AFTER RECORDATION, RETURN TO:
TENNESSEE TITLE & ESCROW AFFILIATES, LLC
501 CORPORATE CENTRE DRIVE, SUITE 280
FRANKLIN, TN 37067

PREPARED BY:
TENNESSEE TITLE & ESCROW AFFILIATES, LLC
501 CORPORATE CENTRE DRIVE, SUITE 280
FRANKLIN, TN 37067

BILL GARRETT, Davidson County
Trans:T20110014244 AFFIDAVIT
Recvd: 03/09/11 12:46 2 pgs
Fees:12.00 Taxes:0.00
20110309-0018878

AFFIDAVIT OF SCRIVENER'S ERROR

Before me, the undersigned attesting officer, came Trey Cain (the "Affiant"), who being sworn, duly deposes as follows:

1. **Tennessee Title and Escrow Affiliates, LLC was the closing agent on the 15th day of August, 2007, for a transaction involving the property described on Exhibit "A" attached hereto and incorporated herein by reference.**

2. **In conjunction with the above closing, Tennessee Title & Escrow Affiliates, LLC, prepared a Warranty Deed, recorded on August 24, 2007, in Instrument number 20070824-0101399, in the Register's Office for Davidson County, Tennessee, which Warranty Deed listed the incorrect Unit being conveyed in the Legal Description:**

Land in Davidson County, Tennessee, being Unit No. 1715-A of 1715 5th Avenue North Townhomes, a Horizontal Property Regime, created under Title 66, Section 27-101, et seq. as amended, Tennessee Code Annotated, and as established by a Master Deed of 1715 5th Avenue Townhomes of record in Instrument No. 20070727-0089506, Register's Office for Davidson County, Tennessee, together with the undivided percentage interest in the Common Elements appurtenant to said unit as set forth in said Master Deed.

Being part of the same property conveyed to D&R Development, Inc. by deed from A. Brooks Parker, dated 2/21/2006, of record in Instrument No. 20060301-0023467 and being previously conveyed to A. Brook Parker and Anne S. Parker by deed from Virginia S. Sherling, dated 11/19/1990, by deed of record in Book 8241, Page 561, Register's Office for Davidson County, Tennessee.

Being the same property conveyed to Bryan Motycka, by deed from D and R Development Inc of record in Instrument No. Book 20070824-0101399 Page __ Register's Office for Davidson County, Tennessee.

3. **A Scrivener's Error was made in the preparation of the Warranty Deed and Legal Description such that following, correct Unit in the Legal Description should have been listed in the Warranty Deed as:**

Land in Davidson County, Tennessee, being Unit No. **1715-B** of 1715 5th Avenue North Townhomes, a Horizontal Property Regime, created under Title 66, Section 27-101, et seq. as amended, Tennessee Code Annotated, and as established by a Master Deed of 1715 5th Avenue Townhomes of record in Instrument No. 20070727-0089506, Register's Office for Davidson County, Tennessee, together with the undivided percentage interest in the Common Elements appurtenant to said unit as set forth in said Master Deed.

Being part of the same property conveyed to D&R Development, Inc. by deed from A. Brooks Parker, dated 2/21/2006, of record in Instrument No. 20060301-0023467 and being previously conveyed to A. Brook Parker and Anne S. Parker by deed from Virginia S. Sherling, dated 11/19/1990, by deed of record in Book 8241, Page 561, Register's Office for Davidson County, Tennessee.

Being the same property conveyed to Bryan Motycka, by deed from D and R Development Inc of record in Instrument No. Book 20070824-0101399 Page __ Register's Office for Davidson County, Tennessee.

4. **The purpose of this affidavit is to put all parties on notice of the above-described error and to correct the same.**

5. **Affiant is aware that this Affidavit will be relied upon by lenders, attorneys, title holders, prospective purchasers and title insurance companies.**

Trey Cain

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Before me, the undersigned authority, a Notary Public of the State and county mentioned, personally appeared **Trey Cain**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself/herself to be the president (or other officer authorized to execute the instrument) of Tennessee Title & Escrow Affiliates, LLC, the within named bargainor, a limited liability company, and that such officer, executed the foregoing instrument for the purpose therein contained, by personally signing the name of the limited liability company as president (or other authorized officer).

Witness my hand, at office, this Friday, February 18, 2011.

Notary Public

My commission expires: Commission Expires November 28, 2011

FATIMA E. RUBALCAVA NOTARY PUBLIC STATE OF TENNESSEE WILLIAMSON COUNTY