REGISTER OF DEEDS:
LIST IN DIRECT INDEX UNDER:
HCF Properties, LLC
TO
Jack Case Wilson

Map 180-00-0
Parcel 055.00co

BILL GARRETT, Davidson County
Trans:T20090049443 AFFIDAVIT
Recvd: 07/22/09 11:08 3 pgs
Fees:17.00 Taxes:0.00
20090722-0068753

SCRIVENER'S AFFIDAVIT

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Jack Case Wilson, Attorney at Law, a resident of Williamson County, Tennessee, and of lawful age, hereinafter referred to as "Affiant," being first duly sworn according to law, deposes and states as follows:

1. That Affiant, as attorney for Jack Case Wilson Title Associates, LLC, did on June 18,2003, prepared a Warranty Deed (the "Deed of Trust") conveying certain real property from HCF Properties, LLC, as "Grantor", to Jack Case Wilson, as "Grantee".

2. That the subject Warranty Deed was recorded on June 19, 2003, in Instrument No. 20030619-0084603, in the Register's Office for Davidson County, Tennessee.

3. That Affiant, as attorney for Jack Case Wilson Title Associates, LLC, did on April 5, 2005, prepared a Quit Claim Deed (the "Quit Claim Deed") conveying said real property from Jack Case Wilson, as "Grantor", to Jack Case Wilson and wife, Anne V. Wilson, as "Grantees".

4. That the subject Quit Claim Deed was recorded on April 7, 2005, in Instrument No. 20050407-0038517, in the said Register's Office.

5. That through mistake and inadvertence, the legal description of the tract or parcel of the real property being conveyed by the Warranty Deed and Quit Claim Deed was incorrectly recited as:

CERTAIN improved real property located in the 32nd Councilmatic District of Davidson County, Tennessee and being more particularly described according to a Survey by H & H Land Surveying, Inc., dated June 10, 1998, as follows, to-wit:

BEGINNING at an iron pin (old) in the northerly right-of-way of Franklin Pike Circle, said point being the southwesterly corner of Nashville Lodge No. 72, B.P.O. Elk of record in Book 4498, Page 118, Register's Office for Davidson County, Tennessee. Thence with said right-of-way North 82° 45' 44" West, 148.61 feet to a concrete monument; thence following the right-of-way of T.D.O.T. Project No. 112-65-2963075 with a curve to the right having a delta of 126° 50.28", a radius of 155.00 feet, a length of 343.14 feet and a chord of North 48° 05' 16" West, 277.24 feet to an iron pin (new); thence continuing with said right-of-way for the following three calls: North 42° 24' 22 East, 17.50 feet to a concrete monument; thence North 56° 12' 18" West, 5.90 feet to a concrete monument; thence North 41° 42' 49" East, 65.60 feet to an iron pin (old); the point of BEGINNING of this tract.

THENCE with the East right-of-way of Franklin Pike Circle North 36° 44' 02" East, 285.06 feet to an iron pin in the West line of Brentwood Properties (formerly Nashville Lodge No. 72, B.P.O. Elk); thence South 00° 28' 29" East, 147.50 feet to an iron pin found; thence South 02° 32' 05" West, 200.97 feet to an iron pin found in the northeast corner of Country Suites Inns & Hotels Property. Thence with said Country Suites Inns & Hotels Property North Line, North 79° 53' 31" West, 226.59 feet to the point of BEGINNING.

4. That the correct legal description of the tract or parcel of the real property intended to be conveyed by the Warranty deed and Quit Claim Deed should have been recited as:

CERTAIN improved real property located in the 32nd Councilmatic District of Davidson County, Tennessee and being more particularly described according to a Survey by H & H Land Surveying, Inc., dated June 10, 1998, as follows, to-wit:

