

1. Debtor(s) (Last Name, first) and address(es) DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, an AL l'td. p'ship 1200 Meadow Brook Corporate Park Birmingham, Alabama 35243	2. Secured Party(ies) and address(es) AMSOUTH BANK N.A. Post Office Box 11007 Birmingham, Alabama 35288 Attn: Real Estate Loan Dept.	3. Filing Officer (Date, Time, No., and Filing Office) 024207
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4. ☐ Debtor is a utility.

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

All of the equipment, fixtures, contract rights, general intangibles and tangible personal property of every nature now owned or hereafter acquired by Debtor, all additions, replacements, and proceeds thereof and all other property set forth in Schedule A attached hereto located on the real property described on Exhibit A attached hereto.

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

The initial indebtedness secured by this financing statement is \$

5,404,000.00

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

21.007. ☒ This financing statement covers real estate 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).8. Check X if covered: ☒ Products of Collateral are also covered.

No. of additional sheets presented

9. 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, 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.Filed with: **Probate Office of Shelby County, Alabama**

DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP
(SEE ATTACHED UCC-E FOR SIGNATURES)

Signature(s) of Debtor(s)

(1) FILING OFFICER COPY-ALPHABETICAL

Signature(s) of Secured Party(ies)

(Required only if filed without debtor's Signature-see Box 9)

EXTENSION SHEET FOR UNIFORM COMMERCIAL CODE FINANCING STATEMENTS

STATE OF **ALABAMA**TOTAL NUMBER OF SHEETS **4**

Filed with the Probate Office of Shelby County, Alabama:

"DEBTOR:"

DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, an Alabama limited partnership

By: **DANIEL REALTY INVESTMENT CORPORATION - OAK MOUNTAIN, an Alabama corporation, its sole General Partner**

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT WAS FILED
89 NOV -8 PM 1:46
JUDGE OF PROBATE

By: **Donald K Lloyd** [SEAL]Name: **DONALD K. LLOYD**Its: **SR VICE PRESIDENT**

DEBTOR

SECURED PARTY

2

(1) Filing Officer Copy — Alphabetical

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

SHEET No.

Brown Printing Co., Montgomery, Ala.

Tract II

Commence at the southeast corner of the NW $\frac{1}{4}$ of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama; thence N1°24'12"E on the east boundary of said NW $\frac{1}{4}$ a distance of 2226.61 feet to a point; thence N57°51'43"W a distance of 249.53 feet to a point on the southeast right-of-way of State Highway No. 119; thence S30°18'35"W on the southeast right-of-way of said Highway No. 119 a distance of 1243.80 feet to the point of curve; thence southwesterly along a curve to the left said curve having a central angle of 5°32'00" and a centerline radius of 5729.57 feet, a chord distance of 549.28 feet to the point of tangent; thence S24°52'40"W on the southeast right-of-way of said State Highway No. 119 a distance of 858.01 feet to a point on the south boundary of the NW $\frac{1}{4}$ of said Section 32; thence S89°11'44"E on the south boundary of said NW $\frac{1}{4}$ a distance of 1399.90 feet to the point of beginning.

All lying and being in the NW $\frac{1}{4}$ of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama, and containing 45.187 acres.

Tract V

To locate the point of beginning commence at the southwest corner of the NE $\frac{1}{4}$ of Section 34, Township 18 South, Range 1 West, Shelby County, Alabama; thence S89°36'14"E on the south boundary of the NE $\frac{1}{4}$ of Section 34 a distance of 1124.27 feet to a point on the northwest right-of-way of Dunnivant Valley Road, County Road No. 41; thence N17°04'05"E on the northwest right-of-way of said Dunnivant Valley Road a distance of 1189.04 feet to the point of curve; thence northeasterly along a curve to the right, said curve having a central angle of 19°50'13" and a centerline radius of 5729.57 feet, a chord distance of 351.06 feet to the point of beginning; thence continue northeasterly along a curve to the right, said curve having a central angle of 19°50'13" and a centerline radius of 5729.57 feet, a chord distance of 1640.86 feet to the point of tangent of said curve; thence N36°48'15"E on the northwest right-of-way of said Dunnivant Valley Road a distance of 723.77 feet to a point; thence N53°09'22"W a distance of 422.46 feet to a point; thence S36°49'59"W a distance of 738.54 feet to a point; thence S30°07'13"W a distance of 1320.29 feet to a point; thence S10°31'03"W a distance of 428.55 feet to a point on the north right-of-way of Hugh Daniel Drive; thence S68°34'25"E on the north right-of-way of said Hugh Daniel Drive; a distance of 323.09 feet to the point of beginning.

