

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

**Important: Read Instructions on Back Before Filling out Form.**

☐ The Debtor is a transmitting utility  
as defined in ALA CODE 7-9-105(n).

No. of Additional  
Sheets Presented:

This FINANCING STATEMENT is presented to a Filing Officer for  
filing pursuant to the Uniform Commercial Code.

1. Return copy or recorded original to:

Bank Of The West  
~~xxx~~ P.O. Box 61000  
Truckee, CA 96160

Attn: Cathy Stewart

Pre-paid Acct. # \_\_\_\_\_

2. Name and Address of Debtor

(Last Name First if a Person)

EXPRESSWAY, INC.  
3071 Hwy 31 South  
Pelham, AL 35124

Social Security / Tax ID # \_\_\_\_\_

2A. Name and Address of Debtor

(IF ANY)

(Last Name First if a Person)

See Attached Exhibit dated May 15, 2001.

Social Security / Tax ID # \_\_\_\_\_

☒ Additional debtors on attached UCC-E

3. SECURED PARTY (Last Name First if a Person)

Bank Of The West  
~~xxx~~ P.O. Box 61000  
Truckee, CA 96160

Attn: Cathy Stewart

Social Security / Tax ID # \_\_\_\_\_

☐ Additional secured parties on attached UCC-E

5. The Financing Statement Covers the Following Types (or items) of Property:

Machinery, Equipment, Furniture, Fixtures; whether any of the foregoing is owned now or acquired later; all accessions, additions, replacements, and substitutions relating to any of the foregoing; all records of any kind relating to any of the foregoing; all proceeds relating to any of the foregoing (including insurance, general intangibles and accounts proceeds)..

This Financing Statement is to be recorded in the real estate records. Some or all of the collateral is located on the following described real estate: See Exhibit "A" attached hereto and made a part hereof for legal description

5A. Enter Code(s) From  
Back of Form That  
Best Describes the  
Collateral Covered  
By This Filing:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Check X if covered: ☒ Products of Collateral are also covered.

6. This statement is filed without the debtor's signature to perfect a security interest in collateral (check X if so)

- ☐ already subject to a security interest in another jurisdiction when it was brought into this state.  
☐ already subject to a security interest in another jurisdiction when debtor's location changed to this state.  
☐ which is proceeds of the original collateral described above in which a security interest is perfected.  
☐ acquired after a change of name, identity or corporate structure of debtor.  
☐ as to which the filing has lapsed.

7. Complete only when filing with the Judge of Probate:

The initial indebtedness secured by this financing statement is \$ \_\_\_\_\_

Mortgage tax due (15c per \$100.00 or fraction thereof) \$ \_\_\_\_\_

8. ☐ This financing statement covers timber to be cut, crops, or fixtures and is to be cross indexed in the real estate mortgage records (Describe real estate and if debtor does not have an interest of record, give name of record owner in Box 5)

Signature(s) of Secured Party(ies)  
(Required only if filed without debtor's Signature - see Box 6)

Signature(s) of Debtor(s)

Signature(s) of Debtor(s)

Claire Rebillot, President

Type Name of Individual or Business

Signature(s) of Secured Party(ies) or Assignee

Signature(s) of Secured Party(ies) or Assignee

Bank Of The West

Type Name of Individual or Business

(1) FILING OFFICER COPY - ALPHABETICAL  
(2) FILING OFFICER COPY - NUMERICAL

(3) FILING OFFICER COPY - ACKNOWLEDGEMENT  
(4) FILE COPY - SECOND PARTY(S)

(5) FILE COPY - DEBTOR(S)

STANDARD FORM - UNIFORM COMMERCIAL CODE - FORM UCC-1  
Approved by The Secretary of State of Alabama

# EXHIBIT TO UCC-1 FINANCING STATEMENT

DEBTOR:

May 15, 2001

EXPRESSWAY, INC. SSN / Tax ID #

MAILING ADDRESS:

3071 Hwy 31 South, Pelham, AL 35124

ADDITIONAL FILING NAMES:

Sneaky Pete's  
Sneaky Pete's Hot Dogs  
Sneaky Pete's Express

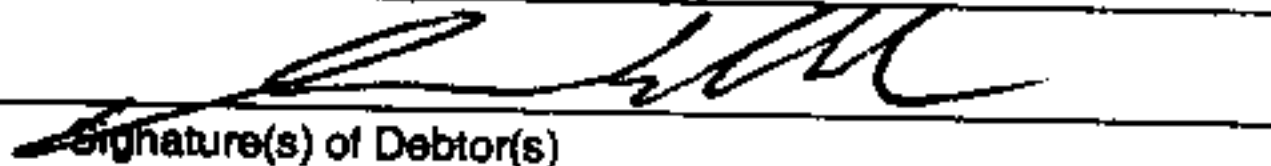
COLLATERAL DESCRIPTION:

Machinery, Equipment, Furniture, Fixtures; whether any of the foregoing is owned now or acquired later; all accessions, additions, replacements, and substitutions relating to any of the foregoing; all records of any kind relating to any of the foregoing; all proceeds relating to any of the foregoing (including insurance, general intangibles and accounts proceeds)..

