

Shelby # 194

REORDER FROM
Register, Inc.
314 PIERCE ST.
P.O. BOX 218
ANDOKA, MN. 55303
(612) 421-1713

STATE OF ALABAMA
UNIFORM COMMERCIAL CODE — FINANCING STATEMENT — FORM UCC-1 ALABAMA

INSTRUCTIONS

1. PLEASE TYPE this form. Fold only along perforation for mailing.
2. Remove Secured Party and Debtor copies and send other 3 copies to the filing officer. Enclose filing fee (plus tax to Probate Judge.)
3. When filing is to be with more than one office, Form 2 may be placed over this set to avoid double typing.
4. If the space provided for any item(s) on the form is inadequate the item(s) should be continued on additional sheets, preferably 5" x 8" or 8" x 10". Only one copy of such additional sheets need be presented to the filing officer with a set of three copies of the financing statement. Long schedules of collateral, indentures, etc., may be on any size paper that is convenient for the secured party.
5. If the collateral is crops, or timber or goods which are or to become fixtures, describe generally the real estate and give name of record owner.
6. When a copy of the security agreement is used as a financing statement, it is requested that it be accompanied by a completed but unsigned set of these forms, without extra fee.
7. At the time of original filing, filing officer should return third copy as an acknowledgment. At a later time, secured party may date and sign Termination Legend and use third copy as a Termination Statement.

This FINANCING STATEMENT is presented to a filing officer for filing pursuant to the Uniform Commercial Code:

3 Maturity date (if any):

Debtor(s) (Last Name First) and address(es)

Spardee's Restaurants, Inc.
203 E. Main Street
Spartanburg, SC 29319

2 Secured Party(ies) and address(es)

MDFC Equipment Leasing
Corporation
340 Golden Shore
Long Beach, CA 90802

For Filing Officer (Date, Time, Number and Filing Office)

This financing statement covers the following types (or items) of property:

See Exhibits A, B and C attached hereto and made a part hereof.

5 Assignee(s) of Secured Party and Address(es)

NYNEX Credit Company
335 Madison Ave., 20th fl.
New York, NY 10017

6 Complete only when filing with Judge of Probate:

The initial indebtedness secured by this financing statement is \$ 194,300.00
Mortgage tax due (15¢ per \$100.00 or fraction thereof) \$ 29.15

This statement is filed without the debtor's signature to perfect a security interest in collateral (check ☒ if so)
☐ already subject to a security interest in another jurisdiction when it was brought into this state,
☐ which is proceeds of the original collateral described above in which a security interest was perfected:

check ☒ If covered: ☒ Proceeds of Collateral are also covered, ☐ Products of Collateral are also covered. No. of additional Sheets presented:

Filed with Shelby County, AL

01/29/1993-02774

Spardee's Restaurants, Inc.

10:57 AM CERTIFIED

MDFC Equipment Leasing Corporation

K H Sellers

Signature(s) of Debtor(s)

011 MCD 25.50

Daniel O Anderson

Signature(s) of Secured Party(ies)

(1) FILING OFFICER COPY—ALPHABETICAL

EXHIBIT "A"

All of the equipment set forth on the attached Exhibit "B" whether held as equipment, inventory or otherwise, wherever located, including all attachments, parts, accessories, accessions, replacements, substitutions, additions and improvements thereto and all proceeds of any of the foregoing, including but not limited to accounts, contract rights, general intangibles, equipment, inventory, money, deposit accounts, goods, chattel paper, documents, notes, drafts, instruments, insurance proceeds or any other tangible or intangible property received upon the sale or other disposition of any of the foregoing. Debtor has no right to sell or otherwise dispose of any of the collateral.

THIS FINANCING STATEMENT COVERS FIXTURES, CONSTITUTES A FIXTURE FILING, AND IS TO BE RECORDED IN THE REAL ESTATE RECORDS.

The above goods are or are to become fixtures on the property located at the locations listed on the attached Exhibit C.

This financing statement has been filed for precautionary purposes only.

