

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

Important: Read Instructions on Back Before Filling out Form.

<input type="checkbox"/> 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 One Independence Plaza Suite 510 Birmingham, AL 35209 Pre-paid Acct. # _____		<div style="writing-mode: vertical-rl; transform: rotate(180deg);"> Inst # 1994-00773 </div> <div style="writing-mode: vertical-rl; transform: rotate(180deg);"> 01/10/1994-00773 09:19 AM CERTIFIED SHELBY COUNTY JUDGE OF PROBATE 004 MCD 18.00 </div>												
2. Name and Address of Debtor (Last Name First if a Person) Daughtry, Charles S. 2505 Vale Drive Birmingham, AL 35244 Social Security/Tax ID # _____														
2A. Name and Address of Debtor (IF ANY) (Last Name First if a Person) Social Security/Tax ID # _____														
<input type="checkbox"/> Additional debtors on attached UCC-E														
3. SECURED PARTY (Last Name First if a Person) First Commercial Bank P.O. Box 11746 Birmingham, AL 35202-1746 Social Security/Tax ID # _____		4. ASSIGNEE OF SECURED PARTY (IF ANY) (Last Name First if a Person)												
<input type="checkbox"/> 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 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. <div style="text-align: right;"> 5A. Enter Code(s) From Back of Form That Best Describes The Collateral Covered By This Filing: <table style="margin-left: auto;"> <tr><td>2</td><td>0</td><td>0</td></tr> <tr><td>3</td><td>0</td><td>0</td></tr> <tr><td>5</td><td>0</td><td>0</td></tr> <tr><td>6</td><td>0</td><td>0</td></tr> </table> </div>			2	0	0	3	0	0	5	0	0	6	0	0
2	0	0												
3	0	0												
5	0	0												
6	0	0												
Check X if covered: <input type="checkbox"/> 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) <input type="checkbox"/> already subject to a security interest in another jurisdiction when it was brought into this state. <input type="checkbox"/> already subject to a security interest in another jurisdiction when debtor's location changed to this state. <input type="checkbox"/> which is proceeds of the original collateral described above in which a security interest is perfected. <input type="checkbox"/> acquired after a change of name, identity or corporate structure of debtor <input type="checkbox"/> 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 \$ 440,000.00 Mortgage tax due (15¢ per \$100.00 or fraction thereof) \$ _____												
8. <input checked="" type="checkbox"/> 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 Debtor(s) <u>Charles S. Daughtry</u> Charles S. Daughtry Type Name of Individual or Business		Signature(s) of Secured Party(ies) <u>First Commercial Bank</u> BY: [Signature] Signature(s) of Secured Party(ies) or Assignee ITS: [Signature] Signature(s) of Secured Party(ies) or Assignee First Commercial Bank Type Name of Individual or Business												

EXHIBIT "A"

A parcel of land situated in Section 21, Township 18 South, Range 1 West, being more particularly described as follows:

Commence at the Southwest corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21; thence North 42°44'15" East along the Northeasterly diagonal of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section, 274.16 feet to the point of beginning; thence continue along last described course 1,206.54 feet to a point; thence South 47°15'45" East, 390.28 feet to a point; thence South 38°43'18" West, 204.55 feet to the beginning of a curve to the right, said curve having a central angle of 15°00'00", a radius of 1,783.48 feet, an arc length of 466.92 feet and a chord of 465.58 feet as measured along a bearing of South 46°13'17" West; thence along said arc, 466.92 feet to the point of tangency; thence South 53°43'17" West, 313.69 feet to the beginning of a curve to the right, said curve having a central angle of 75°01'00", a radius of 279.43 feet, an arc length of 365.85 feet and a chord of 340.27 feet, as measured along a bearing of North 88°46'14" West; thence along said arc 365.85 feet to the point of tangency; thence North 51°15'45" West, 61.88 feet to the point of beginning; being situated in Shelby County, Alabama.

