

<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: William S. Wright Balch & Bingham P.O. Box 306 Birmingham, AL 35201 Pre-paid Acct. # _____			THIS SPACE FOR USE OF FILING OFFICER Date, Time, Number & Filing Office <div style="text-align: center;">09/27/1994-29307 12:24 PM CERTIFIED SHELBY COUNTY JUDGE OF PROBATE</div>	
2. Name and Address of Debtor (Last Name First if a Person) DOUBLE MOUNTAIN, L.L.C. 211 22nd Street North Birmingham, AL 35203 Social Security/Tax ID # _____			FILED WITH: JUDGE OF PROBATE OF SHELBY COUNTY, AL	
2A. Name and Address of Debtor (IF ANY) (Last Name First if a Person) Social Security/Tax ID # _____				
3. NAME AND ADDRESS OF SECURED PARTY (Last Name First if a Person) COMPASS BANK 15 South 20th Street Birmingham, AL 35233 Social Security/Tax ID # _____				
4. ASSIGNEE OF SECURED PARTY (IF ANY) (Last Name First if a Person)				
<input type="checkbox"/> Additional debtors on attached UCC-E				
<input type="checkbox"/> Additional secured parties on attached UCC-E				
5. The Financing Statement Covers the Following Types (or items) of Property:				
<div>SEE EXHIBITS A AND B HERETO WHICH ARE INCORPORATED HEREIN BY REFERENCE.</div> <div>5A. Enter Code(s) From Back of Form That Best Describes The Collateral Covered By This Filing: _____ _____ _____ _____ _____ _____ _____ _____</div>				
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 \$ <u>\$4,500,000</u> Mortgage tax due (15¢ per \$100.00 or fraction thereof) \$ <u>-0-</u>	
DOUBLE MOUNTAIN, L.L.C. By: <u>[Signature]</u> Signature(s) of Debtor(s) Its: <u>[Signature]</u> Signature(s) of Debtor(s) DOUBLE MOUNTAIN, L.L.C. Type Name of Individual or Business			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 Secured Party(ies) (Required only if filed without debtor's Signature — see Box 6) COMPASS BANK By: <u>[Signature]</u> Signature(s) of Secured Party(ies) or Assignee Its: <u>Vice President</u> Signature(s) of Secured Party(ies) or Assignee COMPASS BANK Type Name of Individual or Business	

EXHIBIT A
TO UCC-1 FINANCING STATEMENT FROM
DOUBLE MOUNTAIN, L.L.C. TO COMPASS BANK

DESCRIPTION OF COLLATERAL

All rents, leases, profits and royalties from or relating to the property described in **Exhibit B**. All buildings, structures, and improvements of every nature whatsoever now or hereafter situated on the property described in **Exhibit B**, and all fixtures, fittings, building materials, machinery, equipment, furniture and furnishings and personal property of every nature whatsoever now or hereafter owned by the Debtor and 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, substitutions and replacements to any of the foregoing, whether such fixtures, fittings, building materials, machinery, equipment, furniture, furnishings and personal property are actually located on or adjacent to the property described in **Exhibit B** or not, and whether in storage or otherwise, wheresoever the same may be located. All timber, whether standing on or cut or severed or to be cut or severed from the property described on **Exhibit B** hereto, and all contracts, leases and rights related thereto. All contracts and rights related to the development of or construction of improvements on the property described on **Exhibit B**, including construction, architectural, design and engineering contracts. All accounts, accounts receivable, payments and rights to payment under or arising from and all products and proceeds of (including without limitation - tort, contractual, insurance claims and proceeds) of the same. **FOR VALUE RECEIVED**, Debtor hereby grants Secured Party a security interest in the foregoing.

Filed as additional security for mortgage recorded simultaneously herewith.

This financing statement covers fixtures and timber to be cut and is to be cross-indexed in Real Estate Mortgage Records.

Record Owner of Real Estate: Debtor.

