Karen Johnson Davidson County
Batch# 754137 AFFIDAVIT
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Fees: $17.00 Taxes: $0.00
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THIS INSTRUMENT PREPARED BY:
BENNETT & PRESSLEY, P. C.
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MT. JULIET, TN 37122
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DEEDS CORRECTED:
WARRANTY DEED AT INSTRUMENT NO.
20210503-0058643
DEED OF TRUST AT INSTRUMENT NO.
20210503-0058644
REGISTER'S OFFICE FOR DAVIDSON COUNTY, TN

SCRIVENER'S AFFIDAVIT

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Comes now Ernest D. Bennett, III ("Affiant") 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 2055 N. Mt. Juliet Road, Suite 202, Mt. Juliet, Tennessee 37122. Scrivener is President of Lawyers Escrow Service, Inc., a real estate title, closing and escrow firm with offices located at the same address ("Closing Agent").

2. An employee of Closing Agent, acting under the general oversight and supervision of the Affiant, prepared a Warranty Deed from APG Rentals, LLC, a Missouri limited liability company ("Grantor"), to Alexander Berger, a married man ("Grantee"), which was executed and recorded at Instrument No. 20210503-0058643 in the Register's Office for Davidson County, Tennessee (the "Warranty Deed"). The employee of Closing Agent also prepared Exhibit A to a Deed of Trust from Alexander Berger, a married man (as "Borrower" therein), to a trustee for Keller Mortgage, LLC ("Lender') in connection with the mortgage loan to Borrower in the same transaction wherein Borrower acquired the property as Grantee.

3. It was intended that Grantor would transfer and convey to Grantee, and that Grantee, as Borrower, would encumber his interest in the property as it had been described in the deed wherein Grantor acquired the property, being at Instrument No. 20210222-0020955 in said Register's Office (the "Prior Warranty Deed").

4. Through inadvertent omission, the employee of Closing Agent, in preparing the Warranty Deed and Exhibit A to the Deed of Trust, omitted a portion of the legal description of the property that should have been described by the Warranty Deed and Exhibit A to the Deed of Trust. The legal description, as contained in the Warranty Deed and the Deed of Trust, is as follows:

Being Lot 160 in the Block No. 8 according to Plan of Subdivision of the Heffernan Place, of record in Book 161, Page 138, Register's Office for Davidson County, Tennessee. Said Lot No. 160 fronts 50 feet on the North side of Albion Street, and extends back Northwardly between parallel lines, and with the East margin of Zora Avenue, 140 feet to an alley 15 feet wide.

Being the same property conveyed to APG Rentals, LLC, a Missouri limited liability company by Deed dated February 10, 2021 from Elizabeth A. Essen, William J. Trimble, Helen D. Trimble, a single woman, recorded February 22, 2021, in Instrument Number 202102220020955, in the Official Records of Davidson County, Tennessee.

5. The foregoing legal description is of Tract 1 as described by the Prior Warranty Deed, but omits Tract 2 that was conveyed to Grantor in the Prior Warranty Deed. The correct legal description, which should be deemed as substituted for and superseding the legal description contained in the Warranty Deed and Exhibit A of the Deed of Trust, is as follows:

Tract 1 – 2420 Albion Street, Nashville, TN 37208 – M&P 092 02 0 423.00 (improved)
Being Lot 160 in the Block No. 8 according to Plan of Subdivision of the Heffernan Place, of record in Book 161, Page 138, Register's Office for Davidson County, Tennessee. Said Lot No. 160 fronts 50 feet on the North side of Albion Street, and extends back Northwardly between parallel lines, and with the East margin of Zora Avenue, 140 feet to an alley 15 feet wide.

Tract 2 – 0 Albion Street, Nashville, TN 37208 – M&P 092020459.00 (unimproved)
Being part of Lot 161 in Block No. 8 on the Plan Subdivision of the Haffernan Plan, recorded in Book 161, Page 138, Register's Office for Davidson County, Tennessee, more particularly described as follows: Beginning at a point in the Southern Boundary for a 15 foot alley, the common corner of lots 161 and 160 of Block 8 of the above named subdivision; thence Southerly with the line beween the said lots 37.0 feet to a point; thence Easterly at a right angle to said line 14.0 feet to a point; thence Northerly parallel to the line between the said lots 37.0 feet to the boundary of the alley Westerly to the beginning.

Being the same property conveyed to APG Rentals, LLC, a Missouri limited liability company by Deed dated February 10, 2021 from Elizabeth A. Essen, William J. Trimble, Helen D. Trimble, a single woman, recorded February 22, 2021, in Instrument Number 20210222-0020955, in the Official Records of Davidson County, Tennessee.

6. Therefore, to correct this inadvertent error, the legal description in the Warranty Deed as set forth in the Warranty Deed and in paragraph 4 above, and in Exhibit A of the Deed of Trust and in paragraph 4 above, should be deleted and replaced with the legal description as set forth in paragraph 5 above.

7. Now, therefore, in order to correct the referenced Warranty Deed and Deed of Trust, I, the Affiant, 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 Warranty Deed and Deed of Trust, and does not in any way change or alter the understanding and intention of the Grantor who executed the Warranty Deed nor of the Grantee receiving the conveyance of the property described in the Warranty Deed, nor of the Borrower who executed the Deed of Trust nor the Lender being secured pursuant thereto.

Executed this 5th day of November, 2021.

Ernest D. Bennett, III, Affiant

OATH AND ACKNOWLEDGMENT

Personally appeared before me the within named Ernest D. Bennett, III, the above-named Affiant 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. Affiant further acknowledged that he executed the within described document for the express purpose of correcting the error therein described in the Warranty Deed and Deed of Trust therein identified.

SUBSCRIBED AND SWORN TO before me this 5th day of November, 2021.

My Commission Expires: Jan. 10, 2023

Mary Gail Porter
Notary Public



Certificate of Authenticity

I, Ernest D. Bennett, III, do hereby make oath that I am a licensed attorney and/or the custodian of the original version of the electronic document tendered for registration herewith and that this electronic document is a true and exact copy of the original document executed and authenticated according to law on the 5th day of November, 2021.

Ernest D. Bennett, III, Affiant — November 5, 2021
Date

State of Tennessee)
County of Davidson)

Sworn to and subscribed before me this 5th day of November, 2021.

Mary Gail Porter
Notary's Signature



Commission Expires: January 10, 2023