
AFFIDAVIT OF SCRIVENER'S ERROR

Prepared by and after recording return to:

7ed
Harry E. Neblett, Jr., Esq. MS Bar No.: 3776
Wyatt, Tarrant & Combs, LLP
1715 Aaron Brenner Drive, Ste. 800
Memphis, TN 38120-4367
(901) 537-1000

Affiant's name, address and phone:

Boyd L. Rhodes, Jr., Esq.
1715 Aaron Brenner Drive, Ste. 800
Memphis, TN 38120-4367
(901) 537-1000

Grantor's name, address and phone:

North Goodman Investment Company
C/O Robert M. Rogers
530 Oak Court Drive, Suite 165
Memphis, TN 38117
(901) 681-0155

Grantees' name, address and phone:

RMR Investment Company L.L.C.,
James L. Fri, Jr., Richard L. Jacobs,
Ellida S. Fri and River Oil Company
Profit Sharing Plan and Trust
C/O Robert M. Rogers
530 Oak Court Drive, Suite 165
Memphis, TN 38117
(901) 681-0155

Deeds affected;

Book 320, Page 759;
Book 321, Page 237; &
Book 323, Page 759

Indexing Instructions:

Property in the SW ¼ of Section 25, Township 1 South,
Range 8 West & Lot 5A, Resubdivision of Lots 3,4 & 5
of Desoto Crossing Subdivision, Phase 1, in Book 46,
Page 39; all in DeSoto County, Mississippi

Legal Description:

See Exhibit A attached hereto and
made a part hereof.

STATE OF TENNESSEE
COUNTY OF SHELBY

Personally appeared before me, the undersigned officer, in and for said State and County aforesaid, duly authorized to administer oaths, **Boyd L. Rhodes, Jr.** who is known to me (or proved to me on the basis of satisfactory evidence to be), and who, after being duly sworn, deposed and said that:

I am over eighteen (18) years of age and my current address is 1715 Aaron Brenner Drive, Suite 800, Memphis, TN 38120.

On the dates of the deeds described below I was over eighteen (18) years of age and my address was 2000 First Tennessee Bank Building, Memphis, TN 38103.

On August 25, 1997, I drafted and forwarded a Warranty Deed, from North Goodman Investment Company, a Tennessee general partnership to Robert M. Rogers, James L. Fri, Jr., Richard L. Jacobs, Ellida S. Fri and River Oil company Profit Sharing Plan and Trust for recording in the Chancery Clerk's Office of DeSoto County, Mississippi. This Warranty Deed was recorded August 25, 1997 in **Book 320, Page 759** of the records of the Chancery Court Clerk of DeSoto County, Mississippi.

On September 2, 1997, I forwarded the above described Warranty Deed, for re-recording in the Chancery Clerk's Office of DeSoto County, Mississippi. This Warranty Deed was re-recorded September 2, 1997 in **Book 321, Page 237** of the records of the Chancery Court Clerk of DeSoto County, Mississippi.

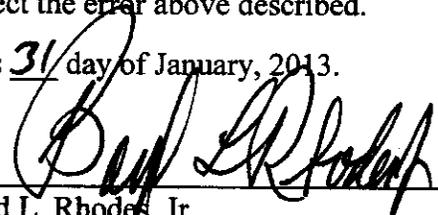
On October 27, 1997, I drafted and forwarded a Warranty Deed, from Robert M. Rogers to RMR Investment Company, L.L.C. correcting the a grantee's name in above described Warranty Deed for recording in the Chancery Clerk's Office of DeSoto County, Mississippi. This correcting Warranty Deed was recorded October 27, 1997 in **Book 323, Page 759** of the records of the Chancery Court Clerk of DeSoto County, Mississippi.

The legal description on all three (3) of the above described deeds is identical and contains a scrivener's error in that the opening call in the legal description of each parcel contains the phrase "...said point being 1,380.30 feet east of the Southeast corner of Section 25, Township 1 South, Range 8 West; ..." and this call should correctly read "...said point being 1,080.30 feet east of the *Southwest* corner of Section 25, Township 1 South, Range 8 West; ..."

The correct and corrected legal description for each of the above described deeds is attached hereto as Exhibit A".

