

Inst # 1997-41273

12/19/1997-41273  
09:29 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE  
003 SNA 17:00

### FINANCING STATEMENT

This instrument is prepared as, and is intended to be, a Financing Statement complying with the formal requisites therefor as set forth in the Uniform Commercial Code as adopted in ALABAMA.

1. The name and mailing address of the debtor ("Debtor") is: ROY T. PRESTON AND SPOUSE, MARGIE E. PRESTON

ADDRESS: 4319 KENNESAW DRIVE  
BIRMINGHAM, ALABAMA 35213

2. The name and address of the secured party ("Secured Party") is: COMPASS BANK

ADDRESS: P.O. BOX 10687  
BIRMINGHAM, ALABAMA 35202-0687

3. This Financing Statement covers the following types of collateral (the "Collateral"):

All non-exempt fixtures, furnishings, materials, supplies, equipment, goods, machinery, general intangibles, inventory and all other non-exempt personal property of any kind whatsoever now or hereafter located in, upon or intended to be used in connection with any part of the property (the "Property") described as follows:


**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF  
FOR ALL PURPOSES;**

In which said property Debtor (or Debtor's heirs, representatives, successors or assigns) now has, or at any time hereafter acquires an interest, which now or at any time hereafter are either a part of the Property or situated in, on or about the Property and/or utilized in connection with the operation of the Property, or are acquired or delivered to the Property for use or incorporation in the construction of any improvements on the Property, including any and all (a) doors, partitions, window screens and shades, drapes, rugs and other floor coverings, household appliances, bathroom and kitchen fixtures, cabinetry, landscaping, motors, boilers, furnaces, pipes, plumbing, sprinkler systems, security, access control, and fire prevention and extinguishing apparatus and systems, maintenance equipment, water tanks, hot water heaters, heating, ventilating, incinerating, air conditioning and air cooling equipment and systems, gas and electric machinery, including but not limited to the types of Collateral (if not described above) as is described in and covered by Deed of Trust of even date herewith from Debtor for benefit of Secured Party; (b) building and construction materials and equipment, plans, specifications and drawings for any improvements located or to be located on the Property; (c) contracts and subcontracts of any kind relating to the Property; (d) rentals, deposits (including tenant's security deposit) and other sums of money as may become due Debtor as landlord under any and all leases, written or verbal; (e) funds, accounts, contract rights, instruments, documents, general intangibles (including trademarks, trade names and symbols used in connection with the Property or any improvements thereon) and notes or chattel paper arising from or by virtue of any transactions related to the Property; (f) permits, licenses, franchises, certifications and other rights and privileges obtained in connection with the Property; (g) proceeds arising from or by virtue of any sale, lease or other disposition of any real or personal property described herein, including any condemnation or insurance proceeds arising out of or with respect to the Property and/or any improvements thereon, but coverage of proceeds does not authorize sale or other disposition of the Collateral; (h) deposits for taxes, insurance or otherwise made under any deed of trust or other instrument securing payment of the indebtedness of Debtor to Secured Party; (i) any replacements, additions, or betterments and all products and proceeds of the Collateral, but coverage of proceeds does not authorize sale or other disposition of the Collateral.

4. The Collateral is or is to become fixtures on the Property and this Financing Statement is to be filed for record in the real estate records.

DATE: DECEMBER 16, 1997

DEBTOR:

  
\_\_\_\_\_  
ROY T. PRESTON

  
\_\_\_\_\_  
MARGIE E. PRESTON

RETURN ORIGINAL TO:  
COMPASS BANK  
P.O. BOX 10687  
BIRMINGHAM, ALABAMA 35202-0687  
ATTN: SUZANNE VERNON

EXHIBIT "A"

Lot 21, according to the Survey of Greystone, 7th Sector, Phase IV, as recorded in Map Book 21, Page 38 A & B in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Mineral and mining rights excepted.

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