

STATE OF ALABAMA — UNIFORM COMMERCIAL CODE STATEMENTS OF CONTINUATION, PARTIAL RELEASE, ASSIGNMENT, ETC. — FORM UCC-3

Important: Read Instructions on Back Before Filling out Form.

REORDER FROM
Register, Inc.
514 PIERCE ST.
P.O. BOX 218
ANDOKA, MN. 55303
(612) 421-1713

| | | |
|--|--|---|
| <input type="checkbox"/> The Debtor is a transmitting utility as defined in ALA CODE 7-9-105(n). | No. of Additional Sheets Presented: <u>2</u> | This FINANCING STATEMENT is presented to a Filing Officer for filing pursuant to the Uniform Commercial Code. |
| 1. Return copy or recorded original to Jill Verdeyen Deer, Esq. Burr & Forman 420 North 20th Street 3000 SouthTrust Tower Birmingham, Alabama 35203 Pre-paid Acct. # _____ | | THIS SPACE FOR USE OF FILING OFFICER Date, Time, Number & Filing Office <div style="writing-mode: vertical-rl; transform: rotate(180deg);"> Inst # 1994-22327 07/15/1994-22327 04:21 PM CERTIFIED SHELBY COUNTY JUDGE OF PROBATE 003 HCD 12:00 </div> |
| 2. Name and Address of Debtor (Last Name First if a Person) Brook Highland Limited Partnership 1900 International Drive Suite 303 Birmingham, Alabama 35243 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. NAME AND ADDRESS OF SECURED PARTY (Last Name First if a Person) SouthTrust Bank of Alabama, National Association Post Office Box 2554 Birmingham, Alabama 35290 Attn: Commercial Real Estate Department Social Security/Tax ID # _____ | | 4. ASSIGNEE OF SECURED PARTY (IF ANY) (Last Name First if a Person) FILED WITH: Judge of Probate, Shelby County |
| <input type="checkbox"/> Additional secured parties on attached UCC-E | | |
| 5. <input type="checkbox"/> This statement refers to original Financing Statement bearing File No. <u>Instrument #1993-32323</u> Filed with <u>Judge of Probate of Shelby County</u> Date Filed <u>October 20</u> , 19 <u>93</u> | | |
| 6. <input type="checkbox"/> Continuation. The original financing statement between the foregoing Debtor and Secured Party, bearing file number shown above, is still effective. 7. <input type="checkbox"/> Termination. Secured Party no longer claims a security interest under the financing statement bearing the file number shown above. 8. <input type="checkbox"/> Partial or Assignment. The Secured Party's right under the financing statement bearing file number shown above to the property described in item 11 or to all of the property listed on this file, is assigned to the assignee whose name and address appears in item 4. 9. <input checked="" type="checkbox"/> Amendment. Financing statement bearing file number shown above is amended as set forth in item 11. 10. <input type="checkbox"/> Partial Release. Secured Party releases the collateral described in item 11 from the financing statement bearing file number shown above. | | |
| 11. Exhibit A to the financing statement referenced above is deleted in its entirety and replaced with Exhibit A-1 attached hereto. | | |

11A. Enter Code(s) From Back of Form That Best Describes The Collateral Covered By This Filing:

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| | |

Check X if covered: ☐ Products of Collateral are also covered.

See Schedule 1 for signatures

Signature(s) of Debtor(s)

Signature(s) of Debtor(s) (necessary only if item 9 is applicable)

Type Name of Individual or Business

See Schedule 1 for signatures

Signature(s) of Secured Party(ies)

Signature(s) of Secured Party(ies)

Type Name of Individual or Business

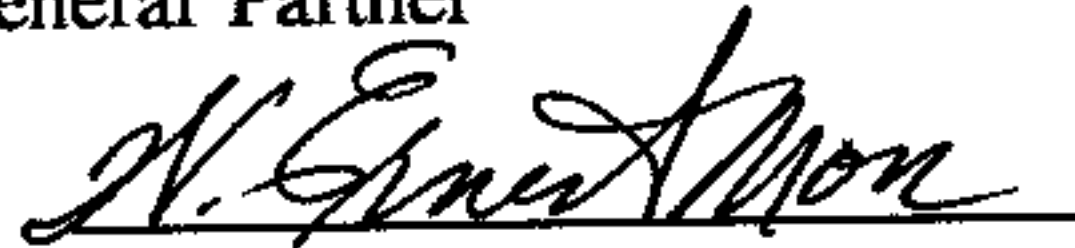
SCHEDULE 1
TO UCC-3 FINANCING STATEMENT
NAMING BROOK HIGHLAND LIMITED PARTNERSHIP AS DEBTOR
AND SOUTHTRUST BANK OF ALABAMA,
NATIONAL ASSOCIATION AS SECURED PARTY

DEBTOR'S SIGNATURE:

**BROOK HIGHLAND LIMITED
PARTNERSHIP**

By: BW 280 Limited Partnership
Its General Partner

By: Alex Baker, Inc.
Its General Partner

By: 
W. Ernest W. Moss
Its Vice President

SECURED PARTY'S SIGNATURE:

SOUTHTRUST BANK OF ALABAMA,
NATIONAL ASSOCIATION, a national banking
association

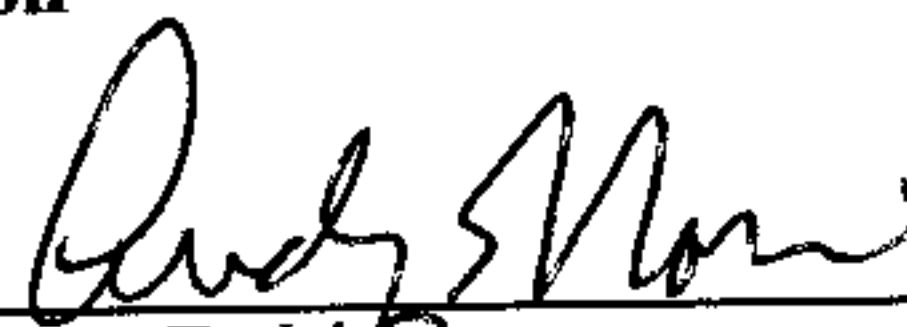
By: 
Its: Sup

EXHIBIT A-1
TO UCC-3 FINANCING STATEMENT
NAMING BROOK HIGHLAND LIMITED PARTNERSHIP AS DEBTOR
AND SOUTHTRUST BANK OF ALABAMA,
NATIONAL ASSOCIATION AS SECURED PARTY

Lots 1, 1A, 1B, 1C, 1D, 1E, 1F, 2, 2A, and 2B, according to the Brook Highland Plaza resurvey, as recorded in Map Book 18, Page 99 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Together with all right, title and interest in, to and under the following instruments:

(i) Declaration of Easements and Restrictive Covenants (Brook Highland Development - 1.35 acre Out Parcel) by AmSouth Bank, N.A., as Ancillary Trustee for NCNB National Bank of North Carolina, as Trustee for the Public Employees Retirement System of Ohio, dated August 29, 1990, and recorded in Real 307, Page 985 in said Probate Office.

(ii) Easement Agreement dated October 12, 1993, by and between AmSouth Bank, N.A., as Ancillary Trustee for NationsBank of North Carolina, N.A. as Trustee for the Public Employees Retirement System of Ohio.

Inst # 1994-22327

07/15/1994-22327
04:21 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 12.00