

UCC FINANCING STATEMENT AMENDMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY



20081003000392910 1/3 \$30.00
Shelby Cnty Judge of Probate, AL
10/03/2008 02:34:01PM FILED/CERT

A. NAME & PHONE OF CONTACT AT FILER [optional] Barbara G. Payne 864-242-0079	
B. SEND ACKNOWLEDGMENT TO: (Name and Address) Ms. Barbara G. Payne c/o Professional Mortgage Company, Inc. Post Office Box 1806 Greenville, SC 29602-1806	

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1a. INITIAL FINANCING STATEMENT FILE # 20040305000113950 - Filed 3/5/04				1b. This FINANCING STATEMENT AMENDMENT is to be filed [for record] (or recorded) in the REAL ESTATE RECORDS. <input checked="" type="checkbox"/>					
2. <input type="checkbox"/> TERMINATION: Effectiveness of the Financing Statement identified above is terminated with respect to security interest(s) of the Secured Party authorizing this Termination Statement.									
3. <input checked="" type="checkbox"/> CONTINUATION: Effectiveness of the Financing Statement identified above with respect to security interest(s) of the Secured Party authorizing this Continuation Statement is continued for the additional period provided by applicable law.									
4. <input type="checkbox"/> ASSIGNMENT (full or partial): Give name of assignee in item 7a or 7b and address of assignee in item 7c; and also give name of assignor in item 9.									
5. AMENDMENT (PARTY INFORMATION): This Amendment affects <input type="checkbox"/> Debtor <u>or</u> <input type="checkbox"/> Secured Party of record. Check only <u>one</u> of these two boxes. Also check <u>one</u> of the following three boxes <u>and</u> provide appropriate information in items 6 and/or 7. <input type="checkbox"/> CHANGE name and/or address: Please refer to the detailed instructions in regards to changing the name/address of a party. <input type="checkbox"/> DELETE name: Give record name to be deleted in item 6a or 6b. <input type="checkbox"/> ADD name: Complete item 7a or 7b, and also item 7c; also complete items 7e-7g (if applicable).									
6. CURRENT RECORD INFORMATION:									
6a. ORGANIZATION'S NAME Stearns Investments, LLC									
OR									
6b. INDIVIDUAL'S LAST NAME		FIRST NAME		MIDDLE NAME		SUFFIX			
7. CHANGED (NEW) OR ADDED INFORMATION:									
7a. ORGANIZATION'S NAME									
OR									
7b. INDIVIDUAL'S LAST NAME		FIRST NAME		MIDDLE NAME		SUFFIX			
7c. MAILING ADDRESS		CITY		STATE		POSTAL CODE		COUNTRY	
7d. <u>SEE INSTRUCTIONS</u>		ADD'L INFO RE ORGANIZATION DEBTOR		7e. TYPE OF ORGANIZATION		7f. JURISDICTION OF ORGANIZATION		7g. ORGANIZATIONAL ID #, if any	
								<input type="checkbox"/> NONE	
8. AMENDMENT (COLLATERAL CHANGE): check only <u>one</u> box. Describe collateral <input type="checkbox"/> deleted or <input type="checkbox"/> added, or give entire <input type="checkbox"/> restated collateral description, or describe collateral <input type="checkbox"/> assigned.									

9. NAME OF SECURED PARTY OF RECORD AUTHORIZING THIS AMENDMENT (name of assignor, if this is an Assignment). If this is an Amendment authorized by a Debtor which adds collateral or adds the authorizing Debtor, or if this is a Termination authorized by a Debtor, check here <input type="checkbox"/> and enter name of DEBTOR authorizing this Amendment.							
9a. ORGANIZATION'S NAME American National Insurance Company							
OR							
9b. INDIVIDUAL'S LAST NAME		FIRST NAME		MIDDLE NAME		SUFFIX	

10. OPTIONAL FILER REFERENCE DATA Recorded Shelby County Probate Office		ANICO #17715 - PMC #90-020	
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TAX ID: 87-0131890



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EXHIBIT "One"

This Financing Statement covers the following collateral:

(a) all of the goods, articles of personal property, accounts, general intangibles, instruments, documents, furniture, furnishings, equipment and/or fixtures of every kind and nature whatever (including, without limitation, the items described in subsection (b) - (e) below) now or hereafter owned by Maker, in or hereafter placed in, or used or which may become used, in connection with or in the operation of the real estate described on Exhibit "A" attached hereto and made a part hereof (the "Mortgaged Premises"), together with all additions thereto, replacements thereof, substitutions therefor and all proceeds thereof;

