This Instrument Prepared By ~~Rudy~~

Rudy Title & Escrow
2012 21st Avenue South
Nashville, TN 37212
File # R-VRES-12-816

BILL GARRETT, Davidson County
Trans:T20120047699 AFFIDAVIT
Recvd: 06/28/12 10:54 2 pgs
Fees:12.00 Taxes:0.00
20120628-0056752

**RECORD AND RETURN TO:**
Mitchell A. Watts, Attorney
2400 Crestmoor Road #102
Nashville, TN 37215

**Maximum Principal indebtness for Tennessee tax recording purposes is $-0-.**

## SCRIVENER'S AFFIDAVIT

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Comes now, **Charles Smith**, hereinafter referred to as Affiant, on this the 25th day of June, 2012, and after first being duly sworn according to law, does state the following as true and correct to the best of his knowledge, information and belief:

1. The Affiant acknowledged a QUITCLAIM DEED dated April 3, 2001, and recorded April 6, 2001 in Instrument Number 20010406-0033710, Register's Office for Davidson County, Tennessee between Elmer Lee Charleton, III and Michael Allen Charleton and Catherine Fowler **(Grantor)** and Elmer Lee Charleton, III, unmarried **(Grantee).**

2. That the above-mentioned **QUITCLAIM DEED** was recorded with clerical errors.

**The Affiant makes this affidavit for the purpose of amending the original QUITCLAIM DEED to correct the following:**

**DERIVATION should read as:**
Being the same property conveyed to Karen A. Charleton by Quitclaim Deed from Elmer L. Charleton, Jr. of record in Book 5723, Page 566, Register's Office for Davidson County, Tennessee. Said Karen A. Charleton having since died unmarried on December 7, 2000 (as evidenced by her death certificate on file at the Nashville and Davidson County Metropolitan Health Dept of Vital Records) leaving said property to her heirs-at-law namely Elmer Lee Charleton, III, Michael Allen Charleton and Catherine Fowler.

Sworn Affidavit of Heirship attached herewith, stating Karen A. Charleton only had three (3) children; Elmer Lee Charleton, III, Michael Allen Charleton and Catherine Fowler.

**NOTARY ACKNOWLEDGEMENT should read as:**
STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, **Charles Smith,** a Notary Public in and for said County and State, the within named **Elmer Lee Charleton, III, Michael Allen Charleton and Catherine Fowler,** the bargainors, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that they executed the within instrument for the purposes therein contained.

Affiant, **Charles Smith**, states that he was the notary on said quitclaim deed and he did indeed witness all three heirs-at-law sign.

This Affidavit is made to correct any defect in title by reason of the aforesaid defective instrument by showing that the defect resulted from a scrivener's error and not the intentional acts of the parties.

FURTHER, the Affiant sayeth not.

**Charles Smith, Affiant**

State of Tennessee
County of Davidson

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and State aforesaid, **Charles Smith**, the within named bargainor, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence and who acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand and official seal this 25th day of June, 2012.

Notary Public

My Commission Expires: 5/20/14

LAURA MITCHELL
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

**Sworn Affidavit**

The undersigned, upon being first duly sworn, does hereby give the following Affidavit.

That Karen A. Charleton died on the 7th day of December, 2000.

The above named decease died leaving her 3 childern, Elmer Lee Charleton, Cathrine L. Fowler, Michael A. Charleton her only legal heirs.

I Rubin C. Horton do solemnly swear knowing the deceased and her family for 40 Years; that the above mentioned children are her only legal heirs.

Rubin C. Horton Relationship: Friend
Rubin C. Horton, Affiant.

Subscribed and sworn to before me on this the 21 day of March, 2001.

Lanita Williams
Notary Public

My commission expires:
09-25-04

LANITA WILLIAMS
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.