Less and except the following:

To locate the point of beginning commence at the southeast corner of Section 27, Township 18 South, Range 1 West, Shelby County, Alabama; thence run N1°37'07"E on the east boundary of said Section 27 a distance of 1293.84 feet to the northeast corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 27; thence S82°32'10"W a distance of 121.36 feet to a concrete monument found; thence S36°51'29"W a distance of 238.67 feet to a concrete monument found; thence S36°49'59"W a distance of 542.54 feet to the point of beginning; thence with a deflection angle of 47°01'33" to the left run in a southerly direction a distance of 231.75 feet to a point; thence with an interior angle of 227°04'49" to the left run in a southeasterly direction a distance of 253.90 feet to the northwest right-of-way of Shelby County Road No. 41; thence with an interior angle of 85°55'21" to the left run in a southwesterly direction and on the northwest right-of-way of said Shelby County Road No. 41 a distance of 41.51 feet to the beginning of a curve, said curve having a central angle of 19°50'13" and a centerline radius of 5729.57 feet; thence with an interior angle of 180°29'44" to the left run in a southwesterly direction along the northwest right-of-way of said Shelby County Road No. 41 a chord distance of 108.12 feet to a point; thence with an interior angle of 100°40'02" to the left run in a northwesterly direction a distance of 241.24 feet to a point; thence with an interior angle of 230°39'52" to the left run in a southwesterly direction a distance of 296.55 feet to a point; thence with an interior angle of 34°51'25" to the left run in a northeasterly direction a distance of 404.50 feet to a concrete monument found; thence with an interior angle of 173°17'14" to the left run in a northeasterly direction a distance of 196.00 feet to the point of beginning, containing 2.45 acres.

All lying and being in the N $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 and in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 27 and in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26, Township 18 South, Range 1 West, Shelby County, Alabama and containing 19.672 acres.

Tract VI

To locate the point of beginning commence at the southwest corner of the NE $\frac{1}{4}$ of Section 34, Township 18 South, Range 1 West, Shelby County, Alabama; thence S89°36'14"E on the south boundary of the NE $\frac{1}{4}$ of Section 34 a distance of 1124.27 feet to a point on the northwest right-of-way of Dunnavant Valley Road, County Road No. 41; thence N17°04'05"E on the northwest right-of-way of said Dunnavant Valley Road a distance of 1189.04 feet to the point of curve; thence northeasterly along a curve to the right, said curve having a central angle of 19°50'13" and a centerline radius of 5729.57 feet, a chord distance of 351.06 feet to a point on the northerly right-of-way of Hugh Daniel Drive; thence N68°34'25"W on the northerly right-of-way of Hugh Daniel Drive a distance of 323.09 feet to a point; thence N74°50'20"W on the northerly right-of-way of Hugh Daniel Drive a distance of 100.37 feet to the point of beginning; thence N10°30'53"E a distance of 378.49 feet to a point; thence S77°43'44"W a distance of 1727.79 feet to a point; thence N55°44'00"W a distance of 407.82 feet to a point; thence S23°39'03"W a distance of 618.94 feet to a point on the northerly right-of-way of Hugh Daniel Drive; thence S68°29'40"E on the northerly right-of-way of Hugh Daniel Drive a distance of 409.95 feet to the point of curve; thence S61°08'39"E on the northerly right-of-way of Hugh Daniel Drive a chord distance of 388.34 feet along a curve to the right having a central angle of 14°42'00" and a radius of 1517.79 feet to the point of reverse curve; thence N79°12'23"E on the northerly right-of-way of Hugh Daniel Drive a chord distance of 212.10 feet along a curve to the left having a central angle of 94°00'00" and a radius of 145.00 feet to the point of tangent; thence N32°12'21"E on the northerly right-of-way of Hugh Daniel Drive a distance of 164.89 feet to the point of curve; thence N53°50'56"E on the northerly right-of-way of Hugh Daniel Drive a chord distance of 398.33 feet along a curve to the right having a central angle of 43°17'11" and a radius of 540.00 feet to the point of tangent; thence N75°29'32"E on the northerly right-of-way of Hugh Daniel Drive a distance of 455.56 feet to the point of curve; thence N69°29'45"E on the northerly right-of-way of Hugh Daniel Drive a chord distance of 61.26 feet along a curve to the left having a central angle of 11°59'33" and a radius of 293.21 feet to the point of tangent; thence N63°29'59"E on the northerly right-of-way of Hugh Daniel Drive a distance of 195.02 feet to the point of curve; thence N80°10'17"E on the northerly right-of-way of Hugh Daniel Drive a chord distance of 195.08 feet along a curve to the right having a central angle of 33°20'37" and a radius of 340.00 feet to the point of beginning.