+ 254.50
270.50

Exhibit C

#0194

Hwy 31 Alabaster Shelby AL 35007

Legally described on Attachment 1

#0332

Hwy 31 N Calera Shelby AL 35040

Legally described on Attachment 2

#0383

222 West College Street Columbiana Shelby AL 35051

Legally described on Attachment 3

#0339

255 N. Main St Montevallo Shelby AL 35115

Legally described on Attachment 4

#0428

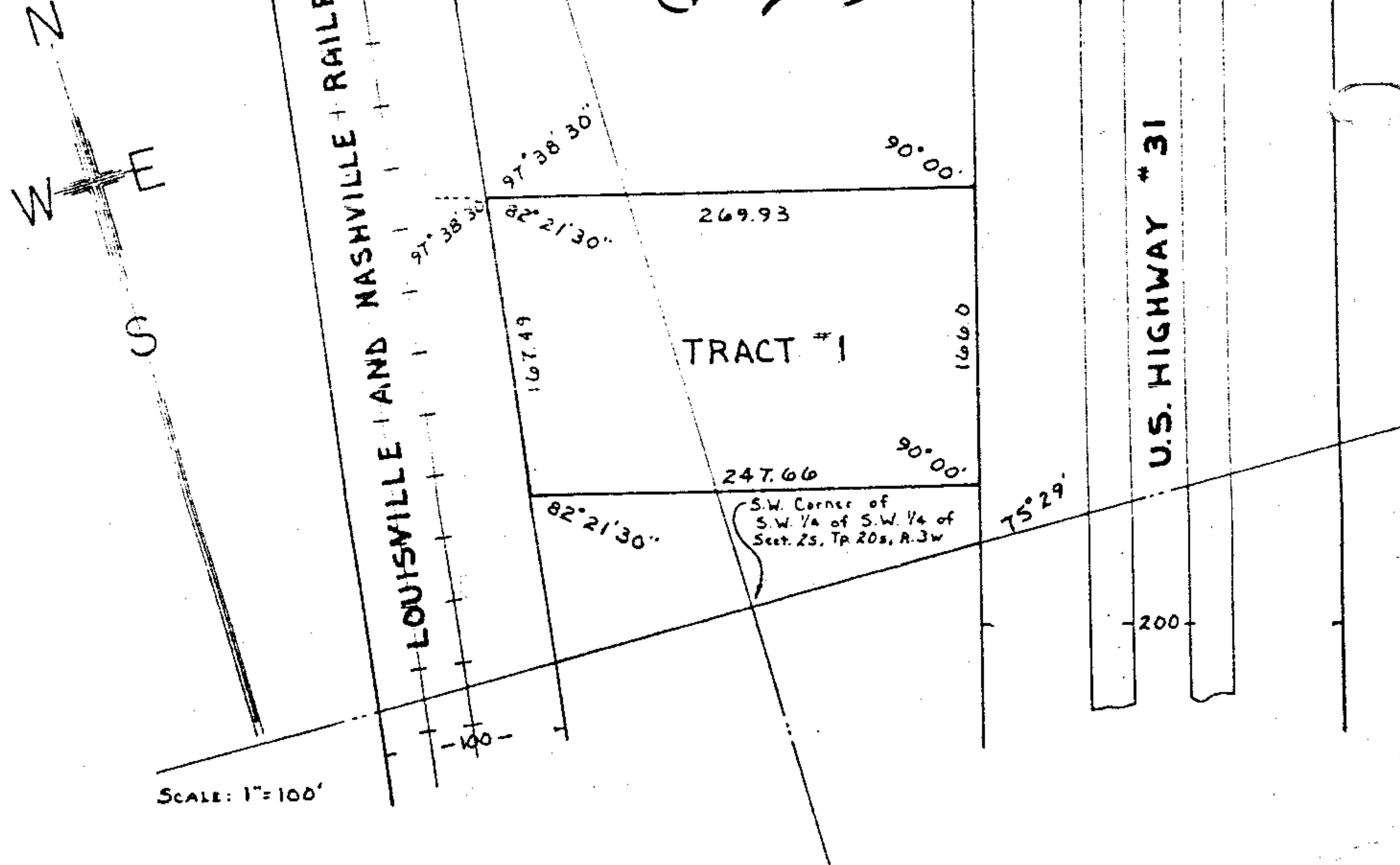
4524 S. Lake Parkway Pelham Shelby AL 3514

