SCRIVENER'S AFFIDAVIT

THIS INSTRUMENT PREPARED BY:
MICHAEL J. PHILBIN, P.C.
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MAP/PARCEL
141-5-A-95CO

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

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

On the 30th day of November, 2009, an employee of Lawyer's Escrow Service, Inc. under the direction of the affiant prepared a Warranty Deed naming Beazer Homes Corp., a Tennessee Corporation as Grantor and Achintya Ray, married as Grantee which Warranty Deed was recorded as Instrument No. 20091203-0110912 in the Register's Office of Davidson County, Tennessee.

The description in the Warranty Deed contains a scrivener's error in the section number of the subdivision referenced. It refers to Lot 95 being in Section **2** of Avondale Park Phase 1. This should have recited Section **3**. This error was inadvertent and unintentional. The proper legal description which should appear in the Warranty Deed recorded as Instrument No. 20091203-0110912 is as follows:

> LAND in Davidson County, Tennessee, being Lot No. 95 on the Plan of Avondale Park, Phase 1, Section 3 of record in Instrument No: 20090318-0024198, Surveyor's Certificate of Correction in Instrument No. 20090810-00075176, Register's Office for said County, to which plan reference is hereby made for a more complete and accurate description.

BILL GARRETT, Davidson County
Trans:T20100004158 AFFIDAVIT
Recvd: 01/21/10 14:34 2 pgs
Fees:12.00 Taxes:0.00
20100121-0005400

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

EXECUTED this 20th day of January, 2010.

Affiant

Michael J. Philbin, Affiant

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 this 20th day of January, 2010.

My Commission Expires: 3-4-13

Notary Public

