

20220805000305450
08/05/2022 08:08:10 AM
RELAGREE 1/5

Return to:
Von Crook
First National Financial Title Services, LLC
3301 Windy Ridge Parkway, Suite 300
Atlanta, GA 30339
770-916-4347
File No. AL252101046V

This instrument was prepared by:
Chick-fil-A, Inc.
5200 Buffington Road
Atlanta, Georgia 30349
Attn: Chris Cottrell, Esq.
Inverness FSU (#04909)

Cross Reference: Subordination, Non-Disturbance
and Attornment Agreement recorded June 6, 2022
in the Official Public Records of the County Clerk
for Shelby County, Alabama as Document No.
20220606000226850

**TERMINATION OF SUBORDINATION, NON-DISTURBANCE
AND ATTORNMENT AGREEMENT**

THIS TERMINATION OF SUBORDINATION, NON-DISTURBANCE AND ATTORNMENT AGREEMENT (the "**Termination**") is made and entered into this 12th day of July, 2022 ("**Effective Date**"), by and among Oakworth Capital Bank, an Alabama banking corporation ("**Lender**"), CHICK-FIL-A, INC., a Georgia corporation ("**Tenant**"), and RESOURCE HOLDINGS, LLC, an Alabama limited liability company ("**Landlord**").

RECITALS:

A. Lender, Landlord and Tenant are parties to that certain Subordination, Non-Disturbance and Attornment Agreement recorded June 6, 2022 in the Official Public Records of the County Clerk for Shelby County, Alabama as Document No. 20220606000226850 (the "**Agreement**").

B. The Agreement affects the Security Documents (as described in the Agreement) that burden the land described on Exhibit A attached hereto, which land is owned by Landlord and leased to Tenant pursuant to that certain Ground Lease dated May 18, 2022 (as amended, the "**Ground Lease**").

C. Tenant has terminated the Ground Lease pursuant to a written notice of termination delivered to Landlord simultaneously herewith.

D. Accordingly, Lender, Landlord and Tenant hereby desire to terminate the Agreement.

NOW, THEREFORE, Lender, Landlord and Tenant hereby agree as follows:

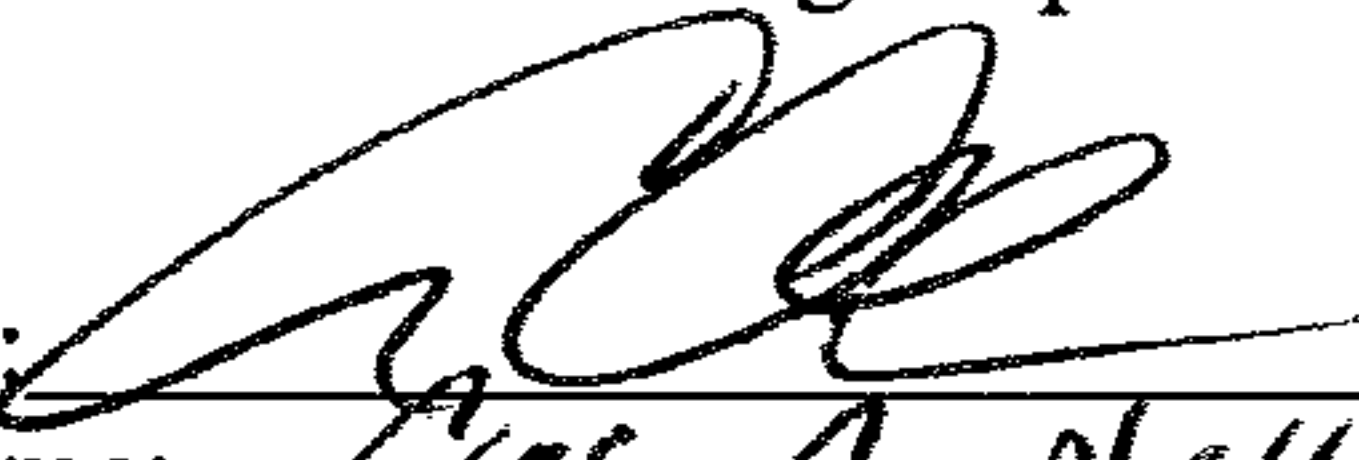
1. The Agreement is hereby terminated.
2. All capitalized terms and words of art used in this Termination that are not defined in this Termination will have the same meanings ascribed to them in the Agreement.
3. This Termination may be executed in one or more counterparts, each of which will constitute an original, and all of which together will constitute one and the same instrument.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

Lender, Landlord and Tenant have executed this Termination effective as of the Effective Date set out above.