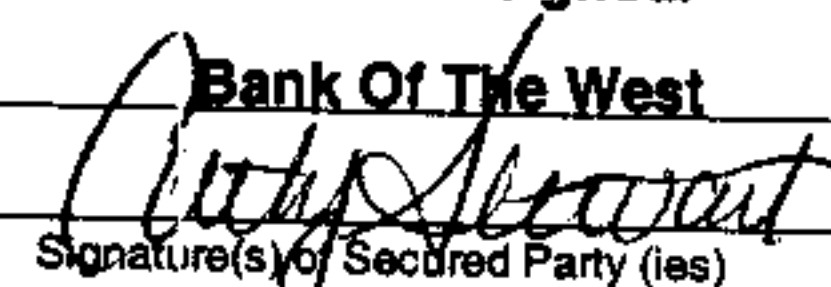
This Financing Statement is to be recorded in the real estate records. Some or all of the collateral is located on the following described real estate: See Exhibit "A" attached hereto and made a part hereof for legal description

This Exhibit is executed on the same date as the UCC-1 Financing Statement by Bank Of The West and the undersigned.

Claire Rebillot, President

  
Signature(s) of Debtor(s)

By:

Bank Of The West  
  
Signature(s) of Secured Party (ies)

## EXHIBIT A

Lots 6, 7 and 8, Block 1, according to the Survey of Pelham Estates, as recorded in Map Book 3, page 57, in the Probate Office of Shelby County, Alabama. TOGETHER WITH all rights, title and interest in and to that certain easement reserved in Book 345, Page 632, in the Probate Records of Shelby County, Alabama, more particularly described as follows:

Beginning at the Southwestern corner of the Burger King Property, thence running North  $9^{\circ}39'9''$  West along the right of way of U.S. Highway No. 31 for 5 feet to a point, thence departing said right of way and running South  $88^{\circ}9'8''$  East for 15 feet to a point, thence running South  $9^{\circ}39'9''$  East for 5 feet to a point on the Southern line of the above described tract, thence running North  $88^{\circ}9'8''$  West along the Southern line of the tract for 15 feet to an iron pin and the point of beginning.

LESS AND EXCEPT right of way of 4-lane Birmingham-Montgomery Highway. Situated in Shelby County, Alabama.

ALSO LESS AND EXCEPT property hereinafter referred to as the "Burger King Property", and being more particularly described as follows:

Lot 6 and the North  $\frac{1}{2}$  of Lot 7 of Block 1, Pelham Estates, as recorded in Map Book 3, page 57, in the Probate Office of Shelby County, Alabama, less and except that part of same said Lots 6 and N  $\frac{1}{2}$  of Lot 7, Block 1, Pelham Estates, that is incorporated into the right of way of Highway 31 (U.S. 31 South), same said property being described more particularly by metes and bounds as follows:

Commence at the Southwest corner of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 13, Township 20 South, Range 3 West, Shelby County, Thence run Easterly along the South line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  552.40 feet to a point on the East right of way line of U.S. Highway 31 (South) and the Northwest corner of Lot 1, Block 1, of Pelham Estates, thence run Southerly along the said East right of way line of said Highway 31 a chord distance of 500.22 feet to the Northwest corner fo Lot 6, Block 1, Pelham Estates and the point of beginning of the property being described, thence turn angle of  $78^{\circ}42'27''$  left from chord and run South  $88^{\circ}21'36''$  East a distance of 272.24 feet to an iron pin; thence turn an interior angle of  $99^{\circ}20'19''$  and run South  $07^{\circ}41'55''$  East a distance of 150.06 feet to an iron pin, thence turn an interior angle of  $80^{\circ}27'13''$  and run North  $88^{\circ}09'08''$  West a distance of 267.22 feet to a steel spike on the East right of way line of U.S. Highway 31, thence turn an interior angle of  $101^{\circ}30'01''$  and run North  $09^{\circ}39'09''$  West a distance of 150.01 feet to a steel spike on the East right of way line of said Highway U.S. 31, and the point of beginning.

Inst # 2001-21125

05/24/2001-21125

08:25 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 CJ1 17.00