



Department of Revenue  
State of Georgia

410 Trinity-Washington Building  
Atlanta, Georgia 30334  
(404) 656-4015

T. Jerry Jackson  
Commissioner

May 10, 2001

[REDACTED]

RE: Commissioner's Determination pursuant to O.C.G.A. 48-6-71 regarding loans from [REDACTED] ("Lender") and [REDACTED] and certain affiliates (collectively, "Borrowers")

Dear [REDACTED]:

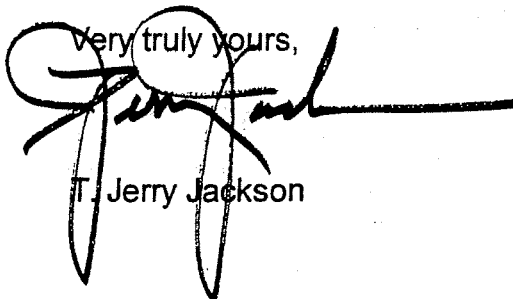
In reply to your request pursuant to O.C.G.A. 48-6-71 with respect to the application of the Georgia intangible recording tax imposed by O.C.G.A. 48-6-61, it is my determination, based on the information presented in your letter dated April 5, 2001, along with accompanying information that:

The Georgia intangible recording tax will be due upon the filing for record of the security deed between [REDACTED] and [REDACTED] and certain affiliates. The maximum intangible recording tax of [REDACTED] will be due as provided in O.C.G.A. 48-6-61 and Department of Revenue Rule 560-11-8-.02. Department of Revenue Rule 560-11-8-.08 further provides that multiple counterparts of a security instrument that are substantially identical except for the descriptions of the encumbered real property shall constitute a single security instrument. The Georgia intangible recording tax on the long-term notes secured by real estate is payable on a single indebtedness of approximately [REDACTED] secured by multiple promissory notes and multiple security instruments.

The amount of such tax due to each of [REDACTED], [REDACTED] and [REDACTED] based on prorations of value is [REDACTED], [REDACTED], and [REDACTED] respectively.

The Security Deeds may be recorded simultaneously in [REDACTED] and [REDACTED], upon payment of the prorated amount of Georgia intangible recording tax in the amount of [REDACTED], [REDACTED], and [REDACTED] respectively, directly to each such county (instead of to the first county in which any of the Security Deeds are recorded), provided that an affidavit setting forth the prorated amounts is attached to the counterparts of the Security Deed recorded in such counties.

Very truly yours,

A handwritten signature in black ink, appearing to read "T. Jerry Jackson", with a long horizontal line extending to the right.

T. Jerry Jackson

TJJ/JWM/jt