

Attachment A



Doc ID: 005494790001 Type: GLR
 Filed: 08/20/2003 at 12:12:22 PM
 Fee Amt: \$313.00 Page 1 of 1
 Transfer Tax: \$303.00
 Houston, Ga. Clerk Superior Court
 Carolyn V. Sullivan Clerk

BK **2695** PG **111**

WARRANTY DEED

Pd/Rh O'Neal, Long + Hall, LLP
P. O. Box 730
W R, GA 31099
CK# 17947

STATE OF GEORGIA
COUNTY OF HOUSTON

This indenture, made this 31 day of July, in the year Two Thousand and Three, between **HUBERT A. WILLIAMS**, of the County of Houston, State of Georgia, as party of the First Part, hereinafter called *Grantor*, and **MARYSON, LLC**, a limited liability company, organized and existing under the laws of the State of Georgia, as party of the Second Part, hereinafter called *Grantee* (the words "Grantor" and "Grantee" include the singular and the plural, the neuter, masculine and feminine genders, and their respective heirs, executors, administrators, legal representatives, successors and assigns where the context requires or permits)

Witnesseth that: Grantors, for and in consideration of the sum of : **TEN & NO/100 DOLLARS (\$10.00)** and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the said Grantee:

All that tract or parcel of land situate, lying and being in the upper Eleventh (11th) Land District of Houston County, Georgia consisting of the south half of Land Lot 40, containing 101 1/4 acres, more or less. Said property is the same property conveyed by James Erwin Bryan, Sr. to Hubert A. Williams and Wallace C. Hogan by Warranty Deed dated September 25, 1969, recorded in Deed Book 331, Page 478, Houston County Records.

To have and to hold the said tract or parcel of land, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

Except for any matters shown on any plat referred to herein and except for any other matters set out above, if any; the said Grantor will Warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever and all legal entities whatsoever.

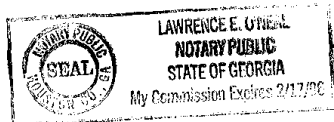
In witness whereof, the Grantor has signed and sealed this deed, the day and year written above.

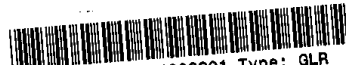
Signed, sealed and delivered
 in the presence of:

Thomas Hall
 Witness

Lawrence E. O'Neal
 Notary Public

Hubert A. Williams
 Hubert A. Williams





Doc ID: 006074600001 Type: GLR
 Filed: 06/10/2004 at 02:08:07 PM
 Fee Amt: \$10.00 Page 1 of 1
 Transfer Tax: \$0.00
 Houston, Ga. Clerk Superior Court
 Carolyn V. Sullivan Clerk

BK **3041** PG **179**

WARRANTY DEED

STATE OF GEORGIA
 COUNTY OF HOUSTON

Please return to:
 O'Neal, Long & Hall
 P. O. Box 730
 Warner Robins, GA 31099

This indenture, made this 20 day of May, 2004, between **MARYSON, LLC**, of the County of Houston, State of Georgia, as party of the First Part, hereinafter called *Grantor*, and **GEORGE ERVIN PERDUE, III**, individual residents of the County of Houston, State of Georgia, as party of the Second Part, hereinafter called *Grantee* (the words "Grantor" and "Grantee" include the singular and the plural, the neuter, masculine and feminine genders, and their respective heirs, executors, administrators, legal representatives, successors and assigns where the context requires or permits)

Witnesseth that: Grantors, for and in consideration of the sum of : **TEN & NO/100 DOLLARS (\$10.00)** and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the said Grantee:

All that tract or parcel of land situate, lying and being in the upper Eleventh (11th) Land District of Houston County, Georgia consisting of the south half of Land Lot 40, containing 101 ¼ acres, more or less. Said property is the same property conveyed by James Erwin Bryan, Sr. to Hubert A. Williams and Wallace C. Hogan by Warranty Deed dated September 25, 1969, recorded in Deed Book 331, Page 478, Houston County Records.

To have and to hold the said tract or parcel of land, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

Except for any matters shown on any plat referred to herein and except for any other matters set out above, if any; the said Grantor will Warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever and all legal entities whatsoever.

