Prepared by:
Wagon Wheel Title
202 South 11th Street
Nashville, TN 37206

BILL GARRETT, Davidson County
Trans:T20110014815 AFFIDAVIT
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20110311-0019654

SCRIVENER'S AFFIDAVIT

State of Tennessee
County of Davidson

The undersigned, Steven T. Morris, being first duly sworn, deposes and makes oath as follows:

I prepared the following documents:

1. Warranty Deed dated February 16, 2011, from Charles Clark Capps, a married man, James S. Capps, a married man and Arthur Stephen Capps, a married man to David Helton and Heather Helton, husband and wife, which was recorded at Instrument No. 20110217-0013621, Register's Office for Davidson County, Tennessee

The legal description of the real property contained in the above-referenced instruments is incorrect in that it did not reference the prior transfer of the property to Charles Clark Capps, James S. Capps and Arthur Stephen Capps. The correct legal description is attached hereto as Exhibit A.

Therefore, in order to comply with the intentions of the parties to said instruments, the legal description of real property attached hereto as Exhibit A is hereby substituted in its entirety for the legal description originally contained in the above-referenced instruments.

Witness my hand this 11th day of March, 2011.

Affiant
Name: Steven T. Morris

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Steven T. Morris, the within named Affiant, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), who made oath that the statements contained in the foregoing Affidavit are true of Affiant's own knowledge and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal this 11th day of March, 2011.

Notary Public

J. BRANDON MILLER
STATE OF TENNESSEE NOTARY PUBLIC
EXP. SEPT. 9, 2014
DAVIDSON COUNTY

Exhibit A

Land in Davidson County, Tennessee, being Lot Nos. 33, 34 and 35 of Block "B" on the Revised Plan of The Life & Casualty Insurance Co's Subdivision of Woodmont Acres, as of record in Book 843, page 102, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete description.

Being the same property conveyed to Carolyn Clark Capps by deed from James Martin Clark and wife Grace F. Clark of record in Book 5745, page 237, Register's Office for Davidson County, Tennessee, dated May 11, 1981. And being the same property conveyed to Charles S. Capps and wife Carolyn Clark Capps as tenants by the entirety by Quitclaim Deed from Charity A. Clark, Trustee, of record in Book 9240, page 109, Register's Office for Davidson County, Tennessee, dated January 27, 1994. The said Carolyn Clark Capps having since predeceased Charles S. Capps, whom is now deceased. The said Carolyn Clark Capps having predeceased Charles S. Capps on October 8, 2006. Charles S. Capps died on August 14, 2008 and his Last Will and Testament was probated in the 7th Circuit Court for Davidson County, Tennessee under Case No. 08P-1560. The Last Will and Testament devised the real property to his three children, James Stewart Capps, Charles Clark Capps and Arthur Stephen Capps.