“LENDER”:

OAKWORTH CAPITAL BANK,
an Alabama banking corporation

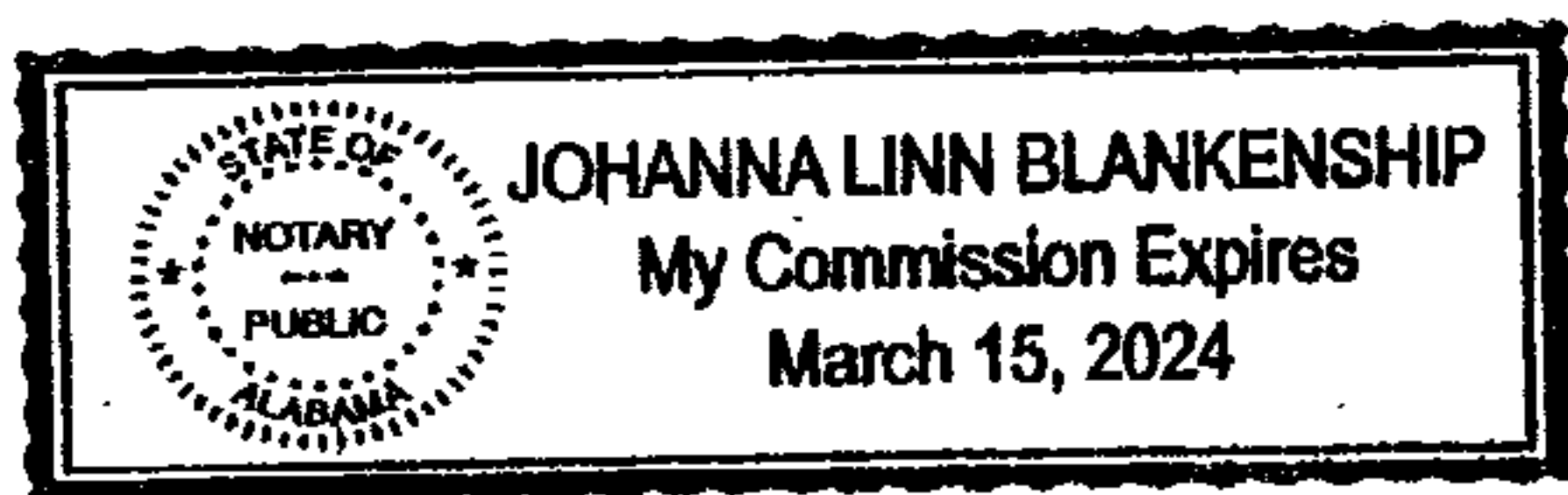
By: 
Name: Craig Campbell
Title: Associate Manager, Director

(SEAL)

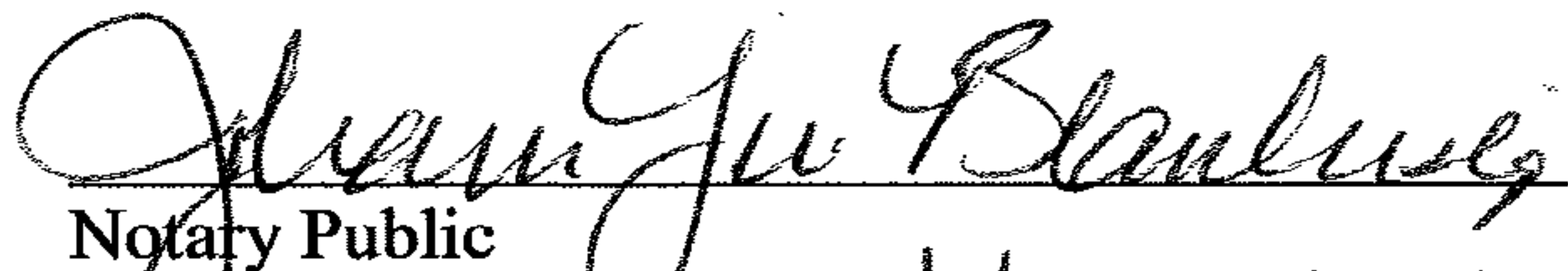
STATE OF ALABAMA)
)
SHELBY COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Craig Campbell, whose name as Associate Manager, Director of OAKWORTH CAPITAL BANK, an Alabama banking corporation, is signed to the foregoing Termination and who is known to me, acknowledged before me on this day that, being informed of the contents of this Termination, he/she, in his/her capacity as such officer and with full authority, executed the same voluntarily for and as the act of said banking corporation on the day the same bears date.