In witness whereof, the Grantor has signed and sealed this deed, the day and year written above.

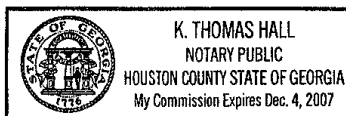
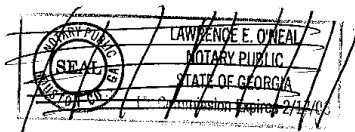
Signed, sealed and delivered
 in the presence of:

Jesusa M. Hathaway
 Witness
K. Thomas Hall
 Notary Public

MARYSON, LLC

By: Stephen E. Holcomb, Jr.
 Title: Member

Attest: Law E. O'Neal, ATTEST
 Title: Member



Attachment B



Osceola County Property Appraiser

www.property-appraiser.org

Beaumont Government Complex 350 N. Beaumont Ave. Kissimmee, Florida 34741

P:(407)343-3700 F:(407)343-3708

Parcel Detail

Owner Information

Parcel 2725273160000A0085
 PERDUE
 GEORGE E III
 Mailing Address P O DRAWER 730
 WARNER ROBBINS , GA 31099
 Physical Address **OLD LAKE WILSON RD**
 Tax District 300
 Description VACANT COMMERC-VAC
 FLA FRUIT & TRUCKLAND CO PB B PG
 68 BLK A LOT 8 LESS COM AT NE COR
 OF NE 1/4, W 2,013.62 FT TO POB; S 3
[More](#)

Current Values

Current Value represents working appraised values as of 9/17/2006, which are subject to change prior to certification

Land	\$16,200.00
AG	\$0.00
Extra Features	\$0.00
Buildings	\$0.00
Appraised (Just)	\$16,200.00
Assessed*	\$16,200.00
Exempt	\$0.00
Taxable	\$16,200.00

* Assessed Values Reflect Adjustments for Agricultural Classification and/or the Save Our Homes Cap

Certified Values

Certified Value represents certified values that appeared on the tax roll as of 10/21/2005

Land	\$16,200.00
AG	\$0.00
Extra Features	\$0.00
Buildings	\$0.00
Appraised (Just)	\$16,200.00
Assessed*	\$16,200.00
Exempt	\$0.00
Taxable	\$16,200.00

* Assessed Values Reflect Adjustments for Agricultural Classification and/or the Save Our Homes Cap

Sales Information [More](#)

Seq#	Legal	Price	Date	Deed Type
0	2660-96	\$2,038,000.00	12/17/2004	SPECIAL WARR DEED
1	2568-1339	\$100.00	7/26/2004	QUIT CLAIM DEED
2	2568-1337	\$10,000,000.00	7/26/2004	WARRANTY DEED

Building Information [More](#)

Description	Year Built	Area	Value	Roof	Wall
	0		\$0.00		

Land Information [More](#)

Description	Units	Units Type	Value	Frontage	Depth
COM DE AC	0.591	AC	\$15,070.50	0	
SUBMRGD LA	2.162	AC	\$1,081.00	2	

Extra Features Information [More](#)

Description	Year Built	Value	Units	Unit Type
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Please Note: The Osceola County Property Appraiser makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation. The assessment maps are NOT certified maps and therefore are subject to change. The current assessed values as viewed herein are not certified values and are subject to change.

Attachment C



DEPARTMENT OF AUDITS AND ACCOUNTS

254 Washington Street, S.W., Suite 214
Atlanta, Georgia 30334-8400

RUSSELL W. HINTON
STATE AUDITOR
(404) 858-2174

February 18, 2005

Honorable Larry O'Neal, Chairman
House Ways and Means Committee
State Capitol, Room 133
Atlanta, Georgia 30334

SUBJECT: Fiscal Note
House Bill (LC 18 4123)

Dear Chairman O'Neal:

This bill contains many proposed changes to the existing state tax code. The bill incorporates the changes to the federal tax code made in 2004. According to the Georgia State University Fiscal Research Center, these provisions result in both increases and decreases to expected state revenues, but in total the net revenue effect is estimated to be minor. In addition, this bill proposes several additional modifications to the current tax treatment of corporations and individuals. In general, these changes are designed to provide equal tax treatment of similar entities and thereby reduce inefficiencies in our tax system.