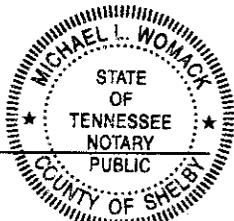
This affidavit is made of my personal knowledge to correct the error above described.

Executed in Memphis, Shelby County, Tennessee on this 31 day of January, 2013.


Boyd L. Rhodes, Jr.

SUBSCRIBED TO AND SWORN before me, the undersigned Notary Public, in the for the State and County aforesaid on this 31st day of January, 2013.


Notary Public



My commission expires:

MY COMMISSION EXPIRES:
APRIL 3, 2013

OATH AND ACKNOWLEDGMENT OF AFFIANT

On this 31st day of January, 2013, before me, a Notary Public, duly commissioned and qualified, in and for the State and County aforesaid, personally appeared Boyd L. Rhodes, Jr., with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, who executed the foregoing Scrivener's Affidavit and who acknowledged that he executed the same as his free act and deed. He also made oath that he has read the foregoing Affidavit and the statements and matters contained therein are true and correct. The Affiant did further acknowledge that he executed the within described document for the purposes of correcting the scrivener's error herein described.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal the day and year above written.



Notary Public

My commission expires: _____



MY COMMISSION EXPIRES:
APRIL 3, 2013

60317490.1

EXHIBIT A

Real property in the SW ¼ of Section 25, Township 1 South, Range 8 West, DeSoto County, Mississippi and being more particularly described as follows:

BEING PART OF THE NORTH GOODMAN INVESTMENT COMPANY PROPERTY AS RECORDED IN BOOK 224, PAGE 251 AT THE DESOTO CHANCERY CLERK'S OFFICE IN HERNANDO, DESOTO COUNTY, MISSISSIPPI, ALSO LYING IN SECTION 25, TOWNSHIP 1 SOUTH, RANGE 8 WEST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF GOODMAN ROAD (RIGHT-OF-WAY VARIES) AND THEN CENTERLINE OF INTERSTATE BOULEVARD (80 FOOT RIGHT-OF-WAY), SAID POINT BEING 1080.30 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 8 WEST; THENCE N0°38'20"W ALONG THE CENTERLINE OF INTERSTATE BOULEVARD, A DISTANCE OF 497.43 FEET TO A POINT; THENCE S89°24'17"W ALONG THE NORTH TERMINATION LINE OF INTERSTATE BOULEVARD, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE EAST LINE OF THE KROGER COMPANY PROPERTY AS RECORDED IN BOOK 279, PAGE 581 AT SAID CHANCERY CLERK'S OFFICE AND ALSO BEING THE EAST LINE OF LOT 7 OF THE DESOTO CROSSING SUBDIVISION AS RECORDED IN PLAT BOOK 48, PAGE 24 AT SAID CHANCERY CLERK'S OFFICE; THENCE N0°38'20"W ALONG THE EAST LINE OF SAID LOT 7, A DISTANCE OF 230.49 FEET TO A POINT; THENCE S89°17'35"W ALONG THE NORTH LINE OF LOT 7, A DISTANCE OF 674.77 FEET TO A POINT, SAID POINT BEING THE EAST LINE OF THE DWIGHT SCARBOROUGH PROPERTY AS RECORDED IN BOOK 135, PAGE 388 AT SAID CHANCERY CLERK'S OFFICE; THENCE N0°42'25"W ALONG THE EAST LINE OF SAID SCARBOROUGH PROPERTY, A DISTANCE OF 271.61 FEET TO A FOUND IRON PIN; THENCE S89°53'28"W ALONG THE NORTH LINE OF THE SAID SCARBOROUGH PROPERTY, A DISTANCE OF 354.07 FEET TO A POINT, SAID POINT BEING THE WEST LINE OF SECTION 25; THENCE N0°37'15"W ALONG THE WEST LINE OF SECTION 25, A DISTANCE OF 296.60 FEET TO A POINT; THENCE ALONG THE NORTH LINE OF SAID NORTH GOODMAN INVESTMENT COMPANY PROPERTY, A DISTANCE OF 90.08 FEET TO A POINT, SAID POINT BEING THE NORTHWEST CORNER OF THE HORN LAKE WATER ASSOCIATION, INC. PROPERTY AS RECORDED IN BOOK 283, PAGE 193 AT SAID CHANCERY CLERK'S OFFICE; THENCE ALONG THE WEST, SOUTH AND EAST LINE OF THE HORN LAKE WATER ASSOCIATES, INC. PROPERTY, THE FOLLOWING COURSES AND DISTANCES:

THENCE S0°37'15"E, 250.42 FEET TO A POINT;
 THENCE N89°22'45"E, 110.00 FEET TO A POINT;
 THENCE N0°37'15"W, 280.29 FEET TO A POINT,
 SAID POINT BEING THE NORTH LINE OF SAID NORTH GOODMAN INVESTMENT COMPANY PROPERTY; THENCE ALONG THE NORTH LINE OF SAID NORTH GOODMAN INVESTMENT COMPANY PROPERTY, THE FOLLOWING COURSES AND DISTANCES:

THENCE N73°59'03"E, 516.33 FEET TO A POINT;
 THENCE N71°06'38"E, 207.38 FEET TO A POINT;
 THENCE N72°49'54"E, 302.38 FEET TO A POINT,
 SAID POINT BEING THE NORTHWEST CORNER OF THE PUROHIT, INC. PROPERTY AS RECORDED IN BOOK 313, PAGE 379 AT SAID CHANCERY CLERK'S OFFICE AND ALSO BEING THE NORTHWEST CORNER OF LOT 10 OF THE DESOTO CROSSING SUBDIVISION - PHASE 4 AS RECORDED IN PLAT BOOK 56, PAGE 19 AND 20 AT SAID CHANCERY CLERK'S OFFICE; THENCE S0°38'20"E ALONG THE WEST LINE OF SAID LOT 10 OF THE DESOTO CROSSING SUBDIVISION - PHASE 4, AND THE WEST LINE OF THE HOME DEPOT U.S.A., INC. PROPERTY AS RECORDED IN BOOK 294, PAGE 462 AND ALSO BEING THE WEST LINE OF LOT 8 OF THE DESOTO CROSSING SUBDIVISION - PHASE 3 AS RECORDED IN PLAT BOOK 51, PAGE 43 AND 44 AT SAID CHANCERY CLERK'S OFFICE, A DISTANCE OF 574.20 FEET TO A POINT; THENCE S89°21'40"W ALONG THE NORTH LINE OF SAID LOT 8 OF THE DESOTO CROSSING SUBDIVISION - PHASE 3, A DISTANCE OF 15.00 FEET TO A POINT; THENCE S0°38'20"E ALONG THE WEST LINE OF SAID LOT 8 OF SAID DESOTO CROSSING SUBDIVISION - PHASE 3, A DISTANCE OF 321.00 FEET TO A POINT; THENCE N89°21'40"E ALONG THE SOUTH LINE OF SAID LOT 8 OF THE DESOTO CROSSING SUBDIVISION - PHASE 3, A DISTANCE OF 506.50 FEET TO A POINT; THENCE S72°59'42"E CONTINUING ALONG THE SOUTH LINE OF SAID LOT 8 OF THE DESOTO CROSSING SUBDIVISION

Exhibit A continued:

- PHASE 3, A DISTANCE OF 31.90 FEET TO A POINT, SAID POINT BEING THE EAST LINE OF DESOTO COVE (80 FOOT RIGHT-OF-WAY); THENCE S16°00'18"W ALONG THE WEST LINE OF DESOTO COVE, A DISTANCE OF 135.39 FEET TO A POINT OF CURVATURE; THENCE CONTINUING ALONG THE WESTERLY LINE OF DESOTO COVE, WITH A CURVE TO THE RIGHT, HAVING A 195.00 FOOT RADIUS, AN ARC DISTANCE OF 249.66 FEET (CHORD S52°40'59"W, 232.95 FEET) TO A POINT OF TANGENCY, SAID POINT BEING THE NORTH LINE OF DESOTO COVE; THENCE S89°21'40"W ALONG THE NORTH LINE OF DESOTO COVE, A DISTANCE OF 341.00 FEET TO A POINT OF CURVATURE; THENCE ALONG THE NORTHEASTERLY LINE OF DESOTO COVE, WITH A CURVE TO THE RIGHT, HAVING A 28.00 FOOT RADIUS, AN ARC DISTANCE OF 44.01 FEET (CHORD N45°36'35"W, 39.62 FEET) TO A POINT, SAID POINT BEING THE NORTH TERMINATION LINE OF INTERSTATE BOULEVARD; THENCE S89°24'17"W ALONG THE NORTH TERMINATION LINE OF INTERSTATE BOULEVARD, A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 908,661 SQUARE FEET OR 20.86 ACRES.

