

STATE OF GEORGIA

COUNTY OF FORSYTH

AFFIDAVIT OF BRIAN TAM

COMES NOW the undersigned, Brian Tam, who deposes and states on oath as follows:

1.

I am over the age of eighteen (18) and otherwise competent to make the statements contained herein under oath.

2.

I was elected as the District 2 Commissioner to the Forsyth County Board of Commissioners in 2004 for the 2005-2008 term. I was re-elected in 2008 for the 2009-2012 term.

3.

My wife, Kelly Tam, executed the Lease attached to the Ethics Complaint submitted by Gerald Sullivan. The Lease was executed on April 1, 2005 on behalf of Schoolhouse Holdings, LLC. The initial Lease was for a one-year term.

4.

The lease was renewed beginning April 1, 2006 and continuing for a period of five (5) years with two-consecutive five-year options to renew.

5.

The current lease rate is \$2,500.00 per month.

6.

The City of Cumming operated the Cumming Playhouse/Performance Hall for eleven (11) months before Schoolhouse Holdings, LLC entered the first lease.

7.

At the time the first lease was executed, I had bid on a sandwich shop location where the restaurant would operate for a lease rate of \$1,200.00 per month.

8.

As a result of bidding to operate the restaurant at another location other than where the restaurant is currently located and as a result of operating the restaurant in its current location, since 2005, I am familiar with lease rates for restaurants in the City of Cumming.

9.

The lease rate of \$2,500.00 represents current market value for similarly situated and similarly sized restaurants within the City of Cumming.

10.

I have been voting on matters involving agreements and potential agreements between the City of Cumming and Forsyth County since I was first elected to the Board of Commissioners of Forsyth County.

11.

I was appointed to negotiate with City representatives in January of 2009 regarding a water contract. I have been performing that role since January of 2009.

12.

My voting record regarding matters that may affect the City of Cumming is that I have frequently voted in a manner that contravened the desires of the Mayor and City Council of the City of Cumming.

13.

The powers and duties of my office as a County Commissioner do not provide me with the ability to govern the City of Cumming; the City of Cumming is governed by the Mayor and Council.

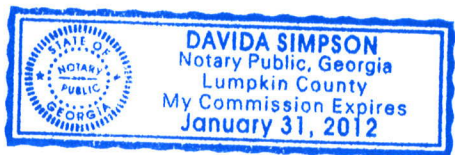
Further Affiant sayeth not.

This 4th day of June, 2010.

Sworn to and subscribed before me
This 4th day of June, 2010.


Brian Tam

Dauida Supri
Notary Public
Commission expires: January 31, 2012



Rec'd
COC
6-4-10