A number of these provisions are merely codification of existing practice of the Department of Revenue or are nonrevenue amendments to annotated code. As such, these provisions have no revenue impact on the state fiscal situation. These provisions include: section 1, section 3, section 6, section 10, section 16, section 17, section 18, and sections 23-27.

Other provisions may result in small increases of revenues to the state. The effect of each provision is considered separately and none of the following are estimated to increase revenues by more than \$1 million in either of the next two years. These provisions include section 4 which states that use tax receipts and certain Georgia withholdings are to be subject to electronic filing. This would result in a small revenue gain in that the state would receive its revenue from these sources a few days earlier than under current law. Sections 5 and 22 clarify that interest on credits claimed on amended returns is not required to be paid. Since this section codifies in most cases the current practice of the Department of Revenue, the provision is expected to have little or no revenue impact on the state fiscal situation. Section 19 gives broader power to the tax commissioner in cases of tax evasion. It is assumed that this provision will result in a small increase of revenues to the state as taxpayers increase their compliance with the existing code. Section 7 of the bill relates to the tax treatment of income of a taxable nonresident. This provision would result in a small revenue increase because it increases the number of nonresident

H. B. 488

individuals subject to Georgia tax. Section 13 increases revenue by closing a loophole which currently allows preferential treatment between similar taxable entities. Section 20 also closes a loophole and results in increased revenue to the state. This provision would define the term "nonresident" to include all nonresident members not just individual and corporate nonresident members. Section 21 provides that the additional taxable nonresidents in Section 7 will be subject to withholding.

Sections 8, 11, and 14 have to do with the tax treatment of indirect investment expenses associated with U.S. obligations income, foreign dividends, and affiliated dividends. Under current law, firms are allowed to subtract from Georgia taxable income, interest income net of direct expenses associated with the production of income. This provision would require them to declare any indirect expenses as well, thereby matching income to expenses similar to the Internal Revenue Code (IRC). The provision would result in increased revenues to the state because it would reduce the allowable adjustments to Georgia taxable income. Due to lack of data, it is not possible at this time to provide an estimate of a revenue effect.

Sections 9 and 15 delete current legislation and allow for the nonrecognition of the gain or loss associated with the sale or exchange of business property. Under current law, the nonrecognition of gains and losses associated with the sale or exchange of business property does not apply when Georgia property is replaced with non-Georgia property. Adoption of this proposal would mean that all gains and losses associated with the sale and exchange of business property would be subject to the nonrecognition treatment. Adoption of this proposal would represent a net revenue loss to the state. It is assumed that some gains and losses are currently being recognized in Georgia and this revenue would be lost to the state. It is estimated this provision would result in a revenue loss of \$1.2 million in 2005 and \$1.4 million in 2006.

After several discussions between the Fiscal Research Center and the Georgia Department of Revenue staff, it was determined that section 12 of the bill codifies the existing practice of the Department. As such, it does not result in a revenue gain or loss to the state. Section 12(D), though, is a provision that was not previously clarified by the Department of Revenue. However, it codifies the current IRC treatment. If taxpayers are following current IRC treatment, this provision will have no revenue effect. For taxpayers not following current IRC treatment, tax liabilities may increase. It is not feasible to estimate the size of the revenue impact to the state of this provision.

Section 2 of the Omnibus Bill incorporates the changes to the Federal Tax code accepted into federal law during 2004, except provision IRC section 199. This includes certain provisions in the "American Jobs Creation Act of 2004" and the "Working Families Tax Relief Act of 2004" that relate to changes in the definition of federal adjusted gross income (AGI), federal taxable income, or federal itemized deductions. The procedure of estimating the revenue implications for Georgia of the relevant provisions contained in the "American Jobs Creation Act of 2004" begins with the list of provisions and estimated Federal budget effects provided in the

Congressional Budget Office (CBO) report. First, using a report from Deloitte that provides an overview of the provisions of the Act, the nature of each provision is considered. Some provisions may be designed to assist a particular non-Georgia firm and thus may not have an effect on Georgia revenue.

