

Fixture/cc: Shelby



41066895-41-1

90189 Banc One L

☐ The Lessee is a transmitting utility as defined in ALA CODE 7-9-105(n).

No. of Additional Sheets Presented **7**

This FINANCING STATEMENT is presented to a Filing Officer for filing pursuant to the Uniform Commercial Code.

1. Return copy or recorded original to:

Data File Services, Inc.  
P.O. Box 275  
Van Nuys, CA 91408-0275  
(818) 909-2200  
(818) 909-4717

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

Inst # 1997-16297  
05/27/1997-16297  
11:13 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
DOB MCD 25.00

Pre-paid Acct. #

2. Name and Address of Lessee

(Last Name First if a Person)

SOUTHERN READY MIX, INC.  
4200 COLONNADE PARKWAY, SUITE 100  
BIRMINGHAM, AL 35243

Social Security / Tax ID #

2A. Name and Address of Lessee

(IF ANY)

(Last Name First if a Person)

Social Security / Tax ID #

☐ Additional lessees on attached UCC-E

FILED WITH  
Alabama

3. NAME AND ADDRESS OF LESSOR

(Last Name First if a Person)

Banc One Leasing Corporation  
1111 Polaris Parkway  
Suite A3  
Columbus, OH 43240

Social Security / Tax ID #

☐ Additional lessors on attached UCC-E

4. ASSIGNEE OF LESSOR

(IF ANY)

(Last Name First if a Person)

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

NAME OF RECORD HOLDER (Owner of Property): ROWAN SMITH "This is a Fixture Financing Statement to be indexed in the real estate record in SHELBY County, State of ALABAMA. A Legal Description of said real estate is attached hereto as Exhibit A. 1000060967 FIXTURE.

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

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

6. This statement is filed without the lessee'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 lessee'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 lessee.
- ☐ 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 \$  
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 lessee does not have an interest of record, give name of record owner in Box 5)

ATTORNEY-IN-FACT PLEASE FILE WITH SIGNATURE AS IS

Signature(s) of Lessee(s)  
*Carol Walsh*  
Signature(s) of Lessee(s)  
SOUTHERN READY MIX, INC.

Type Name of Individual or Business

(1) FILING OFFICER COPY - ALPHABETICAL

ATTORNEY-IN-FACT PLEASE FILE WITH SIGNATURE AS IS

Signature(s) of Lessor(ies) or Assignee  
*[Signature]*  
Signature(s) of Lessor(ies) or Assignee  
Banc One Leasing Corporation

Type Name of Individual or Business

STANDARD FORM - UNIFORM COMMERCIAL CODE - FORM UCC - 1

5001

EXHIBIT "A"

PARCEL A:

