

☐ 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:

Gail Livingston Mills, Esq.
Burr & Forman LLP
P. O. Box 830719
Birmingham, AL 35283-0719

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

Inst # 2001-02191
01/22/2001-02191
09:07 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
24.00

Pre-paid Acct #

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

Daniel Oak Mountain Limited Partnership
c/o Daniel Realty Corporation
3595 Grandview Parkway, Suite 4000
Birmingham, AL 35243

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 Shelby County

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

SouthTrust Bank
P.O. Box 2554,
Attn: Real Estate Loan Department
Birmingham, AL 35290

Social Security/Tax ID #

☐ Additional secured parties on attached UCC-E

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

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

The Collateral is more particularly described on Exhibit B attached hereto and made a part hereof. The real estate referred to in Exhibit B is more particularly described on Exhibit A attached hereto and made a part hereof.

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

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 Pd. on Mtg.

Mortgage tax due (15¢ per \$100.00 or fraction thereof) \$ 0.00

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)

Signature(s) of Debtor(s)

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

Signature(s) of Debtor(s)

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

SEE SCHEDULE I ATTACHED HERETO

Type Name of Individual or Business

Type Name of Individual or Business

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

(3) FILING OFFICER COPY - ACKNOWLEDGEMENT
(4) FILE COPY - SECURED

(5) FILE COPY DEBTOR(S)

STANDARD FORM — UNIFORM COMMERCIAL CODE — FORM UCC-1
Approved by The Secretary of State of Alabama

SCHEDULE I
TO UCC-1 FINANCING STATEMENT

SIGNATURE OF DEBTOR:

**DANIEL OAK MOUNTAIN LIMITED
PARTNERSHIP,**
an Alabama limited partnership

BY: DANIEL REALTY INVESTMENT
CORPORATION--OAK MOUNTAIN, an
Alabama corporation
Its General Partner


BY: 
Christopher A. Brown
Its Senior Vice President

EXHIBIT A

LEGAL DESCRIPTION OF MORTGAGED PROPERTY

Parcel 1

Lot 5, according to the Amended Map of Greystone, First Sector, Phase VII, as recorded in Map Book 17, Page 53 in the Office of the Judge of Probate of Shelby County, Alabama.

Lot 12, according to the Survey of Greystone, 4th Sector, Phase II, as recorded in Map Book 22, Page 27 in the Office of the Judge of Probate of Shelby County, Alabama.

Lot 2, according to the Survey of Greystone, 4th Sector, Phase II, First Addition, as recorded in Map Book 23, Page 13 in the Office of the Judge of Probate of Shelby County, Alabama.

Lot 66, according to the Survey of Greystone, 5th Sector, Phase I, as recorded in Map Book 17, Page 72 A, B & C in the Office of the Judge of Probate of Shelby County, Alabama.

Lots 1, 29, 30, 43, 55, 56 and 57, according to the Survey of Greystone, 6th Sector, as recorded in Map Book 17, Page 54 A, B & C in the Office of the Judge of Probate of Shelby County, Alabama.

Lot 37-A, according to a Resurvey of Lot 37, Greystone, 6th Sector, as recorded in Map Book 27, Page 67, in the Probate Office of Shelby County, Alabama.

Lot 13-A, according to the Resurvey of Lots 9, 11, 12, and 13, Greystone, 7th Sector, as recorded in Map Book 21, Page 35 in the Office of the Judge of Probate of Shelby County, Alabama.

Lots 1 and 28, according to the Survey of Greystone, 7th Sector, Phase IV, as recorded in Map Book 21, Page 38 A & B in the Office of the Judge of Probate of Shelby County, Alabama.

Lot 57-A, according to a Resurvey of Lots 57 and 58, Greystone, 8th Sector, as recorded in Map Book 26, Page 120 in the Office of the Judge of Probate of Shelby County, Alabama.

Lots 16 and 17, according to the Survey of Greystone, 8th Sector, Phase I, as recorded in Map Book 21, Page 151 in the Office of the Judge of Probate of Shelby County, Alabama.

Lots 2, 3, 6, 7, 8, 11, 12, 28, 33, 35 and 41, according to the Amended Map of The Crest at Greystone as recorded in Map Book 18, Page 17 A, B, C & D in the Office of the Judge of Probate of Shelby County, Alabama.

