

# M

CHWP000

Please do not  
write in  
this margin

## COMPANIES FORM No. 403b

**Declaration that part of the  
property or undertaking charged  
(a) has been released from the  
charge; (b) no longer forms part of  
the company's property or undertaking**

# 403b

Pursuant to section 403(1) (b) of the Companies Act 1985

Please complete  
legibly, preferably  
in black type, or  
bold block letteringTo the Registrar of Companies  
(Address overleaf)

For official use

Company number

(5)

FC026157

Name of company

\* Insert full name  
of company

Merrill Lynch International Bank Limited (the "Company")

† delete as  
appropriate# Insert a description  
of the instrument(s)  
creating or  
evidencing the  
charge, eg  
'Mortgage',  
'Charge',  
'Debenture' etca the date of  
registration may be  
confirmed from the  
certificate§ Insert brief details  
of property or  
undertaking no  
longer subject to  
the chargeI, Michael Ryan  
of Treasury Building, 100 Grand Canal Street, Dublin 2[a director][the secretary][the administrator][the administrative receiver]† of the above company, do  
solemnly and sincerely declare that with respect to the charge described below the part of the property  
or undertaking described [has been released from the charge][has ceased to form part of the  
company's property or undertaking]†Date and description of charge # See Annexure 1 - ?Date of registration a 27 October 2008Name and address of [chargee][trustee for the debenture holders]† Bank of America, N.A., 335  
Madison Avenue, 5th Floor, New York, New York 10017, United StatesShort particulars of property or undertaking released or no longer part of the company's property or  
undertaking § See Annexure 2 - ?And I make this solemn declaration conscientiously believing the same to be true and by virtue of the  
provisions of the Statutory Declarations Act 1835.Declared at 21 Cleary Street, Dublin 2

Declarant to sign below

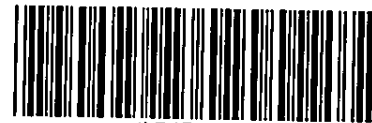
Day Month Year

on 

0	8	1	2	2	0	1	0	8
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before me John F. SmythA Commissioner for Oaths or Notary Public or Justice of  
the Peace or a Solicitor having the powers conferred on a  
Commissioner for Oaths.Presenter's name address and  
reference (if any) :Sullivan & Cromwell  
1 New Fetter Lane  
London EC4A 1ANFor official Use (02  
Mortgage Section

WED MONDAY



\*LD1P45VS\*

LD6 22/12/2008 234

COMPANIES HOUSE

\*LD7WS5QO\*

LD5 17/12/2008 78

COMPANIES HOUSE

**ANNEXURES  
to Form 403b**

**ANNEXURE 1**

**Date and description of charge**

Deed of Assignment and Charge dated 7 October 2008 between the Company and Bank of America, N.A. as Administrative Agent (as amended).

**ANNEXURE 2**

**Short particulars of property or undertaking released or no longer part of the company's property or undertaking**

**Part A - Loans to be fully released**

- Project Landmark - €289,000,000 Facility Agreement for RHH Treuhand Immobilien GMBH dated 31 May 2007 as amended
- Project Star/Asterix - €115,000,000 Facilities Agreement for BRE/Opera Holdings SAS dated 11 November 2006 as amended
- Project Newday - €740,600,000 Facility Agreement for Moor Park New Day Holdings Luxembourg S.A R.L. dated 29 June 2007
- Project Affinity - €378,600,000 Facility Agreement for BRE/Europe Hotel Holdings I S.A.R.L. and its Initial Subsidiaries dated 17 August 2007 as amended

**Part B - Loans to be partially released**

<b>Facility Agreement</b>	<b>Commitments and Loans to be released</b>
Project DDR - €640,000,000 Facility Agreement for BRE/German Hotel Holding II S.A.R.L and its Initial Subsidiaries dated 30 January 2007	€ 183,463,658.50 of the Chargor's commitments and loans under the Term Facility (as defined in the DDR Facility Agreement) and designated as the A Loan under the Intercreditor Agreement dated 25 May 2007 between, among others, the Original A Lender, the Original B Lender and the Original C Lender.