

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

Important: Read Instructions on Back Before Filling out Form.

REORDER FROM
Register, Inc.
514 PIERCE ST.
P.O. BOX 218
ANOKA, MN. 55303
(612) 421-1713

66825

☐ 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 acknowledgement to:

Cheryl Robinson
CORLEY, MONCUS & WARD, P.C.
P. O. Box 59807
Birmingham, Alabama 35259-0807

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

Pre-paid Acct. #

2. Name and Address of Debtor (Last Name First if a Person)

TERRESTRIAL HOLDINGS
3757 North Woodridge Road
Birmingham, Alabama 35223

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

FILED WITH:

JUDGE OF PROBATE

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

FIRST COMMERCIAL BANK
800 Shades Creek Parkway
Birmingham, Alabama 35209
Attn: Merrill E. Johnston, Jr.
Social Security/Tax ID #

4. NAME AND ADDRESS OF ASSIGNEE OF SECURED PARTY (IF ANY) (Last Name First if a Person)

☐ Additional secured parties on attached UCC-E

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

All fo the fixtures, equipment, furniture, furnishings and personal property of every nature, now owned or hereafter acquired by debtor, all additions, replacements and proceeds thereof and all other property set forth in Schedule I attached hereto and made a part hereof, located on the real property described on the attached Exhibit "A".

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

THIS FINANCING STATEMENT IS TO BE CROSS-INDEXED IN THE REAL ESTATE MORTGAGE RECORDS.

DEBTOR IS THE RECORD OWNER OF THE REAL ESTATE DESCRIBED ON THE ATTACHED EXHIBIT "A".

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 \$ 176,000.00

Mortgage tax due (15¢ per \$100.00 or fraction thereof) \$ -0-

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)

SEE EXHIBIT "A-1" FOR DEBTOR

Signature(s) of Debtor(s)
SIGNATURES

Signature(s) of Debtor(s)

Type Name of Individual or Business

FIRST COMMERCIAL BANK

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

By: *Merrill E. Johnston, Jr.*

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

Merrill E. Johnston, Jr. Its Asst. VP

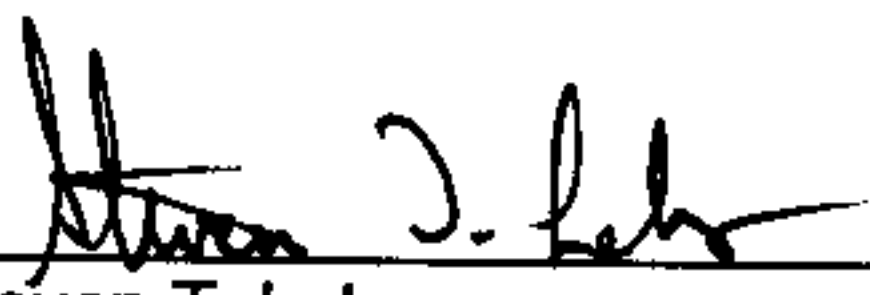
Type Name of Individual or Business

Inst # 2000-40172
11/20/2000-40172
02:18 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
18.00
m1 c11

EXHIBIT "A-1"
TO UCC-1 FINANCING STATEMENT
between
TERRESTRIAL HOLDINGS, as Debtor
and
FIRST COMMERCIAL BANK, as Secured Party

DEBTOR:

TERRESTRIAL HOLDINGS

By: 
Steven T. Lebo
Its General Partner

By: 
Todd A. Darroch
Its General Partner

SCHEDULE I

All Debtor's right, title and interest in, to, and under any and all of the following described property (the "Property"), whether now owned or held or hereafter acquired:

(a) All those certain tracts or parcels of land located in Shelby County, Alabama, as more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof (the "Land"); and

(b) All buildings, structures and improvements of every nature whatsoever now or hereafter situated on the Land, and all gas and electric fixtures, radiators, heaters, engines and machinery, boilers, ranges, elevators and motors, plumbing and heating fixtures, carpeting and other floor coverings, water heaters, awnings and storm sashes, and cleaning apparatus which are or shall be attached to said buildings, structures or improvements, and all other furnishings, furniture, fixtures, machinery, equipment, appliances, vehicles and personal property of every kind and nature whatsoever now or hereafter owned by Debtor and located in, or about, or used or intended to be used with or in connection with the construction, use, operation or enjoyment of the Premises, including all extensions, additions, improvements, betterments, renewals and replacements, substitutions, or proceeds from a permitted sale of any of the foregoing, and all building materials and supplies of every kind now or hereafter placed or located on the Land (collectively the "Improvements"), all of which are hereby declared and shall be deemed to be fixtures and accessions to the Land and a part of the Premises as between the parties hereto and all persons claiming by, through or under them, and which shall be deemed to be a portion of the security for the indebtedness herein described and to be secured by a Mortgage and Security Agreement being filed simultaneously herewith (the "Mortgage"); and

(c) All easements, rights-of-way, strips and gores of land, vaults, streets, ways, alleys, passages, sewer rights, waters, water courses, water rights and powers, minerals, flowers, shrubs, crops, trees, timber and other emblements now or hereafter located on the Land or under or above the same or any part or parcel thereof, and all ground leases, estates, rights, titles, interests, privileges, liberties, tenements, hereditaments and appurtenances, reversions, and remainders whatsoever, in any way belonging, relating or appertaining to the Premises or any part thereof, or which hereafter shall in any way belong, relate or be appurtenant thereto, whether now owned or hereafter acquired by them; and

(d) All rents, issues, profits and revenues of the Premises from time to time accruing, including, without limitation, all sums due under any leases or tenancies, together with all proceeds of insurance, condemnation payments, security deposits and escrow funds, and all of the estate, right, title, interest, property, possession, claim and demand whatsoever at law, as well as in equity, of Debtor of, in and to the same, reserving only the right to Debtor to collect the same so long as an Event of Default has not occurred hereunder or such collection is not otherwise restricted by the Mortgage; and

(e) To the fullest extent assignable (if assignable by law), any and all licenses and permits obtained by Debtor relating to the use and operation of the Premises.

EXHIBIT "A"

Commence at the SW corner of the NE 1/4 of the NE 1/4 of Section 13, Township 20 South, Range 4 West, Shelby County, Alabama, and run East along the South line of said 1/4-1/4 section for 192.78 feet to the Southeast corner of Lot 4 of Oak Park Highlands Sector 3, as recorded in Map Book 26, Page 136, in the Probate Office of Shelby County, Alabama, said corner being the point of beginning of the parcel of land herein described; thence continue along the last described course for 168.84 feet to a point on the West right of way line of Shelby County Highway 52; thence run North 29 degrees, 52 minutes, 22 seconds West along said right of way line for 474.34 feet to the most Easterly corner of Lot 6 of said subdivision; thence run South 50 degrees, 12 minutes, 20 seconds West along said subdivision boundary for 138.20 feet; thence run South 28 degrees, 19 minutes, 47 seconds East and along said subdivision boundary for 365.87 feet to the point of beginning.

Inst # 2000-40172

11/20/2000-40172
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SHELBY COUNTY JUDGE OF PROBATE
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