Second, provisions that have a Federal budget effect of less than \$50 million for both 2005 and 2006 are lumped together. The total Federal budget effect of these provisions is a \$50 million increase in revenue for Federal FY 2005 and a revenue loss of \$27 million for Federal FY 2006. These provisions, taken either individually or as a group, would have an inconsequential revenue effect for Georgia.

Third, for the remaining provisions a portion of the budget effect estimated by CBO is allocated to Georgia. Since the Federal corporate income tax rate is 35 percent, the CBO federal budget estimate is divided by 0.35 to calculate the effect on taxable income. Then an adjustment factor is applied, such as exports that are believed to reflect Georgia's share of the change in taxable income. This is crude but does at least provide some boundaries for the revenue impacts. One of the limitations of this approach is to the extent that the affected firms are multistate firms, Georgia's share of any change in taxable income for the firms depends on the effect on corporations nationwide and the value of the apportionment formula for Georgia. Finally, the change in Georgia taxable income is multiplied by 6 percent, the Georgia corporate income tax rate. (Some of the provisions affect individual income taxes. While the effects are likely to be felt by higher income taxpayers, to the extent that they are not, using tax rates of 35 percent and 6 percent, understates the change in the federal taxable income and overstates the effect on Georgia revenue. It is not clear which effect is larger.)

The following table lists all of the provisions for which an allocation to Georgia was made, along with the factor used to allocate taxable income, the percentage of the change in taxable income allocated to Georgia, and the estimated revenue effect for Georgia. The revenue effects are reported for federal fiscal years 2005 and 2006 and are in millions of dollars. The revenue effects are estimated on a federal basis. The estimated revenue effects for Georgia fiscal years would be slightly different, but the effects will balance out over time and in the long run not affect the size of the revenue impact. Time limitations have prevented estimation of these proposals on a state fiscal basis.

Revenue Effects of Provisions included in "American Jobs Creation Act of 2004"

CBO Number	Provision	Factor	% Allocated	Fed FY 2005 (in millions)	Fed FY 2006 (in millions)
I.1	Repeal of exclusion for extraterritorial income	Exports	2.2%	\$1.335	\$4.967
II.A	Small Business Expensing-section 10 (See Footnote 1)	Business construction			
II.B.1	15-year straight-line cost recovery for qualified leasehold improvements	Employment growth	3.1	-0.345	-0.781

CBO Number	Provision	Factor	% Allocated	Fed FY 2005 (in millions)	Fed FY 2006 (in millions)
II.B.2	15-year straight-line cost recovery for qualified restaurant improvements	Employment in restaurants	3.2	-0.773	-0.181
II.E.2	Modification of application of the income forecast method of accounting	Employment in motion picture production	2.5	-0.780	-0.596
II.E.4	Special rules for certain film and television production	Employment in motion picture production	2.5	-0.351	-0.424
II.B.12	Deduction of the first \$10,000 of qualified reforestation costs	Employment in forestry & logging	7.6	-0.717	-0.482
IV.12	Look-through treatment under subpart F for sales of partnership interests	Population	2.9	-0.194	-0.452
VII.5	Permit life insurance companies tax-free distributions from policyholder surplus accounts	Employment in life insurance firms	3.2	-0.428	-0.296
VIII.A.1	Tax treatment of expatriated entities (See Footnote 2)	Fortune 500 in Georgia	1.8	0.296	0.154
VIII.B.11	Limitation of transfer or importation of built-in losses	Fortune 500 in Georgia	3.2	0.280	0.543
VIII.B.14	Clarification of rules for payment of estimated tax for certain deemed asset sales	Fortune 500 in Georgia	3.2	0.302	0.154
VIII.B.16	Prevent mismatching of deductions and income inclusions	Exports	2.2	0.151	0.309
VIII.C.20	Expanded disallowance of deduction for interest on convertible debt	Average apportionment factor	3.8	0.612	0.586
VIII.C.21	Reform the tax treatment of leasing transactions with tax-indifferent parties	Average apportionment factor	3.8	3.837	6.084
VIII.D.2	Modify charitable contribution rules for donations of patents and other intellectual property	Population	2.9	1.526	1.581
VIII.D.4	Provide that deduction for charitable contribution of vehicles generally equals sales price	Population	2.9	0.149	1.248
VIII.D.5	Treatment of nonqualified deferred compensation plans	Executive employment	3.2	0.867	0.741
VIII.D.6	Extension of amortization of intangibles to acquisitions of sports franchises	Sport franchises	3.3	0.294	0.498
VIII.D.17	Deny installment sale treatment for all readily tradable debt	Employment in mfg, retail & wholesale sales	3.2	0.280	0.313

