Karen Johnson Davidson County
Batch# 1252325 AFFIDAVIT
03/26/2025 12:52:30 PM 4 pgs
Fees: $22.00 Taxes: $0.00
20250326-0022704

Prepared by and Return To:
Title Curative/cp
Aldridge | Pite, LLP
Six Piedmont Center
3525 Piedmont Road, N.E.
Suite 700
Atlanta, Georgia 30305

Clerk, please cross-reference to:
Instrument No. 20230710-0052619
Davidson County, Tennessee Records

Tax Parcel ID 06902006600

PROPERTY ADDRESS: 4349 Enchanted Cir Nashville, TN 37218

SCRIVENER'S AFFIDAVIT

CAPTION: In accordance with OCGA section 44-2-20, title to the property referenced herein is currently owned by Demarcus L. Capehart as evidenced by Warranty Deed recorded as Instrument No. 20230710-0052619, Davidson County, Tennessee records.

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me the undersigned officer authorized by law to administer oaths in said state and County, comes the undersigned Affiant, who states under oath as follows:

1.

I am over the age of eighteen years and suffering under no legal disability. I have personal knowledge of the facts contained herein and they are true.

2.

I, Memorie White, am an attorney with Providence Title, LLC (hereinafter the "Firm") which conducted the June 15, 2023 closing for the property located at 4349 Enchanted Cir Nashville, TN 37218 . As part of the closing, the Firm prepared the Warranty Deed from .Edwellene Layera Ayers, William U. Farrell Jr., Scott Farelll, Robin Farrell and Chirelle Yvetee Lakine to Demarcus L. Capehart, recorded as Instrument No. 20230710-0052619, Davidson County, Tennessee records, as corrected by Affidavit of Scrivener's Error filed as Instrument No. 20231005-0078615, Davidson County, Tennessee records ("Warranty Deed").

3.

The Firm also prepared the Deed of Trust from Demarcus L. Capehart ("Borrower) to Navy Federal Credit Union, recorded as Instrument No. 20230710-0052620, Davidson County, Tennessee ("Deed of Trust").

4.

The legal description attached to the above referenced Warranty Deed and Deed of Trust contained an error. The Warranty Deed and Deed of Trust the lot as being on the Plan of Enchanted Hills, Section III as of record in Book 4697, Page 540. The correct reference is Plat Book 3842, Page 90. The correct legal description is attached hereto as "Exhibit A."

5.

This affidavit is made pursuant to the provisions of O.C.G.A. § 44-2-20 with the knowledge that the same may be filed under the provisions of the aforementioned statute and with the knowledge that it may be relied upon (i) by attorneys examining the title to the property, (ii) by purchaser(s) in purchasing the property, (iii) by lender(s) making a loan or loans secured by the property, and (iv) by company(ies) in issuing policy(ies) of title insurance to said purchaser(s) and/or lender(s).

Sworn to and subscribed:
Before me this 18 day
of March, 2025.

Unofficial Witness

Holly A Mason
Print Name:

Notary Public
My Commission Expires: 9/7/2026
(Seal)

ASHLEE D. PAGE
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY

A|P File No. 2049-316A.001

EXHIBIT "A"

TRACT I

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO 132 ON THE PLAN OF ENCHANTED HILLS, SECTION III AS OF RECORD IN PLAT BOOK 3842, PAGE 90 IN THE REGISTER'S OFFICE FOR SAID COUNTY, SAID LOT NO. 132 FRONTS 130.00 FEET ON THE WESTERLY MARGIN OF ENCHANTED CIRCLE AND RUNS BACK BETWEEN LINES, THE NORTHERLY LINE BEING 357.9 FEET AND THE SOUTHERLY LINE A BROKEN LINE BEING 361.65 FEET TO A LINE IN THE REAR MEASURING 144.00 FEET THEREON.

Being the same property conveyed to William Ulysses Farrell, 1/2 right, title and interest, Edwellene Lavera Ayers, 1/4 right, title and interest and Chirelle Yvette Jefferson, 1/4 right title and interest, by virtue of that certain Quit Claim Deed dated January 9, 1997, and being of record at Book 10349, Page 440 in the Register's Office of Davidson County, Tennessee.

Being the same property previously conveyed to James E. Ferrell and wife, Lena Pearl Ferrell by virtue of Deed dated March 19, 1973 at Book 4697, Page 540 in the said Register's Office.

TRACT II

A TRACT OF LAND IN THE FIRST COUNCILMANIC DISTRICT OF METROPOLITAN NASHVILLE, DAVIDSON COUNTY, TENNESSEE, BEING A PART OF PARCEL 71 ON TAX MAP 58-14, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

WITH THE WESTERLY LINE OF LOT NO 132 WITH A CURVE TO THE LEFT (RADIUS 5,669.6 FEET) SOUTHEASTWARDLY A DISTANCE OF 144.00 FEET TO AN IRON PIN SET AND HAVING A CHORD BEARING AND DISTANCE OF S1 DEGREES, 47'57"E, 144.00 FEET; THENCE S 53 DEGREES, 13'21"W 72.94 FEET TO AN IRON PIN SET IN THE CENTER OF PARCEL 71; THENCE, WITH THE CENTER OF PARCEL 71 WITH A CURVE TO THE RIGHT(RADIUS 5,729.6 FEET) NORTHWESTWARDLY A DISTANCE OF 191.59 FEET TO AN IRON PIN SET AND HAVING A CHORD BEARING AND DISTANCE OF N1 DEGREES, 50'44", 191.583.FEET; THENCE WITH AN EXTENSION OF THE COMMON LINE BETWEEN LOTS 132 AND 133, S86 DEGREES 17"41"E 60.20 FEET TO THE POINT OF BEGINNING AND CONTAINING 10,100 SQUARE FEET.

Being the same property conveyed to William Ulysses Farrell, 1/2 right, title and interest, Edwellene Lavera Ayers, 1/4 right, title and interest and Chirelle Yvette Jefferson, 1/4 right title and interest, by virtue of that certain Quit Claim Deed dated January 9, 1997, and being of record at Book 10349, Page 442 in the Register's Office of Davidson County, Tennessee.

Being the same property previously conveyed to Lena P. Farrell by virtue of Warranty . Deed dated June 27, 1996 at Book 10282, Page 665 in the said Register's Office.

For information purposes only: 4349 Enchanted Circle, Nashville, TN, 37218

Being the same property conveyed to Demarcus L. Capehart, herein by warranty deed dated 7th day of July, 2023, of record at 202307100052619 in said Register's Office Tennessee

Tennessee Certification of Electronic Document

I, Darrien Jones, 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 March 18, 2025.

Affiant Signature

3/26/2025

Date

State of Georgia

County of Fulton

Sworn to and subscribed before me this 26th day of March, 2025.

Dana Bellamy

Notary's Signature

MY COMMISION EXPIRES: 7-7-2026

NOTARY'S SEAL

