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NONDISTURBANCE AND ATTORNMENT AGREEMENT

THIS AGREEMENT is made and entered into as of the 28th day of September, 1990 by and among UNITED STATES FIDELITY AND GUARANTY COMPANY, a Maryland corporation ("Mortgagee"), DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, an Alabama limited partnership ("Lessor"), and DANIEL LINKS LIMITED PARTNERSHIP, an Alabama limited partnership ("Lessee").

R E C I T A L S:

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Lessor has heretofore entered into a Mortgage and Security Agreement dated as of November 7, 1989 in favor of Mortgagee which has been recorded in Real 265, Page 374 in the Probate Office of Shelby County, Alabama which has been (i) amended by First Amendment to Mortgage and Security Agreement dated February 19, 1990, which has been recorded in Real 282, Page 85 in said Probate Office and (ii) amended and restated in its entirety by Amended and Restated Mortgage and Security Agreement dated Sept. 28, 1990 which has been recorded in Real 312, Page 208 in said Probate Office (which, together with all amendments and modifications thereto, is hereinafter collectively referred to as the "Mortgage"). The Mortgage encumbers certain real property situated in Shelby County, Alabama (the "Property") which is more particularly described in the Mortgage. Lessor has also granted to Mortgagee a security interest in all tangible and intangible personal property owned by Lessor and either located on or used in connection with the Property, as evidenced by UCC Financing Statement filed as Document No. B89-15353FS with the Alabama Secretary of State on November 22, 1989 and by UCC Financing Statement filed as Case No. 024206 with the Probate Office of Shelby County, Alabama on November 8, 1989 (collectively, the "Financing Statements"). The Mortgage and the Financing Statements are hereinafter collectively referred to as the "Loan Instruments".

Lessor and Lessee have heretofore entered into a Ground Lease (the "Lease") pursuant to which Lessor has leased to Lessee certain real property situated in Shelby County, Alabama which is more particularly described in Exhibit A attached hereto and incorporated herein by reference (the "Golf Club Property"). The Golf Club Property is part of the Property. The Lease also grants to Lessee an option to purchase the Golf Club Property (the "Purchase Option") on the terms and conditions set forth in the Lease. A Memorandum of Ground Lease evidencing the Lease and the Purchase Option has been executed by Lessor and Lessee and recorded in Real 312, Page 268 in the Probate Office of Shelby County, Alabama.