

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:

James E. Vann, Esquire
Donovan, Vann & Richey
1 Independence Plaza
Suite 510
Birmingham, AL 35209

Pre-paid Acct. #

2. Name and Address of Debtor

(Last Name First if a Person)

EDDLEMAN, BILLY D.
3157 Brook Highland Drive
Birmingham, AL 35242

Social Security/Tax ID #

2A. Name and Address of Debtor

(IF ANY)

(Last Name First if a Person)

EDDLEMAN, DOUGLAS D.
3157 Brook Highland Drive
Birmingham, AL 35242

Social Security/Tax ID #

☒ Additional debtors on attached UCC-E

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

Highland Bank
2211 Highland Avenue South
P. O. Box 55338
Birmingham, AL 35255

Social Security/Tax ID #

☐ Additional secured parties on attached UCC-E

5. The 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 Debtors, 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.

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

ADDITIONAL SECURITY FOR MORTGAGE RECORDED AT REAL
VOLUME 1993 PAGE 42017.

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 \$ 1,550,000.00

Mortgage tax due (15¢ 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)

HIGHLAND BANK

BY:

ITS: *[Signature]*

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

Highland Bank

Type Name of Individual or Business

Signature(s) of Debtor(s)

Signature(s) of Debtor(s)

Billy D. Eddleman and Douglas D. Eddleman

Type Name of Individual or Business

UNIFORM COMMERCIAL CODE ADDITIONAL SHEET UCC-E

Important: Read Instructions on Back Before Filling out Form.

1) Page 2 of 4

1. Name and Address of Debtor (Last Name First if a Person)

**Eddleman Club Properties, an Alabama
general partnership
3157 Brook Highland Drive
Birmingham, AL 35242**

Social Security/Tax ID # n/a

1A. Name and Address of Debtor (IF ANY) (Last Name First if a Person)

Social Security/Tax ID # _____

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

2B.

THIS SPACE FOR USE OF FILING OFFICER
Date, Time, Number & Filing Office

**Inst # 1993-42019
12/30/1993-42019
04:18 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 19.00**

5. This Additional Sheet covers the following Additional Types (or items) of Property:

5A. Collateral Code:

Eddleman Club Properties, an Alabama

general partnership

By: [Signature] **Its: General Partner**

Eddleman Club Properties

Type Name of Individual or Business

Highland Bank

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

By: [Signature]

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

Type Name of Individual or Business

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 alarms systems, 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 construction or 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.

All Debtor's rights in and to the contracts, agreements, and other documents relating to the construction of the improvements on the property described in EXHIBIT "A", including without limitation, construction contracts, drawings and specifications, together with any additions, extensions, revisions, modifications, or guarantees of performance or obligations to Debtor under any of the above.

EXHIBIT A

A parcel of land situated in Section 29, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of said Section 29 and run North $45^{\circ}09'34''$ West for a distance of 28.13 feet to a point; thence run North $89^{\circ}32'01''$ East and parallel to and 20 feet from the South line of said Section 29, for a distance of 537.00 feet to a point; thence run North $30^{\circ}56'59''$ East for a distance of 143.27 feet to a point; thence run North $42^{\circ}46'42''$ East for a distance of 185.70 feet to a point; thence run North $47^{\circ}37'05''$ East for a distance of 264.61 feet to a point; thence run North $22^{\circ}17'13''$ East for a distance of 301.78 feet to the point of beginning; thence run North $0^{\circ}37'52''$ East for a distance of 274.24 feet to a point; thence run North $19^{\circ}04'19''$ West for a distance of 170.02 feet to a point; thence run North $0^{\circ}31'53''$ East for a distance of 354.16 feet to a point; thence run North $26^{\circ}26'50''$ East for a distance of 156.52 feet to a point; thence run North $68^{\circ}44'47''$ West for a distance of 204.61 feet to a point on a curve with a radial bearing in of North $68^{\circ}44'47''$ West and a central angle of $21^{\circ}37'00''$ and a radius of 503.60 feet; thence run in a Northeasterly direction along the arc of said curve for a distance of 190.00 feet to a point; thence run North $0^{\circ}21'46''$ West for a distance of 34.07 feet to a point on a curve to the right having a radius of 25.00 feet and a central angle of $85^{\circ}43'52''$; thence run in a Northeasterly direction along the arc of said curve for a distance of 37.41 feet to a point; thence run North $10^{\circ}23'14''$ West for a distance of 60.30 feet to a point; thence run North $4^{\circ}37'54''$ West for a distance of 190.25 feet to a point; thence run North $56^{\circ}26'39''$ East for a distance of 271.76 feet to a point; thence run North $36^{\circ}55'41''$ East for a distance of 548.63 feet to a point; thence run South $4^{\circ}18'02''$ East for a distance of 25.13 feet to a point; thence run South $22^{\circ}41'38''$ East for a distance of 135.05 feet to a point; thence run South $31^{\circ}42'55''$ East for a distance of 135.05 feet to a point; thence run South $40^{\circ}44'12''$ East for a distance of 135.05 feet to a point; thence run North $44^{\circ}45'09''$ East for a distance of 160.00 feet to a point on a curve to the left which is concave to the Northeast having a radius of 698.62 feet and a central angle of $21^{\circ}17'13''$ and a radial bearing in of North $44^{\circ}45'09''$ East, said point being on the Southwest right of way line of Brook Highland Drive; thence run in a Southeasterly direction along the arc of said curve and also along said right of way for a distance of 259.56 feet to a point; thence leaving said right of way, turn an interior counterclockwise angle of $95^{\circ}13'00''$ from the chord of said curve and run South $28^{\circ}53'33''$ West for a distance of 47.48 feet to a point; thence run North $66^{\circ}39'46''$ West for a distance of 107.74 feet to a point on a curve to the right having a radius of 379.40 feet and a central angle of $13^{\circ}41'52''$ and a radial bearing in of North $46^{\circ}33'42''$ West; thence run in a Southwesterly direction along the arc of said curve for a distance of 90.70 feet to a point on a reverse curve to the left having a radius of 219.48 feet and a central angle of $47^{\circ}00'00''$ and a radial bearing in of South $32^{\circ}51'50''$ East; thence run in a Southwesterly direction along the arc of said curve for a distance of 180.04 feet to a point on a reverse curve to the right having a radius of 223.21 feet and a central angle of $47^{\circ}17'11''$ and a radial bearing in of North $79^{\circ}51'50''$ West; thence run in a Southwesterly direction along the arc of said curve for a distance of 184.21 feet to a point; thence run South $46^{\circ}04'46''$ East for a distance of 149.77 feet to a point; thence run South $34^{\circ}58'49''$ West for a distance of 489.75 feet to a point; thence run South $38^{\circ}20'33''$ West for a distance of 267.91 feet to a point; thence run South $27^{\circ}03'21''$ West for a distance of 64.86 feet to a point; thence run South $13^{\circ}31'38''$ West for a distance of 82.06 feet to a point; thence run South $4^{\circ}11'23''$ West for a distance of 167.84 feet to a point; thence run South $19^{\circ}36'28''$ West for a distance of 351.86 feet to a point; thence run South $29^{\circ}33'44''$ West for a distance of 52.83 feet to a point; thence run North $21^{\circ}28'32''$ West for a distance of 65.36 feet to the point of beginning.

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