BILL GARRETT, Davidson County
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This instrument prepared by:
Gibson, Gregory & Gwyn, PLLC
401 Church Street, Suite 2220
Nashville, TN 37219

SCRIVENER'S AFFIDAVIT

This Affidavit executed this 28th day of October, 2009, by Michael J. Philbin (the "Preparer") and Shelly A. Gardner (the "Notary").

W I T N E S S E T H :

WHEREAS, by Warranty Deed of record in Instrument No. 20011005-0108518, Register's Office for Davidson County, Tennessee (the "Deed") Beazer Homes Corp., DBA Phillips Builders, a Tennessee Corporation (the "Grantor"), conveyed certain property to Tim D. Manus (the "Grantee"); and

WHEREAS, Ruth Lyon executed the Deed as Agent for the Grantor; and

WHEREAS, through inadvertence and mistake, Ruth Lyon was named as Attorney in Fact for the Grantor rather than Agent, both on the signature line of the Deed and in the Notary acknowledgment for the Deed; and

WHEREAS, the Preparer and Notary desire to correct the Deed and the Notary acknowledgment for the Deed to disclose that Ruth Lyon signed as Agent for the Grantor rather than as Attorney in Fact.

NOW, THEREFORE, the Preparer and Notary hereby states that:

1. The Deed is hereby corrected to show that Ruth Lyon executed the Deed on behalf of the Grantor as Agent.
2. The Notary acknowledgment is hereby corrected to show that that Ruth Lyon executed the Deed and acknowledged herself to be the Agent of the Grantor and as such Agent being authorized to do so executed the Deed for the purposes therein contained by signing the name of the Grantor by the said Ruth Lyon as such Agent.

IN WITNESS WHEREOF, the Preparer and the Notary have executed this Affidavit on this 23rd day of October, 2009, and have attached hereto a copy of the Deed.

MICHAEL J. PHILBIN, PREPARER

SHELLY A. GARDNER, NOTARY

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Preparer Public in and for said County and State, Michael J. Philbin and Shelly A. Gardner, with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand, at Office, this 23rd day of October 2009.

NOTARY PUBLIC

My Commission Expires: 01-07-2013

IDA HAWKINS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.