This Instrument Prepared By:
Bennett & Pressley, P. C.
2021 Richard Jones Road, Suite 220
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BILL GARRETT, Davidson County
Trans:T20170056692 AFFIDAVIT
Recvd: 07/03/17 11:30 2 pgs
Fees:12.00 Taxes:0.00
20170703-0066719

AFFIDAVIT RE: SCRIVENER'S ERROR

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Map/Parcel ID: 103.03-0J-002.00CO

Comes now, Shannon Philbin, hereinafter referred to as Affiant, on this 30th day of June, 2017, and after first being duly sworn according to law, does depose and state as follows:

1. The Affiant is CEO and Senior Closing Coordinator of Lawyer's Escrow Service, Inc. In that capacity, Affiant coordinated closing on behalf of Buyer, Linda Peterson Benson, of a parcel of real property in Davidson County, Tennessee with the above-referenced Map/Parcel ID, and known as 4707B Dakota Avenue, Nashville, TN 37209 (the "Property"). The Property is, and was intended to be, Unit No. B on the plan of Horizontal Property Regime of 4707 Dakota Ave., Nashville, Tennessee, filed as Exhibit B to and established by the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Legacy Estates, a Condominium now to be known as 4707 Dakota Cottages, a Horizontal Property Regime with Private Elements of record in Instrument No. 20150716-0069665, Register's Office for Davidson County, Tennessee.

2. However, the Warranty Deed prepared by Battleground Title & Escrow, LLC, as the scrivener thereof, executed by the Seller, Legacy Homes of TN, LLC, a Tennessee limited liability company, and now of record in Instrument No. 20160204-0010884 in said Register's Office erroneously contained the legal description of the whole of what formerly was 4707 Dakota Avenue, carried forward from the Deed to Seller of record in Instrument No. 20141002-0091071 in said Register's Office. The legal description in the Warranty Deed to Buyer Linda Peterson Benson at Instrument No. 20160204-0010884 is erroneous in that it inadvertently encompasses Unit No. A and Unit No. B of the above-referenced Horizontal Property Regime when it should have only described Unit No. B.

3. The Affiant makes this affidavit for the purpose of correcting the original Warranty Deed referenced above, to delete the legal description that is set forth therein, to wit:

> Land in Davidson County, Tennessee, being Lot No. 608, Block 29, Charlotte Park's First Addition to Nashville, as shown on plat if record in Plat Book 57, page 103, in the Register's Office for Davidson County, Tennessee, to which plat references is hereby made for a more particular description of said property.
>
> Being the same property conveyed to Legacy Homes of TN, LLC by Warranty Deed from Billy Keith Perryman, recorded October 2, 2014 in Instrument Number 20141002-0091071, in the Register's Office for Davidson County, Tennessee.

and to substitute for the above-referenced legal description the following correct legal description, to wit:

> Land in Davidson County, Tennessee, being Unit No. B, on the plan of Horizontal Property Regime of 4707 Dakota Ave., Nashville, Tennessee, filed as Exhibit B to and established by the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Legacy Estates, a Condominium now to be known as 4707 Dakota Cottages, a Horizontal Property Regime with Private Elements of record in Instrument No. 20150716-0069665, Register's Office for Davidson County, Tennessee, reference to which is hereby made for a more complete description of said Unit.

Being a portion of the same property conveyed to Legacy Homes of Tennessee, LLC, a Tennessee limited liability company by Warranty Deed dated 10/01/2014 from Billy Keith Perryman filed for record 10/02/2014 in Instrument Number 20141002-0091071, Register's Office for Davidson County, Tennessee, said property having been divided into Unit No. A and Unit No. B by the above-referenced Horizontal Property Regime with Private Elements of record in Instrument No. 20150716-0069665, in said Register's Office.

Affiant makes this Affidavit as a person having been involved in the transaction wherein the Property was transferred as referenced above, having personal knowledge that the facts set forth hereinabove are true and complete, and that the intention of Seller and Buyer was for Seller to sell and convey, and for Buyer to take and purchase, the Property that is described by the corrected legal description set forth hereinabove.

Further the Affiant sayeth not.

AFFIANT:

Shannon Philbin

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a notary public in and for said County and State, the above-named Shannon Philbin, Affiant, who is personally known to me or identified upon satisfactory evidence, and in my presence affixed her signature to the within instrument, and affirmed under oath that she did so as her free act and deed, for the purposes therein contained.

Witness my hand and official seal, this 30th day of June, 2017.

My Commission Expires: 7-2-18

Notary Public

EMILY C. MAY STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

NOTARY PUBLIC
Emily C. May
My Commission Expires
July 2, 2018
STATE OF TENNESSEE