

STATE OF ALABAMA )  
MONTGOMERY COUNTY )

MORTGAGE TAX ORDER

BEFORE THE ALABAMA DEPARTMENT OF REVENUE

Comes now the Petitioner, NBD Bank, N.A., a national banking association, 611 Woodward, Detroit, Michigan 48226, acting through its attorneys, Dickinson, Wright, Moon, Van Dusen & Freeman, and asks the State Department of Revenue to fix and determine the amount of Mortgage Privilege Tax due pursuant to the provisions of Section 40-22-2(2)a and b and 40-22-2(8), Code of Alabama, 1975, for the privilege of recording that certain Mortgage dated as of August 15, 1990, from National-Standard Company to Petitioner, which mortgage together with other mortgages securing the same indebtedness cover property located both within and without the State of Alabama.

Upon consideration of said petition and evidence offered in support thereof, the State Department of Revenue finds as follows:

1. That said Mortgage is given to secure an existing term loan.

2. That Petitioner is a bank established under the laws of the United States and as such is exempt from posting a bond under Section 40-22-2, Code of Alabama, 1975.

3. That the total amount of indebtedness which may be incurred under said Mortgage is \$3,500,000, of which \$3,500,000 is presently incurred, and that such indebtedness is secured by property located both within and without the State of Alabama.

4. That the value of the whole property securing such indebtedness both within and without the State of Alabama is \$17,950,000.

5. That the value of the property securing such indebtedness and located within the State of Alabama is \$3,200,000, or 17.8% of the total value of the whole property located both within the State, and that the property located in the State of Alabama is located in Shelby County.

6. That the amount of indebtedness allocable to Alabama and upon which tax is to be paid is an amount equal to 17.8% of the total indebtedness to time incurred under and secured by said Mortgage.

SHELBY COUNTY JUDGE OF PROBATE

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7. That the amount of the indebtedness presently incurred allocable to the State of Alabama and upon which the recording privilege tax is now due is \$623,000.

8. That the recording privilege tax to be paid at the rate of \$.15 per \$100 or fraction thereof is \$934.50.

IT IS, THEREFORE, ORDERED that the Judge of Probate of Shelby County, Alabama, wherein the Mortgage will be recorded, shall collect mortgage privilege tax in the amount of \$934.50, plus any recording fees which may be due.

DONE at the Capitol, Montgomery, Alabama, this the 24th day of September, 1990.

ALABAMA DEPARTMENT OF REVENUE

By: *D. G. Montgomery*  
Assistant Commissioner  
of Revenue

ATTEST:

*[Signature]*

As Secretary

*Ray-Nonette Edwards*  
Approved Legal Division

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