

STATE OF ALABAMA § a proceeding authorized
by §40-22-2(8), Code of Alabama 1975
MONTGOMERY COUNTY §

BEFORE THE ALABAMA DEPARTMENT OF REVENUE:



20220926000368470 1/2 \$25.00
Shelby Cnty Judge of Probate, AL
09/26/2022 11:08:43 AM FILED/CERT

Comes Petitioner, Kristy Engle c/o First American Title Insurance Company, and asks the Alabama Department of Revenue to fix and determine the amount of mortgage recording tax due, pursuant to the provisions of §40-22-2(8), Code of Alabama 1975, upon the recordation of a Mortgage and Security Agreement from the Petitioner to the Shelby County Register of Deeds covering property located within the State of Alabama and securing indebtedness which also is secured by mortgages on property located without 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 total amount of indebtedness incurred under the Mortgage is \$43,500,000.00 that amount being incurred at the time the instrument was offered for recordation.
2. The Petitioner first paid recording tax on the total amount of indebtedness, and now is requesting a refund between that amount, \$51,989.00 and the amount of tax due, based on the apportioned amount of indebtedness which is allocable to Alabama, pursuant to the tax order dated November 4, 2021.
3. The value of all property covered by the mortgage within and without the State of Alabama is \$62,000,000.00.



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4. The value of the property covered by the mortgage and located within the State of Alabama, is \$34,600,000.00 or 55.81% of the total value of all property located both within and without the State of Alabama.
5. The amount of indebtedness allocable to Alabama, upon which tax is due, is \$24,277,350.00 (rounded up to \$24,277,400.00).
6. The amount of recording tax due, at the rate of \$0.15 for each \$100.00 of indebtedness, or fraction thereof, is \$36,416.10. However, the recording tax was overpaid on: 12/02/2021 (20211202000574610).
7. Therefore, the amount to be refunded to Petitioner is \$15,572.90 (\$51,989.00 minus \$36,416.10).

IT IS ORDERED, THEREFORE, that the Judge of Probate of Shelby County shall retain mortgage recording tax in the amount of \$36,416.10 and shall refund to the Petitioner the overpayment in the amount of \$15,572.90.

DONE this 20th day of September, 2022.

ALABAMA DEPARTMENT OF REVENUE

By: Derrick Coleman
Deputy Commissioner of Revenue

Mary Alice Mitchell
as Secretary

[Signature]
Legal Division