All lying in the N $\frac{1}{4}$ of Section 34, Township 18 South, Range 1 West, Shelby County, Alabama and containing 25.100 acres.

Tract VII

For the point of beginning commence at the northwest corner of the SE $\frac{1}{4}$ of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama; thence S1°25'11"W on the west boundary of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ a distance of 1308.92 feet to the southeast corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$; thence N89°20'05"W on the north boundary of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 32 a distance of 403.00 feet to a point; thence S38°25'11"W a distance of 310.00 feet to a point; thence S51°04'36"E a distance of 176.49 feet to a point; thence S16°44'33"E a distance of 285.61 feet to a point; thence S66°14'56"E a distance of 231.08 feet to a point; thence N65°18'23"E a distance of 283.49 feet to a point; thence S60°31'47"E a distance of 264.51 feet to a point; thence S31°04'37"W a distance of 86.24 feet to a point on the north right-of-way of Hugh Daniel Drive; thence S63°29'47"E along a curve to the right and on the north right-of-way of said Hugh Daniel Drive a distance of 60.19 feet to a point; thence N31°04'37"E a distance of 230.87 feet to a point; thence N78°21'39"E a distance of 270.12 feet to a point; thence N30°48'18"E a distance of 202.75 feet to a point; thence N18°10'07"W a distance of 878.58 feet to a point; thence N16°43'47"E a distance of 707.00 feet to a point; thence N29°42'07"E a distance of 207.41 feet to a point on the north boundary of said SE $\frac{1}{4}$ of Section 32; thence N88°43'44"W on the north boundary of said SE $\frac{1}{4}$ of Section 32 a distance of 820.34 feet to the point of beginning.

All lying and being in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and in the SE $\frac{1}{4}$ of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama, and containing 37.644 acres.

SCHEDULE A

All tangible personal property owned by Debtor and now or at any time hereafter located on or at the real estate described in Exhibit A attached hereto, or used in connection therewith, including, but not limited to: all goods, machinery, tools, insurance proceeds, equipment (including fire sprinklers and alarm systems, office air conditioning, heating, refrigerating, electronic monitoring, entertainment, recreational, window or structural cleaning rigs, maintenance, exclusion of vermin or insects, removal of dust, refuse or garbage and all other equipment of every kind), lobby and all other indoor or outdoor furniture (including tables, chairs, planters, desks, sofas, shelves, lockers and cabinets), wall beds, wall safes, furnishings, appliances (including ice boxes, refrigerators, fans, heaters, stoves, water heaters and incinerators), inventory, rugs, carpets and other floor coverings, draperies and drapery rods and brackets, awnings, window shades, venetian blinds, curtains, lamps, chandeliers and other lighting fixtures and office maintenance and other supplies; including, but not limited to, all refrigerators, ranges, dishwashers, disposals and hoods.