PARCEL 2

LOT 9

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF GOODMAN ROAD (RIGHT-OF-WAY VARIES) AND THEN CENTERLINE OF INTERSTATE BOULEVARD (80 FOOT RIGHT-OF-WAY), SAID POINT BEING 1080.30 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 8 WEST; THENCE N0°38'20"W ALONG THE CENTERLINE OF INTERSTATE BOULEVARD, A DISTANCE OF 414.37 FEET TO THE INTERSECTION OF THE CENTERLINE OF DESOTO COVE; THENCE N89°21'40"E ALONG THE CENTERLINE OF DESOTO COVE, A DISTANCE OF 408.95 FEET TO A POINT OF CURVATURE; THENCE CONTINUING ALONG THE CENTERLINE OF DESOTO COVE, WITH A CURVE TO THE LEFT, HAVING A 225.00 FOOT RADIUS, AN ARC DISTANCE OF 288.07 FEET (CHORD N52°40'59"E, 268.79 FEET) TO A POINT OF TANGENCY; THENCE N16°00'18"E ALONG THE CENTERLINE OF DESOTO COVE, A DISTANCE OF 379.02 FEET TO A POINT; THENCE N73°59'42"W LEAVING THE CENTERLINE OF DESOTO COVE, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE NORTHWEST CORNER OF THE CRACKER BARREL OLD COUNTRY STORE, INC. PROPERTY AS RECORDED IN BOOK 257, PAGE 737 AND ALSO BEING THE NORTHWEST CORNER OF LOT 6 OF THE DESOTO CROSSING SUBDIVISION - PHASE 1 AS RECORDED IN PLAT BOOK 42, PAGE 4 AT THE SAID CHANCERY CLERK'S OFFICE; THENCE N16°00'18"E ALONG THE EAST LINE OF DESOTO COVE, A DISTANCE OF 372.80 FEET TO A POINT OF CURVATURE; THENCE ALONG THE EAST LINE OF SAID DESOTO COVE, WITH A CURVE TO THE LEFT, HAVING A 540.50 FOOT RADIUS, AN ARC DISTANCE OF 150.98 FEET (CHORD N8°00'09"E, 150.49 FEET) TO A POINT OF TANGENCY; THENCE N00°00'00"E CONTINUING ALONG THE EAST LINE OF DESOTO COVE, A DISTANCE OF 232.43 FEET TO A POINT, SAID POINT BEING THE TERMINATION OF DESOTO COVE; THENCE N85°45'00"W ALONG THE NORTH LINE OF THE TERMINATION OF DESOTO COVE, A DISTANCE OF 2.84 FEET TO A POINT; THENCE N00°54'30"W, A DISTANCE OF 858.95 FEET TO A POINT, SAID POINT BEING THE WEST LINE OF INTERSTATE HIGHWAY NO. 55 (RIGHT-OF-WAY VARIES); THENCE ALONG THE WEST LINE OF INTERSTATE HIGHWAY NO. 55, THE FOLLOWING COURSES AND DISTANCES:

THENCE S08°18'56"E, 243.38 FEET TO A POINT;
 THENCE S10°28'32"W, 105.38 FEET TO A POINT;
 THENCE S08°37'01"E, 200.18 FEET TO A POINT;
 THENCE S28°04'38"E, 105.80 FEET TO A POINT;
 THENCE S08°52'40"E, 201.26 FEET TO A POINT;
 THENCE S13°40'31"W, 161.84 FEET TO A POINT;
 THENCE S08°13'07"E, 399.94 FEET TO A POINT;
 THENCE S08°20'17"W, 258.36 FEET TO A POINT,

SAID POINT BEING THE NORTHEAST CORNER OF LOT 6 OF THE DESOTO CROSSING SUBDIVISION - PHASE 1; THENCE N73°59'42"W ALONG THE NORTH LINE OF SAID LOT 6 OF THE DESOTO CROSSING SUBDIVISION - PHASE 1, A DISTANCE OF 229.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 149,522 SQUARE FEET OR 3.433 ACRES.

