

RECORDING TAX ORDER


20100409000108980 1/2 \$14.00
Shelby Cnty Judge of Probate, AL
04/09/2010 01:35:14 PM FILED/CERT

STATE OF ALABAMA §

MONTGOMERY COUNTY§

A proceeding authorized
by § 40-22-2(8), Code of
Alabama (1975), as amended

BEFORE THE ALABAMA DEPARTMENT OF REVENUE,

Comes Petitioner, **JPMORGAN CHASE BANK, N.A.**, a national banking association, and pursuant to its petition ("Petition") filed with the Department of Revenue, has asked the Department of Revenue to fix and determine the amount of mortgage recording privilege tax due pursuant to §40-22-2(8), Code of Alabama (1975), as amended, in connection with the recordation of a certain Mortgage, Assignment of Leases and Rents and Security Agreement (the "Mortgage") in favor of Petitioner.

Upon consideration of the Petition and evidence offered in support thereof, the Alabama Department of Revenue finds as follows:

1. Inland Western Montevallo Main, L.L.C., a Delaware limited liability company ("Mortgagor"), together with certain other affiliates of Mortgagor (collectively, the "Affiliates"), intend to enter into a certain Loan Agreement (the "Loan Agreement") with Petitioner.
2. In order to secure obligations under the Loan Agreement, Mortgagor will execute the Mortgage encumbering certain real property located in Shelby County, Alabama, as more particularly described in the Mortgage. The Mortgage will be recorded in the Office of the Judge of Probate of Shelby County, Alabama. The real property described in the Mortgage, together with all of the buildings, improvements, structures and fixtures now or subsequently located thereon and all other collateral described therein located in Alabama, is collectively referred to as the "Alabama Collateral."
3. The total maximum principal indebtedness secured by the Mortgage is Seven Million Three Hundred Forty Thousand and No/100 Dollars (\$7,340,000.00) (the "Secured Principal Indebtedness").
4. In addition to the Alabama Collateral described in the Mortgage, the Secured Principal Indebtedness is secured with additional property located outside the State of Alabama.
5. The total value of all property located both inside and outside of the State of Alabama, and given as security for the Secured Principal Indebtedness secured by the Mortgage, is Ten Million Four Hundred Eighty-Five Thousand and No/100 Dollars (\$10,485,000.00).

6. The value of the Alabama Collateral described in the Mortgage, which is property located in the State of Alabama, is no more than Two Million Six Hundred Eighty-Five Thousand and No/100 Dollars (\$2,685,000.00).

7. The value of the Alabama Collateral constitutes 25.60801% of the total value of all property both within and outside the State of Alabama securing the Secured Principal Indebtedness.

8. The amount of the Secured Principal Indebtedness allocable to the State of Alabama pursuant to Section 40-22-2(8) is \$1,879,627.94.

9. The amount of recording privilege tax upon the Mortgage which is attributable to the Alabama Collateral is \$2,819.55.

IT IS ORDERED, THEREFORE, that the Probate Judge in Shelby County, Alabama shall accept the Mortgage for recording from Petitioner upon payment of privilege recording tax in the amount set forth above.

DONE this 31st day of March, 2010.

ALABAMA DEPARTMENT OF REVENUE

BY: Cynthia Underwood
Print Name: CYNTHIA UNDERWOOD
Its ASST. COMMISSIONER OF REV.

ATTEST:

LEGAL DIVISION:

BY: Lewis Easterly
Print Name: LEWIS EASTERLY
Its SECRETARY

BY: K. Elizabeth Jehle
Print Name: K. ELIZABETH JEHL
Its LEGAL DIVISION