Begin at the Southeast corner of the SW 1/4 of Section 13, Township 21 south, Range 3 West; thence proceed Northerly along the East boundary of said SW 1/4 for 2703.83 feet to a point, being the Northeast corner of said SW 1/4; thence turn an angle of 92 degrees 23 minutes 12 seconds to the right and run Easterly along the South boundary of the NE 1/4 of Section 13, Township 21 South, Range 3 West for 2683.17 feet to a point, being the Southeast corner of said NE 1/4; thence turn an angle of 92 degrees 22 minutes 37 seconds to the left and run Northerly along the East boundary of Section 13 for 753.96 feet to the point of intersection with the Southwest right-of-way (R.O.W.) line of Interstate Highway 65 (I-65); thence turn an angle of 1 degree 54 minutes 01 seconds to the left and run Northerly along said R.O.W. for 39.00 feet to a concrete R.O.W. marker; thence turn an angle of 33 degrees 29 minutes 38 seconds to the left and continue along said R.O.W. for 1504.40 feet to the point of intersection with the South R.O.W. line of the CSX Transportation Railroad, being a concrete R.O.W. marker; thence turn an angle of 49 degrees 56 minutes 26 seconds to the left and run Westerly along said Railroad R.O.W. for 1773.98 feet to a point; thence continue along said Railroad R.O.W. along a curve to the right having a radius of 1960.08 feet and a central angle of 41 degrees 57 minutes 44 seconds, for an arc distance of 1435.52 feet to a point; thence continue along said Railroad R.O.W. along a tangent for 99.31 feet to the point of intersection with the North boundary line of Section 13, Township 21 South, Range 3 West; thence turn an angle of 45 degrees 22 minutes 49 seconds to the left and run Westerly along the North boundary of said Section 13 for 1209.39 feet to a point on the Southeast R.O.W. line of County Highway No. 26; thence turn an angle of 24 degrees 41 minutes 05 seconds to the left and run along said County Highway R.O.W. along a curve to the left, having a radius of 1105.92 feet and a central angle of 12 degrees 19 minutes 40 seconds, for an arc distance of 237.95 feet to a point; thence continue along said R.O.W. along a tangent for 1330.97 feet to the point of intersection with the West bank of Buck Creek; thence turn an angle of 95 degrees 43 minutes 53 seconds to the left and run Southeasterly along the West bank of Buck Creek for a chord distance of 549.54 feet to an iron set on the West bank of Buck Creek, said point also being on the North boundary line of the SE 1/4 of the NE 1/4 of Section 14, Township 21 South, Range 3 West;

CONTINUED:

thence turn an angle of 132 degrees 37 minutes 56 seconds to the right, from the extended chord, and run Westerly along the North boundary of said SE 1/4 of NE 1/4 of Section 14 for 591.35 feet the Northwest corner of said SE 1/4 of the NE 1/4; thence turn an angle of 91 degrees 10 minutes 05 seconds to the left and run Southerly along the West boundary of said SE 1/4 of NE 1/4 for 1327.28 feet to an iron set being the Southwest corner of said SE 1/4 of NE 1/4, Section 14; thence turn an angle of 88 degrees 54 minutes 34 seconds to the left and run Easterly along the South boundary of said SE 1/4 of NE 1/4 for 537.00 feet to the point of intersection with the North boundary of said Scottsdale Subdivision, Second Addition, as recorded in Map Book 7, Page 118, in the Office of Probate, Shelby County, Alabama; thence turn an angle of 1 degree 32 minutes 03 seconds to the left and run along the North boundary of said Scottsdale Subdivision, Second Addition, for 725.55 feet to a point, being the Northeast corner of said subdivision; thence turn an angle of 91 degrees 07 minutes 13 seconds to the right and run along the East boundary of said subdivision for 19.42 feet to a point on the South boundary line of the SE 1/4 of the NE 1/4, Section 14, Township 21 South, Range 3 West; thence turn an angle of 90 degrees 24 minutes 30 seconds to the left and run 71.16 feet to a concrete monument found, said monument being 2.99 feet North and 1.11 feet West of the computed quarter-quarter corner; thence continue along the last described course for 1.11 feet to a point on the East boundary of the West 1/4 of Section 13, Township 21 South, Range 3 West; thence turn an angle of 87 degrees 38 minutes 04 seconds to the right and run Southerly for 2678.77 feet to a concrete monument found, said monument being 1.68 feet North and 2.80 feet East of the computed quarter-quarter corner; thence continue along the last described course for 1.79 feet to a point on the South boundary line of Section 13, Township 21 South, Range 3 West; thence turn an angle of 86 degrees 25 minutes 16 seconds to the left and run Easterly along the South boundary line of Section 13, Township 21 South, Range 3 West; thence turn an angle of 86 degrees 25 minutes 16 seconds to the left and run Easterly along the South boundary of said Section 13 for 1339.87 feet to the point of beginning.

Said parcel of land is lying in the East 1/2 of the SW 1/4 and the North 1/2 of Section 13, Township 21 South, Range 3 West; and the East 1/2 of NE 1/4 of Section 14, Township 21 South, Range 3 West, Shelby County, Alabama.