Exhibit A

Page 2 of 3

Exhibit A continued:

PARCEL 3 LOT 5A

BEING LOT 5A OF THE RESUBDIVISION OF LOTS 3,4, AND 5 OF DESOTO CROSSING SUBDIVISION PHASE 1 AS RECORDED IN PLAT BOOK 46, PAGE 39 AT THE DESOTO CHANCERY CLERK'S OFFICE IN HERNENDO, DESOTO COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF GOODMAN ROAD (RIGHT-OF-WAY VARIES) AND THEN CENTERLINE OF INTERSTATE BOULEVARD (80 FOOT RIGHT-OF-WAY), SAID POINT BEING 1080.30 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 8 WEST; THENCE N0°38'20"W ALONG THE CENTERLINE OF INTERSTATE BOULEVARD, A DISTANCE OF 414.37 FEET TO THE INTERSECTION OF THE CENTERLINE OF DESOTO COVE; THENCE N89°21'40"E ALONG THE CENTERLINE OF DESOTO COVE, A DISTANCE OF 355.14 FEET TO A POINT; THENCE S0°38'20"E LEAVING THE CENTERLINE OF DESOTO COVE, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING, SAID POINT LYING ON THE SOUTH LINE OF DESOTO COVE AND BEING THE NORTHEAST CORNER OF LOT 4 OF THE DESOTO CROSSING SUBDIVISION PHASE 1 AS RECORDED IN PLAT BOOK 46, PAGE 39 AT SAID CHANCERY CLERK'S OFFICE; THENCE N89°21'40"E ALONG THE SOUTH LINE OF DESOTO COVE, A DISTANCE OF 53.81 FEET TO A POINT OF CURVATURE; THENCE ALONG THE SOUTHEASTERLY LINE OF DESOTO COVE, WITH A CURVE TO THE LEFT, HAVING A 275.00 FOOT RADIUS, AN ARC DISTANCE OF 116.22 FEET (CHORD N77°13'23"E, 115.65 FEET) TO A POINT, SAID POINT BEING THE NORTHWEST CORNER OF THE PUROHIT, INC. PROPERTY AS RECORDED IN BOOK 253, PAGE 580 AT SAID CHANCERY CLERK'S OFFICE AND ALSO BEING THE NORTHWEST CORNER OF LOT 5B OF THE RESUBDIVISION OF LOT 3,4, AND 5 OF DESOTO CROSSING SUBDIVISION - PHASE 1 AS RECORDED IN PLAT BOOK 46, PAGE 39 AT SAID CHANCERY CLERK'S OFFICE; THENCE S18°50'58"E ALONG THE SOUTHWESTERLY LINE OF LOT 5B OF SAID RESUBDIVISION OF LOTS 3,4, AND 5 OF THE DESOTO CROSSING SUBDIVISION - PHASE 1, A DISTANCE OF 394.12 FEET TO A POINT, SAID POINT BEING THE NORTH LINE OF GOODMAN ROAD; THENCE N89°45'42"W ALONG THE NORTH LINE OF SAID GOODMAN ROAD, A DISTANCE OF 201.69 FEET TO A POINT; THENCE N0°25'45"W ALONG THE WEST LINE OF GOODMAN ROAD, A DISTANCE OF 15.14 FEET TO A POINT; THENCE N88°12'25"W ALONG THE NORTH LINE OF GOODMAN ROAD, A DISTANCE OF 88.51 FEET TO A POINT, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 4 OF THE DESOTO CROSSING SUBDIVISION PHASE 1 AS RECORDED IN PLAT BOOK 46, PAGE 39 AT SAID CHANCERY CLERK'S OFFICE; THENCE N0°38'20"W ALONG THE EAST LINE OF LOT 4 OF SAID SUBDIVISION, A DISTANCE OF 366.56 FEET TO THE POINT OF BEGINNING AND CONTAINING 80,282 SQUARE FEET OR 1.843 ACRES.