Box 14
THIS INSTRUMENT PREPARED BY:
ATTORNEYS TITLE COMPANY, INC.
2927 Berry Hill Drive
Nashville, TN 37204

SCRIVENER'S AFFIDAVIT

RE: Instrument No. 20220128-0010352
Instrument No. 20220608-0065466
Instrument No. 20230816-0064037
Instrument No. 20220608-0065466

Karen Johnson Davidson County
Batch # 1105209 **AFFIDAVIT**
02/28/2024 10:13:14 AM 3 pgs
Fees: $17.00 Taxes: $0.00



20240228-0013544

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

COMES NOW, **Sherri D. Hollars**, hereinafter referred to as "Affiant", on this 26th day of February, 2024, and after first being duly sworn according to law, does state the following as true and correct to the best of her knowledge, information and belief.

1) That Attorneys Title Company, Inc., prepared a certain Warranty Deed dated January 25, 2022, and recorded on January 28, 2022, of record in Instrument No. 20220128-0010352, Register's Office for Davidson County, Tennessee, (the "Warranty Deed") wherein Carbine Development Company, a Tennessee general partnership conveyed certain property to Carbine & Associates, LLC, a Tennessee limited liability company; and

2) That said Warranty Deed, by scrivener's error, inadvertently had the incorrect Instrument No. in the legal description for the Declaration of Covenants, Conditions, and Restrictions of The Enclave at Kimbark; and

3) That Affiant makes this Affidavit for the purpose of correcting the legal description on said Warranty Deed, and the legal description is hereby stricken, and the following is thereby substituted in lieu thereof:

Land in Davidson County, Tennessee, being Unit Nos. 1, 2 & 4 on the Plan of The Enclave at Kimbark, a Horizontal Property Regime with Private Elements, created under Title 66, Section 27-101, et seq., as amended, Tennessee Code Annotated, as established by Declaration of Covenants, Conditions and Restrictions of The Enclave at Kimbark, a Horizontal Property Regime with Private Elements, of record in Instrument No. 20200227-0022145, and as amended by First Amendment of record in Instrument No. 20211203-0160359, and further see Attorney's Certificate of record in Instrument No. 20220103-0000471, Register's Office for Davidson County, Tennessee, including without limitation the By-Laws appended thereto as Exhibit "B". Reference is hereby made to the Plan of The Enclave at Kimbark shown on Exhibit "C" to the First Amendment to Declaration of Covenants of record in Instrument No. 20211203-0160359, Register's Office for Davidson County, Tennessee, for a more complete identification and description of said unit.

4) That Attorneys Title Company, Inc., prepared a certain Warranty Deed dated June 6, 2022, and recorded on June 8, 2022, of record in Instrument No. 20220608-0065466, Register's Office for Davidson County, Tennessee, (the "Warranty Deed") wherein Carbine Development Company, a Tennessee general partnership conveyed certain property to Carbine & Associates, LLC, a Tennessee limited liability company; and

5) That said Warranty Deed, by scrivener's error, inadvertently had the incorrect Instrument No. in the legal description for the Declaration of Covenants, Conditions, and Restrictions of The Enclave at Kimbark; and

6) That Affiant makes this Affidavit for the purpose of correcting the legal description on said Warranty Deed, and the legal description is hereby stricken, and the following is thereby substituted in lieu thereof:

Land in Davidson County, Tennessee, being Unit No. 3 on the Plan of The Enclave at Kimbark, a Horizontal Property Regime with Private Elements, created under Title 66, Section 27-101, et seq., as amended, Tennessee Code Annotated, as established by Declaration of Covenants, Conditions and Restrictions of The Enclave at Kimbark, a Horizontal Property Regime with Private Elements, of record in Instrument No. 20200227-0022145, and as amended by First Amendment of record in Instrument No. 20211203-0160359, and further see Attorney's Certificate of record in Instrument No. 20220103-0000471, Register's Office for Davidson County, Tennessee, including without limitation the By-Laws appended thereto as Exhibit "B". Reference is hereby made to the Plan of The Enclave at Kimbark shown on Exhibit "C" to the First Amendment to Declaration of Covenants of record in Instrument No. 20211203-0160359, Register's Office for Davidson County, Tennessee, for a more complete identification and description of said unit.