(b) all rents, rentals, payments, compensations, revenues, profits, incomes, leases, licenses, concession agreements, insurance policies, plans and specifications, contract rights, accounts, escrowed funds, and general intangibles in any way relating to the Mortgaged Premises or used or useful in the use, enjoyment, ownership or operation of the Mortgaged Premises;

(c) all names, trade names, signs, marks, and trademarks under which the Mortgaged Premises, or any part thereof, is known or operated and all of Maker's rights to carry on the business of Maker under all such name or names and any variant or variance thereof;

(d) all deposits, awards, damages, payments, escrowed monies, insurance proceeds, condemnation awards or other compensation, and interests, fees, charges or payments accruing on or received from or to be received on any of the foregoing in any way relating to the Mortgaged Premises, or the ownership, enjoyment or operation of the Mortgaged Premises together with all proceeds of the foregoing described in this paragraph (d); and

(e) all products, proceeds, substitutions, and replacements of any of the above described collateral.

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EXHIBIT "A"

Lots 1 and 2, according to the Survey of Carmax Auto Super Store, as recorded in Map Book 30, page 140, in the Office of the Judge of Probate Shelby County, Alabama and in Map Book 37, page 59, in the Office of the Judge of Probate Jefferson County, Alabama, and being more particularly described as follows:

Lot 1:

Commence at the Southwest corner of the Northwest Quarter of the Northwest Quarter of Section 26, Township 19 South, Range 3 West, Huntsville Meridian, Shelby County, Alabama, thence run North 06°42'09" East, along the west boundary line of said quarter-quarter, for a distance of 325.89 feet to the Point of Beginning; thence continue North 06°42'09" East, along the west boundary line of said quarter-quarter, for a distance of 937.25 feet to a capped iron found on the southerly right-of-way line of Highway 150 (right-of-way width varies); thence run North 84°28'56" East, along said right-of-way, for a distance of 26.40 feet to a capped iron set (CA-00279) on the southwesterly right-of-way line of Alabama Highway 150 (right-of-way width 50 feet); thence, leaving said southwesterly right-of-way, run North 59°15'25" East, along said southerly right-of-way of Highway 150, for a distance of 55.71 feet to the northeasterly right-of-way line of Alabama Highway 150 (right-of-way width 50 feet); thence leaving said northeasterly right-of-way, run North 09°38'28" East, along said southerly right-of-way of Highway 150, for a distance of 48.22 feet; thence run North 59°00'28" East, along said southerly right-of-way of Highway 150, for a distance of 358.11 feet; thence run South 84°53'00" East, along said southerly right-of-way of Highway 150, for a distance of 69.43 feet to the southwesterly right-of-way line of Cahaba River Estates Drive (right-of-way width varies); thence run South 30°33'27" East, along said right-of-way, for a distance of 369.70 feet; thence run South 38°47'31" East, along said right-of-way, for a distance of 111.69 feet; thence run South 35°21'49" East, along said right-of-way, for a distance of 53.86 feet; thence run South 34°25'06" East, along said right-of-way, for a distance of 116.33 feet; thence run South 24°16'33" East, along said right-of-way, for a distance of 21.15 feet to the Point of Curvature of a curve to the left, having a radius of 230.50 feet, a central angle of 19°14'18", a chord length of 77.03 feet and a chord bearing of South 33°53'20" East; thence continue along the arc of said curve, and said right-of-way, for a distance of 77.40 feet to the Point of Tangency of said curve; thence, leaving said right-of-way, run South 60°08'55" West for a distance of 1123.26 feet to the Point of Beginning.

Lot 2:

Begin at the Southwest corner of the Northwest Quarter of the Northwest Quarter of Section 26, Township 19 South, Range 3 West, Huntsville Meridian, Shelby County, Alabama, thence run North 06°42'09" East, along the west boundary line of said quarter-quarter, for a distance of 325.89 feet; thence run North 60°08'55" East for a distance of 1123.26 feet to the westerly right-of-way line of Cahaba River Estates Drive (right-of-way width 50 feet); said point also being the Point of Curvature of a curve to the left, having a radius of 230.50 feet, a central angle of 22°29'23", a chord length of 89.90 feet and a chord bearing of South 54°45'10" East; thence continue along the arc of said curve, and said right-of-way, for a distance of 90.48 feet to the Point of Tangency of said curve; thence run South 70°44'05" East for a distance of 100.25 feet; thence, leaving said right-of-way, run South 49°48'24" West for a distance of 1271.62 feet to the south boundary line of the Northwest Quarter of the Northwest Quarter of Section 26, Township 19 South, Range 3 West, Huntsville Meridian, Shelby County, Alabama; thence run North 83°45'28" West, along said south line, for a distance of 210.24 feet to the Point of Beginning.