BILL GARRETT, Davidson County
Trans:T20140055338 AFFIDAVIT
Recvd: 07/30/14 15:22 2 pgs
Fees:12.00 Taxes:0.00
20140730-0068050

STATE OF TENNESSEE **

COUNTY OF DAVIDSON **

SCRIVENER'S AFFIDAVIT

Before me, the undersigned, a Notary Public in and for said County in Said State, personally appeared the undersigned, William Henry Agee, who first being duly sworn, does depose and say as follows:

I am William Henry Agee, and I am the Attorney representing Ellen S. Armentrout as Executrix of the Estate of Donald S. Armentrout, Deceased, and also representing Ellen S. Armentrout and Emily G. Armentrout as Trustees of the Donald S. Armentrout Revocable Trust Agreement Dated January 5, 2001, and in connection with said legal representation, I was the scrivener of that certain WARRANTY DEED OF CONVEYANCE, (hereinafter, the "**Warranty Deed**"), which said **Warranty Deed** was heretofore recorded as Instrument Number 20140728-0066709 in the Office of the Register of Deeds of Davidson County, Tennessee. Upon further examination of the prior Instrument Number 20000830-0085728 (as recorded in the Office of the Register of Deeds of Davidson County, Tennessee), which is the source of the title for the subject real property conveyed in said **Warranty Deed**, there is an ambiguity as to whether Donald S. Armentrout, at the time of his death, owned an undivided one-third (⅓) interest in the subject real property (as stated in said **Warranty Deed**), or an undivided one-half (½) interest in the subject real property. However, in the last sentence of the paragraph following the description of the real property being conveyed in the said **Warranty Deed** (at the bottom of page 2 and top of page 3, thereof), the following statement is made: "...It is the express intention of the Grantor to herein convey to the Grantee all of the rights, title and interest that Donald S. Armentrout owned, at the time of his death, in the herein conveyed real property, which said right, title and interest was conveyed to Donald S. Armentrout in that said Instrument Number 20000830-0085728." As the scrivener of said **Warranty Deed**, I hereby confirm that it was the express intention of the Grantor in said **Warranty Deed**, to convey all of the rights, title and interest that Donald S. Armentrout owned at the time of his death in the real property made the subject of said conveyance- whether said interest was an undivided one-third (⅓) interest or an undivided one-half (½) interest. As expressly stated by the Grantor therein, the said **Warranty Deed** recorded as Instrument Number 20140728-0066709 in the Office of the Register of Deeds of Davidson County, Tennessee, was executed by the Grantor as a conveyance to the Grantee, Emily Armentrout, of all of the rights, title and interests owned by Donald S. Armentrout at the time of his death in said Instrument Number 20000830-0085728, as recorded in the Office of the Register of Deeds of Davidson County, Tennessee.

As their attorney, I commenced legal representation of Donald S. Armentrout, and his Wife, Sue E. Armentrout, during calendar year 2000 and represented both of them continuously until the 30th day of March, 2013, on which date the death of Donald S. Armentrout occurred. I continued thereafter to provide legal representation for Sue E. Armentrout until the 1st day of September, 2013, on which date the death of Sue E.

Armentrout occurred. I was providing legal representation for both of them at the time that said Instrument Number 20000830-0085728 was recorded in the Office of the Register of Deeds of Davidson County, Tennessee. During the entire period of my said legal representation of both of them, and after his death, of her solely, the homestead and/or residence of Donald S. Armentrout and Sue E. Armentrout was located in Sewanee, Franklin County, Tennessee. Therefore, I can say of my own personal knowledge as follows: The real property owned by **DONALD S. ARMENTROUT** at the time of his death, as described in said Instrument Number 20000830-0085728 (being the same real property described in Instrument Number 20140728-0066709) located at 174 Rural Avenue in Nashville, Davidson County, Tennessee (hereinafter, the "real property"), **did not** constitute any part or portion of the homestead of the said **DONALD S. ARMENTROUT** at any time during his lifetime, nor was said real property the usual place of residence of the said **DONALD S. ARMENTROUT** at any time during his lifetime. Furthermore, the said real property **did not** constitute any part or portion of the homestead of the said **SUE E. ARMENTROUT** at any time during her lifetime, nor was said real property the usual place of residence of the said **SUE E. ARMENTROUT** at any time during her lifetime. The sole and only homestead and/or residence of **SUE E. ARMENTROUT** at the time of her death on September 1, 2013, was located at 280 Carpenter Circle, Sewanee, Franklin County, Tennessee.

Done this the 30th day of July, 2014.

William Henry Agee

Sworn to and subscribed before me on this the 30th day of July, 2014.

MARILYN HOLT
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
(SEAL)

NOTARY PUBLIC

Commission Expiration Date: 07 02 2018

This instrument Was Prepared By:

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