PARCEL B:

Begin at the Northeast corner of the NE 1/4 of the NW 1/4, Section 13, Township 21 South, Range 3 West; thence run Westerly along the North boundary of said Section 13 for 225.00 feet to a point; thence turn an angle of 91 degrees 15 minutes 25 seconds to the left and run Southerly parallel to the East boundary of said quarter-quarter for 300.89 feet to a point on the North R.O.W. line of County Highway 26; thence turn an angle of 62 degrees 24 minutes 09 seconds to the left and run along said R.O.W. for 253.82 feet to a point on the East boundary of said quarter-quarter; thence turn an angle of 117 degrees 35 minutes 51 seconds to the left and run 413.55 feet to the point of beginning. Said parcel is lying in the NE 1/4 of the NW 1/4, Section 13, Township 21 South, Range 3 West, Shelby County, Alabama.

PARCEL C:

Commence at the Northeast corner of the NW 1/4 of Section 13, Township 21 South, Range 3 West; thence proceed in a Southerly direction along the East boundary of said 1/4 for 503.62 feet to a point on the South right-of-way (R.O.W.) line of County Highway 26, being the point of beginning of the parcel of land herein described; thence continue along the last described course for 44.38 feet to a point on the North R.O.W. line of CSX Transportation Railroad; thence turn an angle of 96 degrees 10 minutes 48 seconds to the right and run along said Railroad R.O.W. along a curve to the right, having a radius of 1860.08 feet and a central angle of 8 degrees 56 minutes 34 seconds, for an arc distance of 290.32 feet to a point on an old road; thence turn an angle of 139 degrees 36 minutes 44 seconds to the right from the tangent to the curve, and run Northeasterly along said old road for 66.44 feet to a point; thence turn an angle of 64 degrees 44 minutes 06 seconds to the left and run Northerly parallel to the East boundary of aforementioned NW 1/4 for 80.00 feet to a point on the South R.O.W. line of County Highway 26; thence turn an angle of 117 degrees 35 minutes 51 seconds to the right and run 253.82 feet along said R.O.W. to the point of beginning. Said parcel is lying in the NE 1/4 of NW 1/4, Section 13, Township 21 South, Range 3 West, Shelby County, Alabama.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCELS:

Commence at the Northeast corner of Section 14, Township 21 South, Range 3 West; thence run Southerly along the East section line a distance of 525.56 feet; thence 90 degrees right a distance of 589.21 feet to the point of beginning on the Southerly right-of-way of Shelby County Highway No. 26; thence an interior angle right Southeasterly of 54 degrees 12 minutes 20 seconds a distance of 1215.36 feet to the centerline of a creek; thence 108 degrees 23 minutes 23 seconds right for 69.36 feet; thence 31 degrees 48 minutes 48 seconds left along the centerline of a creek a distance of 91.41 feet; thence 39 degrees 46 minutes 24 seconds right along the centerline of a creek a distance of 133.16 feet; thence 15 degrees 43 minutes 44 seconds left along the centerline of a creek a distance of 87.12 feet; thence 30 degrees 28 minutes 29 seconds right along the centerline of a creek a distance of 57.89 feet; thence 39 degrees 23 minutes 26 seconds right along the centerline of a creek a distance of 121.92 feet; thence 44 degrees 15 minutes 08 seconds right along the centerline of a creek a distance of 57.13 feet; thence 44 degrees 44 minutes 22 seconds right along the centerline of a creek a distance of 67.60 feet thence 12 degrees 23 minutes 41 seconds left along the centerline of a creek a distance of 79.01 feet; thence 42 degrees 58 minutes 16 seconds left along the centerline of a creek a distance of 54.76 feet; thence 43 degrees 28 minutes 24 seconds left along the centerline of a creek a distance of 89.74 feet; thence 20 degrees 31 minutes 32 seconds left along the centerline of a creek a distance of 72.0 feet; thence 40 degrees 23 minutes 26 seconds left along the centerline of a creek a distance of 227.49 feet; thence 62 degrees 47 minutes 46 seconds right along the centerline of a creek a distance of 125.54 feet; thence 85 degrees 45 minutes 27 seconds left leaving said centerline of a creek a distance of 17.89 feet; thence 97 degrees 29 minutes 53 seconds right a distance of 235.54 feet; thence 95 degrees 44 minutes 45 seconds right a distance of 274.60 feet; thence 90 degrees 11 minutes 23 seconds left a distance of 312.47 feet to the Southerly right-of-way of Shelby County Highway No. 26; thence 90 degrees 10 minutes 44 seconds right along said right-of-way a distance of 334.04 feet to the point of beginning.