Legally described on Attachment 5

ALABASTER, AL
Hardee's

Attachment #1

0194
(M4'2)



STATE OF ALABAMA
SHELBY COUNTY

A part of the Southwest quarter of the Southwest quarter of Section 25, Township 20 South, Range 3 West and the Southeast quarter of the Southeast quarter of Section 26, Township 20 South, Range 3 West more particularly described as follows: Begin at the Southwest corner of Section 25 and run East along the South line of said Section 25 a distance of 130.60 feet to a point on the Westerly right-of-way line of U. S. Highway 31; thence turn an angle to the left of 75° 29' and run Northerly along said Westerly right-of-way line a distance of 34.0 feet to the point of beginning of the tract herein described; thence continue along said Westerly right-of-way line a distance of 166.0 feet to a point; thence turn an angle to the left of 90° 00' and run Westerly a distance of 269.93 feet to a point on the Easterly right-of-way line of the Louisville and Nashville Railroad; thence turn an angle to the left of 97° 38' 30" and run Southerly along said Easterly right-of-way line a distance of 167.49 feet to a point; thence turn an angle to the left of 82° 21' 30" and run Easterly a distance of 247.66 feet to the point of beginning. Situated in Shelby County, Alabama.

BETHEL W. WHITSON COMPANY, INC.

0332
OwnerCALERA, AL
Hardee's - purchase

EXHIBIT "A"

Description of a parcel of land situated in Section 21, Township 22 South, Range 2 West, in the Town of Calera in Shelby County, Alabama, and being more particularly described as follows:

From the point of intersection of the East right of way line of U.S. Highway 31 with the South right of way line of 18th Avenue, a Calera city street, run thence in a Southerly direction along said East right of way line of U.S. Highway 31 for a distance of 100.00 feet to the point of beginning of the parcel herein described; from the point of beginning thus obtained, continue along said East right of way line of U.S. Highway 31 in the same Southerly direction for a distance of 160.00 feet, thence turn an angle to the left of 88 degrees 33 minutes 20 seconds and run in an Easterly direction parallel to said 18th Avenue for a distance of 262.45 feet, thence turn an angle to the left of 90 degrees 00 minutes 00 seconds and run in a Northerly direction for a distance of 151.91 feet, thence turn an angle to the left of 90 degrees 00 minutes 00 seconds and run in a Westerly direction for a distance of 117.50 feet, thence turn an angle to the right of 90 degrees 00 minutes 00 seconds and run in a Northerly direction for a distance of 108.00 feet to a point on the South right of way line of said 18th Avenue, thence turn an angle to the left of 90 degrees 00 minutes 00 seconds and run in a Westerly direction along said right of way line for a distance of 76.50 feet, thence turn an angle to the left of 91 degrees 26 minutes 40 seconds and run in a Southerly direction for a distance of 100.00 feet, thence turn an angle to the right of 91 degrees 26 minutes 40 seconds and run in a Westerly direction for a distance of 75.00 feet to the point of beginning.

