

FORSYTH COUNTY GEORGIA
FILED IN THIS OFFICE

FEB 25 2008

Raouf Benelli
CLERK SUPERIOR COURT

In the Superior Court
of Forsyth County
State of Georgia

Michael D. Peck on Behalf of)
Himself and All Homeowners) Civil Action
Adjacent to Lanier Golf Club) File Number 07CV-2147
f/k/a Canongate on Lanier)
Golf Club,)
Plaintiffs,)
v.)
Lanier Golf Club, Inc.,)
Defendant.)

Affidavit of Gerald W. Buran in Support of
Plaintiff's Proposed Class Certification

State of Georgia
County of Forsyth

Personally appeared before the undersigned attesting officer
comes Gerald W. Buran who states under oath as follows:

1.

My present legal name is Gerald W. Buran and my address is 3580
Canon Creek Drive, Cumming, Georgia 30041.

2.

I am a homeowner of real property adjacent to Lanier Golf Club
("Golf Course").

3.

The purpose of this affidavit is to support the motion of Michael D. Peck ("Mr. Peck") to certify the class of other similarly situated homeowners around the Golf Course.

4.

I believe that the other similarly situated homeowners around the Golf Course would be so numerous as to make it impracticable to bring all these persons before the court except in this one pending case.

5.

I also believe that any contested issues of fact in Mr. Peck's case would be the same contested issue of fact for my other neighbors on the Golf Course.

6.

Any claims that my neighbors on the Golf Course may have would be similar to the claims of Mr. Peck.

7.

I believe that Mr. Peck will adequately represent the interest of this class.

8.

In most suburban Atlanta communities, the property adjoining the most desirable amenities have historically demanded the highest prices; i.e. Lake Front, Mountain Top Views, Forested Views, and Golf Course Lots. Since such properties are very limited, the

people owning such property are considered to have the "choices lots" in most cases and are generally the first properties to sell when an area is developed. Their views are considered the most desirable and least crowded. Their privacy is also enhanced by not having neighboring homes abutting their rear property lines. They share a common benefit not available to even the people living across the street from them. Even their "less fortunate neighbors" mention the special status or benefit their homes enjoy at gatherings. They are often referred to as "the lake people" or the "golf course people" when making distinctions of owners within a subdivision of homeowners. They are in fact sharing a common benefit many other people would like to have were it not for the increased costs associated with owning such properties.

9.

The homeowners adjoining Lanier Golf Club share the above advantages over the surrounding community. They also will share the most loss should the Lanier Golf Course be developed for housing; i.e. they will sacrifice the most beneficial views and suffer the most devaluation of their investment should this property be developed into something other than a golf course.

10.

The persons that live around the Golf Course will all suffer similar losses if the golf course is developed for high density housing. The value of a Golf Course Home or a home adjacent to Parkland property has considerably lower value than current status, and lower appreciation in the future when the Golf Course or Parkland is developed into housing. This has been documented by the lowering of prices and empty lots since the action by the owners to rezone the property for development - totally distinct from, and irrespective of, any valuation due to current market

and economic conditions.

11.

There will be a pronounced drop in the resale value of any home that was bought due to the presence of an amenity such as Lanier Golf Club and sold should or when that amenity no longer exists. This has been seen in Urban and Suburban areas with the loss of Forested Areas and Golf Course Properties across the country. I have personally seen a neighbor (on the golf course) lose \$73,000 value in resale value on a \$389,000 home just because there was the "possibility" that Lanier Golf Course was to be developed. This neighbor was transferred and had no choice but to sell and suffer the loss when no buyers offered more than \$316,000 during the six months they had it on the market - this was even before the disaster in the housing industry with the sub-prime debacle. I have seen another neighbor (on the golf course) resort to renting their property that hadn't sold after 1 1/2 years of active marketing since they didn't want to suffer the huge loss of value if it had sold.

12.

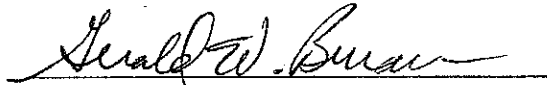
My exposure to Mr. Michael Peck, indicates to me that he shares the common benefit of abutting Lanier Golf Club and sharing the benefits it presents as mentioned above. He, like me, will share in the common loss of value should the golf course be developed. He, unlike me, actually bought his property for the golf course owners, as I understand it, and had assurances of the amenity of being on a golf course directly from them. He should be able to represent our common group of golf course lot owners very adequately since he is in danger of being penalized just like us should the golf course be converted to housing. Mr. Peck and I have personally talked about the pending loss of value and I am satisfied he has the best interest of all golf course adjoining

property holders in mind should this effort be deemed a Class Action.

13.

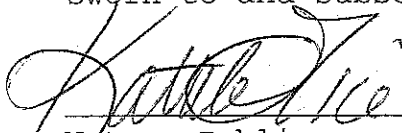
My attention has been directed to the fact that this Affidavit will be relied upon as testimony in this matter by this Honorable Court.

Further Affiant Sayeth Not.



Gerald W. Buran

Sworn to and subscribed before me this 11 day of February, 2008.


Notary Public

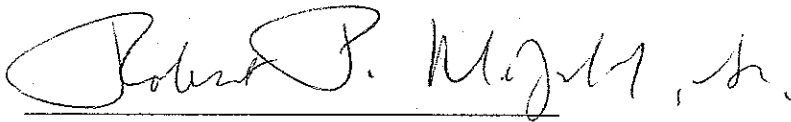


Certificate of Service

This is to certify that I have this day duly served opposing counsel with a true and accurate copy of the attached affidavit in a manner prescribed by law by depositing a copy of same in the United States Mail, postage prepaid, addressed as follows:

Andrea Cantrell Jones
Dillard & Galloway, LLC
Suite 760
3500 Lenox Road
Atlanta, Georgia 30326

This 25 day of February, 2008.



Robert P. McFarland, Sr.