

GREENVILLE S.C.
NOV 6 3 13 PM '82
JOHNIE HANKERSLEY
R.M.C.

BOOK 18 1924

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE) SURETY BOND NO. 254 05 23
TO RELEASE MECHANIC'S LIEN

Blackmon-Mooring-Steamatic Catastrophe, Inc. was a contractor for some of the fire-related work performed at McAlister Square Shopping Center, Greenville, South Carolina, the below described property:

All that certain piece, parcel or tract of land with the buildings and improvements thereon, lying and being on the southeasterly side of South Pleasantburg Drive near its intersection with East Antrim Drive in the City of Greenville, County of Greenville, State of South Carolina, being known as McAlister Square Shopping Center, containing 48.12 acres (consisting of Tract "A" containing 47.12 acres and Tract "C" containing 1.00 acre) and being the major portion of the property shown on the plat of the property of McAlister Square Company made by Enwright Associates, Engineers, dated December 10, 1979, revised December 17, 1979, a copy of said revised plat being recorded in the RMC Office for Greenville County, South Carolina, in Plat Book 7-0 at Page 73, reference to said plat being made a metes and bounds description thereof.

Blackmon-Mooring-Steamatic Catastrophe, Inc. has filed in the Greenville County Register of Mesne Conveyances Office in Mechanics' Lien Book Number 18 at Page 1879 a Notice and Certificate of Mechanics Lien claiming that McAlister Limited Partnership, a Maryland Limited Partnership, owes Blackmon-Mooring-Steamatic Catastrophe, Inc. \$132,000.00 for labor and/or materials furnished by Blackmon-Mooring-Steamatic Catastrophe, Inc. for the fire related work performed at said property.

Pursuant to § 29-5-110 of the 1976 South Carolina Code of Laws, as amended, McAlister Limited Partnership, John A. Luetkemeyer, Jr. and J. Mark Shapiro, desire to secure the discharge of said property from said claimed lien by substituting this Surety Bond for said property.

Pursuant to §29-5-110 of the 1976 South Carolina Code of Laws, as amended, we, McAlister Limited Partnership, John A. Luetkemeyer, Jr. and J. Mark Shapiro, as Principals, and Fireman's Fund Insurance Company, a Surety Company licensed to do business in South Carolina, as Surety, promise to pay Blackmon-Mooring-Steamatic Catastrophe, Inc., its successors and assigns, up to the sum of \$176,000.00 (one and one-third times the amount claimed by Blackmon Mooring-Steamatic Catastrophe, Inc.), in satisfaction of the judgment in favor of Blackmon-Mooring-Steamatic Catastrophe, Inc., if any, or part thereof resulting from the aforesaid claimed Mechanic's Lien, for which payment that we bind ourselves and our successors and assigns, jointly and severally, subject to the below stated conditions:

CONDITIONS OF THE FOREGOING OBLIGATION:

1. If said claimed lien is withdrawn by Blackmon-Mooring-Steamatic Catastrophe, Inc., its successors and assigns; or
2. If said claimed lien is discharged or vacated by Court Order; or
3. If suit on the aforesaid claimed lien is not commenced as required by §29-5-120 of the 1976 South Carolina Code of Laws, as amended; or
4. If judgment in a suit to foreclose said claimed lien not be rendered in favor of Blackmon-Mooring-Steamatic Catastrophe, Inc., its successors and assigns; or
5. If judgment in a suit to foreclose said claimed lien be rendered in favor of Blackmon-Mooring-Steamatic Catastrophe, Inc.,

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