CONTINUED:

and also,

From the Southwest corner of said NE 1/4 of the NE 1/4 run in an Easterly direction along the South line of said 1/4-1/4 section for a distance of 591.35 feet; thence turn an angle to the left of 132 degrees 37 minutes 56 seconds and run in a Northwesterly direction for a distance of 235.50 feet to an existing iron pin being the point of beginning; thence continue along last mentioned course for a distance of 303.99 feet to an existing iron pin being on the Southeast right-of-way line of Shelby County Highway #26; thence turn an angle to the right of 95 degrees 43 minutes 53 seconds and run in a Northeasterly direction along said Southeast right-of-way line of Shelby County Highway #26 for a distance of 305.0 feet; thence turn an angle to the right of 90 degrees and run in a Southeasterly direction for a distance of 302.47 feet; thence turn an angle to the right of 90 degrees and run in a Southwesterly direction for a distance of 274.64 feet, more or less, to the point of beginning. This description is based on a plat by Weygand Surveyors, dated 6/22/90. Also a 10 foot wide strip of land lying between this parcel and County Highway 26 shown on said plat by Weygand Surveyors as additional right-of-way to be dedicated, said plat dated 6/22/90.

and also,

Part of the NE 1/4 of the NE 1/4 of Section 14, Township 21 South, Range 3 West, Shelby County, Alabama, more particularly described as follows: From the SW corner of said NE 1/4 of the NE 1/4 run in an Easterly direction along the South line of said 1/4-1/4 Section for a distance of 591.35 feet; thence turn an angle to the left of 132 degrees 37 minutes 56 and run in a Northwesterly direction for a distance of 539.49 feet to an existing iron pin, being the point of beginning; thence turn an angle to the right of 95 degrees 43 minutes 53 seconds and run in a Northeasterly direction along the Southeasterly right-of-way line of Shelby County Highway #26 for a distance of 306.0 feet; thence turn an angle to the right of 90 degrees and run in a Southeasterly direction for a distance of 10.0 feet to an existing iron pin; thence turn an angle to the right of 90 degrees and run in a Southwesterly direction for a distance of 305.0 feet, more or less, to the point of beginning.



# Banc One Leasing Corporation

## SCHEDULE A-1 EQUIPMENT LEASED HEREUNDER

QUANTITY DESCRIPTION PAGE 1  
=====

ALL PROPERTY DESCRIBED IN THE INVOICES IDENTIFIED BELOW, WHICH PROPERTY MAY BE  
GENERALLY DESCRIBED AS ONE (1) 1997 GRASAN/CEDARAPIDS CRUSHING PLANT.

