This instrument prepared by:
Commerce Title & Escrow, LLC
513 3rd Avenue South
Nashville, TN 37210

Record & Return to Preparer
File No.: AGL-19-0011-RES

Karen Johnson Davidson County
Batch# 285366 AFFIDAVIT
09/13/2019 12:47:30 PM 4 pgs
Fees: $22.00 Taxes: $0.00
20190913-0093014

SCRIVENER'S AFFIDAVIT

[To correct typographical error(s) and legal descriptions in multiple documents]

Comes now, Commerce Title & Escrow, LLC with its principal place of business located at 513 3rd Avenue South, Nashville, TN 37210, by and through its authorized agent, Adam G. LaFevor and Chapman & Rosenthal Title, Inc. with its principal place of business located at 2002 Richard Jones Rd., Ste. 203A, Nashville, TN 37215, by and through Chad I. Pearman, in his capacity as its Attorney, and states on oath:

1. That the purpose of this Affidavit is to explain and correct certain errors the following documents:
    a. Warranty Deed recorded in Instrument Number 20190823-0085214, in the Register's Office of Davidson County, Tennessee.
    b. Construction Deed of Trust recorded in Instrument Number 20190823-0085215, in the Register's Office of Davidson County, Tennessee.
2. That Chapman & Rosenthal Title, Inc. had cause to prepare and have executed; and Commerce Title & Escrow, LLC had cause to record a Warranty Deed executed by Phillip C. Barnett and wife, Kristie M. Barnett ("Grantor") to Build Nashville DB2, LLC, a Tennessee limited liability company ("Grantee") of record in Instrument Number 20190823-0085214, in the Register's Office of Davidson County, Tennessee (hereinafter referred to as "Warranty Deed"). This Warranty Deed had an error in the legal description, as noted below;
3. That Commerce Title & Escrow, LLC had cause to prepare and/or record a Construction Deed of Trust executed by Build Nashville DB2, LLC, a Tennessee limited liability company ("Grantor") to Pinnacle Bank ("Beneficiary") of record in Instrument Number 20190823-0085215, in the Register's Office of Davidson County, Tennessee (hereinafter referred to as "Deed of Trust"). This Deed of Trust had an error in the legal description, as noted below;
4. That Commerce Title & Escrow, LLC and Chapman & Rosenthal Title, Inc. have been made aware of an error in the legal description, wherein a call for a distance along the margin of the alley, has been missing from the legal description (hereinafter referred to as "The Call");
5. The Call last appeared in a Warranty Deed recorded in 1992 in Book 8746, Page 959, and appears to have been omitted from the following Warranty Deed recorded in 1995 in Book 9680, Page 94, in the Register's Office for Davidson County, Tennessee, and subsequent deeds of conveyance thereafter;
6. The Call is identified as "50 feet along the margin of said alley; thence at right angles northwardly" and is identified in bold print in the correction below;
7. That Commerce Title & Escrow, LLC and Chapman & Rosenthal Title Inc. intend to correct the legal description by executing this Scrivener's Affidavit.
8. The legal description currently contained in the Warranty Deed and Deed of Trust, reads as follows:

    Land in Davidson County, Tennessee, being part of Block 17, on Realty Savings Bank & Trust Company's Revised Plan of West Extension of Charlotte Park Company's First Addition, of record in Book 421, Page 18, Register's Office for Davidson County, Tennessee, and being more particularly described according to a survey by John Kohl & Company, P.C., dated November 3, 1999, as follows:

    Beginning in the southern margin of Third Avenue, now known as Nevada Avenue, at a point 110 feet west from the west margin of Ninth Street, now known as 50th Avenue North, and running thence westwardly 50 feet along the southern margin of said Nevada Avenue; thence at right angles, southwardly and parallel with 50th Avenue North, 150 feet to the northern margin of an alley; thence at right angles eastwardly and parallel with 50th Avenue, 150 feet to the point of beginning.

9. That the accurate legal description of the property conveyed, which should be reflected in all documents noted above, is as follows:

   Land in Davidson County, Tennessee, being part of Block 17, on Realty Savings Bank & Trust Company's Revised Plan of West Extension of Charlotte Park Company's First Addition, of record in Book 421, Page 18, Register's Office for Davidson County, Tennessee, and being more particularly described according to a survey by John Kohl & Company, P.C., dated November 3, 1999, as follows:

   Beginning in the southern margin of Third Avenue, now known as Nevada Avenue, at a point 110 feet west from the west margin of Ninth Street, now known as 50th Avenue North, and running thence westwardly 50 feet along the southern margin of said Nevada Avenue; thence at right angles, southwardly and parallel with 50th Avenue North, 150 feet to the northern margin of an alley; thence at right angles eastwardly ***50 feet along the margin of said alley; thence at right angles northwardly*** and parallel with 50th Avenue, 150 feet to the point of beginning.

That this affidavit is given to correct and explain the error(s) and to assist the present owners and lender, as well as all future owners, lenders, title examiners, and insurers.

EXECUTED on the 11th day of September, 2019.

Commerce Title & Escrow, LLC

By: Adam G. LaFevor, Authorized Agent

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named **Adam G. LaFevor**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledged himself to be the **Authorized Agent** of **Commerce Title & Escrow, LLC**, that he as such **Authorized Agent**, being authorized to do so, executed the within instrument for the purposes therein contained. Witness my hand and official seal at office this 11th day of September, 2019.

Amanda Vaughn
Notary Public
My commission expires: 5/5/2020

CONTINUED ON NEXT PAGE

AMANDA VAUGHN NOTARY PUBLIC STATE OF TENNESSEE DAVIDSON COUNTY

EXECUTED on the 11th day of September, 2019.

Chapman & Rosenthal Title, Inc.

By: Chad I. Pearman
Its: Attorney

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named **Chad I. Pearman**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledged himself to be the **Attorney** of **Chapman & Rosenthal Title, Inc.,** that he as such **Attorney**, being authorized to do so, executed the within instrument for the purposes therein contained. Witness my hand and official seal at office this 11th day of September, 2019.

Notary Public
My commission expires: 11/8/20

RICHARD LOUIS RIECK
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY

TENNESSEE CERTIFICATION OF ELECTRONIC DOCUMENT

I, Amanda Vaughn, do hereby make oath that I am the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Amanda Vaughn

Amanda Vaughn

State of TENNESSEE
County of DAVIDSON

Personally appeared before me, Adam G. LaFevor, a notary public for the above referenced county and state, Amanda Vaughn, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Adam G. LaFevor
MY COMMISSION EXPIRES: 5/5/2020
NOTARY'S SEAL

