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Shelby Cnty Judge of Probate, AL
05/04/2005 03:22:50PM FILED/CERT

UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER [optional]

aAnthony D. Snable, Attorney (205)939-0780

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

Anthony D. Snable, Attorney
1629 11th Avenue South
Birmingham, AL 35205

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (1a or 1b) - do not abbreviate or combine names

1a. ORGANIZATION'S NAME						
OR	1b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME	SUFFIX	
	Cates		Edward	L.	Mr.	
1c. MAILING ADDRESS			CITY	STATE	POSTAL CODE	COUNTRY
7996 Highway 70			Calera	AL	35040	USA
ADD'L INFO RE ORGANIZATION DEBTOR		1e. TYPE OF ORGANIZATION	1f. JURISDICTION OF ORGANIZATION	1g. ORGANIZATIONAL ID #, if any		
				<input type="checkbox"/> NONE		

2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (2a or 2b) - do not abbreviate or combine names

2a. ORGANIZATION'S NAME						
OR	2b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME	SUFFIX	
2c. MAILING ADDRESS			CITY	STATE	POSTAL CODE	COUNTRY
ADD'L INFO RE ORGANIZATION DEBTOR		2e. TYPE OF ORGANIZATION	2f. JURISDICTION OF ORGANIZATION	2g. ORGANIZATIONAL ID #, if any		
				<input type="checkbox"/> NONE		

3. SECURED PARTY'S NAME (or NAME of TOTAL ASSIGNEE of ASSIGNOR S/P) - insert only one secured party name (3a or 3b)

3a. ORGANIZATION'S NAME						
	First Financial Bank					
OR	3b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME	SUFFIX	
3c. MAILING ADDRESS			CITY	STATE	POSTAL CODE	COUNTRY
1630 4th Avenue North			Bessemer	AL	35020	USA

4. This FINANCING STATEMENT covers the following collateral:

SEE SCHEDULE "I" ATTACHED HERETO

5. ALTERNATIVE DESIGNATION [if applicable]:		<input type="checkbox"/> LESSEE/LESSOR	<input type="checkbox"/> CONSIGNEE/CONSIGNOR	<input type="checkbox"/> BAILEE/BAILOR	<input type="checkbox"/> SELLER/BUYER	<input type="checkbox"/> AG. LIEN	<input type="checkbox"/> NON-UCC FILING
6. <input checked="" type="checkbox"/> This FINANCING STATEMENT is to be filed [for record] (or recorded) in the REAL ESTATE RECORDS. Attach Addendum [if applicable]	7. Check to REQUEST SEARCH REPORT(S) on Debtor(s) [ADDITIONAL FEE] [optional]		<input type="checkbox"/> All Debtors		<input type="checkbox"/> Debtor 1	<input type="checkbox"/> Debtor 2	
8. OPTIONAL FILER REFERENCE DATA							

SCHEDULE I

All of Debtor's right, title and interest in, to, and under any and all of the following described land and interests in land, estates, easements, rights, improvements, personal property, fixtures, equipment, furniture, furnishings, appliances and appurtenances, including replacements and additions thereto (which property is hereinafter referred to collectively as the "Premises"), whether now owned or held or hereafter acquired:

(a) All those certain tracts or parcels of land located in Shelby County, Alabama, as more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof (the "Land"); and

(b) All buildings, structures and improvements of every nature whatsoever now or hereafter situated on the Land, and all gas and electric fixtures, radiators, heaters, engines and machinery, boilers, ranges, elevators and motors, plumbing and heating fixtures, carpeting and other floor coverings, water heaters, awnings and storm sashes, and cleaning apparatus which are or shall be attached to said buildings, structures or improvements, and all other furnishings, furniture, fixtures, machinery, equipment, appliances, vehicles and personal property of every kind and nature whatsoever now or hereafter owned by Debtor and located in, or about, or used or intended to be used with or in connection with the construction, use, operation or enjoyment of the Premises, including all extensions, additions, improvements, betterments, renewals and replacements, substitutions, or proceeds from a permitted sale of any of the foregoing, and all building materials and supplies of every kind now or hereafter placed or located on the Land (collectively the "Improvements"), all of which are hereby declared and shall be deemed to be fixtures and accessions to the Land and a part of the Premises as between the parties hereto and all persons claiming by, through or under them, and which shall be deemed to be a portion of the security for the indebtedness herein described and to be secured by a Mortgage and Security Agreement to be filed simultaneously herewith (the Mortgage"); and

