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SCRIVENER'S AFFIDAVIT

THIS INSTRUMENT PREPARED BY:
WAGON WHEEL TITLE & ESCROW, LLC
202 SOUTH 11TH STREET
NASHVILLE, TN 37206
(615) 650-6699 (FAX)

MAP/PARCEL
104-10-0-092.00

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Comes now, **J. Brandon Miller** ("Affiant"), a licensed attorney in the State of Tennessee whose current address is 202 S. 11th Street, Nashville, TN 37206 and would state as follows:

On the 30th day of May, 2008, the Affiant was an attorney and authorized member of Wagon Wheel Title & Escrow, LLC ("Wagon Wheel"). The firm represented Thomas S. Caldwell and wife, Louise W. Caldwell ("Sellers") in the sale of certain real property located at 315 Fairfax Avenue, Nashville, Davidson County, TN 37212 (the "Property"). On or prior to the above date Affiant prepared a warranty deed ("Warranty Deed") which was executed by Sellers conveying the Property to Kevin Young and wife, Catherine Young AKA Catherin O'Brien ("Buyers"). One of Affiant and Wagon Wheel's duties is to ensure that documents executed at closing are accurately prepared, and executed correctly by the parties.

The Warranty Deed is recorded in **Instrument No. 20080604-0057513** in the Register's Office for Davidson County, Tennessee. The name of Buyer Catherine Young AKA Catherine O'Brien was corrected by a subsequent Scrivener's Affidavit of record in Instrument No. 20140623-0054619, in said Register's Office. The Warranty Deed has subsequently been determined to have contained an error in the legal description of the Property in that it described the Property as ALL of Lot 52 on the Plan of Bransford Realty Company's West End Heights Subdivision, when it should have described the Property as the WESTERLY PART of said Lot 52, and provided a metes and bounds description for same.

Accordingly, the two paragraphs of the Warranty Deed next following the end of the paragraph on the first page there of which ends "...TO WIT:" should be deleted and the following substituted in place thereof:

> BEING the westerly part of Lot No. 52, on the Plan of Bransford Realty Company's West End Heights Subdivision, as of record in Plat Book 332, Pages 124 and 125, Register's Office for Davidson County, Tennessee, and more particularly described as follows:
>
> BEGINNING on the southerly margin of Fairfax Avenue, at the corner of Lots Nos. 51 and 52; thence with the line between said two Lots southwardly 276.5 feet to the northerly margin of an alley; thence with said alley eastwardly 20.5 feet to the westerly margin of Marlborough Avenue; thence with said Avenue northeastwardly to the southwest corner of the property conveyed to Mrs. Lillian N. Phillips by Deed from Mable Phillips Russell and husband, in Book 1006, Page 2, Register's Office for Davidson County, Tennessee; thence with Lillian N. Phillips' westerly line northwardly 195 feet more or less to the southerly margin of Fairfax

Avenue, at a point 75 feet west of the westerly margin of Marlborough Avenue; thence with said Fairfax Avenue westwardly 50 feet to the point of beginning.

BEING the same property conveyed to Kevin Young and wife, Catherine O'Brien by Warranty Deed from Thomas S. Caldwell and wife, Louise W. Caldwell, dated May 30, 2008 and filed for record June 4, 2008 in Instrument No. 20080604-0057513, and corrected by Scrivener's Affidavit of record in Instrument No. 20140623-0054619, in said Register's Office. Register's Office of Davidson County, Tennessee.

The error in the legal description in the Warranty Deed described above is a scrivener's error. This error was inadvertent and unintentional. The foregoing described Warranty Deed should therefore, forthwith, be deemed to contain the legal description of the Property that is set forth above.

Now, therefore, in order to correct the referenced document, I, J. Brandon Miller, do hereby affirm, certify, and confirm that this affidavit was made of my personal knowledge and that the information contained herein is consistent with the intentions of the parties and does not in any way change or alter the understanding of the parties who executed the document being corrected.

EXECUTED this 13th day of June, 2016.

Wagon Wheel Title & Escrow, LLC,
a Tennessee Limited Liability Company

By: _____
Name: J. Brandon Miller
Title: Attorney/Authorized Member

OATH AND ACKNOWLEDGMENT

Personally appeared before me the within named J. Brandon Miller, attorney and authorized member of Wagon Wheel Title & Escrow, LLC, a Tennessee Limited Liability Company, who made oath that he has read the foregoing Affidavit and that the statements contained therein are true and correct based upon his knowledge, information and belief. The Affiant further acknowledged that he executed the within described document for the purpose of correcting the scrivener's error herein described.

SUBSCRIBED AND SWORN TO before me this 13th day of June, 2016.

My Commission Expires: 7.3.17

Notary Public

STEVEN T. MORRIS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires July 3, 2017