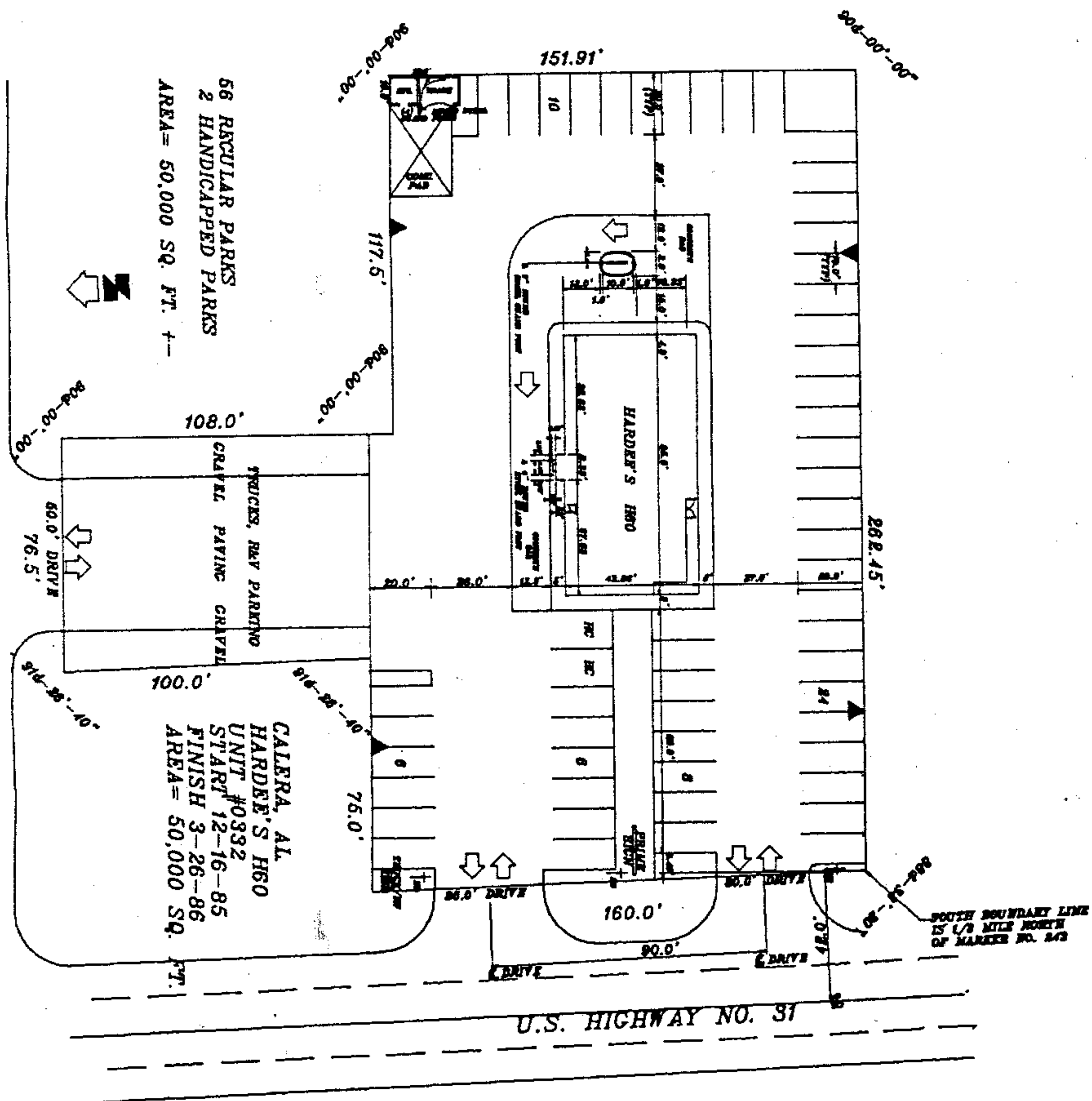
Situated in Shelby County, Alabama.

According to the survey of Larry G. Sexton, Reg. L.S. #14980, dated November 18, 1985.

Subject To:

1. Taxes for 1986 and subsequent years. 1986 taxes are a lien but not yet due and payable until October 1, 1986.
2. Transmission line permit to Alabama Power Company as recorded in Deed Book 222, Page 686, in the Probate Office of Shelby County, Alabama.

