

STATE OF ALABAMA                     )  
   )  
COUNTY OF SHELBY                     )

**TIC TERMINATION AGREEMENT**

This TIC Termination Agreement ("Agreement") is made and entered into as of this 23<sup>rd</sup> day of May, 2008 (the "Effective Date"), by and between **Homecourt Hospitality – Birmingham 1, LLC, Homecourt Hospitality – Birmingham 2, LLC and PHREG – Birmingham, LLC** (collectively, the "Co-owners", and each a "Co-owner").

**RECITALS:**

WHEREAS, the Co-owners heretofore entered into that certain Tenancy in Common Agreement dated January 17, 2007, (the "TIC Agreement"), with respect to the premises more particularly described therein (the "Premises"); and

WHEREAS, a Memorandum of Tenancy in Common Agreement with respect to the TIC Agreement was recorded in the Shelby County Register of Deeds on January 22, 2007, number 20070122000033050; and

WHEREAS, in connection with the sale of the Premises and in accordance with the terms of the TIC Agreement, the Co-Owners now desire to terminate the TIC Agreement; now therefore,

KNOW ALL MEN BY THESE PRESENTS that, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties hereto, the Co-owners do hereby agree to terminate the TIC Agreement as of the Effective Date of this Agreement, and said TIC Agreement is hereby terminated. The Co-owners hereby agree that the TIC Agreement is terminated and of no further effect beginning as of the Effective Date hereof. This Agreement will be binding upon, and inure to the benefit of, the successors and assigns of the parties hereto.


[remainder of page left intentionally blank]


IN WITNESS WHEREOF, the said Co-owners have hereunto affixed their hands and seal effective as of the date first above written.

**CO-OWNERS**

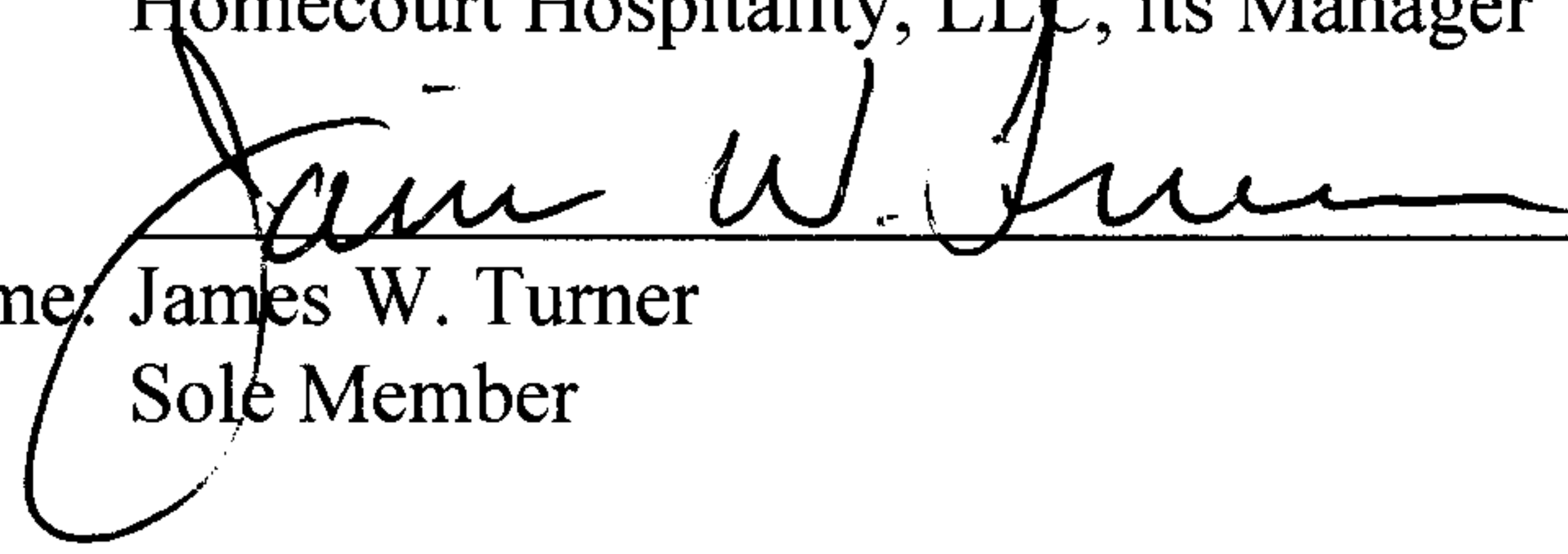
WITNESS:

Homecourt Hospitality-Birmingham 1, LLC

  
Print Name BEN SALTZ


  
Print Name Diana Saltz

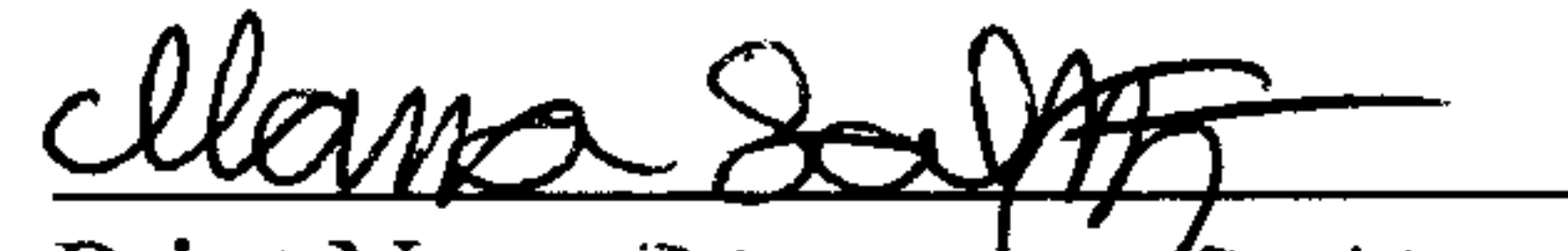
By: Homecourt Hospitality, LLC, its Manager

By:   
Name: James W. Turner  
Its: Sole Member

WITNESS:

Homecourt Hospitality-Birmingham 2, LLC

  
Print Name BEN SALTZ


  
Print Name Diana Saltz


By: Homecourt Hospitality, LLC, its Manager

By:   
Name: James W. Turner  
Its: Sole Member

PHREG-Birmingham, LLC

By: Homecourt Hospitality, LLC, its Manager

  
Print Name BEN SALTZ

  
Print Name Diana Saltz

By:   
Name: James W. Turner  
Its: Sole Member

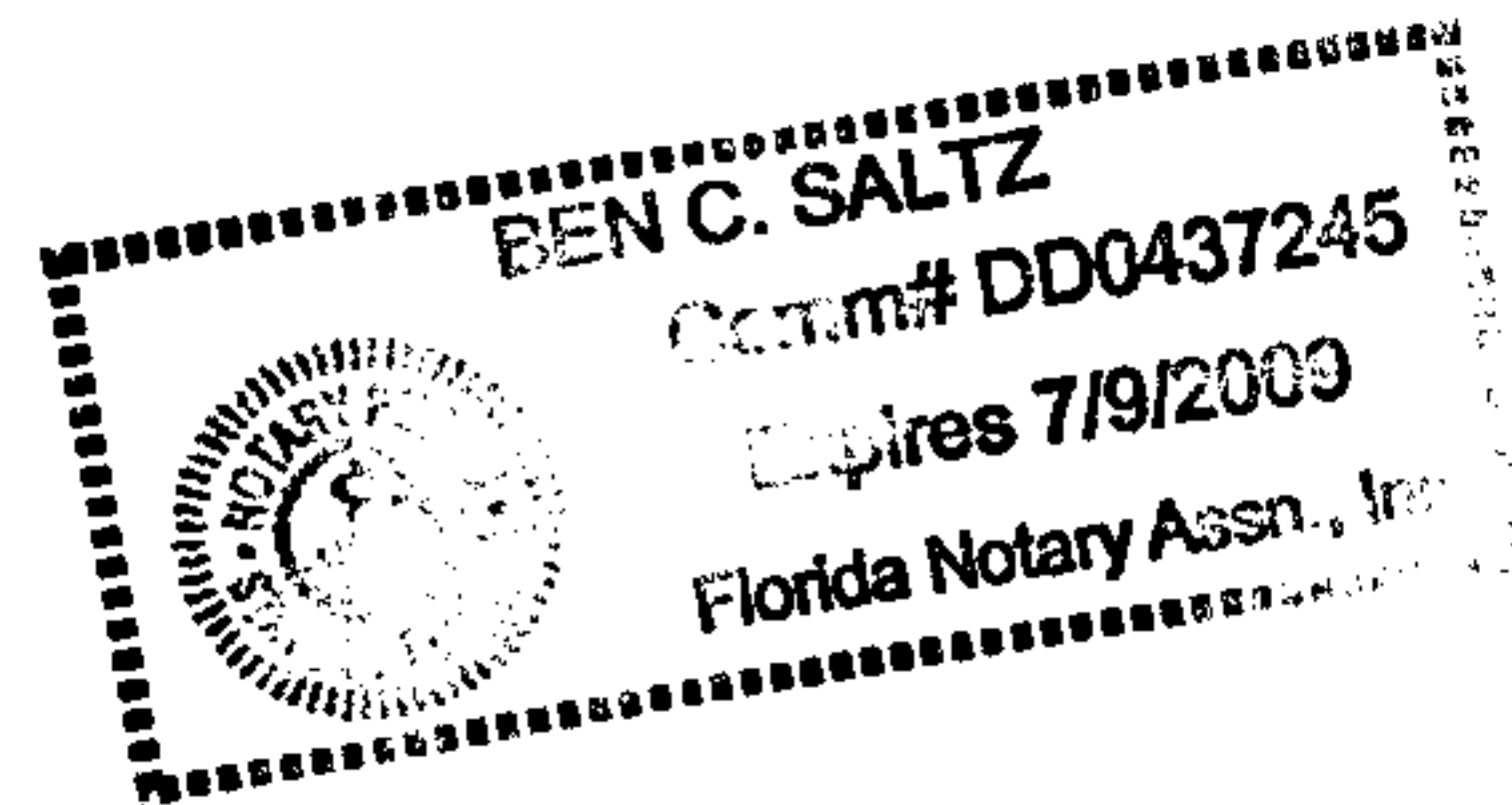
STATE OF Florida )  
 )  
COUNTY OF Indian River )

ACKNOWLEDGEMENT

I, BEN C SALTZ, a Notary Public, do hereby certify that Homecourt Hospitality-Birmingham 1, LLC, by Homecourt Hospitality, LLC, its Manager, by James W. Turner, its Sole Member, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

SWORN to before me this 4 day of  
day of June 2008.

[Signature]  
Notary Public for the State of Florida  
My Commission Expires: 7-8-09