CBO Number	Provision	Factor	% Allocated	Fed FY 2005 (in millions)	Fed FY 2006 (in millions)
VIII.D.22	Provide consistent amortization periods for intangibles	Start-up businesses	4.2	-1.094	2.606
VIII.D.27	Limit deduction for certain entertainment expenses	Security Brokerage employment	1.6	0.471	0.551
VIII.D.29	Dispositions of transmission property to implement FERC restructuring policy	Employment in bulk electricity transmission	2.0	-10.790	-6.250
VIII.D.30	Expansion of limitation on depreciation of certain passenger automobiles	Automobile registration	3.0	0.705	0.699
TOTAL				-4.37	11.572 (See Footnote 3)

- 1 This proposal was estimated separately [see fiscal note for HB 282 (LC 14 9030-BC) for analysis]. The estimated revenue loss is zero for Georgia FY 2005 and \$16 million for FY 2006.
- 2 It is estimated that 50% is assumed to affect the foreign tax credit.
- 3 Note that this total does not include the \$16 million revenue loss for item II.A. reported in Footnote 1.

Section 2 of the Omnibus Bill also incorporates changes to the Federal Code from the Working Families Tax Relief Act of 2004. This bill extends several credits and deductions that were set to expire. Several provisions included in this Act affect the federal definition of AGI, federal taxable income, or the value of federal itemized deductions. Because both of these figures are used in computing Georgia state income tax, they have a revenue impact to the state. The procedure used to estimate these provisions is the same as that described above for the provisions included in the American Jobs Creation Act of 2004.

Revenue Estimates of Provisions included in "Working Families Tax Relief Act of 2004"

Provision	Factor	% Allocated	Fed FY 2005 (in millions)	Fed FY 2006 (in millions)
Parity in the application of certain limits to mental health benefits (sunset after 12/31/05)	National vs. Georgia average wage	3.7	*	-0.54
Extension of enhanced deduction for qualified computer contributions (sunset for taxable years beginning after 12/31/05)	National corporate charitable deductions	0.1	-1.32	-0.41
Above-the-line deduction for teacher classroom expenses capped at \$250 annually (sunset 12/31/05)**	NCES data and state OPB data		-1.9	-1.9
Expensing of "Brownfields" environmental remediation costs (sunset 12/31/05)	Ratio of hazardous waste sites in GA vs. U.S.	1.4	-0.84	*
Extension of suspension of 100% of taxable income limit with respect to marginal production (through 12/31/05)*			*	*

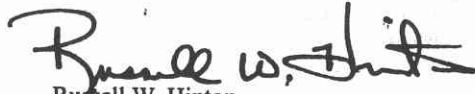
Letter to Chairman O'Neal
House Bill (LC 18 4123)
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Provision	Factor	% Allocated	Fed FY 2005 (in millions)	Fed FY 2006 (in millions)
Accelerated depreciation of business property on Indian Reservations (sunset 12/31/05)*			*	*
Deduction for clean-fuel vehicles (100% benefit through 12/31/05)	Ratio of Georgia GDP to U.S. GDP	3.9	-0.80	-0.11
Total			-4.86	-2.96

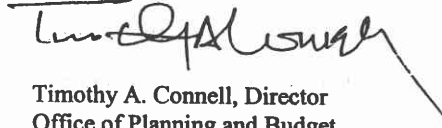
* Estimated revenue effect of less than \$100,000.

** This provision was estimated separately. See fiscal note for HB 263 (LC 14 9029-EC) for fiscal analysis.

Sincerely,



Russell W. Hinton
State Auditor



Timothy A. Connell, Director
Office of Planning and Budget

RWH/TAC/bb