DEBTOR:

DOUBLE MOUNTAIN, L.L.C.

By: 

Its: 

SECURED PARTY:

COMPASS BANK

By: 

Its:  via President

Caroline's Title

EXHIBIT B
TO UCC-1 FINANCING STATEMENT FROM
DOUBLE MOUNTAIN, L.L.C. TO COMPASS BANK

DESCRIPTION OF REAL PROPERTY

The following property situated in Shelby County, Alabama:

TOWNSHIP 19 SOUTH, RANGE 1 WEST

- SECTION 31:** South one-half of the Southeast Quarter.
- SECTION 32:** South one-half of the Southwest Quarter.

TOWNSHIP 20 SOUTH, RANGE 1 WEST

- SECTION 5:** West one-half of the Northwest Quarter.
- Northeast Quarter of the Northwest Quarter except 3.3 acres in the Southeast corner.
- West 25 acres of the Southeast Quarter of the Northwest Quarter.
- SECTION 6:** North one-half less 0.9 acre, more or less, lying on the West side of the Southwest Quarter of the Northwest Quarter.
- West one-half of the Southwest Quarter less 0.1 acre, more or less, lying in the Northwest corner of the Northwest Quarter of the Southwest Quarter.
- East one-half of the Northeast Quarter of the Southeast Quarter.
- SECTION 7:** Northwest Quarter of the Northwest Quarter.

TOWNSHIP 20 SOUTH, RANGE 2 WEST

- SECTION 1:** Southeast Quarter less 0.7 acre, more or less, lying in the Northeast corner of the Northeast Quarter of the Southeast Quarter.
- South one-half of the Southwest Quarter.
- SECTION 2:** South 6 acres of the Southwest Quarter of the Southeast Quarter.
- Southeast Quarter of the Southwest Quarter, lying South of Shelby County Highway 11, less 5.1 acres, more or less, South of the railroad.
- Southwest Quarter of the Southwest Quarter lying South of Shelby County Highway 11.
- SECTION 3:** That part of the Southeast Quarter of the Southeast Quarter lying South of Shelby County Highway 11.
- SECTION 10:** Northeast Quarter of the Northeast Quarter lying South of Shelby County Highway 11.

Southeast Quarter of the Northeast Quarter.

West one-half of the Northeast Quarter lying South of Shelby County Highway 11, except 30 acres described as follows: Begin at the Northwest corner of the Southwest Quarter of the Northeast Quarter of said section and proceed S2°15'E for 155 feet to the point of beginning; thence S2°15'E for 988 feet; thence N57°45'E for 1,320 feet; thence N2°15'W for 990 feet; thence S57°45'W for 1,320 feet to the point of beginning.

Southeast Quarter.

Southeast Quarter of the Northwest Quarter lying South of Shelby County Highway 11.

East one-half of the Southwest Quarter.

Southwest Quarter of the Southwest Quarter lying South and east of Shelby County Highway 11.

Northwest Quarter of Southwest Quarter lying South of Shelby County Highway 11.

SECTION 11: All of Section.

SECTION 12: North one-half of the Northeast Quarter.

Southwest Quarter of the Northeast Quarter.

Northwest Quarter.

SECTION 13: Southwest Quarter of the Northeast Quarter.

Northwest Quarter.

Northwest Quarter of the Southwest Quarter.

SECTION 14: All of section except the Northwest Quarter of the Southeast Quarter.

SECTION 15: South one-half.

Northeast Quarter.

Southeast Quarter of the Northwest Quarter.

Northwest Quarter of the Northwest Quarter.

SECTION 16: East one-half of the Southeast Quarter.

Southeast Quarter of the Northeast Quarter, except the Northwest diagonal 7 acres.

Northeast Quarter of the Northeast Quarter lying South of Shelby County Highway 11.

SECTION 22: North one-half of the North one-half.

Inst # 1994-29307

09/27/1994-29307
12:24 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
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