BILL GARRETT, Davidson County
Trans:T20100041571 AFFIDAVIT
Recvd: 07/07/10 12:05 2 pgs
Fees:12.00 Taxes:0.00
20100707-0053179

Property Address:
6110 & 6112 New York Avenue
Nashville, TN 37209
Map-Par. 91-2-76 & 91-2-77

SCRIVENER'S AFFIDAVIT

This Scrivener's Affidavit is executed this 2nd day of July, 2010.

WHEREAS, on April 3, 2008, Esquire Title & Escrow, Inc. caused to be prepared a certain Warranty Deed which was executed by **Jacqueline Vanatta, Clyde Layman Harris, Jr., Joyce Rosson, Mark Lazarus Harris, Gary Wayne Harris, Carolyn Averitt, Janice Cutshall, Kelly Harris and Lisa King, Devises under the Will of Lela S. Harris** and thereafter recorded in Instrument No. 20080410-0036547 in the Register's Office for Davidson County, Tennessee and a Deed of Trust executed by **Marty J. Musser, a single man** of record in Instrument No. 20080410-0036548.

WHEREAS, the legal description in the Warranty Deed and Deed of Trust is described as follows:

LAND in Davidson County, Tennessee described as follows to wit:

BEING part of Block "B" on the Plan of Cherokee Park Subdivision, as of record in Book 161, Page 75, Register's Office for said County, being Lot No. 11 on the plan of said property registered in Book 452, Page 266, said Register's Office.

SAID Lot No. 11 fronts 50 feet on the northerly side of New York Avenue and runs back between parallel lines 160 feet to an alley.

BEING the same property conveyed to Elbert Harris and wife, Lela Sharpe Harris by Deed from J.B. Polk and wife, Josie C. Polk, of record in Book 1938, Page 531 in the Register's Office for Davidson County, Tennessee. The said Elbert Harris died and was survived by Lela Sharpe Harris. The said Lela Sharpe Harris died on May 24, 2000 and by Will probated on November 29, 2007 by Order of the Seventh Circuit Court for Davidson County, Tennessee, Probate No. 07P-1738, said property was vested in Clyde Layman Harris, Jr., Carol Averitt, Joyce Rosson, Gary Wayne Harris, Mark Lazarus Harris, Janice Cutshall, Jacqueline Vanatta and Rand Harris. The said Rand Harris has since died intestate, survived by his sole heirs being Lisa King and Kelly Harris.

WHEREAS, said legal description inadvertently omitted a part of the property to be conveyed in the legal description attached to the Warranty Deed and the Deed of Trust, the correct legal being as follows :

TRACT I

LAND in Davidson County, Tennessee described as follows to wit:

BEING part of Block "B" on the Plan of Cherokee Park Subdivision, as of record in Book 161, Page 75, Register's Office for said County, being Lot No. 11 on the plan of said property registered in Book 452, Page 266, said Register's Office.

SAID Lot No. 11 fronts 50 feet on the northerly side of New York Avenue and runs back between parallel lines 160 feet to an alley.

BEING the same property conveyed to Elbert Harris and wife, Lela Sharpe Harris by Deed from J.B. Polk and wife, Josie C. Polk, of record in Book 1938, Page 531 in the Register's Office for Davidson County, Tennessee. The said Elbert Harris died and was survived by Lela Sharpe Harris. The said Lela Sharpe Harris died on May 24, 2000 and by Will probated on November 29, 2007 by Order of the Seventh Circuit Court for Davidson County, Tennessee, Probate No. 07P-1738, said property was vested in Clyde Layman Harris, Jr., Carol Averitt, Joyce Rosson, Gary Wayne Harris, Mark Lazarus Harris, Janice Cutshall, Jacqueline Vanatta and Rand Harris. The said Rand Harris has since died intestate, survived by his sole heirs being Lisa King and Kelly Harris.

TRACT II

LAND in Davidson County, Tennessee, being part of Block 'B", Part of Lot 13 on the plan of Cherokee Park Subdivision, as of record in Book 161, Page 75, of Register's Office for Davidson County, Tennessee; described as follows:

BEGINNING on the Northerly margin of New York Avenue as a point 175 feet east of the easterly margin of 62nd Avenue, North, formerly 21st Street, being the southeast corner of a part of Block "B" conveyed to Jerald Martin and wife, Pearl Martin by deed from Robie Wright the wife of record in Book 1909, Page 375, said Register's Office; thence with the eastern boundary line of said Martins property northwardly 160 feet to the northerly margin of an alley; thence with the margin of said alley eastwardly 25 feet; thence southwardly 160 feet to the northerly margin of said Avenue westwardly 25 feet to the beginning.

BEING the same property conveyed to Lela S. Harris by deed from Mrs. Nora Hicklen, a widow by deed of record in Book 5793, Page 383, Register's Office for Davidson County, Tennessee.

NOW THEREFORE, this Scrivener's Affidavit is hereby executed for the purpose of correcting the inadvertently omitted portion of the legal description contained in Instrument No. 20080410-0036547 and in Instrument No. 20080410-0036548. The correct legal description referenced hereinabove is hereby substituted for the incorrect legal description as if inserted verbatim therein.

Signed this 2nd day of July, 2010.

Esquire Title and Escrow, Inc.

BY: _____

I. Dyke Tatum, President

STATE OF **TENNESSEE**
COUNTY OF **DAVIDSON**

Before me, the undersigned Notary Public, of State and County aforesaid, personally appeared **I. Dyke Tatum** with whom I am personally acquainted, and who, upon oath, acknowledged himself to be **President of Esquire Title and Escrow, Inc**. the within named bargainor, and that he as such **President**, being authorized to do so, executed the foregoing instrument for the purpose therein contained, and that he executed the same as his free act and deed.

Witness my hand and official seal at **Nashville**, Tennessee **this 2nd day of July, 2010.**

_____

Notary Public

My Commission expires: 11/22/2010

Prepared By:
ESQUIRE TITLE & ESCROW, INC.
30 BURTON HILLS BLVD. STE. 200
NASHVILLE, TN 37215

THERESA L. SMITH
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires NOV. 22, 2010