Together with all rents, issues, profits, royalties or other benefits derived from the real estate, and together with all leases or subleases covering any portion of the real estate described in Exhibit A, including, without limitation, all cash or security deposits, advance rentals, and deposits or payments of similar nature, and together with all additions and accessions thereto and replacements thereof; and together with all proceeds or sums payable in lieu of or as compensation for the loss or damage to any property covered hereby or the real property upon which said property covered hereby is or may be located; all rights in and to all pertinent present and future fire and/or hazard insurance policies; all fixtures; and together with all additions and accessions thereto and replacements thereof.

All fixtures, machinery, equipment, furniture and furnishings and personal property of every nature whatsoever now or hereafter owned by the Debtor and located in, on, or used or intended to be used in connection with or with the operation of said property, buildings, structures or other improvements, including all extensions, additions, improvements, betterments, renewals and replacements to any of the foregoing; all building materials, equipment, fixtures and fittings of every kind or character now owned or hereafter acquired by the Debtors for the purpose of being used or useful in connection with the improvements located or to be located on the hereinabove described real estate, whether such materials, equipment, fixtures and fittings are actually located on or adjacent to said real estate or not, and whether in storage or otherwise, wheresoever the same may be located. Personal property herein conveyed and mortgaged shall include, but without limitation, all lumber and lumber products, bricks, building stones and building blocks, sand and cement, roofing material, paint, doors, windows, hardware, nails, wires and wiring, plumbing and plumbing fixtures, heating and air conditioning equipment and appliances, electrical and gas equipment and appliances, pipes and piping, ornamental and decorative fixtures, furniture, and in general all building materials and equipment of every kind and character used or useful in connection with said improvements.

Tract VIII

To locate the point of beginning commence at the northeast corner of Section 5, Township 19 South, Range 1 West, Shelby County, Alabama; thence $S1^{\circ}33'28''W$ on the east boundary of said Section 5 a distance of 622.13 feet to a point; thence $N89^{\circ}25'47''W$ a distance of 1334.19 feet to a point; thence $N1^{\circ}31'43''E$ a distance of 298.63 feet to a point; thence $N88^{\circ}35'02''W$ a distance of 30.00 feet to the point of beginning; said point of beginning being the centerline of a 60 foot wide right-of-way easement, said right-of-way being 30 foot either side of said centerline; thence $N1^{\circ}31'43''E$ on the said centerline a distance of 225.02 feet to a curve to the left; said curve having a central angle of $61^{\circ}33'55''$ and a radius of 200.00 feet; thence $N29^{\circ}15'15''W$ a chord distance of 204.71 feet to the point of tangent; thence $N60^{\circ}02'12''W$ a distance of 189.02 feet to a curve to the right; said curve being a central angle of $15^{\circ}08'26''$ and a radius of 759.06 feet; thence $N52^{\circ}27'59''W$ a chord distance of 200.00 feet to the point of tangent; thence $N44^{\circ}53'46''W$ a distance of 83.35 feet to a point on the south right-of-way of Hugh Daniel Drive; thence on a curve to the right having a central angle of $60^{\circ}55'59''$ and a centerline radius of 582.42 feet; thence $N78^{\circ}51'52''W$ a chord distance of 490.97 feet to a curve to the left; said curve having a central angle of $43^{\circ}18'50''$ and a centerline radius of 337.47 feet; thence $N77^{\circ}17'34''W$ a chord distance of 219.56 feet to the point of tangent; thence $S81^{\circ}03'02''W$ on the south right-of-way of said Hugh Daniel Drive a distance of 205.60 feet to a point; thence $S11^{\circ}06'03''W$ a distance of 236.48 feet to a point; thence $S40^{\circ}33'24''W$ a distance of 102.25 feet to a point on the northeast right-of-way of U.S. Highway No. 280; thence along a curve to the right; said curve having a central angle of $89^{\circ}57'30''$ and a centerline radius of 2864.79 feet; thence $S30^{\circ}15'57''E$ a chord distance of 124.78 feet to a point; said point being on the south boundary of Section 32, Township 18 South, Range 1 West; thence $S89^{\circ}27'17''E$ on the south boundary of said Section 32 a distance of 128.28 feet to the northwest corner of the NE $\frac{1}{4}$ of Section 5, Township 19 South, Range 1 West; thence $S1^{\circ}29'58''W$ on the west boundary of said NE $\frac{1}{4}$ of Section 5 a distance of 52.66 feet to a point; thence $S58^{\circ}49'40''E$ a distance of 75.03 feet to a point; thence $S66^{\circ}45'53''E$ a distance of 74.00 feet to a point; thence $S40^{\circ}16'46''E$ a distance of 105.94 feet to a point; thence $S34^{\circ}22'18''E$ a distance of 239.66 feet to a point; thence $S67^{\circ}16'44''E$ a distance of 623.72 feet to a point; thence $S28^{\circ}13'35''W$ a distance of 131.19 feet to a point; thence $S88^{\circ}35'02''E$ a distance of 447.32 feet to the point of beginning.

