

Return copy or recorded original or acknowledgement

James E. Vann, Esquire
Johnston & Conwell, L.L.C.
800 Shades Creek Parkway
Suite 325
Birmingham, AL 35209

Pre-paid Acct. #

2. Name and Address of Debtor

(Last Name First if a Person)

BMW Investments, Inc.
P.O. Box 1269
Pelham, AL 35124

Social Security/Tax ID #

2A. Name and Address of Debtor

(IF ANY)

(Last Name First if a Person)

Social Security/Tax ID #

☐ Additional debtors on attached UCC-E

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

BancorpSouth Bank
2211 Highland Avenue South
Birmingham, AL 35205

Social Security/Tax ID #

☐ Additional secured parties on attached UCC-E

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

All of the equipment, fixtures, contract rights, general intangibles, and tangible personal property of every nature now owned or hereafter acquired by Debtors, all additions, replacements, and proceeds thereof and all other property set forth in SCHEDULE A attached hereto located on the real property described on EXHIBIT A attached hereto.

ADDITIONAL SECURITY FOR MORTGAGE RECORDED AT INSTRUMENT NUMBER:

200010 1 4734

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.

BY: BMW INVESTMENTS, INC.

ITS: [Signature]

Signature(s) of Debtor(s)

BY: BMW INVESTMENTS, INC.

Type Name of Individual or Business

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

(3) FILING OFFICER COPY ACKNOWLEDGEMENT
(4) FILING OFFICER COPY - NUMERICAL

(5) FILE COPY

ing pursuant to the Uniform Commercial Code ng Officer for

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

State of Alabama - Jefferson County
I certify this instrument filed on:
2000 SEP 01 A.M. 09:14
Recorded and \$
and \$ 14.00 Total \$
Deed Tax and Fee \$
Mfg. Tax
GEORGE R. REYNOLDS, Judge of Probate
200010/4736

2 0 0 8 0 4 5 3 0 0 0 6 2 7 4 3 4 5 1

FILED WITH:

Judge of Probate of Jefferson County

4. NAME AND ADDRESS OF
ASSIGNEE OF SECURED PARTY

(IF ANY)

(Last Name First if a Person)

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

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)

BANCORPSOUTH BANK

BY: [Signature]
ITS: [Signature]

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

BANCORPSOUTH BANK

Type Name of Individual or Business

35418

10/11/2000-35418
09:22 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 CJ1 18.00

SCHEDULE A

All tangible personal property now or hereafter owned by Debtor and now or at any time hereafter located on or at the real estate described in Exhibit A attached hereto, or used in connection therewith, including, but not limited to: all goods, machinery, tools, insurance proceeds, equipment (including fire sprinklers and alarms systems, air conditioning, heating, refrigerating, electronic monitoring, entertainment, recreational, window or structural cleaning rigs, maintenance, exclusion of vermin or insects, removal of dust, refuse or garbage and all other equipment of every kind), lobby and all other indoor or outdoor furniture (including tables, chairs, planters, desks, sofas, shelves, lockers and cabinets), wall beds, wall safes, furnishings, appliances (including ice boxes, refrigerators, fans, heaters, stoves, water heaters and incinerators), inventory, rugs carpets and other floor coverings, draperies and drapery rods and brackets, awnings, window shades, Venetian blinds, curtains, lamps, chandeliers and other lighting fixtures and office maintenance and other supplies; including, but not limited to, all refrigerators, ranges, dishwashers, disposals and hoods.

Together with all rents, issues, profits, royalties or other benefits derived from the real estate described in Exhibit A, and together with all leases or subleases covering any portion of the real estate described in Exhibit A, including, without limitation, all cash or security deposits, advance rentals, and deposits or payments of similar nature, and together with all additions and accessions thereto and replacements thereof; and together with all proceeds or sums payable in lieu of or as compensation for the loss or damage to any property covered hereby or the real property upon which said property covered hereby is or may be located; all rights in and to all pertinent present and future fire and/or hazard insurance policies; all fixtures; and together with all additions and accessions thereto and replacements thereof.

All fixtures, machinery, equipment, furniture and furnishings and personal property of every nature whatsoever now or hereafter owned by the Debtor and now or hereafter located in, on, or used or intended to be used in connection with or with the construction, operation, or use of said property, buildings, structures or other improvements, including all extensions, additions, improvements, betterments, renewals and replacements to any of the foregoing; all building materials, equipment, fixtures and fittings of every kind or character now owned or hereafter acquired by the Debtor for the purpose of being used or useful in connection with the improvements located or to be located on the hereinabove described real estate, whether such materials, equipment, fixtures, and fittings are actually located on or adjacent to said real estate or not, and whether in storage or otherwise, wheresoever the same may be located. Personal property included within the property described in this Schedule A and with respect to which a security interest is granted in connection herewith shall specifically include, without limitation, all lumber and lumber products, bricks, building stones and building blocks, sand and cement, roofing material, paint, doors, windows, hardware, nails, wires and wiring, plumbing and plumbing fixtures, heating and air conditioning equipment and appliances, electrical and gas equipment and appliances, pipes and piping, ornamental and decorative fixtures, furniture, and in general all building materials and equipment of every kind and character used or useful in connection with said improvements.

All Debtor's rights in and to the contracts, agreements, and other documents relating to the construction of the improvements on the property described in Exhibit A, including without limitation, construction contracts, drawings and specifications, together with any additions, extensions, revisions, modifications, or guarantees of performance or obligations to Debtor under any of the above.

EXHIBIT A

DESCRIPTION OF REAL PROPERTY

Parcel I

Lots 6 through 10, in Block 128, according to the present plan and survey of the City of Birmingham, as made by the Elyton Land Company.

Note: This survey has never been filed for record and is not available for recordation.

Parcel II

Part of Block 1, Cahaba Valley Park North as recorded in Map Book 13, Page 140 in the Probate Office of Shelby County, Alabama, situated in Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the center line-point of tangent station 31+40.12 of Cahaba Valley Parkway; thence run North along the center line of said Cahaba Valley Parkway for 54.71 feet to a point; thence 90 degrees left and run Westerly for 30.00 feet to a point on the West right of way line of said Cahaba Valley Parkway, said point also being the point of beginning; thence continue Westerly along the last stated course 220.00 feet; thence 90 degrees right and run Northerly for 275.17 feet to a point on the South right of way line of Cahaba Valley Parkway West; thence 90 degrees right and run Easterly along the South line of said street for 170.00 feet to the beginning of a curve to the right; said curve subtending a central angle of 90 degrees and having a radius of 50.00 feet; then run Southeasterly along the arc of said curve for 78.54 feet to the end of said curve; said point being on the West right of way line of Cahaba Valley Parkway; thence at tangent to said curve run Southerly along said right of way line for 225.17 feet to the point of beginning. Situated in Shelby County, Alabama.

State of Alabama - Jefferson County
I certify this instrument filed on:
2000 SEP 01 A.M. 09:14
Recorded and \$
and \$ 14.00
Total \$ 14.00
GEORGE R. REYNOLDS, Judge of Probate
200010/4736

CERTIFIED COPY

State of Alabama
Jefferson County

I, the Undersigned, as Judge of Probate in and for said County, in said State, hereby certify that the foregoing is a full, true and correct copy of the instrument with the filing of same as appears of record in this office in vol. 200010 page 4736.

Given under my hand and official seal, this the 27
day of September, 2000.

Michael F. Bohm

Judge of Probate

Inst # 2000-35418

10/11/2000-35418
09:22 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 CJ1 18.00