Karen Johnson Davidson County
Batch# 534887 AFFIDAVIT
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Fees: $17.00 Taxes: $0.00
20201215-0148062

THIS INSTRUMENT PREPARED BY:
BENNETT & PRESSLEY, P. C.
2055 N. MT. JULIET RD. SUITE 202
MT. JULIET, TN 37122
(615) 758-6886 (PHONE)
(615) 288-3595 (FAX)

DEED CORRECTED:
INSTRUMENT NO. 20201119-0136495

SCRIVENER'S AFFIDAVIT

STATE OF TENNESSEE)
COUNTY OF WILSON)

Comes now Ernest D. Bennett, III ("Scrivener") and states under oath as follows:

1. Scrivener is an attorney licensed to practice law in Tennessee, B.P.R. #005277, with offices located at 2021 Richard Jones Road, Suite 220, Nashville, Tennessee 37215, and at 2055 N. Mt. Juliet Rd., Suite 202, Mt. Juliet, Tennessee 37122. Scrivener is also President of Lawyer's Escrow Service, Inc. ("Closing Agent") with offices at the same locations.

2. An employee of Closing Agent, acting under my general supervision, prepared a Warranty Deed from 1700 McKinney, LLC, a Tennessee limited liability company ("Grantor") to APG Rentals, LLC, a Missouri limited liability company ("Grantee"), that Warranty Deed was executed by duly authorized representatives of Grantor on November 13, 2020, and subsequently recorded at Instrument No. 20201119-0136495 in the Register's Office for Davidson County, Tennessee (the "Deed"). The legal description contained in the Deed, which is erroneous, is:

> Unit 4 as established by the Declaration of Covenants, Conditions and Restrictions for 1700 McKinney Avenue Townhomes ("Master Deed"), a horizontal property regime with private elements, of record in Instrument No. 20200603-0056722 Register's Office for Davidson County, Tennessee; said Unit being depicted on the Site Plan attached as Exhibit B to the aforementioned Master Deed, to which reference is made for a more complete and accurate description of the property.
>
> Being the same property conveyed to 1700 McKinney, LLC, a Tennessee Limited Liability Company by Deed dated August 1, 2019 from Olympus Development Group, LLC, a Tennessee limited liability company, recorded August 1, 2019, in Instrument Number 20190801-0076018, in the Official Records of Davidson County, Tennessee.

3. The Purchase and Sale Agreement between Grantor and Grantee dated November 6, 2020 (the "Contract") stated that the real property to be sold and conveyed by Grantor to Grantee was **"All that tract of land known as: 1700 McKinney ave Nashville, TN 37208."** (from lines 6 and 7 of the Contract) (referred to in the Contract and hereinafter as the "Property"). The Property consists of all of the horizontal property regime with private elements known as 1700 McKinney Avenue Townhomes as established by Master Deed of record in Instrument No. 20200603-0056722, in the Register's Office for Davidson County, Tennessee, which is currently unimproved, and intended to also assign and convey to Grantee the rights, duties and responsibilities of "Developer" in the Master Deed. Therefore, the Deed should not have referenced only "Unit 4" in the legal description but in fact all of the Property.

4. Therefore, to correct this inadvertent error, the legal description in the Deed should be deleted and replaced with the following:

> All of 1700 McKinney Avenue Townhomes, a Tennseee horizontal property regime with private elements, as established by the Declaration of Covenants, Conditions and Restrictions for 1700 McKinney Avenue Townhomes ("Master Deed"), a horizontal property regime with private elements, of record in Instrument No. 20200603-0056722 Register's Office for Davidson County, Tennessee; consisting of four (4) Units known or to be known as Units 1, 2, 3 and 4, identified and depicted as private elements, and all other rights appurtenant thereto as described and depicted on the Site Plan attached as Exhibit B to the aforementioned Master Deed, and subject to the rights, duties and responsibilities described in said Master Deed, to which Master Deed and its Exhibits reference is made for a more complete and accurate description of the property.
>
> Being the same property conveyed to 1700 McKinney, LLC, a Tennessee Limited Liability Company by Deed dated August 1, 2019 from Olympus Development Group, LLC, a Tennessee limited liability company, recorded August 1, 2019, in Instrument Number 20190801-0076018, in the Register's Office for Davidson County, Tennessee; and subsequently estabished as a Tennessee horizontal property regime by Master Deed of record in Instrument No. 20200603-0056722 in said Register's Office.
>
> This conveyance includes assignment to Grantee of all rights, duties and responsibilities of Grantor as Developer of the above-described horizontal property regime as set forth in said Master Deed.

5. Now, therefore, in order to correct the referenced Deed, I, the Scrivener, do hereby affirm, certify, and confirm that this affidavit is made of my personal knowledge and that the information contained herein is true and correct and for the purpose of correcting said Deed, does not in any way change or alter the understanding and intention of the Grantor who executed the Deed nor of the Grantee receiving the conveyance of the property described in the Deed.

Executed this 14th day of December, 2020.

Ernest D. Bennett, III, Scrivener

OATH AND ACKNOWLEDGMENT

Personally appeared before me the within named Ernest D. Bennett, III, the above-named Scrivener in the within instrument, who is personally known to me or proved upon satisfactory evidence, and 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. Scrivener further acknowledged that he executed the within described document for the express purpose of correcting the error therein described in the Deed therein identified.

SUBSCRIBED AND SWORN TO before me this 30th day of July, 2020.

My Commission Expires: 1/10/2023

MARY GAIL PORTER STATE OF TENNESSEE NOTARY PUBLIC COUNTY OF WILSON MY COMMISSION EXPIRES JANUARY 10, 2023

Notary Public

Tennessee Certification of Electronic Document

I, Ernest D. Bennett, III, do hereby make oath that I am a licensed attorney and/or 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.

Signature

State of Tennessee)
)
County of Davidson)

Personally appeared before the undersigned, a notary public for this county and state, Ernest D. Bennett, III, who acknowledged that this certification of an electronic document is true and correct and whose signature I have witnessed.



Notary Signature

My Commission Expires: January 10, 2023