All lying and being in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 32, Township 18 South, Range 1 West and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5, Township 19 South, Range 1 West, Shelby County, Alabama, and containing 15.337 acres.

Tract IX

To locate the point of beginning commence at the northeast corner of Section 5, Township 19 South, Range 1 West, Shelby County, Alabama; thence $S1^{\circ}33'28''W$ on the east boundary of said Section 5 a distance of 180.34 feet to the point of beginning; thence $N69^{\circ}34'34''W$ a distance of 528.29 feet to a point; thence $N45^{\circ}44'54''W$ a distance of 665.17 feet to a point on the south right-of-way of Hugh Daniel Drive; thence $N82^{\circ}46'51''W$ on the south right-of-way of said Hugh Daniel Drive a distance of 372.00 feet to a curve to the left; said curve having a central angle of $33^{\circ}47'17''$ and a centerline radius of 275.00 feet; thence $S80^{\circ}19'31''W$ a chord distance of 136.58 feet to the point of tangent; thence $S63^{\circ}25'53''W$ on the south right-of-way of said Hugh Daniel Drive a distance of 247.39 feet to a curve to the right; said curve having a central angle of $60^{\circ}55'59''$ and a centerline radius of 582.42 feet; thence $S70^{\circ}40'09''W$ a chord distance of 156.83 feet to a point; said point being the centerline of a 60 foot wide right-of-way easement; said right-of-way being 30 feet either side of centerline; thence $S44^{\circ}53'46''E$ on said centerline a distance of 83.35 feet to a curve to the left; said curve having a central angle of $15^{\circ}08'26''$ and a radius of 759.06 feet; thence $S52^{\circ}27'59''E$ a chord distance of 200.00 feet to the point of tangent; thence $S60^{\circ}02'12''E$ a distance of 189.02 feet to a curve to the right; said curve having a central angle of $61^{\circ}33'55''$ and a centerline radius of 200.00 feet; thence $S29^{\circ}15'15''E$ a chord distance of 204.71 feet to the point of tangent; thence $S1^{\circ}31'43''W$ a distance of 225.02 feet to the point of ending of said 60 foot wide right-of-way easement; thence $S88^{\circ}35'02''E$ a distance of 30.00 feet to a point on the west boundary of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 5; thence $S1^{\circ}31'43''W$ on the west boundary of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ a distance of 298.63 feet to the southwest corner of the N $\frac{1}{4}$ of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence $S89^{\circ}25'47''E$ on the south boundary of said N $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ a distance of 1334.19 feet to a point on the east boundary of said Section 5; thence $N1^{\circ}33'28''E$ on the east boundary of said Section 5 a distance of 481.81 feet to the point of beginning.

All lying and being in the SE $\frac{1}{4}$ of Section 32, Township 18 South, Range 1 West and in the N $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5, Township 19 South, Range 1 West, Shelby County, Alabama and containing 29.513 acres.

Tracts II, V, VI, VII, VIII and IX described above are described according to the Survey of Charley F. Foster, Alabama Registered Surveyor No. 8157 dated October 10, 1989.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
89 NOV -8 PM 11:06
JUDGE OF PROBATE