



Shelby Cnty Judge of Probate, AL  
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BEFORE THE ALABAMA DEPARTMENT OF REVENUE

In re:	§	A proceeding authorized by
		§40-22-2(2) and (8), <u>Code of Alabama 1975</u>
MAYER PROPERTIES II, LLP,	§	
Petitioner.	§	
	§	

## MORTGAGE TAX ORDER

Comes now Mayer Properties II, LLP, an Alabama limited liability partnership dated December 15, 2009 (the “Petition”), and asks the Alabama Department of Revenue to fix and determine the amount of mortgage recording tax due pursuant to §40-22-2(2) and (8), Code of Alabama 1975, for the privilege of recording certain mortgages (collectively, the “Mortgages”) executed by Mayer Properties II, LLP in favor of SunTrust Bank that secure the indebtedness as described in the Petition (the “Indebtedness”), which along with other security documents (the “Security Documents”) cover real and personal property and fixtures located both inside and outside the State of Alabama.

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

1. The Mortgage Documents and Security Documents secure a maximum principal indebtedness in the amount of \$5,036,250.00.
2. The value of the real property and fixtures conveyed by the Mortgage Documents and located inside the State of Alabama is \$4,190,000.00, and the value of all the real property, personal property and fixtures described in and conveyed by the Mortgage Documents and the Security Documents in all states (including the State of Alabama) is \$6,715,000.00.

3. The percentage of the real property and fixtures conveyed by the Mortgage Documents that is located inside the State of Alabama is 62.40%.
4. The amount of the Indebtedness secured by the Mortgage Documents and subject to the Alabama mortgage recording tax is \$3,142,620.00 (\$3,142,700.00).
5. Alabama mortgage recording tax in the amount of \$4,714.05 will be due on the Indebtedness secured by the Mortgage Documents under §40-22-2, Code of Alabama 1975, as amended, upon the filing for record of the Mortgage Documents in the first Alabama county in which a Mortgage is recorded, and thereafter allocated by the Judge of Probate of said county to the other Alabama counties in which the properties and fixtures covered by the Mortgage Documents are located, in accordance with the percentages set forth in Exhibit A attached hereto.

**IT IS, THEREFORE, ORDERED** that mortgage recording tax in the amount of \$4,714.05, plus any recording fees which may be due, shall be paid to the Judge of Probate of the first Alabama county in which a Mortgage is filed for record, and thereafter allocated by the Judge of Probate of said county to the other Alabama counties in which the properties and fixtures covered by the Mortgage Documents are located, in accordance with the percentages set forth in Exhibit A.

**DONE** this 21<sup>st</sup> day of December, 2009.

**ALABAMA DEPARTMENT OF REVENUE**

By: Cynthia Underwood  
Assistant Commissioner of Revenue

**ATTEST:**

[Signature]  
As Secretary

[Signature]  
Legal Division: K. Elizabeth Jehle

20091228000469480 3/3 \$17.00  
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**EXHIBIT A**

<u>COUNTY</u>	<u>VALUE</u>	<u>PERCENTAGE</u>
Houston	\$820,000.00	19.57%
Montgomery	\$320,000.00	7.64%
Shelby	\$2,130,000.00	50.83%
Talladega	\$320,000.00	7.64%
<u>Tuscaloosa</u>	<u>\$600,000.00</u>	<u>14.32%</u>
TOTAL:	\$4,190,000.00	100.00%