BEGINNING at an iron pin (old) in the northerly right-of-way of Franklin Pike Circle, said point being the southwesterly corner of Nashville Lodge No. 72, B.P.O. Elk of record in Book 4498, Page 118, Register's Office for Davidson County, Tennessee. Thence with said right-of-way North 82° 45' 44" West, 148.61 feet

to a concrete monument; thence following the right-of-way of T.D.O.T. Project No. 112-65-2963075 with a curve to the right having a delta of 126° 50.28", a radius of 155.00 feet, a length of 343.14 feet and a chord of North 48° 05' 16" West, 277.24 feet to an iron pin (new); thence continuing with said right-of-way for the following three calls: North 42° 24' 22 East, 17.50 feet to a concrete monument; thence North 56° 12' 18" West, 5.90 feet to a concrete monument; thence North 41° 42' 49" East, 65.60 feet to an iron pin (old); **the point of beginning of this tract**.

THENCE with the East right-of-way of Franklin Pike Circle North 36° 44' 02" East, 385.06 feet to an iron pin in the West line of Brentwood Properties (formerly Nashville Lodge No. 72, B.P.O. Elk); thence South 00° 38' 29" East, 147.60 feet to an iron pin found; thence South 02° 32' 05" West, 200.97 feet to an iron pin found in the northeast corner of Country Suites Inns & Hotels Property; thence with said Country Suites Inns & Hotels Property North Line, North 79° 53' 31" West, 226.59 feet to the point of BEGINNING.

5. The Affiant makes this Affidavit for the purpose of correcting the Warranty Deed of record in Instrument No. 20030619-0084603, and the Quit Claim Deed or record in Instrument No. 20050407-0038517, both of record in the Register's Office for Davidson County, Tennessee, from the legal description, as recorded to the correct legal description as follows:

CERTAIN improved real property located in the 32nd Councilmatic District of Davidson County, Tennessee and being more particularly described according to a Survey by H & H Land Surveying, Inc., dated June 10, 1998, as follows, to-wit:

BEGINNING at an iron pin (old) in the northerly right-of-way of Franklin Pike Circle, said point being the southwesterly corner of Nashville Lodge No. 72, B.P.O. Elk of record in Book 4498, Page 118, Register's Office for Davidson County, Tennessee. Thence with said right-of-way North 82° 45' 44" West, 148.61 feet to a concrete monument; thence following the right-of-way of T.D.O.T. Project No. 112-65-2963075 with a curve to the right having a delta of 126° 50.28", a radius of 155.00 feet, a length of 343.14 feet and a chord of North 48° 05' 16" West, 277.24 feet to an iron pin (new); thence continuing with said right-of-way for the following three calls: North 42° 24' 22 East, 17.50 feet to a concrete monument; thence North 56° 12' 18" West, 5.90 feet to a concrete monument; thence North 41° 42' 49" East, 65.60 feet to an iron pin (old); **the point of beginning of this tract**.

THENCE with the East right-of-way of Franklin Pike Circle North 36° 44' 02" East, 385.06 feet to an iron pin in the West line of Brentwood Properties (formerly Nashville Lodge No. 72, B.P.O. Elk); thence South 00° 38' 29" East, 147.60 feet to an iron pin found; thence South 02° 32' 05" West, 200.97 feet to an iron pin found in the northeast corner of Country Suites Inns & Hotels Property; thence with said Country Suites Inns & Hotels Property North Line, North 79° 53' 31" West, 226.59 feet to the point of BEGINNING.

6. Any and all terms of the Warranty Deed and Quit Claim Deed, as recorded, not specifically changed herein, are intended and shall continue to remain in full force and effect.

Jack Case Wilson, Attorney at Law
Affiant

Sworn to and subscribed before me this 17st. day of July, 2009.

My Commission Expires: 1/3/2011

Notary Public

PETER WEISS
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON

Prepared by: Weiss & Weiss
761 Old Hickory Blvd
Ste 301
Brentwood TN 37027

ACKNOWLEDGMENT

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 Jack Case Wilson, Attorney at Law, the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Brentwood, Tennessee, this 17st. day of July, 2009.

My Commission Expires: 1/3/2011

Notary Public

PETER WEISS
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON

RETURN TO:
Homeland Title, LLC
1836 General [illegible]
Franklin, [illegible]