Parcel 2

A parcel of land situated in Section 28, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Begin at an iron pin found at the Southeast corner of Lot 30 in Greystone 6th Sector as recorded in Map Book 17, on Page 54 A, B, C & D, in the Office of the Judge of Probate, Shelby County, Alabama, thence run North 40 degrees 03 minutes 17 seconds West along the Northeast side of said Lot 30 for a

distance of 189.99 feet to an iron pin found; thence turn an angle to the right of 41 degrees 22 minutes 28 seconds and run North 1 degree 19 minutes 11 seconds East for a distance of 1379.13 feet to an iron pin found; thence turn an angle to the right of 121 degrees 25 minutes 56 seconds and run South 57 degrees 14 minutes 53 seconds East for a distance of 829.05 feet to an iron pin found; thence turn an angle to the right of 89 degrees 58 minutes 50 seconds and run South 32 degrees 43 minutes 57 seconds West for a distance of 278.88 feet to an iron pin found; thence turn an angle to the left of 76 degrees 22 minutes 34 seconds and run South 43 degrees 38 minutes 37 seconds East for a distance of 53.97 feet to an iron pin set on the Northeast corner of a lake that is part of Greystone Golf Course; thence turn an angle to the right of 94 degrees 36 minutes 11 seconds and run South 50 degrees 57 minutes 34 seconds West along the Northwest side of said Greystone Golf Course for a distance of 89.57 feet to an iron pin set; thence turn an angle to the left of 19 degrees 58 minutes 12 seconds and run South 30 degrees 59 minutes 22 seconds West along the Northwest side of said Greystone Golf Course for a distance of 205.17 feet to an iron pin set; thence turn an angle to the left of 2 degrees 45 minutes 09 seconds and run South 28 degrees 14 minutes 13 seconds West along the Northwest side of said Greystone Golf Course for a distance of 141.68 feet to an iron pin set; thence turn an angle to the left of 14 degrees 53 minutes 53 seconds and run South 13 degrees 20 minutes 20 seconds West along the Northwest side of said Greystone Golf Course for a distance of 170.88 feet to an iron pin set; thence turn an angle to the left of 11 degrees 05 minutes 53 seconds and run South 2 degrees 14 minutes 28 seconds West along the Northwest side of said Greystone Golf Course for a distance of 102.93 feet to an iron pin set; thence turn an angle to the right of 75 degrees 16 minutes 09 seconds and run South 77 degrees 30 minutes 37 seconds West along the Northwest side of said Greystone Golf Course for a distance of 67.33 feet to an iron pin set; thence turn an angle to the left of 44 degrees 45 minutes 54 seconds and run South 32 degrees 44 minutes 43 seconds West along the Northwest side of said Greystone Golf Course for a distance of 89.61 feet to an iron pin set; thence turn an angle to the right of 10 degrees 46 minutes 14 seconds and run South 43 degrees 30 minutes 56 seconds West along the Northwest side of said Greystone Golf Course for a distance of 36.85 feet to an iron pin set; thence turn an angle to the left of 62 degrees 03 minutes 39 seconds and run South 18 degrees 32 minutes 43 seconds East along the Southwest side of said Greystone Golf Course for a distance of 71.06 feet to an iron pin set on a curve to the left having a central angle of 4 degrees 21 minutes 11 seconds and a radius of 450.49 feet; thence turn an angle to the left of 13 degrees 19 minutes 54 seconds to the radius of said curve and run in a southwesterly direction along the arc of said curve for a distance of 34.23 feet to an iron pin set at the Northeast corner of Lot 31 in Greystone 6th Sector as recorded in Map Book 17, on Page 54 A, B, C & D, in the Office of the Judge of Probate, Shelby County, Alabama; thence turn an angle to the right of 57 degrees 50 minutes 10 seconds and run North 66 degrees 13 minutes 02 seconds West for a distance of 67.96 feet to an iron pin found at the point of beginning. Said parcel containing 14.24 acres more or less.

