

Lynnette T. Riley Commissioner

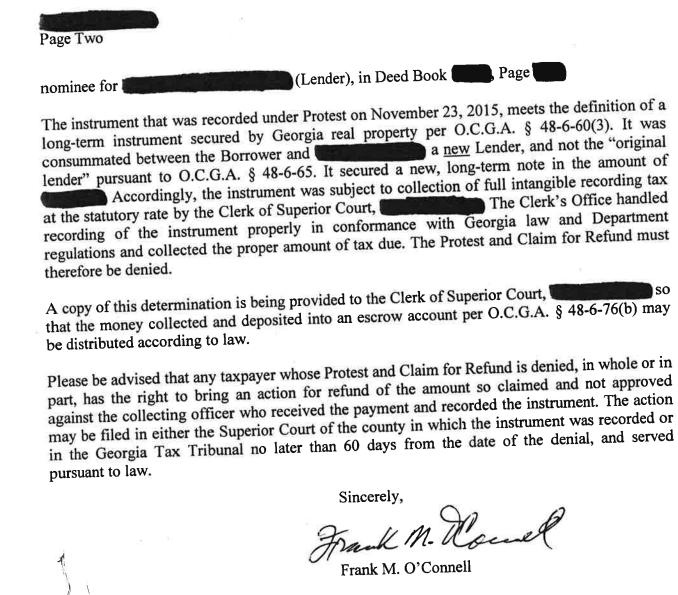
Department of Revenue
Legal Affairs & Tax Policy
1800 Century Blvd., N.E., Suite 15107 Atlanta, Georgia 30345 (404) 417-6649

May 20, 2016

Frank M. O'Connell Director



| Re: An Intangible Recording Tax Protest and Claim for Refund per O.C.G.A. § 48-6-76(c) in the amount of filed upon recording a Security Deed pursuant to a refinance on November 23, 2015, with the Clerk of Superior Court, Parties are (Borrower) and (Lender) |
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| Dear The Control of t |
| I have carefully considered your Protest and Claim for Refund of intangible recording tax per O.C.G.A. § 48-6-76(c) pursuant to the above-captioned matter. Your Protest and Claim for Refund plus all associated documents were considered in the review. It is my determination based on your request and accompanying documentation that your claim for refund in the amount of is denied. The amount may not be refunded. |
| O.C.G.A. § 48-6-65 provides, in pertinent part, that no tax shall be collected on that part of the face amount of a new instrument securing a long-term note secured by real estate that represents a refinancing by the original lender of unpaid principal on a previous instrument securing a long-term note secured by real estate if all intangible recording tax due on the previous instrument has been paid or the previous instrument was exempt from intangible recording tax. |
| Ga. Comp. R. & Regs. r. 560-11-805 provides, in pertinent part, that intangible recording tax is not required to be paid on that part of the face amount of a new instrument securing a long-term note which represents a refinancing between the original lender and original borrower of unpaid principal of an existing instrument still owned by the original lender, if the intangible recording tax was paid on the original instrument or the original holder of the instrument was exempt. |
| With respect to the instant Protest, the original security instrument between (Borrower) and (Lender) was recorded on May 10, 2005, in Deed Book Page The loan was immediately assigned that same day by the Lender to Mortgage Electronic Registration Systems, Inc. (MERS), as |



FOC/RJL/me

cc:

Clerk of Superior Court,