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This Instrument Was Prepared By:
Bone McAllester Norton PLLC (kjr)
511 Union Street, Suite 1500
Nashville, Tennessee 37219

SCRIVENER'S AFFIDAVIT- SPECIAL WARRANTY DEED

This Scrivener's Affidavit relates to a Special Warranty Deed from Capital Bank, N.A., successor by merger to **GreenBank, successor in interest to Cumberland Bank ("Grantor"),** to **Jason Cutler ("Grantee")**, of record as set forth below.

The undersigned, C. Tucker Herndon, being duly sworn, deposes and says that:

1. I am an attorney licensed to practice law in the State of Tennessee acting as counsel for Capital Bank, N.A., successor by merger to GreenBank, successor in interest to Cumberland Bank.

2. I prepared a Special Warranty Deed which was recorded in Instrument No. 20120203-0009797, Register's Office for Davidson County, Tennessee ("Special Warranty Deed").

3. Through an inadvertent typographical error, the Grantee name is incorrectly stated as Jason Cutler when in fact it should have been stated as Justin Cutler.

4. It being the intent that the Grantee name should read Justin Cutler, the Special Warranty Deed is hereby corrected by deleting the Grantee name of Jason Cutler and replacing it with the name of **Justin Cutler.**

5. The above statements are true and correct to the best of my knowledge.

FURTHER AFFIANT SAYS NOT.

C. Tucker Herndon

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Before me, the undersigned, a notary public of the state and county mentioned, personally appeared C. Tucker Herndon, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and seal, this 16th day of March, 2012.

Kimberley J. Raymond
NOTARY PUBLIC

KIMBERLEY J. RAYMOND STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

My Commission Expires: 3/3/14

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