

# STATE OF ALABAMA — UNIFORM COMMERCIAL CODE — FINANCING STATEMENT FORM UCC-1 ALA.

**Important: Read Instructions on Back Before Filling out Form.**

<input type="checkbox"/> The Debtor is a transmitting utility as defined in ALA CODE 7-9-105(n).	No. of Additional Sheets Presented: <b>2</b>	This FINANCING STATEMENT is presented to a Filing Officer for filing pursuant to the Uniform Commercial Code.
1. Return copy or recorded original to: John G. Lowther Attorney at Law 3500 Independence Drive Birmingham, Al 35209  Pre-paid Acct. # _____		THIS SPACE FOR USE OF FILING OFFICER Date, Time, Number & Filing Office  <div style="transform: rotate(-90deg); transform-origin: center;">             Inst # 1997-41558               12/22/1997-41558              03:52 PM CERTIFIED              SHELBY COUNTY JUDGE OF PROBATE              18.00              003 MCD           </div>
2. Name and Address of Debtor (Last Name First if a Person)  Triangle Developement, Inc. P. O. Box 380155 Birmingham, Al 35238  Social Security/Tax ID # _____		
2A. Name and Address of Debtor (IF ANY) (Last Name First if a Person)  Dairy Queen 5295 Highway 280 South Birmingham, Al 35242  Social Security/Tax ID # _____		
<input type="checkbox"/> Additional debtors on attached UCC-E		
3. SECURED PARTY (Last Name First if a Person)  Aliant Bank P. O. Box 383067 Birmingham, Al 35238-3067  Social Security/Tax ID # _____		4. ASSIGNEE OF SECURED PARTY (IF ANY) (Last Name First if a Person)
<input type="checkbox"/> Additional secured parties on attached UCC-E		

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

AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO.  
 THIS IS A FIXTURE FILING FILED AS ADDITIONAL SECURITY ALONG WITH A MORTGAGE RECORDED HERewith. THIS IS TO BE CROSS INDEXED IN THE REAL ESTATE MORTGAGE RECORDS. THE FIXTURES ARE LOCATED AT 5295 HIGHWAY 280 SOUTH, BIRMINGHAM, ALABAMA 35242, AND DESCRIBED IN EXHIBIT "B" ATTACHED HERETO AND INCORPORATED HEREIN. THE RECORD OWNER OF SAID PROPERTY IS: TRIANGLE DEVELOPEMENT, INC.

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

500

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.

7. Complete only when filing with the Judge of Probate:  
 The initial indebtedness secured by this financing statement is \$ 402,500.00  
 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)

TRIANGLE DEVELOPEMENT, INC.  
 Signature(s) of Debtor(s)  
 BY: Camilla Ann Davis  
 Signature(s) of Debtor(s)  
 TRIANGLE DEVELOPEMENT, INC.  
 Type Name of Individual or Business

ALIAN BANK  
 Signature(s) of Secured Party(ies) or Assignee  
 BY: James O. Smith, President & CEO  
 Signature(s) of Secured Party(ies) or Assignee  
 ALIAN BANK  
 Type Name of Individual or Business



## **EXHIBIT "A"**

**(a)** All buildings, structures, and improvements of every nature whatsoever now or hereafter situated on the property described in **Exhibit "B"**.

**(b)** All machinery, equipment, furniture and fixtures now owned or hereafter acquired by the Borrower, including but not limited to all used or intended to be used in connection with or in the operation of the property described in **Exhibit "B"**, or the buildings, structures or other improvements thereon, including all extensions, additions, improvements, betterments, renewals, substitutions and replacements to any of foregoing.

**(c)** All leases in which Debtor is lessor, by assignment or otherwise, now existing, or hereafter entered, with respect to all or any part of the property describe in **Exhibit "B"** attached hereto, including but not limited to: All rents, royalties, profits, issues and revenues of the Property from time to time accruing, whether under leases or tenancies now existing or hereafter created, reserving to Debtor, however, so long as Debtor is not in default hereunder, the right to receive and retain the rents, issues and profits thereof.

**(d)** All proceeds, cash or non-cash (including, but not limited to, all inventory, accounts, chattel paper, documents, instruments, tort and insurance proceeds, equipment, fixtures, consumer goods and general intangibles acquired with cash proceeds of any of the property described above) of any of the foregoing types or items of property described in **(a)**, **(b)**, or **(c)** above.



**EXHIBIT "B"**

**Lot 3, according to the survey of Brook Highland Plaza, as recorded in Map Book 16, page 102, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.**

**Inst # 1997-41558**

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003 HCD 18.00**