LESS AND EXCEPT any portion of the aforesaid parcel lying within the right-of-way of Greystone Way, a private roadway, as shown on the Survey of Greystone, 9th Sector, as recorded in Map Book 21, Page 143, in the Office of the Judge of Probate of Shelby County, Alabama.

Parcel 3

A parcel of land situated in Sections 32 and 33, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows: Begin at an iron pin found at the Southwest corner of Lot 57 in Greystone 6th Sector as recorded in Map Book 17, on Page 54, in the Office of the Judge of Probate, Shelby County, Alabama; thence run north 31 degrees 11 minutes 29 seconds west along the Southwest line of said Lot 57 for a distance of 214.92 feet to

an iron pin set on the Southerly right-of-way line of Greystone Way as recorded in said Greystone 6th Sector, said iron pin being on a curve to the right having a central angle of 30 degrees 24 minutes 40 seconds and a radius of 280.00 feet and a chord bearing of south 74 degrees 00 minutes 51 seconds west; thence run in a southwesterly direction along the arc of said curve and also along said southerly right-of-way line for a distance of 148.62 feet to an iron pin set; thence run south 89 degrees 13 minutes 11 seconds west along said Southerly right-of-way line for a distance of 394.56 feet to an iron pin set on a curve to the left having a central angle of 40 degrees 52 minutes 36 seconds, a radius of 471.60 feet and a chord bearing of south 68 degrees 46 minutes 53 seconds west; thence run in a southwesterly direction along the arc of said curve and also along said Southerly right-of-way line for a distance of 336.45 feet to an iron pin set; thence run south 66 degrees 43 minutes 00 seconds east for a distance of 219.54 feet to an iron pin set; thence run north 78 degrees 46 minutes 58 seconds east for a distance of 548.28 feet to an iron pin found; thence run south 79 degrees 46 minutes 39 seconds east for a distance of 218.06 feet to the point of beginning. Said parcel containing 2.92 acres more or less.

Parcel 4 (Sales Center)

A parcel of land situated in Section 32, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of Lot 13 of Greystone 1st Sector Phase I as recorded in Map Book 14, on Page 91, in the Office of the Judge of Probate, Shelby County, Alabama, said Southwest corner being on the Northwest right-of-way of Greystone Drive as recorded in said Greystone 1st Sector and also being on a curve to the left having a central angle of 12 degrees 33 minutes 20 seconds and a radius of 1,678.31 feet; thence run in a southwesterly direction along the arc of said curve and also along said Northwest right-of-way for a distance of 367.78 feet to a point; thence turn an angle from the chord of last stated curve to the left of 3 degrees 13 minutes 26 seconds and run south 40 degrees 24 minutes 50 seconds West along said Northwest right-of-way for a distance of 375.41 feet to an iron pin set at the point of beginning; thence leaving said Northwest right-of-way run south 42 degrees 52 minutes 52 seconds West along the Southeast line of Greystone Golf Course for a distance of 553.80 feet to an iron pin found; thence turn an angle to the right of 28 degrees 40 minutes 08 seconds and run South 71 degrees 33 minutes 00 seconds West along the Southeast line of Greystone Golf Course for a distance of 161.43 feet to an iron pin found; thence turn an angle to the right of 34 degrees 35 minutes 47 seconds and run south 73 degrees 51 minutes 13 seconds West along the Southeast line of Greystone Golf Course for a distance of 168.12 feet to an iron pin found, said iron pin being on the bank of a lake; thence turn an angle to the left 33 degrees 08 minutes 30 seconds and run South 73 degrees 00 minutes 17 seconds West for a distance of 27.44 feet to an iron pin set; thence turn an angle to the left of 36 degrees 31 minutes 46 seconds and run South 36 degrees 28 minutes 31 West for a distance of 14.29 feet to an iron pin set; thence turn an angle to the left of 24 degrees 46 minutes 23 seconds and run South 11 degrees 42 minutes 08 seconds West for a distance of 55.77 feet to an iron pin set; thence turn an angle to the right of 33 degrees 24 minutes 37 seconds and run South 45 degrees 06 minutes 45 seconds West for a distance of 40.17 feet to an iron pin set; thence turn an angle to the right of 10 degrees 35 minutes 28