(c) All easements, rights-of-way, strips and gores of land, vaults, streets, ways, alleys, passages, sewer rights, waters, water courses, water rights and powers, minerals, flowers, shrubs, crops, trees, timber and other emblements now or hereafter located on the Land or under or above the same or any part or parcel thereof, and all ground leases, estates, rights, titles, interests, privileges, liberties, tenements, hereditaments and appurtenances, reversions, and remainders whatsoever, in any way belonging, relating or appertaining to the Premises or any part thereof, or which hereafter shall in any way belong, relate or be appurtenant thereto, whether now owned or hereafter acquired by them; and

(d) All rents, issues, profits and revenues of the Premises from time to time accruing, including, without limitation, all sums due under any leases or tenancies, together with all proceeds of insurance, condemnation payments, security deposits and escrow funds, and all of the estate, right, title, interest, property, possession, claim and demand whatsoever at law, as well as in equity, of Debtor of, in and to the same reserving only the right to Debtor to collect the same so long as an event of Default has not occurred hereunder or such collection is not otherwise restricted by the Mortgage; and

(e) To the fullest extent assignable (if assignable by law), any and all licenses and permits obtained by Debtor relating to the use and operation of the Premises.

EXHIBIT "A"
LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN THE SW ¼ OF THE SE ¼ OF SECTION 33,
TOWNSHIP 21 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA AND
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SE CORNER OF ABOVE SAID SECTION, TOWNSHIP AND
RANGE; THENCE NORTH 01 DEGREES 10 MINUTES 04 SECONDS EAST, A
DISTANCE OF 774.13 FEET, THENCE NORTH 89 DEGREES 42 MINUTES 53
SECONDS WEST, A DISTANCE OF 1,633.66 FEET TO THE POINT OF BEGINNING,
THENCE NORTH 89 DEGREES 48 MINUTES 23 SECONDS WEST, A DISTANCE OF
234.97 FEET; THENCE NORTH 04 DEGREES 37 MINUTES 59 SECONDS EAST, A
DISTANCE OF 478.04 FEET TO A POINT ON THE SOUTHERLY R.O.W. LINE OF
ALABAMA HIGHWAY #70, 115 FOOT R.O.W., SAID POINT ALSO BEING THE
BEGINNING OF A NON TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF
1,592.11 FEET, A CENTRAL ANGLE OF 04 DEGREES 33 MINUTES 10 SECONDS,
AND SUBTENDED BY A CHORD WHICH BEARS NORTH 76 DEGREES 04
MINUTES 05 SECONDS EAST, AND A CHORD DISTANCE OF 126.48 FEET;
THENCE ALONG THE ARC OF SAID CURVE AND SAID R.O.W. LINE, A
DISTANCE OF 126.51 FEET TO THE POINT OF COMPOUND CURVE TO THE
RIGHT HAVING A RADIUS OF 1,453.05 FEET, A CENTRAL ANGLE OF 04
DEGREES 38 MINUTES 08 SECONDS, AND SUBTENDED BY A CHORD WHICH
BEARS NORTH 80 DEGREES 53 MINUTES 26 SECONDS EAST AND A CHORD
DISTANCE OF 117.52 FEET; THENCE ALONG THE ARC OF SAID CURVE AND
SAID R.O.W. LINE, A DISTANCE OF 117.56 FEET; THENCE SOUTH 04 DEGREES 36
MINUTES 38 SECONDS WEST AND LEAVING SAID R.O.W. LINE A DISTANCE OF
528.04 FEET TO THE POINT OF BEGINNING.

AS SHOWN ON SURVEY DATED APRIL 2, 2005 BY RODNEY SHIFLETT, AL REG.
SURVEY #21784.