

# 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: _____	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, P.C. 3500 Independence Drive Birmingham, AL 35209  Pre-paid Acct. # _____		THIS SPACE FOR USE OF FILING OFFICER Date, Time, Number & Filing Office   <div style="text-align: center; font-weight: bold;">             Inst # 1998-19377               05/28/1998-19377              08:38 AM CERTIFIED              SHELBY COUNTY JUDGE OF PROBATE              003 NCJ 17.00           </div>
2. Name and Address of Debtor (Last Name First if a Person)  Mexican Restaurant, L.L.C. 1776 Independence Court Birmingham, AL 35216  Social Security/Tax ID # _____		4. ASSIGNEE OF SECURED PARTY (IF ANY) (Last Name First if a Person)          
2A. Name and Address of Debtor (IF ANY) (Last Name First if a Person)      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 # _____		
<input type="checkbox"/> Additional secured parties on attached UCC-E		7. Complete only when filing with the Judge of Probate: The initial indebtedness secured by this financing statement is \$ <u>855,000.00</u>  Mortgage tax due (15¢ per \$100.00 or fraction thereof) \$ _____  8. <input 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)
5. The Financing Statement Covers the Following Types (or items) of Property:  As described in Exhibit "B" attached hereto & incorporated herein by reference. This is a fixture filing filed as additional security along with a mortgage recorded herewith. The fixtures are located at 201 Southgate Drive, Pelham, AL 35124, and as described in Exhibit "A" attached hereto and incorporated herein by reference. The record owner is Mexican Restaurant, L.L.C.  This UCC-1 is to be cross indexed in the real estate mortgage records.		
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.		
Mexican Restaurant, L.L.C. By: <u>[Signature]</u> Manager Mexican Restaurant, L.L.C. Type Name of Individual or Business		Aliant Bank By: <u>[Signature]</u> Pres. & CEO Aliant Bank Type Name of Individual or Business

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

5 0 0 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

EXHIBIT "A"

A Parcel of land situated in Section 31, Township 19 South, Range 2 West, situated in Shelby County, Alabama, being more particularly described as follows:

PARCEL A:

Commence at the Northwest corner of the Southeast 1/4 of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, and run in Easterly direction along the North line of said Section a distance of 329.55 feet to a point, said point lying on the Southwesterly boundary line of Cahaba Valley Park North, as recorded in Map Book 13, Pages 140a and 140b, in the Office of the Judge of Probate of Shelby County, Alabama; thence turn a deflection angle of 60 degrees, 17 minutes, 38 seconds to the right and run in a Southeasterly direction along said boundary line of Cahaba Valley Park North a distance of 1010.09 feet to a point, said point being an iron pin found at the Northeast corner of the real property that is described in Inst. #1994-08119, as recorded in the Office of the Judge of Probate of Shelby County, Alabama; thence turn a deflection angle of 88 degrees, 06 minutes, 12 seconds and run to the right in a Southwesterly direction on a line that is 250 feet Northwest of the Northwesterly right of way of Alabama Highway No. 119, a distance of 577.12 feet to a point, said point being the point of beginning of the parcel herein described; thence continue along last described course in a Southwesterly direction 406.08 feet to a point; thence turn an interior angle of 86 degrees, 27 minutes, 28 seconds and run to the right in a Northwesterly direction a distance of 135.00 feet to a point; thence turn an interior angle of 93 degrees, 32 minutes, 32 seconds and run to the right in a Northeasterly direction a distance of 402.20 feet to a point on the Southwesterly right of way of Southgate Drive, as recorded in Map Book 20, Page 98, Shelby County Probate Office; thence turn an interior angle of 88 degrees, 06 minutes, 12 seconds and run to the right in a Southeasterly direction along said right of way a distance of 134.81 feet to the point of beginning.

## **Exhibit "B" To UCC-1**

All of the Debtor's right, title and interest in and to the following described Collateral, whether now or hereafter existing or now owned or hereafter acquired or accrued (collectively referred to herein as the "Collateral") on the property described in Exhibit "A" attached hereto and made a part hereof (hereinafter called the "Land"):

(a) All building materials, machinery, and equipment, and all lighting, heating, air conditioning and plumbing fixtures of every character and description whatsoever, and all other property and things, now owned or hereafter acquired by the Debtor, used or useful in connection with the construction of the building and improvements on the Land, wherever the same may be located, whether on or adjacent to said Land, in storage or otherwise and any extensions, additions, improvements, betterments, renewals and replacements to any of the foregoing.

(b) All leases in which Debtor is Lessor, by assignment or otherwise, now existing with respect to all or any part of the property described in Exhibit "A" attached hereto or which may hereafter be entered into with respect to said property, and all of the rents, issues, royalties and profits now due or to become due and derived from said property.

(c) All fixtures that are now or in the future will be on the Land and all replacements of and additions to the fixtures.

(d) Proceeds and products of all of the foregoing Collateral.

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