Prepared by: Newton Holiday III
Attorney-at-Law

BILL GARRETT, Davidson County
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STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

SCRIVENOR'S AFFIDAVIT

Comes now NEWTON HOLIDAY III who being duly sworn does say and affirm the following:

My name is NEWTON HOLIDAY III and I am a licensed, practicing attorney with office at 1506 Church St. Ste. 1, Nashville, Tennessee 37203. The purpose of this affidavit is to correct an error in a deed I prepared on June 25, 2003, for William T. Smith (deceased) and wife, Janie G. Smith (deceased) to Sonya D. Smith, which is recorded on Instrument Number 20031006-0147101, Map-Parcel Numbers: 22W-22200 in the Registers Office of Nashville, Davidson County -

In that deed there was one parcel of land conveyed. The error is contained in the legal description reflects 126 feet should be corrected to reflect 137 feet and as evidenced by a Metro Codes Department letter is hereby incorporated by referenced and attached hereto to this affidavit.

DESCRIPTION OF PROPERTY

Being a lot or parcel of land in the 22nd Ward of the City of Nashville, Davidson County, Tennessee being a part of a lot marked "Jacob Schmidit" nine acres on the Plan of the W.L.B. Lawrence Land, as of record in Book 21, page 148, Register's Office for said County, described as follows, according to survey made by T.R. Sanford, dated October 12, 1964.

Beginning at the southeast corner of Waldkirch Avenue and 10th Avenue South, as shown on a Plat of land of said Jacob Shmidt heirs, of the recorded in Book 547, Page 120, said Register Office; thence the margin of said Avenue easterly 137 feet more or less to the west margin of an alley; thence with the margin of said alley, southerly 50 feet to the point of the beginning

The above described property is the correct description. The property known as 2300 10th Avenue South, Nashville, Tennessee 37204.

AFFIRMED this the 2nd day of May, 2016

Newton Holiday III
Attorney-at-Law
1506 Church St. Ste. 1
Nashville, TN 37203
615-400-6360

State of Tennessee

County of Davidson

Sworn to and subscribed to before me by on this the 2nd day of May, 2016.

My commission expires. 8-23-16

SHALITA STADAKER
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires

MEGAN BARRY
MAYOR

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS
METRO OFFICE BUILDING – 3rd FLOOR
800 SECOND AVENUE, SOUTH
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS
POST OFFICE BOX 196300
NASHVILLE, TENNESSEE 37219-6300
TELEPHONE (615) 862-6500
FACSIMILE (615) 862-6514
www.nashville.gov/codes

February 24, 2016

Sonya Smith
2300 10th Avenue South
Nashville, TN 37204

RE: 2300 10th Avenue South, Nashville, TN
Parcel ID 10513037500

Dear Ms. Smith:

Based on the latest information available to our office, the above referenced property is zoned R8 (Residential One and Two-family, 8000 sq. ft. minimum lot area) and is within the Urban Zoning Overlay. Affidavits submitted by a neighbor as well as confirmation by the owner indicate that this property contains a legally nonconforming duplex. See affidavits of George H. Thompson, III Esq. attached hereto. Affidavits indicate that the structure has been used consistently as a duplex for over 50 years.

While the R8 zoning allows a duplex, this lot contains approximately 6850 square feet and does not comply with the lot area requirement of the R8 zoning. The R8 zoning became effective on December 24, 1974. Based upon the attached affidavits, this property was used as a duplex prior to the effective date of the R8 zoning and is "grandfathered" as a legally non-conforming use pursuant to Metropolitan Code § 17.40.650.

Based upon the above information, the subject property may continue to be used as a duplex provided that use does not cease for 30 continuous months in which case the duplex use will lapse and the structure may only be used as a single-family residence.

Pursuant to Metropolitan Code § 17.40.650 E 2, the structure may be renovated and repaired provided that more than 50% of the original floor area is maintained and all work is completed within a year.

Should you have further questions, please feel free to call me at (615) 862-6608.

Sincerely,



William B. Herbert IV
Metropolitan Zoning Administrator