Given under my hand this 19th day of July, 2022.



[NOTARIAL SEAL]


Notary Public
My Commission Expires: March 15, 2024

[SIGNATURES CONTINUED ON NEXT PAGE]

"TENANT":

CHICK-FIL-A, INC., a Georgia corporation

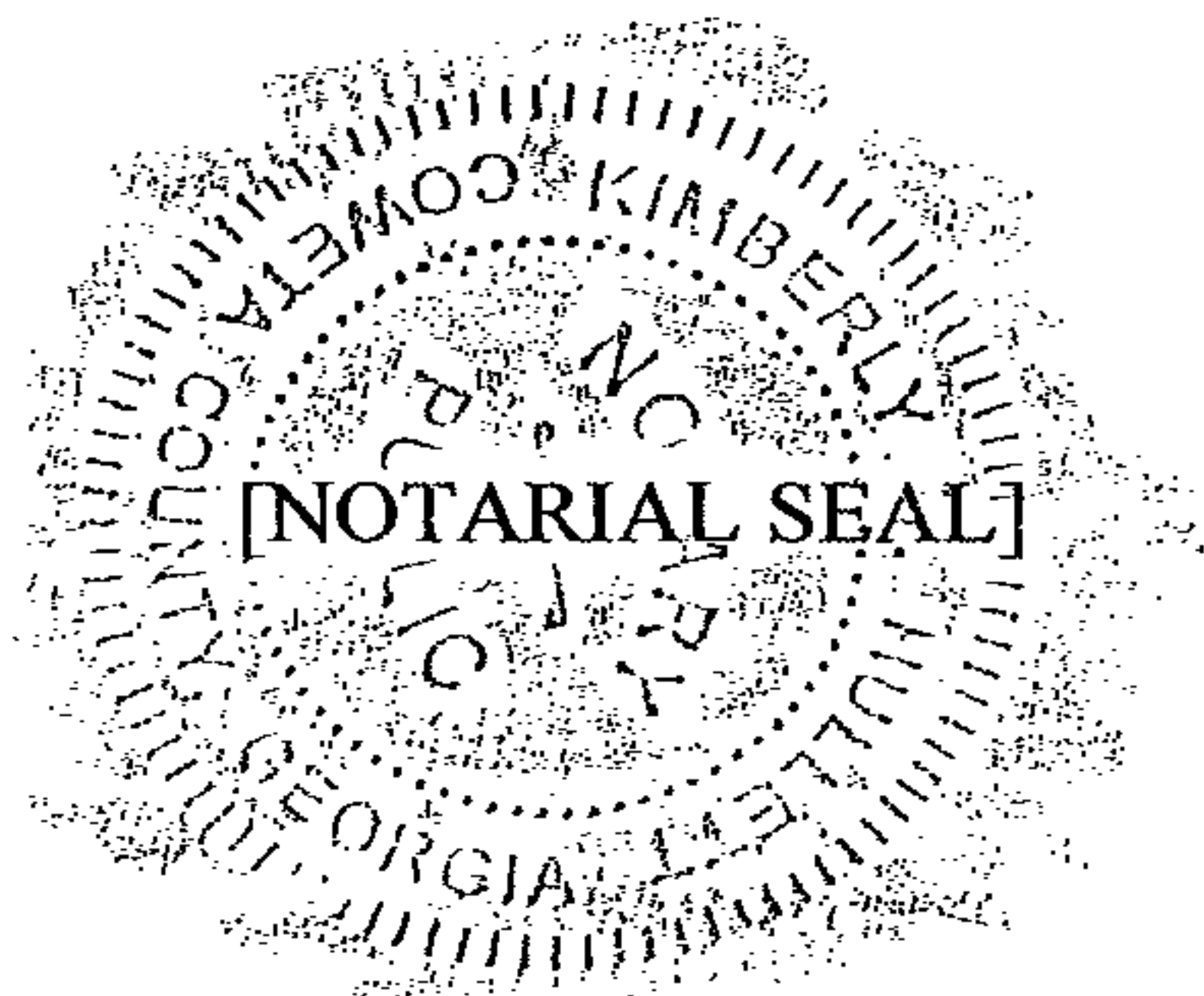
By: *Ashanti Hunt*
Name: Ashanti Hunt
Title: Sr. Director