ALSO an Easement for ingress and egress described as follows:

A parcel of land situated in Sections 21 and 22, Township 18 South, Range 1 West, being more particularly described as follows:

Commence at the Southwest corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21, thence North 42°44'15" East along the Northeasterly diagonal of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 214.01 feet to the point of beginning; thence South 51°15'45" East 66.07 feet to the beginning of a curve to the left, said curve having a central angle of 75°01'00", a radius of 339.43 feet, an arc length of 444.41 feet, and a chord of 413.34 feet as measured along a bearing of South 88°46'14" East, thence along said arc, 444.41 feet to the point of tangency; thence North 53°43'17" East 313.69 feet to the beginning of a curve to the left, said curve having a central angle of 15°00'00", a radius of 1,843.48 feet, an arc length of 482.62 feet, and a chord of 481.24 feet as measured along a bearing of North 46°13'17" East; thence along said arc 482.62 feet to the point of tangency; thence North 38°43'18" East 361.44 feet to the beginning of a curve to the right, said curve having a central angle of 34°29'30", a radius of 400.86 feet, an arc length of 241.31 feet and a chord of 237.69 feet as measured along a bearing of North 55°58'03" East; thence along said arc, 241.31 feet to the point of tangency; thence North 73°12'48" East, 110.00 feet to the beginning of a curve to the left, said curve having a central angle of 32°30'00", a radius of 364.51 feet, an arc length of 206.76 feet, and a chord of 204.00 feet as measured along a bearing of North 56°57'48" East, thence along said arc 206.76 feet to the point of tangency; thence North 40°42'48" East 120.00 feet to the beginning of a curve to the right, said curve having a central angle of 46°45'00" a radius of 270.77 feet, an arc length of 220.93 feet, and a chord of 214.86 feet as measured along a bearing of North 64°05'18" East; thence along said arc, 220.93 feet to the point of tangency; thence North 87°27'48" East 427.50 feet to the beginning of a curve to the left, said curve having a central angle of 12°16'20", a radius of 509.54 feet, an arc length of 109.14 feet, and a chord of 108.93 feet as measured along a bearing of North 81°19'38" East; thence along said arc, 109.14 feet to the point of tangency; thence North 75°11'29" East, 136.33 feet to the beginning of a curve to the right, said curve having a central angle of 12°15'00", a radius of 855.28 feet, an arc length of 182.86 feet and a chord of 182.51 feet as measured along a bearing of North 81°18'59", East; thence along said arc, 182.86 feet to the point of tangency and the intersection of the North line of the SW $\frac{1}{4}$ of Section 22; thence South 87°26'28" West, and along said $\frac{1}{4}$ line 422.98 feet to the Northwest corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 22; thence South 87°27'48" West and along said $\frac{1}{4}$ line 427.50 feet to the beginning of a curve to the left said curve having a central angle of 46°45'00", a radius of 330.77 feet, an arc length of 269.89 feet, and a chord of 262.47 feet, as measured along a bearing of South 64°05'18" West; thence along said arc 269.89 feet to the point of tangency; thence South 40°42'48" West, 120.00 feet to the beginning of a curve to the right, said curve having a central angle of 32°30'00", a radius of 304.51 feet, an arc length of 172.73 feet, and a chord of 170.42 feet, as measured along a bearing of South 64°05'18" West; thence along said arc, 172.73 feet to the point of tangency;

EXHIBIT "A", continued:

thence South $73^{\circ}12'48''$ West 110.00 feet to the beginning of a curve to the left, said curve having a central angle of $34^{\circ}29'30''$, a radius of 460.86 feet, an arc length of 277.43 feet and a chord of 273.26 feet, as measured along a bearing of South $55^{\circ}58'03''$ West; thence along said arc 277.43 feet to the point of tangency; thence South $38^{\circ}43'18''$ West, 361.44 feet to the beginning of a curve to the right, said curve having a central angle of $15^{\circ}00'00''$, a radius of 1,783.48 feet, an arc length of 466.92 feet and a chord of 465.58 feet as measured along a bearing of South $46^{\circ}13'17''$ West; thence along said arc 466.92 feet to the point of tangency; thence South $53^{\circ}43'17''$ West, 313.69 feet to the beginning of a curve to the right, said curve having a central angle of $75^{\circ}01'00''$, a radius of 279.43 feet, an arc length of 365.85 feet and a chord of 340.27 feet, as measured along a bearing of North $88^{\circ}46'14''$ West; thence along said arc, 365.85 feet to the point of tangency; thence North $51^{\circ}15'45''$ West, 61.88 feet to a point on the Northeast diagonal of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21; thence South $42^{\circ}44'15''$ West along said diagonal, 60.15 feet to the point of beginning; being situated in Shelby County, Alabama.

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.

Inst # 1994-00773

01/10/1994-00773
09:19 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MCD 18.00