

Attachment 9

Evidence of the commitment by the Plan Sponsor, or an Affiliate of the Plan Sponsor, of up to eighty five million dollars (\$85,000,000) to acquire, joint venture, land bank or otherwise gain control of lots, and certifications of available funds held by the Plan Sponsor in the amount of \$38,000,000

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

In re:

The Cliffs Club & Hospitality Group, Inc., *et al.*,¹
d/b/a The Cliffs Golf & Country Club,

Debtors.

CHAPTER 11

Case No. 12-01220

Jointly Administered

DECLARATION OF JOHN C. KUNKEL

This declaration is made by John C. Kunkel as Vice President of Silver Sun Partners, LLC. ("Silver Sun") The information set forth herein is true and correct to the best of my information, knowledge, and belief.

1. I am a Vice President of Silver Sun and am duly authorized to make this declaration.

2. In my capacity as Vice President of Silver Sun, I have personal knowledge of the ownership of real property of the entities that are affiliates of Silver Sun, including Cliffs Club Partners, LLC, and the plan sponsor in these bankruptcy cases.

¹ The Debtors, followed by the last four digits of their respective taxpayer identification numbers and Chapter 11 case numbers, are as follows: The Cliffs Club & Hospitality Group, Inc. (6338) (12-01220); CCHG Holdings, Inc. (1356) (12-01223); The Cliffs at Mountain Park Golf & Country Club, LLC (2842) (12-01225); The Cliffs at Keowee Vineyards Golf & Country Club, LLC (5319) (12-01226); The Cliffs at Walnut Cove Golf & Country Club, LLC (9879) (12-01227); The Cliffs at Keowee Falls Golf & Country Club, LLC (3230) (12-01229); The Cliffs at Keowee Springs Golf & Country Club, LLC (2898) (12-01230); The Cliffs at High Carolina Golf & Country Club, LLC (7576) (12-01231); The Cliffs at Glassy Golf & Country Club, LLC (6559) (12-01234); The Cliffs Valley Golf & Country Club, LLC (6486) (12-01236); and Cliffs Club & Hospitality Service Company, LLC (9665) (12-01237).

3. Silver Sun is an affiliate of Cliffs Club Partners, LLC by virtue of being the 100% owner of the capital interest in The Cliffs Club Holdings, LLC which is the direct parent of Cliffs Club Partners, LLC.

4. Silver Sun has funded, directly or through affiliates, in excess of \$28 million in real property acquisitions, at the Cliffs since December 31, 2010.

5. Additionally, Silver Sun assumed approximately \$57 million in mortgage debt from Synovus Bank to acquire additional real property at the Cliffs.

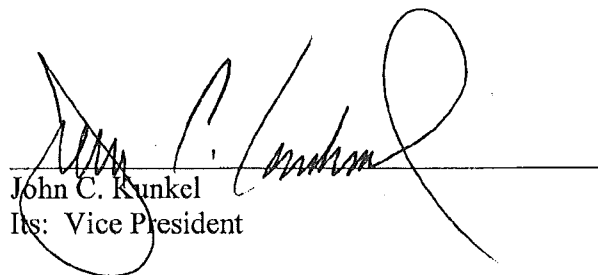
6. Presently, in total, Silver Sun, directly or through its affiliates, has a combined real property investment of over \$85 million in properties at the Cliffs.

7. Silver Sun and its affiliates own approximately 630 developed or partially developed lots and additionally, approximately 4,600 acres of undeveloped land.

8. The majority of the lands owned by Silver Sun and its affiliates are located within the gates of The Cliffs Communities.

Dated this ___ day of June, 2012.

SILVER SUN PARTNERS, LLC



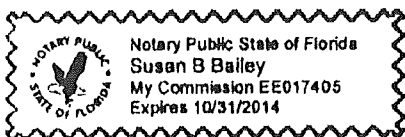
John C. Kunkel
Its: Vice President

STATE OF Florida)
) ss:
COUNTY OF Duval)

The foregoing instrument was acknowledged before me this 29th day of June, 2012, by John C. Kunkel, who is personally known to me or who has produced as identification.

(SEAL)

Susan B. Bailey
Notary Public, State of Florida



Susan B. Bailey

Printed/Typed Name:

EE 017405

Commission Number:

#11267607_v3

CERTIFICATION AS TO THE AVAILABILITY OF FUNDS

TO WHOM IT MAY CONCERN:

Re: The Cliffs Club and Hospitality Group, Inc.
Bankruptcy Case No. 12-1220

Date: April 12, 2012

SP 50 Investments, Ltd. ("SP 50"), being the sole member of Carlile Cliffs Investments, LLC, does hereby certify that it has set aside for funding all amounts required of Carlile Cliffs Investments, LLC in accordance with the terms of the certain LLC Agreement of Silver Sun Partners, LLC, a Delaware limited liability company. SP 50 has submitted private and confidential account statements that demonstrate that SP 50 has on deposit in its investment accounts in excess of \$15,000,000.

SP 50 INVESTMENTS, LTD., a Texas limited Partnership

By: SP50, L.L.C., its Sole General Partner

By: The Carlile Family 2000 Trust, its Sole Member

By: Penny F. Carlile
Name: Penny F. Carlile, Trustee

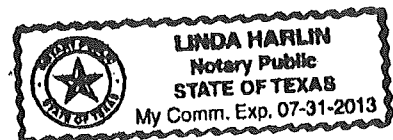
STATE OF Texas)
)
COUNTY OF Harrison)

ACKNOWLEDGMENT

I Linda Harlin, a Notary Public for Harrison Co., Texas, do hereby certify that Penny F. Carlile, Trustee of The Carlile Family 2000 Trust, as sole member of SP50, L.L.C., as general partner of SP 50 Investments, Ltd., personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and seal this 12 day of April, 2012.

Linda Harlin (L.S.)
Notary Public for Harrison County, Texas
My commission expires: 7-31-2013



CERTIFICATION AS TO THE AVAILABILITY OF FUNDS

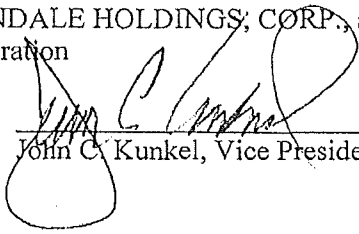
TO WHOM IT MAY CONCERN:

Re: The Cliffs Club and Hospitality Group, Inc.
Bankruptcy Case No. 12-1220

Date: April 12, 2012

Arendale Holdings Corp. ("Arendale"), does hereby certify that it has funds set aside and remaining commitments from its owner necessary to provide all amounts required of Arendale in accordance with the terms of the certain LLC Agreement of Silver Sun Partners, LLC, a Delaware limited liability company. Arendale will make available, if necessary and subject to an agreeable confidentiality agreement, its private and confidential account statement that demonstrates Arendale has on deposit in its investment accounts in excess of \$23,000,000. Said statement has been provided to Arendale's counsel.

ARENDALE HOLDINGS, CORP., a Delaware Corporation

By: 
John C. Kunkel, Vice President

STATE OF South Carolina)
)
COUNTY OF Greenville)

ACKNOWLEDGMENT

I Veena M. Owens, a Notary Public for South Carolina, do hereby certify that John C. Kunkel, Vice President of Arendale Holdings Corp., personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and seal this 12th day of April, 2012.

Veena M. Owens (L.S.)
Notary Public for South Carolina
My commission expires: 6-21-2017

