and County aforesaid, personally appeared _____ and _____ with whom I am personally acquainted and who upon _____ oath(s) acknowledged _____ to be the _____ and _____ respectively of the _____ the within named bargainor, and corporation, and that _____ as such _____ and _____ being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing the name of the corporation, by the said _____ as such _____, and attesting the same by the said _____ as such _____.

Witness my hand and official seal at office at _____ on this the _____ day of _____, _____.

My commission expires _____

_____
Notary Public

LEGAL DESCRIPTION CONTINUATION

DESCRIBED AS FOLLOWS TO-WIT:

PERMANENT RIGHT-OF-WAY: Beginning at a point on the existing southerly right-of-way margin of Trinity Lane, said point being the northeasterly corner of the E.L. Lamb, et ux property and being held in common with James Cole, et ux property, proceed along the easterly E.L. Lamb, et ux property boundary held in common with James Cole, et ux property S 2 deg. 49' 29"W, 5 feet, to a point; Thence, with a curve to the right having a radius of 5759.58 feet, a back tangent bearing of S 86 deg. 27' 25" East, and a length of 50.01 feet, to a point on the westerly E.L. Lamb, et ux property boundary held in common with J. T. Satterfield, et ux property; Thence, along the westerly E.L. Lamb, et ux property boundary held in common with J.T. Satterfield, et ux N 2 deg. 49' 29" East, 5 feet, to a point, said point being the existing northwesterly corner of the E.L. Lamb, et ux property and being held in common with J. T. Satterfield, et ux property; Thence, along the existing southerly right-of-way margin of Trinity Lane with a curve to the left having a radius of 5754.58 feet, a back tangent bearing of S 85 deg. 57' 30" East, and a length of 50.01 feet, more or less, to the point of beginning. Total permanent right-of-way containing 250 square feet, more or less.

TEMPORARY CONSTRUCTION EASEMENT: Beginning at a point on the new southerly right-of-way margin of Trinity Lane, said point being the new northeasterly corner of the E.L. Lamb, et ux property and being held in common with James Cole, et ux property, proceed 52 deg. 49' 29" West, 10 feet, more or less, to a point; Thence, N 86 deg. 12' 36" West, 50 feet, more or less, to a point on the westerly E.L. Lamb, et ux property boundary held in common with J. T. Satterfield, et ux property; Thence, along the westerly E.L. Lamb, et ux property boundary held in common with J.T. Satterfield, et ux N 2 deg. 49' 29" East, 10 feet, more or less, to a point, said point being the new northwesterly corner of the E.L. Lamb, et ux property and being held in common with J.T. Satterfield, et ux property; Thence, along the new southerly right-of-way margin of Trinity Lane with a curve to the left having a radius of 5759.58 feet, a back tangent bearing of S 86 deg. 27' 25" East, and a length of 50 feet, more or less, to the point of beginning. Total temporary construction easement containing 500 square feet, more or less. Said temporary construction easement to be abandoned upon completion of construction.