

1. Return copy or recorded original to:

Kristine R. Victor, Esq.
Kutak Rock
1650 Farnam Street
Omaha, NE 68102

Pre-paid Acct. #

2. Name and Address of Debtor

(Last Name First if a Person)

Wen-Alabama, Inc.
202 North Loudoun Street
Suite 309
Winchester, VA 22602

Social Security/Tax ID #

2A. Name and Address of Debtor

(IF ANY)

(Last Name First if a Person)

N/A

Social Security/Tax ID #

☐ Additional debtors on attached UCC-E

3. NAME AND ADDRESS OF SECURED PARTY (Last Name First if a Person)

FFCA Acquisition Corporation 8000-3161
17207 North Perimeter Drive
Scottsdale, AZ 85255

Social Security/Tax ID #

☐ Additional secured parties on attached UCC-E

5. The Financing Statement Covers the Following Types (or items) of Property:

See Schedule I attached hereto.

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

3 0 0
5 0 0
6 0 0

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.

Wen-Alabama, Inc.

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

The initial indebtedness secured by this financing statement is \$

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)

FFCA Acquisition Corporation

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

By:

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

Type Name of Individual or Business

Signature(s) of Debtor(s)

By:

Signature(s) of Debtor(s)

Type Name of Individual or Business

(1) FILING OFFICER COPY - ALPHABETICAL
(2) FILING OFFICER COPY - NUMERICAL

(3) FILING OFFICER COPY-ACKNOWLEDGEMENT
(4) FILE COPY - SECURED

(5) FILE COPY DEBTOR(S)

STANDARD FORM — UNIFORM COMMERCIAL CODE — FORM UCC-1
Approved by The Secretary of State of Alabama

SCHEDULE I

This UCC-1 Financing Statement is being filed to perfect a security interest in all personal property, appliances, furniture and equipment of Debtor now or hereafter located on or at the Premises (as defined below), which security interest was granted by Debtor to Secured Party pursuant to that certain Lease dated *October 31*, 1994 (the "Lease") between Secured Party, as landlord, and Debtor, as tenant, in which Secured Party leases to Debtor the real property described on the attached Exhibit A together with all buildings, improvements and fixtures now or hereafter located thereon (collectively, the "Premises").

This UCC-1 Financing Statement is also being filed for informational purposes to provide constructive notice that (i) the Lease is a "true lease" and (ii) Secured Party owns fee simple absolute title to the Premises.

EXHIBIT A

LEGAL DESCRIPTION

PARCEL I

Commence at the Northwest corner of the Southeast $\frac{1}{4}$ of Section 31, Township 19 South, Range 2 West, thence run in an Easterly direction along the North line of the Southeast $\frac{1}{4}$ for a distance of 329.53', thence turn an angle to the right of 60 degrees 17' 38" and run in a Southeasterly direction for a distance of 1009.25' to the point of beginning, from the point of beginning thus obtained continue along the last described course for a distance of 250.00' to a point on the Northwest right of way of Alabama Highway No. 119, thence run an angle to the right of 88 degrees 6' 12" and run in a Southwesterly direction along the Northwest right of way for a distance of 160.00' thence turn an angle to the right of 91 degrees 53' 48" and run in a Northwesterly direction for a distance of 250.00', thence turn an angle to the right of 88 degrees 6' 12" and run in a Northeasterly direction for a distance of 160.00' to the point of beginning.

PARCEL II

A SLOPE EASEMENT OVER THE FOLLOWING DESCRIBED PARCEL: Commence at the Northwest corner of the Southeast $\frac{1}{4}$ of Section 31, Township 19 South, Range 2 West, thence run in an Easterly direction along the North line of the Southeast $\frac{1}{4}$ for a distance of 329.53 feet; thence turn an angle to the right of 60 degrees, 17 minutes, 38 seconds and run in a Southeasterly direction for a distance of 979.25 feet to the point of beginning; thence 88 degrees 06 minutes, 12 seconds right in a Southwesterly direction for a distance of 220 feet; thence 88 degrees, 06 minutes, 12 seconds left in a Southeasterly direction for a distance of 280 feet to a point on the Northwesterly right of way line of Alabama Hwy #119; thence 91 degrees, 53 minutes, 48 seconds left in a Northeasterly direction and along said right of way line for a distance of 60 feet; thence 88 degrees 06 minutes, 12 seconds left in a Northwesterly direction for a distance of 250 feet; thence 88 degrees, 06 minutes, 12 seconds right in a Northeasterly direction for a distance of 160 feet; thence 88 degrees, 06 minutes, 12 seconds left in a Northwesterly direction for a distance of 30 feet to the point of beginning.

PARCEL III

A PERPETUAL NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED PARCEL: Commence at the Northwest corner of the Southeast $\frac{1}{4}$ of Section 31, Township 19 South, Range 2 West, thence run in an Easterly direction along the North line of the Southeast $\frac{1}{4}$ for a distance of 329.53 feet; thence turn an angle to the right of 60 degrees, 17 minutes, 38 seconds and run in a Southeasterly direction for a distance of 979.25 feet; thence 88 degrees, 06 minutes, 12 seconds right in a Southwesterly direction for a distance of 220 feet; thence 88 degrees 06 minutes 12 seconds left in a Southeasterly direction for a distance of 215 feet to the point of beginning; thence continue along last described course a distance of 65 feet to a point on the Northwesterly right of way line of Alabama Hwy #119; thence 91 degrees, 53 minutes, 48 seconds left in a Northeasterly direction and along said right

of way line for a distance of 60 feet; thence 88 degrees, 06 minutes, 12 seconds left in a Northwesterly direction for a distance of 65 feet; thence 91 degrees, 53 minutes, 48 seconds left in a Southwesterly direction for a distance of 60 feet to the point of beginning.

Together with rights granted pursuant to that certain Declaration of Easements, Covenants and Restrictions recorded at Real Instrument # 1994-08120, and that certain agreement for Easement Appurtenant and Profit A Prendre recorded in Instrument # 1994-08121, all in the Office of the Judge of Probate, Shelby County, Alabama.

Inst # 1994-32579

01/115260.1
8000-3161
Pelham, AL

211/01/1994-32579
08:40 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MCD 18.00