(CORPORATE SEAL)

STATE OF GEORGIA)
)
FULTON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Ashanti Hunt, whose name as Sr. Director of CHICK-FIL-A, INC., a Georgia corporation, is signed to the foregoing Termination and who is known to me, acknowledged before me on this day that, being informed of the contents of this Termination, he/she, in his/her capacity as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand this 21 day of July, 2022.



Kimberly N. Hullett
Notary Public
My Commission Expires: _____

Kimberly N Hullett
NOTARY PUBLIC
Coweta County, GEORGIA
My Commission Expires 11/06/2024

[SIGNATURES CONTINUED ON NEXT PAGE]

"LANDLORD":

RESOURCE HOLDINGS, LLC,
an Alabama limited liability company

By: Donna M. Bruno
Name: DONNA M. BRUNO
Title: Managing Partner

(CORPORATE SEAL)

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Donna M. Bruno, whose name as Managing Partner of RESOURCE HOLDINGS, LLC, an Alabama limited liability company, is signed to the foregoing Termination and who is known to me, acknowledged before me on this day that, being informed of the contents of this Termination, he/she, in his/her capacity as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company on the day the same bears date.

Given under my hand this 21st day of July, 2022.

Jeanette S. Wacker
Notary Public My Commission Expires
My Commission Expires: October 22, 2023

[NOTARIAL SEAL]

