Karen Johnson
Batch # 1084063
12/20/2023 10:10:12 AM
Fees: $12.00 Taxes: $0.00

Davidson County
AFFIDAVIT
2 pgs

20231220-0098035

This Instrument Prepared By and Return to:
Rudy Title & Escrow
2012 21st Avenue South
Nashville, TN 37212

SCRIVENER'S AFFIDAVIT

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Comes now, **Howard M. Skipworth**, a Tennessee licensed attorney, hereinafter referred to as Affiant, on this 12th day of December, 2023, and after first being duly sworn according to law, does state the following as true and correct to the best of his knowledge, information and belief:

1. WHEREAS, Affiant represented and consulted with Ellender Hudgins on legal matters during her lifetime, was the Attorney of record for the Estate of Ellender Hudgins after her death, and is familiar with the parties and aware of the circumstances of the preparation of the Warranty Deed dated January 18th, 2000 and recorded January 25th, 2000 in **Instrument Number 200001250008066,** Register's Office for Davidson County, Tennessee between Ellender Hudgins, (Grantor) and Larry Harlan Hudgins, (Grantee);

2. WHEREAS, Larry Harlan Hudgins died on December 5th, 2022;

3. WHEREAS, Affiant has reviewed the above mentioned Warranty Deed and is aware that the same contains an incorrect legal description and an omission of a Map/Parcel Number;

4. WHEREAS, the said incorrect legal description reads as follows:

   A certain tract of land in Davidson County, Tennessee, located in the 10th Civil District and described as follows, to wit:

   Beginning at the northwest corner of 99.7 acres tract, more or less, conveyed to Wm. J. Hagewood, of record in Book 1336, page 40, Register's Office for Davidson County, Tennessee, and being the southeast corner of a tract of 17.2 acres, more or less, conveyed to James M. Dutton of record in Book 1810, page 537, Register's Office for said County, thence with Dutton's line, South 70 degrees 30' W. 727 feet to a stake; thence south 2 degrees 15' West 705 feet to a stake; thence with a fence, North 82 degrees 30' East 410 feet to a stake; thence South 2 degrees 15' East 620 feet to the centerline of a branch; thence with the center of said branch North 66 degrees 30' East 210 feet to a stake in Pewitt's west line; thence with Pewitt's west boundary North 2 degrees 15' East 1424 feet to the point of beginning, containing 15 acres more or less, and being the Northeast corner of the 99.7 acre tract of record in Book 1336, page 40, Register's Office for Davidson County, Tennessee

5. WHEREAS, the above referenced Warranty Deed also contains an error in that it only contains reference to Map 31/Parcel 46;

6. WHEREAS, prior to the recording of the said Warranty Deed, a portion of the therein described land described as 4.0 acres, more or less, was conveyed by Warranty Deed from Eulis H. Hudgins and wife, Ellender Hudgins, (Grantor) to William G. Carney and wife, Sarah Greer Carney, (Grantee), dated July 15th, 1960 and recorded July 18th, 1960 in Book 3100, page 290, Register's Office for Davidson County, Tennessee;

7. WHEREAS, the Plan of E H Hudgins Subdivision Ingram Road property as prepared by Clyde D. Anderson, TNRLS #33, dated November 4, 1977 and recorded in Book 5190, page 40, Register's Office for Davidson County, Tennessee.

8. WHEREAS, a Warranty Deed from Eulis Hudgins and wife, Ellender Hudgins to Larry Harlan Hudgins and wife, Karon Hudgins conveying Parcel 107, the 5.07 acre tract on the said Plan of E. H. Hudgins, dated April 14th, 1983 was recorded May 19th, 1983 in Book 6059, page 366, said Register's Office. Subsequently, Karon Elaine Hudgins conveyed all her interest in said property to Larry Harlan Hudgins by Quitclaim Deed dated November 7th, 1995, and recorded November 20th, 1995, in Book 9864, page 761, Register's Office for Davidson County, Tennessee.

9. NOW THEREFORE, the correct Map/Parcel reference should read Map 31/Parcel 46 **AND** Map 31/Parcel 60 AND the correct legal description for land conveyed to Larry Harlan Hudgins by Warranty Deed of record in Instrument Number 200001250008066, said Register's Office, should read as follows:

Tract I (Map 31/Parcel 46)

Land in Davidson County, Tennessee being a 6.21 acre parcel as shown on the Plan of E H Hudgins Subdivision of record in Book 5190, page 40, in the Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete descriptions of the property.

Tract II (Map 31/Parcel 60)

Beginning at the northwest corner of 99.7 acres tract, more or less, conveyed to Wm. J. Hagewood, of record in Book 1336, page 40, Register's Office for Davidson County, Tennessee, and being the southeast corner of a tract of 17.2 acres, more or less, conveyed to James M. Dutton of record in Book 1810, page 537, Register's Office for said County, thence with Dutton's line, South 70 degrees 30' W. 727 feet to a stake; thence south 2 degrees 15' West 705 feet to a stake; thence with a fence, North 82 degrees 30' East 410 feet to a stake; thence South 2 degrees 15' East 620 feet to the centerline of a branch; thence with the center of said branch North 66 degrees 30' East 210 feet to a stake in Pewitt's west line; thence with Pewitt's west boundary North 2 degrees 15' East 1424 feet to the point of beginning, containing 15 acres more or less, and being the Northeast corner of the 99.7 acre tract of record in Book 1336, page 40, Register's Office for Davidson County, Tennessee

INCLUDED in the above but EXCLUDED from this conveyance is 4.00 acre, more or less, tract of land conveyed unto William G Carney and wife, Sarah Greer Carney by Deed from Eulis H Hudgins and wife, Ellender Hudgins, of record in Book 3100, page 290, Register's Office for Davidson County, Tennessee, and 5.07 acre, more or less, tract conveyed to Larry Harlan Hudgins by Quitclaim Deed from Karon Hudgins of record in Book 9864, page 761, Register's Office for Davidson County, Tennessee. The land of the above described Tract I is also included in the land described in Tract II. Tract II shall be the remainder of the original 15 acre, more or less, tract of land described in Book 2591, page 493, less and except land described in Book 3100, page 290; land described in Book 9864, page 761; and the 6.21 acre tract as shown on Plan of record in Book 5190, page 40, said Register's Office. Said 6.21 acre tract is also being conveyed herein.

10. The Affidavit is made to correct the typographical errors as a result of scrivener's error and not the intentional acts of the parties.

Affiant:

Howard M. Skipworth

STATE OF Tennessee

COUNTY OF

I, Bonni K. Skipworth, a Notary Public of the County and State first above written, do hereby certify that Howard M. Skipworth personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 12th day of December 2023.

Bonni K. Skipworth
Notary Public

My Commission Expires:

(SEAL)

BONNI K. SKIPWORTH
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES 5-3-2027