BILL GARRETT, Davidson County
Trans:T20100005774 AFFIDAVIT
Recvd: 01/29/10 10:08 2 pgs
Fees:12.00 Taxes:0.00
20100129-0007430

This Instrument Prepared By and Return to:
Rudy Title & Escrow
2012 21st Avenue South
Nashville, TN 37212
615-383-2903

Maximum Principal indebtedness for Tennessee tax recording purposes is $-0-.

SCRIVENER'S AFFIDAVIT

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Comes now, Daniel J. Katella, hereinafter referred to as Affiant, on this the 5th day of January, 2010, and after first being duly sworn according to law, does state the following as true and correct to the best of his/her knowledge, information and belief:

1. That Affiant's firm examined the title, issued an Owner's Title Policy and conducted a real estate closing for property located at 5510 Country Drive, Unit #98, Nashville, TN 37211 and further described as follows:

   Land in Davidson County, Tennessee, being Town House 98, HICKORY VALLEY CONDOMINIUMS, PHASE 2, as shown on plat of record in Plat Book 4460, Page 133, as established under Master Deed of record in Book 4659, Page 32, in the Register's Office, Davidson County, Tennessee, to which master deed reference is hereby made for a more particular description of said unit.

2. **That Affiant executes Affidavit for the purpose of correcting derivation clauses on deeds and correcting incorrect recording information.**

3. On October 16, 2008, a Trustee's Deed was executed by Matthew Smith, Co-Trustee (Grantor) to Federal Home Loan Mortgage Corporation (Grantee) and recorded on October 23, 2008 in Book 302, page108, Register's Office for Cheatham County, Tennessee. **(Said Deed was inadvertently recorded in Cheatham County).**

4. On June 2, 2009, a Special/Limited Warranty Deed was executed by Federal Home Loan Corporation (Grantor) to Tim Driver, a single man (Grantee) and recorded on September 8, 2009 in **Instrument No. 20090908-0084054**, Register's Office for Davidson County, Tennessee. **Said Deed contains an incorrect derivation clause and should not have been recorded until the Trustee's Deed to Federal Home Loan Mortgage Corporation had been recorded in Davidson County.**

5. On November 6, 2009, an Affidavit of Scrivener's Error Correction of Derivation Clause was executed by Bobbi Santiago on behalf of Service Link and Daniel J. Katella on behalf of Service Link acting on behalf of Federal Home Loan Mortgage Corporation, By Chicago Title Insurance Company, dba Service Link as Attorney-in-fact and recorded on November 16, 2009 in **Instrument No. 20091116-0105207**, Register's Office for Davidson County, Tennessee. **Said Affidavit contains an incorrect derivation clause.**

6. That Affiant makes this affidavit for the purpose of correcting the derivation clauses and reflecting recording information as follows:

   Being the same property conveyed to Federal Home Loan Mortgage Corporation from Matthew Smith, Co-Trustee by Trustee's Deed executed on October 16, 2008 and recorded on October 23, 2008 in Book 302, page108, Register's Office for Cheatham County, Tennessee and on October 27, 2009 in **Instrument No. 20091027-0099150**, Register's Office for Davidson County, Tennessee.

   Said property was further conveyed to Tim Driver, a single man, by a Special/Limited Warranty Deed executed by Federal Home Loan Corporation on June 2, 2009 and recorded on September 8, 2009 in **Instrument No. 20090908-0084054**, Register's Office for Davidson County, Tennessee.

This Affidavit is made to correct any defect in title by reason of the aforesaid defective instruments by showing that the defect resulted from a scrivener's error and not the intentional acts of the parties.

FURTHER, the Affiant sayeth not.

Daniel J Katella
AFFIANT

State of PA
County of Allegheny

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and State aforesaid, Daniel J. Katella, the within named bargainor, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence and who acknowledged that he/she executed the within instrument for the purposes therein contained.

Witness my hand and official seal this 5th day of January 2010.

Kevin J Barker
Notary Public

My Commission Expires:
11/18/2011

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Kevin J. Barker, Notary Public
South Strabane Twp., Washington County
My Commission Expires Nov. 18, 2011
Member, Pennsylvania Association of Notaries