39-B

AFFIDAVIT

Re: Warranty Deed to Johann R. Manning of record as Instrument No. 20081003-0100642, Register's Office of Davidson County, Tennessee: to place of record the Exhibit "B" referenced in said Warranty Deed as being attached, and incorporated therein.

Comes now Kenneth M. Ballew, the Affiant, a resident of Davidson County, Tennessee, who is over 18 years of age, and would state as follows, to wit:

That on September 23, 2008, Kenneth M. Ballew, as a Notary Public At Large for the State of Tennessee, witnessed the execution of the Warranty Deed from Cherokee Crossing Partnership, a Tennessee Partnership to Johann R. Manning, and that Kenneth M. Ballew signed the acknowledgement forms therein contained, and that he applied his notary seal to the acknowledgements in the said Warranty Deed; and,

That it has come to the attention of the Affiant that the Exhibit "B" referenced and incorporated in said Warranty Deed as attached and included at the time of execution, and as witnessed and acknowledged by the affiant, does not appear in that copy of said document maintained as Instrument No. 20081003-0100642, in the Register's Office of Davidson County, Tennessee; and,

That in order to clarify the record of the grant and conveyance of the easement as recited in said Warranty Deed as follows: "The property conveyed herein is subject to a permanent easement to run with the land for "Outdoor living space easement over Lot 1 for the benefit of Lot 2", as identified, set out , and shown on Exhibit "B" Cherokee Crossing – Lot 1 dated September 23, 2008 by Wamble & Associates, PLLC, which is attached to this Warranty Deed and incorporated herein", the undersigned affiant has attached a copy of said referenced Exhibit "B" to this Affidavit for incorporation by reference of said Exhibit "B" into the above described Warranty Deed for the purposes contained therein.

This Affidavit is made of my personal knowledge of the matter described above.

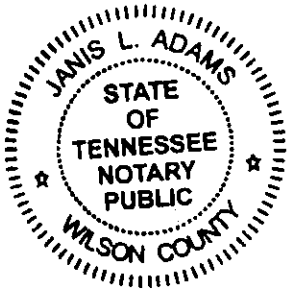
EXECUTED this the 2 day of June, 2011:

Kenneth M. Ballew

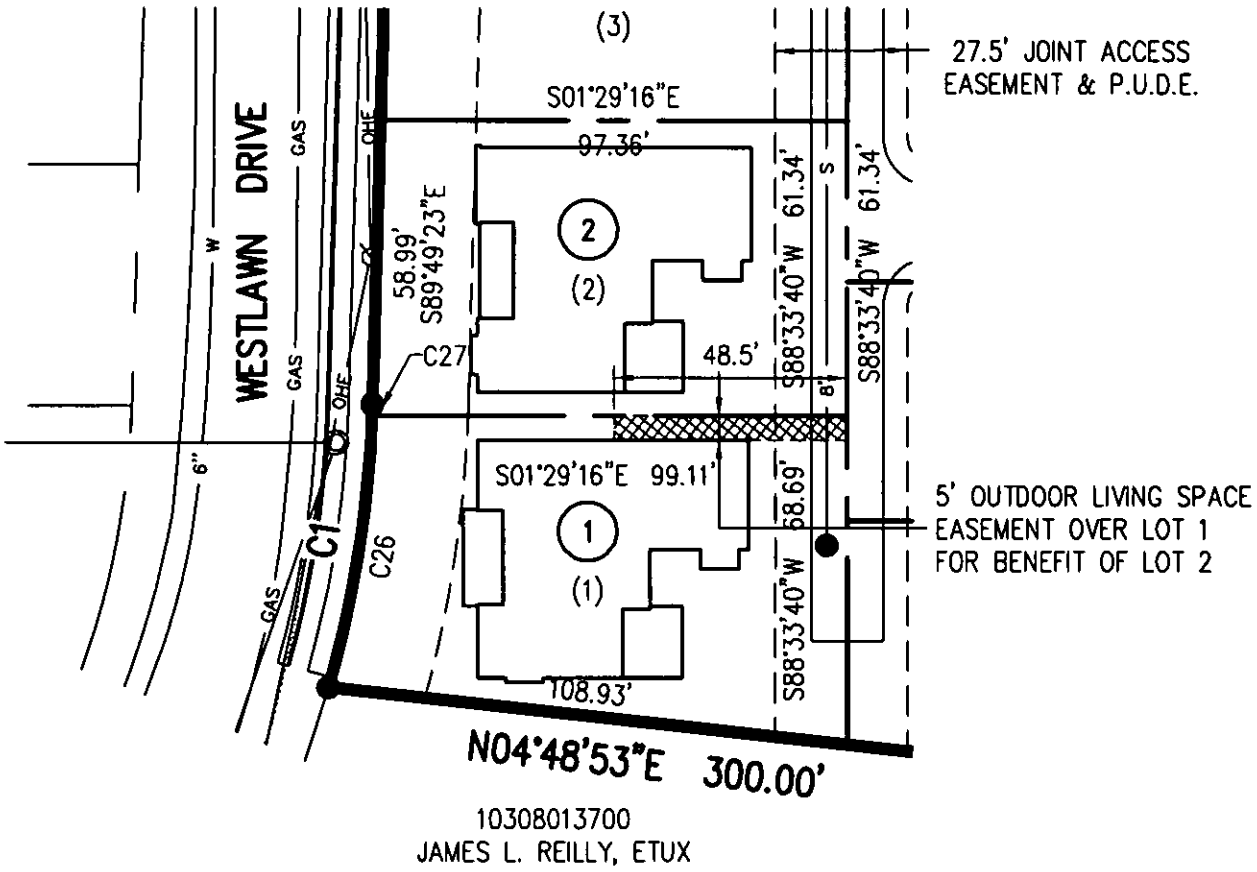
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Trans:T20110032960 AFFIDAVIT
Recvd: 06/02/11 14:57 3 pgs
Fees:17.00 Taxes:0.00
20110602-0042310

Appeared, Executed and Sworn to before me this 2nd day of June, 2011

Notary Public
Commission Expires: 5/4/2015



Prepared by: Kenneth M. Ballew
30 Burton Hills Blvd.
Nashville, TN 37215



GENERAL NOTES:

1. LOT NUMBERS SHOWN THUS (2) PERTAIN TO THE FINAL PLAT FOR CHEROKEE CROSSING AS OF RECORD IN INSTRUMENT NO. 20041216-0149685 R.O.D.C., TN.
2. PARCEL NUMBERS SHOWN THUS (2) PERTAIN TO DAVIDSON COUNTY PROPERTY MAP 103-08-D.

EXHIBIT "B"

CHEROKEE CROSSING-LOT 1

NASHVILLE, DAVIDSON COUNTY, TENNESSEE

DATE: SEPT. 23, 2008

40' 0' 40' 80'

SCALE IN FEET

Wamble & Associates, PLLC
40 Middleton St. Nashville, Tennessee 37210
Telephone (615)251-9555 Fax (615)251-9034
Civil Engineering · Land Surveying