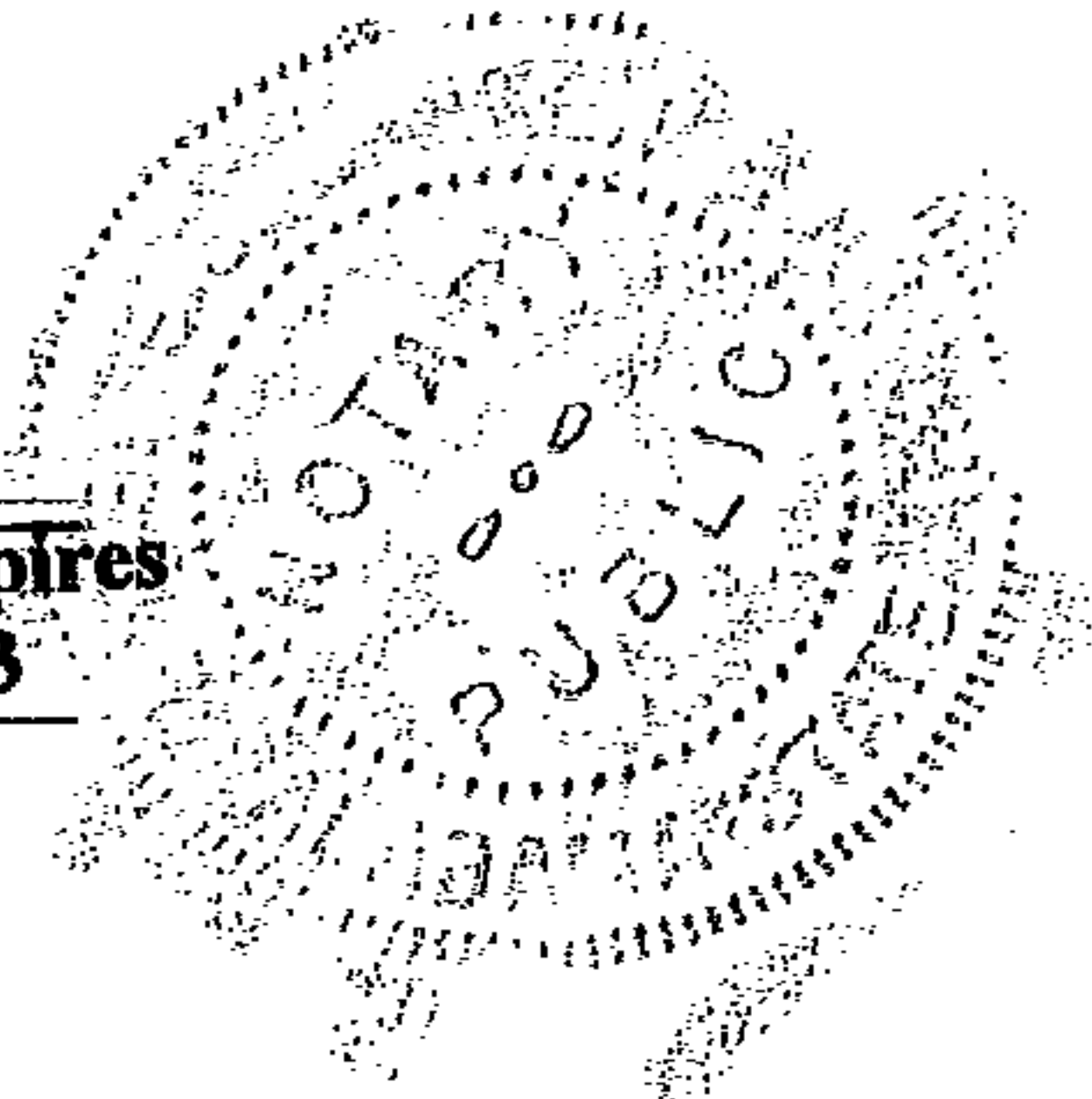
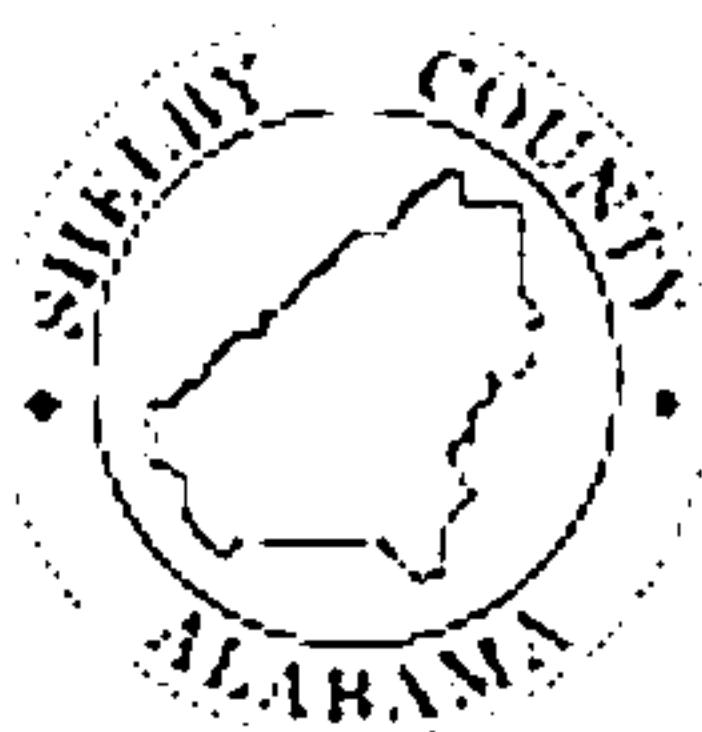


Exhibit A

Demised Premises

Lot 1A, according to the survey of Resource Center, as recorded in Map Book 24, Page 118, in the Probate Office of Shelby County, Alabama.



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
08/05/2022 08:08:10 AM
\$34.00 JOANN
20220805000305450

Allen S. Bayl