

STATE OF ALABAMA )

COUNTY OF SHELBY )

**TERMINATION OF NONDISTURBANCE AND ATTORNMENT AGREEMENT**

THIS TERMINATION OF NONDISTURBANCE AND ATTORNMENT AGREEMENT is made and entered into as of the 27th day of JANUARY, 1993 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:**

Mortgagee, Lessor and Lessee have heretofore entered into that certain Nondisturbance and Attornment Agreement dated September 28, 1990 (the "Prior Agreement") which has been recorded in Real 312, Page 306 in the Office of the Judge of Probate of Shelby County, Alabama. Contemporaneously herewith, Mortgagee, Lessor, Lessee and other parties have entered into a new nondisturbance and attornment agreement and desire to terminate and otherwise cancel all of the terms and provisions of the Prior Agreement.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Mortgagee, Lessor and Lessee do hereby acknowledge and agree that the Prior Agreement is hereby terminated, cancelled, null and void and shall be of no further force or effect.

IN WITNESS WHEREOF, the parties hereto have executed this Termination of Nondisturbance and Attornment Agreement as of the day and year first above written.

**MORTGAGEE:**

UNITED STATES FIDELITY  
AND GUARANTY COMPANY,  
a Maryland corporation

By: 

Its: Vice president

Inst # 1993-03127

**LESSOR:**

**DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP**, an Alabama limited partnership

By: DANIEL REALTY INVESTMENT CORPORATION - OAK MOUNTAIN, an Alabama corporation, Its General Partner

By: 

Its: Senior Vice President

**LESSEE:**

**DANIEL LINKS LIMITED PARTNERSHIP**, an Alabama limited partnership

By: Daniel Realty Investment Corporation - Oak Mountain, an Alabama corporation, Its General Partner

By: 

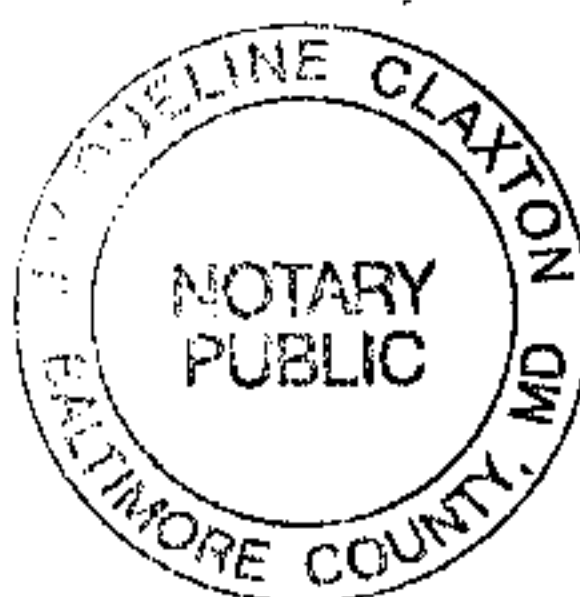
Its: Senior Vice President

STATE OF MARYLAND )

COUNTY OF Baltimore )

I, a Notary Public in and for said County in said State, hereby certify that Charles W. Wabane, whose name as Vice President of UNITED STATES FIDELITY AND GUARANTY COMPANY, a Maryland corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing instrument, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said corporation.

GIVEN under my hand and seal of office this 1 day of Feb, 1993.



  
Notary Public

My Commission Expires: 4-28-96

STATE OF ALABAMA )

COUNTY OF SHELBY )

I, a Notary Public in and for said County in said State, hereby certify that Stephen R. Monk, whose name as Senior Vice President of DANIEL REALTY INVESTMENT CORPORATION - OAK MOUNTAIN, an Alabama corporation, as general partner of Daniel Oak Mountain Limited Partnership, an Alabama limited partnership, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing instrument, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said corporation acting in its capacity as general partner as aforesaid.

GIVEN under my hand and seal of office this 2nd day of February, 1993.

Shirley H. Ellis  
Notary Public

My Commission Expires: 2/26/99

STATE OF ALABAMA )

COUNTY OF SHELBY )

I, a Notary Public in and for said County in said State, hereby certify that Allan D. Worthington, whose name as Senior Vice President of DANIEL REALTY INVESTMENT CORPORATION - OAK MOUNTAIN, an Alabama corporation, as general partner of Daniel Links Limited Partnership, an Alabama limited partnership, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing instrument, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said corporation acting in its capacity as general partner as aforesaid.

GIVEN under my hand and seal of office this 2nd day of February, 1993.

Shirley H. Ellis  
Notary Public

My Commission Expires: 2/26/99

THIS INSTRUMENT PREPARED BY AND UPON  
RECORDING SHOULD BE RETURNED TO:

Stephen R. Monk, Esq.  
c/o Daniel Corporation  
1200 Corporate Drive  
Meadow Brook Corporate Park  
Birmingham, Alabama 35242

Inst # 1993-03127

02/02/1993-03127  
04:49 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 MCD 14.00