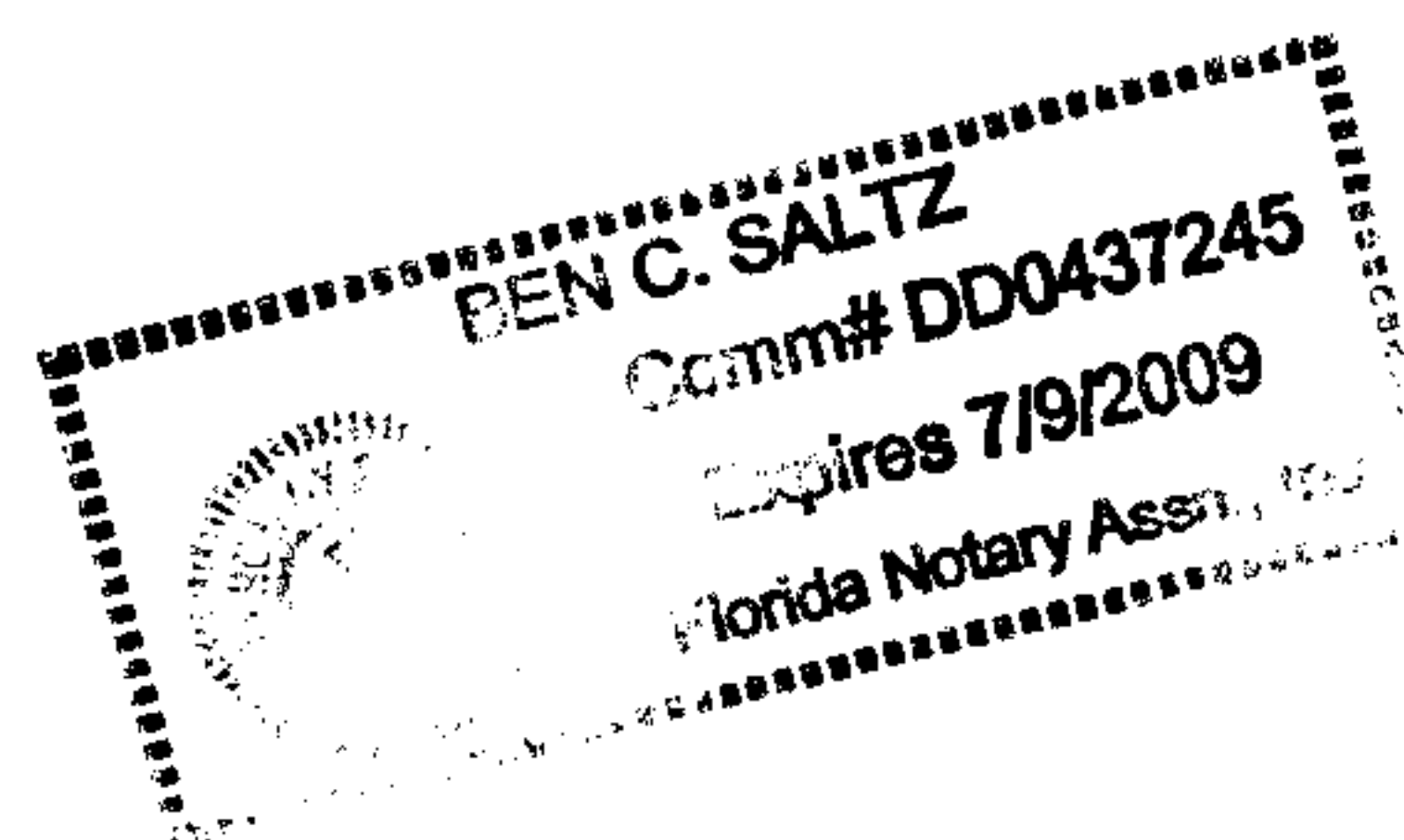
STATE OF Florida )  
 )  
COUNTY OF Indian River )

ACKNOWLEDGEMENT

I, BEN C SALTZ, a Notary Public, do hereby certify that Homecourt Hospitality-Birmingham 2, LLC, by Homecourt Hospitality, LLC, its Manager, by James W. Turner, its Sole Member, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

SWORN to before me this 4 day of  
June 2008.

[Signature]  
Notary Public for the State of Florida  
My Commission Expires: 7-8-09







20080617000245580 4/4 \$20.00  
Shelby Cnty Judge of Probate, AL  
06/17/2008 09:45:20AM FILED/CERT

STATE OF Florida )  
 )  
COUNTY OF Indian River )

ACKNOWLEDGEMENT

I, BEN C SALTZ, a Notary Public, do hereby certify that PHREG-Birmingham, LLC, by Homecourt Hospitality, LLC, its Manager, by James W. Turner, its Sole Member, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

SWORN to before me this 4 day of  
June 2008.

[Signature]  
Notary Public for the State of Florida  
My Commission Expires: 7-9-09

