

Successors to warrant and forever defend all and singular the said premises unto the said Mortgagee, its Successors and Assigns, from and against itself and its Successors, lawfully claiming, or to claim the same, or any part thereof.

AND IT IS AGREED, by and between the parties hereto that the said Mortgagor, its Successors or Assigns shall:

Mortgagor has coincidence with the execution and delivery hereof, executed and delivered to or for the benefit of Mortgagee the following mortgages and deeds of trust, to-wit:

- (1) A Mortgage Deed of even date herewith by Osias-Jack Tar Hotels, Inc., a Florida Corporation, to Bank of the Commonwealth, covering certain real property situate in Pinellas County, Florida, which mortgage secures a promissory note in the original principal sum of \$964,716.78.
- (2) A Deed of Trust of even date herewith, wherein Osias-Jack Tar Hotels, Inc., a Florida Corporation is the party of the first part, and Bank of the Commonwealth is the party of the third part, which Deed of Trust concerns parcels of real property situate in the City and County of Galveston, Texas, which Deed of Trust reflects an indebtedness in the original principal sum of \$964,716.78.
- (3) A Deed of Trust of even date herewith, wherein Osias-Jack Tar Hotels, Inc., a Florida Corporation, as the party of the first part, and Bank of the Commonwealth is party of the third part, which Deed of Trust concerns parcels of real property situate in the City and County of Orange, Texas, which Deed of Trust reflects an indebtedness in the principal sum of \$964,716.78.
- (4) A Deed of Trust of even date herewith, wherein Osias-Jack Tar Hotels, Inc., a Florida Corporation, is the party of the first part, and Bank of the Commonwealth is the party of the third part, which Deed of Trust concerns parcels of real property situate in the City of Asheville, North Carolina, which Deed of Trust reflects an indebtedness in the original principal sum of \$964,716.78.
- (5) A Mortgage of even date herewith, by Osias-Jack Tar Hotels, Inc., a Florida corporation, as Mortgagor to Bank of the Commonwealth as Mortgagee, encumbering a certain parcel of real property situate in the City of Charleston, South Carolina, which Mortgage reflects an indebtedness in the principal amount of \$964,716.78.