187TH AVENUE



Shelby County, Alabama, to-wit:

Commence at the Southeast corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 26, Township 21 South, Range 1 West, thence run West along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section a distance of 105.47 feet; thence turn a deflection angle of 69 deg. 48 min. 36 sec. to the right and run a distance of 36.39 feet; thence turn a deflection angle of 47 deg. 51 min. 30.5 sec. to the left and run a distance of 53.93 feet, to the point of beginning; thence continue in the same direction a distance of 221.54 feet, to a point on the Northeast right of way line of Alabama State Hw. No. 70; thence turn a deflection angle of 83 deg. 00 min. 09.6 sec. to the right and run a distance of 68.47 feet; thence turn a deflection angle of 91 deg. 31 min. 00 sec. to the left and run a distance of 50.00 feet; thence turn a deflection angle of 88 deg. 29 min. 00 sec. to the left and run a distance of 61.01 feet, to a point on the Northeast right of way line of Alabama State Hwy. No. 70; thence turn a deflection angle of 96 deg. 33 min. 26.5 sec. to the right to the tangent of a right of way curve, and run along said r/w curve (whose Delta Angle is 20 deg. 35 min. 40.8 sec. to the left, Radius is 2011.32 feet, Tangent is 365.42 feet, Length of Curve is 722.96 feet); thence turn a deflection angle of 128 deg. 02 min. 48.5 sec. to the right and run a distance of 660.33 feet; thence turn a deflection angle of 11 deg. 58 min. 14.5 sec. to the left and run a distance of 50.56 feet, to the Southwest margin of Depot Street; thence turn a deflection angle of 99 deg. 00 min. 18 sec. to the right and run along said Depot Street, a distance of 380.00 feet, to the Southwest right of way of the L. & N. RR (tract removed), thence turn a deflection angle of 33 deg. 48 min. 43.6 sec. to the right and run along said r/w a distance of 82.42 feet; thence turn a deflection angle of 74 deg. 06 min. 48.6 sec. to the right and run a distance of 92.00 feet; thence turn a deflection angle of 94 deg. 50 min. 32.2 sec. to the left and run a distance of 250.00 feet to a point on the Southwest right of way of the L. & N. R.R. (tract abandoned), and run along said R/W a distance of 273.00 feet to the point of beginning. Situated in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 26, Township 21 South, Range 1 West, Town of Columbiana, Shelby County, Alabama.

Subject to restrictions as set forth on attached Exhibit "A".

Subject to property not owned individually by Grantors. Property herein conveyed individually by Grantors is made only to such extent as they individually own it.

COLUMBIANA, ALA

0383

As Built Survey

As of January 2, 1990

more), the following described real estate, situated in Shelby County, Alabama, as follows:

Commence at the Southeast corner of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 26, Township 21 South, Range 1 West; thence run Westerly along the South boundary line of said NW $\frac{1}{4}$ of NE $\frac{1}{4}$, a distance of 105.47 feet to the point of intersection of the Northeast right-of-way line of State Highway 70 and centerline of Alabama Gas Corporation Pipe line; thence turn an angle of 69° 48' 36" to the right and run Northwesterly along said pipeline centerline a distance of 36.39 feet to a point in the center of the Old Columbiana-Saginaw Road; thence turn an angle of 47° 51' 31" to the left and run Northwesterly along said road a distance of 53.93 feet to a point on the Southwest boundary line of said Alabama Gas Corporation Pipeline; thence turn an angle of 47° 51' 31" to the right and run Northwesterly along said boundary line a distance of 273.00 feet to a point; thence turn an angle of 20° 43' 43" to the left and run Northwesterly a distance of 166.0 feet to a #5 rebar marking the point of beginning of the parcel of land herein described; thence continue along the same line of direction for a distance of 84.00 feet to an iron pin found in place; thence turn an angle of 94° 50' 20" to the right and run Northeasterly a distance of 92.00 feet to an iron pin found in place; thence turn an angle of 74° 06' 49" to the left and run Northwesterly a distance of 82.42 feet to an iron pipe found in place on the back of curblin of Depot Street; thence turn an angle of 33° 48' 44" to the left and run Northwesterly along said back of curblin a distance of 30.03 feet to an iron pipe found in place; thence turn an angle of 82° 07' 39" to the left and run Southwesterly a distance of 539.10 feet to a point on the Northeast right-of-way line of State Highway 70; thence turn an angle of 122° 59' 00" to the left and run Southeasterly along a curve to the right (concave Southwesterly and having a radius of 2011.23 feet and a central angle of 5° 41' 59") for an arc distance of 200.07 feet to a point; thence turn an angle of 62° 59' 48" to the left and run Northeasterly a distance of 308.54 feet to the point of beginning. Said parcel of land is lying in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 26, Township 21 South, Range 1 West, Shelby County, Alabama. According to the survey of Lewis H. King, Jr.

