

State of Georgia

Department of Revenue

Suite 15300

1800 Century Boulevard

Atlanta, Georgia 30345

(404) 417-2100

September 13, 2006

Bart L. Graham
Commissioner

[REDACTED]

Re: Protest and Claim for Refund of Intangible Recording Tax totaling [REDACTED] paid upon recording a Deed to Secure Debt and Security Agreement with the Clerk of Superior Court, [REDACTED] on August 10, 2006. Parties are [REDACTED] (Borrowers); [REDACTED] (Lender)

Dear [REDACTED]

I have carefully considered your Protest and Claim for Refund of excess intangible recording tax in the amount of [REDACTED] when you paid [REDACTED] to record a Deed to Secure Debt and Security Agreement between the parties with the Clerk of Superior Court, [REDACTED] on August 10, 2006. Your Protest, your Claim for Refund, your correspondence of August 11, 2006 with supporting documentation, and your Protest and Claim for Refund with supporting documentation filed with the Clerk of Superior Court, [REDACTED] were all considered in the review.

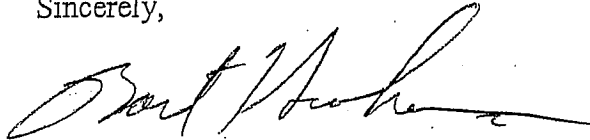
It is my determination that a maximum amount of \$25,000.00 intangible recording tax was due when the security instrument between the parties was recorded by the Clerk of Superior Court, [REDACTED] on August 10, 2006.

Department of Revenue Rule 560-11-8-.02 provides in pertinent part that the maximum intangible recording tax on a single security instrument is \$25,000.00. Due to [REDACTED] having been paid when the security instrument was recorded on August 10, 2006, the protested payment of additional intangible recording tax in the amount of [REDACTED] may be refunded by the Clerk of Superior Court, [REDACTED]

[REDACTED] /2

A copy of this determination is being provided to the Clerk of Superior Court, [REDACTED] as their authority to refund the amount of [REDACTED] currently being held in a special escrow account as provided by law.

Sincerely,



Bart L. Graham

BLG/RJL/mb

cc: Clerk of Superior Court, [REDACTED]