EQUIPMENT LOCATION: 1180 FULTON SPRINGS ROAD  
ALABASTER, AL 35007  
COUNTY: SHELBY

| <u>VENDOR NAME</u>                 | <u>INVOICE NUMBER</u> | <u>AMOUNT</u>  |
|------------------------------------|-----------------------|----------------|
| A.E. FINLEY & ASSOC.               | A00357                | \$1,388,508.57 |
| C & S FABRICATION, INC.            | 208                   | \$ 3,248.50    |
| C & S FABRICATION, INC.            | 206                   | \$ 3,199.00    |
| C & S FABRICATION, INC.            | 201                   | \$ 1,097.25    |
| AMERICAN DRILLING CO               | 21514                 | \$ 1,050.00    |
| MATTHEWS ELECTRIC                  | 554049                | \$ 1,280.00    |
| SHERMAN INTERNATIONAL              | 26410300              | \$ 5,130.00    |
| A.E. FINLEY & ASSOC.               | A00357                | \$ 486,404.73  |
| C & S FABRICATION, INC.            | 215                   | \$ 1,896.25    |
| AMERICAN DRILLING CO               | 21537                 | \$ 1,087.50    |
| M & M EQUIPMENT CO.                | 37688                 | \$ 927.00      |
| MARC STEEL CO.                     | 38727                 | \$ 1,222.15    |
| AMERICAN DRILLING CO               | 21578                 | \$ 580.00      |
| CENTRAL ALABAMA MECHANICAL SERVICE | 1032                  | \$ 1,347.00    |
| CENTRAL ALABAMA MECHANICAL SERVICE | 1031                  | \$ 4,117.50    |
| C & S FABRICATION, INC.            | 220                   | \$ 3,843.75    |
| C & S FABRICATION, INC.            | 216                   | \$ 1,600.00    |

TOGETHER WITH ALL ATTACHMENTS, ADDITIONS, ACCESSIONS, PARTS,  
REPAIRS, IMPROVEMENTS, REPLACEMENTS AND SUBSTITUTIONS THERETO.

This Schedule A-1 is attached to and made a part of Lease Number 1000060967 and  
constitutes a true and accurate description of the equipment.

Lessee:

SOUTHERN READY MIX, INC.

By: \_\_\_\_\_

Date: \_\_\_\_\_

scheda-1.057

# Banc One Leasing Corporation

## SCHEDULE A-1 EQUIPMENT LEASED HEREUNDER

QUANTITY DESCRIPTION PAGE 2

| <u>VENDOR NAME</u>                 | <u>INVOICE NO.</u> | <u>AMOUNT</u>  |
|------------------------------------|--------------------|----------------|
| SHERMAN INTERNATIONAL              | 1FF220524          | \$ 5,130.00    |
| SHERMAN INTERNATIONAL              | 1FF220876          | \$ 855.00      |
| ALABAMA PLATE CUTTING              | 41264              | \$ 1,707.60    |
| M & M EQUIPMENT CO.                | 39201              | \$ 1,800.00    |
| C & S FABRICATION, INC.            | 231                | \$ 2,970.00    |
| CENTRAL ALABAMA MECHANICAL SERVICE | 1043               | \$ 3,410.00    |
| C & S FABRICATION, INC.            | 240                | \$ 4,282.50    |
| CENTRAL ALABAMA MECHANICAL SERVICE | 1050               | \$ 3,940.00    |
| CENTRAL ALABAMA MECHANICAL SERVICE | 1051               | \$ 3,100.00    |
| ROCK SERVICES                      | 10169              | \$ 12,791.00   |
| AMERICAN DRILLING OF ALABAMA, INC. | 22608              | \$ 4,600.00    |
| MATTHEWS ELECTRIC SUPPLY CO.       | 559737             | \$ 991.87      |
| CHOCTAW, INC.                      | 28111              | \$ 790.02      |
| A.E. FINLEY & ASSOCIATES           | A00357B            | \$ 208,323.70  |
| TOTALS                             |                    | \$2,161,230.89 |

TOGETHER WITH ALL ATTACHMENTS, ADDITIONS, ACCESSIONS, PARTS, REPAIRS, IMPROVEMENTS, REPLACEMENTS AND SUBSTITUTIONS THERETO.

This Schedule A-1 is attached to and made a part of Lease Number 1000060967 and constitutes a true and accurate description of the equipment.

Lessee:

SOUTHERN READY MIX, INC.

By: \_\_\_\_\_

Date: \_\_\_\_\_

scheda-1.057

Inst # 1997-16297

05/27/1997-16297  
11:13 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
DOB MC9 25.00

Inst # 1997-16297