Also, a nonexclusive easement for ingress and egress described as follows:

Begin at a point on the Southwest boundary line of Depot Street in Columbiana, Alabama, being the Northwest corner of the U.S. Postal Service property, which is also the Northeast corner of Spartan Foods property and lying in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 26, Township 21 South, Range 1 West; thence run Northwesterly along said Depot Street a distance of 25.0 feet to a point; thence turn an angle of 112° 54' 27" to the left and run in a Southerly direction a distance of 48.39 feet to a point on the common property line between the U.S. Postal Service and Spartan Foods; thence turn an angle of 149° 13' 12" to the left and run Northeasterly along said common property line a distance of 45.00 feet to the point of beginning.

The above property now known as Lot 3, Spartan Food System, Inc. Subdivision as recorded in Map Book 15, page 30, in the Office of the Judge of Probate of Shelby County, Alabama.

Subject to the following:

1. Roadway easement to Standard Oil Company as recorded in Deed Book 78, Page 178, in Probate Office.
2. Right-of-way to Shelby County as recorded in Deed Book 107, Page 406 and in Deed Book 161, Page 31, in Probate Office.
3. Permit to Alabama Power Company as reserved in Deed Book 311, Page 632 and Deed Book 221, Page 660, in Probate Office.

Surplus of
Columbiana
Property sold
2/6/91

COPY

Unit # 0339

MONTEVALLO, AL
Purchase-Hardee's

Purchased from Wilson (Lot 13)

Lot numbered Thirteen (13) in the Storrs and Troy allotment or plot of lands and lots, addition to the town of Montevallo, Shelby County, Alabama, according to the survey and plot of N.B. Dare, made January 22nd, 1884, which is duly recorded in the Office of the Probate Judge for Shelby County, Alabama, in Map Book 3 page 3. Said lot being situated in Shelby County, Alabama.

Purchased from Hicks (Lot 16)

