Bill Garrett Davidson County
Batch# 44693 AFFIDAVIT
01/05/2018 09:27:32 AM 4 pgs
Fees: $22.00 Taxes: $0.00
20180105-0001599

This instrument prepared by & return to:
Joshua R. Hopkins, Esq.
Rubin Lublin TN, PLLC
3145 Avalon Ridge Place, Suite 100
Peachtree Corners, Georgia 30071

Please cross reference to:
Instrument No. 20090825-0080158
Instrument No. 20100419-0029385
Instrument No. 20100419-0029387
Instrument No. 20130509-0047031
Instrument No. 20160629-0066515
Davidson County, Tennessee Register of Deeds

ATTORNEY'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF GWINNETT

BEFORE ME, the undersigned Notary who is authorized to administer oaths and take testimony in the aforesaid jurisdiction, personally appeared, Joshua R. Hopkins, who is well known to me and said person swore under oath and stated as follows:

1.

WHEREAS, I am an attorney licensed to practice law in the State of Tennessee; and

2.

WHEREAS, I have examined the deed and tax records of Davidson County, Tennessee as to certain real property commonly known as: 605 Bel Air Drive, Nashville, TN 37217, bearing Tax ID/Parcel# 13401005400 (hereinafter, the "Property"), as found on plat of record in Book 2133, Pages 109 & 110, in the Register's Office for Davidson County, Tennessee (hereinafter, the "Plat"), and being more particularly described in Exhibit "A" attached hereto and made a part hereof; and

3.

WHEREAS, on August 20, 2009, the Property was conveyed from CDR Investments, LLC to Chip H. Ridge, III (hereinafter, "Mr. Ridge") via quitclaim deed (hereinafter, the "First Quitclaim Deed"). The First Quitclaim Deed was recorded on August 25, 2009, at Instrument No. 20090825-0080158, in said Register's Office; and

4.

WHEREAS, on April 15, 2010, the Property was conveyed from Mr. Ridge to **Scott Bobbitt (a/k/a Scott A. Bobbitt)** (hereinafter, "Mr. Bobbitt") via warranty deed (hereinafter, the "Warranty Deed"). The Warranty Deed was recorded on April 19, 2010, at Instrument No. 20100419-0029385, in said Register's Office; and

5.

WHEREAS, also on April 15, 2010, the Property was conveyed from Mr. Bobbitt to Mr. Bobbitt and wife, Vickie G. Bobbitt, (hereinafter, "Ms. Bobbitt") via quitclaim deed (hereinafter, the "Second Quitclaim Deed"). The Second Quitclaim Deed was recorded on April 19, 2010, at Instrument No. 20100419-0029387, in said Register's Office; and

6.

WHEREAS, on April 1, 2013, the Property was conveyed from Ms. Bobbitt to Mr. Bobbitt via quitclaim deed (hereinafter, the "Third Quitclaim Deed"). The Third Quitclaim Deed was recorded on May 9, 2013, at Instrument No. 20130509-0047031, in said Register's Office; and

7.

WHEREAS, on June 6, 2016, Mr. Bobbitt executed a deed of trust in favor of **Freedom Mortgage Corporation**, which encumbers the Property (hereinafter, the "Deed of Trust"). The Deed of Trust was filed for record on June 29, 2016, at Instrument No. 20160629-0066515, in said Register's Office; and

8.

WHEREAS, a review of the First Quitclaim Deed, the Warranty Deed, the Second Quitclaim Deed, the Third Quitclaim Deed, and the Deed of Trust revealed the following Scrivener's error in the legal description of the property found in each instrument, to-wit:

> In the second paragraph, the description reads: "...and extends back 216 feet on the easterly side to a dead line..."; however, per the Plat, the correct description is: "...and extends back 216 feet on the easterly side **and 157 feet on the westerly side** to a dead line..."

FURTHER AFFIANT SAYETH NOT.

Joshua R. Hopkins, Attorney

Sworn to and subscribed before me this 26 day of December, 2017.

Kimbra Benford
Notary Public

My Commission Expires: KIMBRA BENFORD NOTARY PUBLIC ROCKDALE COUNTY EXPIRES GEORGIA Jan. 27, 2019

ACKNOWLEDGEMENT

STATE OF GEORGIA
COUNTY OF GWINNETT

Personally appeared before me, the undersigned, a Notary Public in and for the County and State, the within named Joshua R. Hopkins, with whom I am personally acquainted, (or proved to me his identity on the basis of satisfactory evidence) and who, upon oath, acknowledged such person to be authorized to execute the foregoing Affidavit and whose name is subscribed to the foregoing Affidavit, and who acknowledges that the contents of said Affidavit were true and correct and that the Affidavit was executed for the purposes therein contained.

Witness my hand and official seal at office, this 26 day of December, 2017.

Kimbra Benford
NOTARY PUBLIC

My Commission Expires: KIMBRA BENFORD NOTARY PUBLIC ROCKDALE COUNTY EXPIRES GEORGIA Jan. 27, 2019

EXHIBIT "A"
PROPERTY DESCRIPTION

REAL PROPERTY IN THE CITY OF NASHVILLE, COUNTY OF DAVIDSON, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS:

BEING LOT NO. 68 ON THE PLAN OF CURRYWOOD ACRES, SECTION 1, OF RECORD IN BOOK 2133, PAGES 109 AND 110, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

SAID LOT 68 FRONTS 151.6 FEET ON THE NORTHERLY MARGIN OF BELAIR DRIVE AND EXTENDS BACK 216 FEET ON THE EASTERLY SIDE **AND 157 FEET ON THE WESTERLY SIDE** TO A DEAD LINE MEASURING 132.3 FEET THEREON.