



Department of Revenue
State of Georgia
410 Trinity-Washington Building
Atlanta, Georgia 30334
(404) 656-4015

T. Jerry Jackson
Commissioner

September 24, 1998

[REDACTED]

RE: Commissioner's determination pursuant to O.C.G.A. § 48-6-71 regarding that certain modification agreement by and among [REDACTED] and [REDACTED], the Obligors, and [REDACTED] Lender, dated August 1, 1998.

Dear [REDACTED]:

In reply to your request pursuant to O.C.G.A. § 48-6-71 with respect to the application of the Georgia intangible recording tax imposed by O.C.G.A. § 48-6-61, it is my determination, based on the information presented in your letter dated August 12, 1998, along with the accompanying documents, that:

Upon presentation for recording of a deed to secure debt securing payment of the above referenced modification agreement, or an affidavit in lieu thereof pursuant to O.C.G.A. § 48-6-62(b), no intangible recording tax will be due, as the modification is short term by its own terms. A modification is to be classified according to its own terms and without regard to the period of the indebtedness under the original note, notwithstanding that the modification is secured by the same security instrument as the original note.

Very truly yours,

T. Jerry Jackson

---TJJ/TW/jt