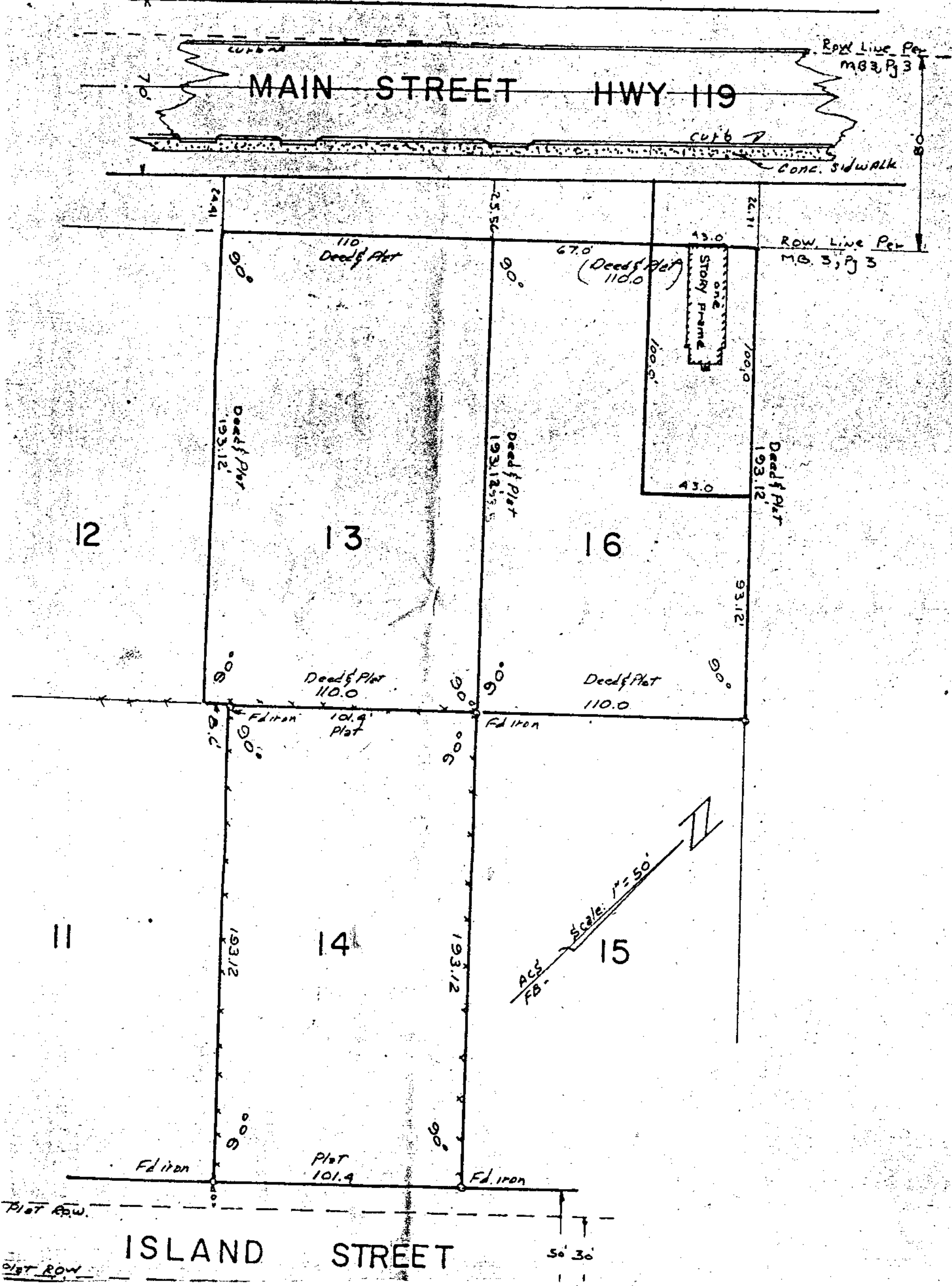
Lot Number 16, in the Storrs and Troy allotment of lands as the Town of Montevallo, according to survey and plat of N. B. Dare, January 22, 1884, which is recorded in the Probate Court of said County in Map Book 3 page 3.

LESS AND EXCEPT A part of Lot 16 in the Storrs and Troy Allotment of Lands at the town of Montevallo, according to Survey and Plat of N. B. Dare, January 22, 1884, which is recorded in the Probate Court of said County in Map Book 3 page 3. Said part of Lot 16 being more particularly described as follows: Begin at the Northmost corner of said Lot 16, said point being on the southerly side of Main Street, and run along the easterly side of said Lot 16 towards Island Street for a distance of 100 feet; thence run in a southwesterly direction and parallel with Main Street a distance of 43 feet; thence run in a northwesterly direction and parallel with the easterly side of said Lot 16 a distance of 100 feet to the southerly side of Main Street; thence run in a northeasterly direction along said southerly side of Main Street a distance of 43 feet to the point of beginning.

All being situated in Shelby County, Alabama.