7) That Attorneys Title Company, Inc., prepared a certain Notice of Completion dated August 15, 2023, and recorded on August 16, 2023, of record in Instrument No. 20230816-0064037, Register's Office for Davidson County, Tennessee, (the "Notice of Completion") wherein Carbine & Associates, LLC, Owner, and Carbine & Associates, LLC, Contractor; and

8) That said Notice of Completion, by scrivener's error, inadvertently had the incorrect Instrument No. in the legal description for the Declaration of Covenants, Conditions, and Restrictions of The Enclave at Kimbark; and

9) That Affiant makes this Affidavit for the purpose of correcting the legal description on said Notice of Completion, and the legal description is hereby stricken, and the following is thereby substituted in lieu thereof:

Land in Davidson County, Tennessee, being Unit Nos. 2 & 3 on the Plan of The Enclave at Kimbark, a Horizontal Property Regime with Private Elements, created under Title 66, Section 27-101, et seq., as amended, Tennessee Code Annotated, as established by Declaration of Covenants, Conditions and Restrictions of The Enclave at Kimbark, a Horizontal Property Regime with Private Elements, of record in Instrument No. 20200227-0022145, and as amended by First Amendment of record in Instrument No. 20211203-0160359, and further see Attorney's Certificate of record in Instrument No. 20220103-0000471, Register's Office for Davidson County, Tennessee, including without limitation the By-Laws appended thereto as Exhibit "B". Reference is hereby made to the Plan of The Enclave at Kimbark shown on Exhibit "C" to the First Amendment to Declaration of Covenants of record in Instrument No. 20211203-0160359, Register's Office for Davidson County, Tennessee, for a more complete identification and description of said unit.

10) That Attorneys Title Company, Inc., prepared a certain Notice of Completion dated August 24, 2023, and recorded on August 24, 2023, of record in Instrument No. 20230824-0066395, Register's Office for Davidson County, Tennessee, (the "Notice of Completion") wherein Carbine & Associates, LLC, Owner, and Carbine & Associates, LLC, Contractor; and

11) That said Notice of Completion, by scrivener's error, inadvertently had the incorrect Instrument No. in the legal description for the Declaration of Covenants, Conditions, and Restrictions of The Enclave at Kimbark; and

12) That Affiant makes this Affidavit for the purpose of correcting the legal description on said Notice of Completion, and the legal description is hereby stricken, and the following is thereby substituted in lieu thereof:

Land in Davidson County, Tennessee, being Unit Nos. 1 & 4 on the Plan of The Enclave at Kimbark, a Horizontal Property Regime with Private Elements, created under Title 66, Section 27-101, et seq., as amended, Tennessee Code Annotated, as established by Declaration of Covenants, Conditions and

Restrictions of The Enclave at Kimbark, a Horizontal Property Regime with Private Elements, of record in Instrument No. 20200227-0022145, and as amended by First Amendment of record in Instrument No. 20211203-0160359, and further see Attorney's Certificate of record in Instrument No. 20220103-0000471, Register's Office for Davidson County, Tennessee, including without limitation the By-Laws appended thereto as Exhibit "B". Reference is hereby made to the Plan of The Enclave at Kimbark shown on Exhibit "C" to the First Amendment to Declaration of Covenants of record in Instrument No. 20211203-0160359, Register's Office for Davidson County, Tennessee, for a more complete identification and description of said unit.

AFFIANT further said not.

Sherri D. Hollars

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Sworn to and subscribed before me this 26th day of February, 2024.

My Commission Expires: 9-7-2026

Notary Public

BARBARA A. MCGINTY STATE OF TENNESSEE NOTARY PUBLIC COUNTY OF DAVIDSON

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 **Sherri D. Hollars** the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 26th day of February, 2024.

My Commission Expires: 9-7-2026

Notary Public

BARBARA A. MCGINTY STATE OF TENNESSEE NOTARY PUBLIC COUNTY OF DAVIDSON