Purchased from Elledge (Lot 14)

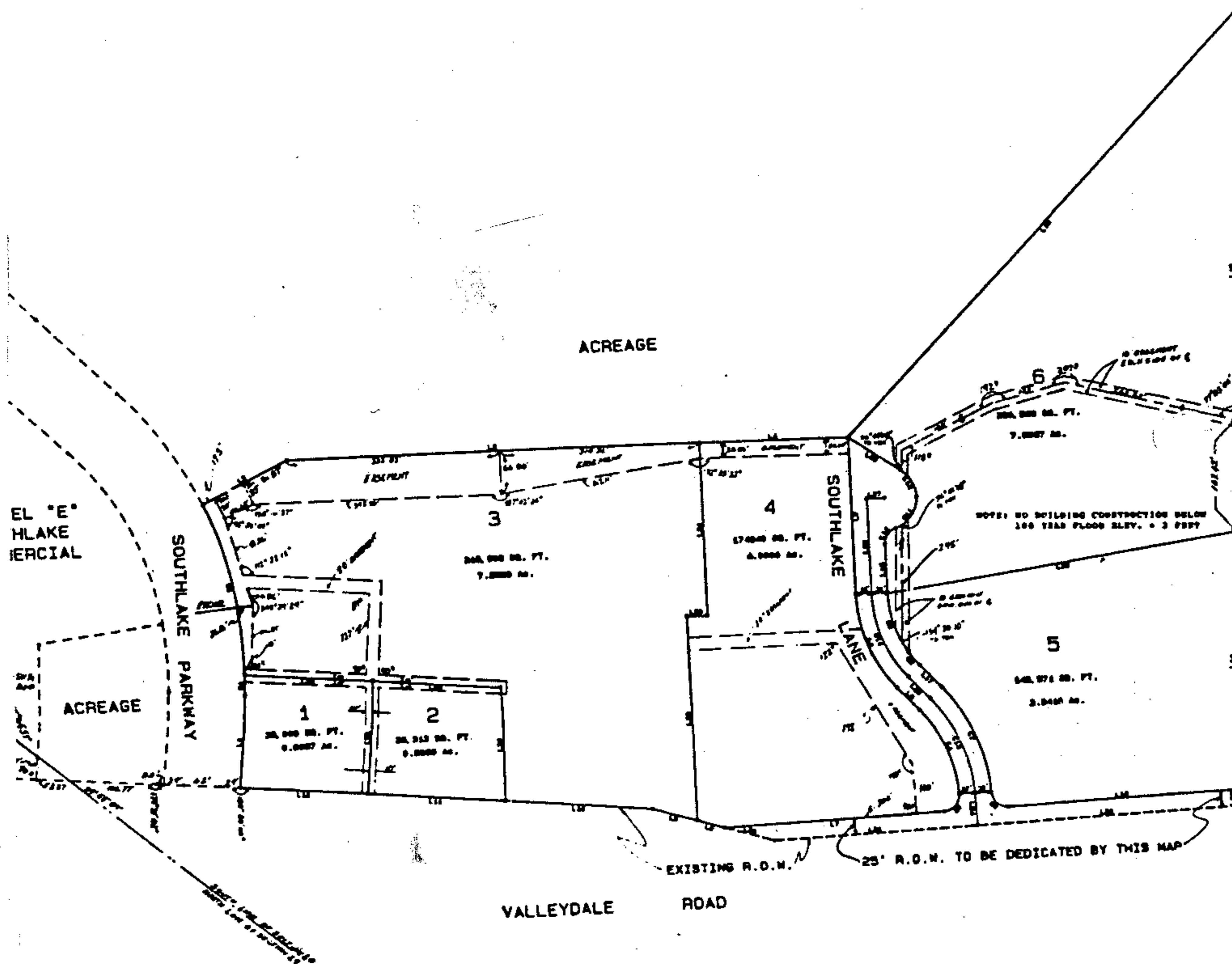
Lot 14, according to Storrs and Troy Addition to Town of Montevallo, Alabama, as surveyed by N.B. Dare, as recorded in Map Book 3 on page 3 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. EXCEPT the Southeast 10 feet for widening of Island Street.



0428
(M42)

EXHIBIT A

Lot 2, according to the Survey of Village on Valleydale at SouthLake, as recorded in Map Book 11, Page 84, in the Probate Office of Shelby County, Alabama.



HOOVER, ALA

As Built Survey

As of January 2, 1990

0428 Inst # 1993-02774

01/29/1993-02774
10:57 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
011 MCD 254.50