seconds and run South 55 degrees 42 minutes 13 seconds West for a distance of 52.06 feet to an iron pin set; thence turn an angle to the left of 18 degrees 10 minutes 41 seconds and run South 37 degrees 31 minutes 32 seconds West for a distance of 70.57 feet to an iron pin set; thence turn an angle to the left of 32 degrees 32 minutes 40 seconds and run South 4 degrees 58 minutes 52 seconds West for a distance of 85.50 feet to an iron pin set on the Northwest right-of-way of Hugh Daniel Drive; thence turn an angle to the left of 90 degrees 00 minutes 00 seconds and run South 85 degrees 01 minutes 08 seconds East for a distance of 161.67 feet to an iron pin set on a curve to the left having a central angle of 46 degrees 51 minutes 49 seconds and a radius of 310.00 feet; thence run in a northeasterly direction along the arc of said curve and also along said Hugh Daniel Drive for a distance of 253.56 feet to an iron pin set; thence run North 48 degrees 07 minutes 02 seconds East along said Hugh Daniel Drive for a distance of 229.62 feet to an iron pin set on a curve to the right having a central angle of 18 degrees 56 minutes 11 seconds and a radius of 650.00 feet; thence run in a northeasterly direction along the arc of said curve and also along said Hugh Daniel Drive for a distance of 214.83 feet to a point on a reverse curve to the left having a central angle of 36 degrees 58 minutes 29 seconds and a radius of 75.00 feet and also a radial bearing in of North 54 degrees 28 minutes 58 seconds West; thence run in a northeasterly direction along the arc of said curve and also along the Northwest right-of-way of Greystone Drive as recorded in said Greystone 1st Sector for a distance of 48.40 feet to an iron pin set on a reverse curve to the right having a central angle of 38 degrees 49 minutes 00 seconds and a radius of 483.48 feet; thence run in a northeasterly direction along the arc of said curve and also along said Greystone Drive for a distance of 327.55 feet to the point of beginning. Said parcel containing 3.447 acres more or less.

Parcel 5

To locate the point of beginning, commence at the southwest corner of Section 33, Township 18 South, Range 1 West, Shelby County, Alabama; thence South 88 degrees 48 minutes 29 seconds East on the south boundary of said Section 33 a distance of 745.00 feet to the point of beginning; thence North 21 degrees 40 minutes 24 seconds East a distance of 619.35 feet to a point; thence South 82 degrees 36 minutes 49 seconds West a distance of 126.88 feet to a curve to the right having a central angle of 20 degrees 00 minutes 32 seconds and a radius of 1890.00 feet; thence run along said curve a distance of 660.02 feet; thence tangent to said curve North 77 degrees 20 minutes 17 seconds West a distance of 250.27 feet to a curve to the left having a central angle of 3 degrees 49 minutes 59 seconds and a radius of 369.83 feet; thence run along said curve a distance of 24.74 feet; thence North 2 degrees 01 minutes 22 seconds East a distance of 60.13 feet; thence North 88 degrees 50 minutes 56 seconds West a distance of 166.57 feet; thence South 4 degrees 52 minutes 01 seconds East a distance of 73.87 feet to a point on a curve to the left having a central angle of 9 degrees 44 minutes 39 seconds and a radius of 369.83 feet; thence run along said curve a distance of 62.90 feet to a point; thence North 88 degrees 58 minutes 04 seconds West a distance of 154.82 feet to a point; thence North 18 degrees 27 minutes 45 seconds West a distance of 75.05 feet to a point; thence North 39 degrees 43 minutes 07 seconds West a distance of 38.96 feet to a point on a south right-of-way of Hugh Daniel Drive, said point being on a curve to the right having a central angle of 52 degrees 12 minutes 19 seconds and a radius of 570.00 feet; thence run along said curve a distance of 519.36 feet; thence tangent to said curve South 77 degrees 30 minutes 48 seconds East a distance of 251.65 feet to a curve to the left having a central angle of 20 degrees 00 minutes 20 seconds and a radius of 1690.00 feet; thence run along said curve a distance of 590.09 feet; thence tangent to said curve North 82 degrees 28 minutes 52 seconds East a distance of 169.49 feet to a

curve to the left having a central angle of 33 degrees 22 minutes 56 seconds and a radius of 1000.40 feet; thence run along said curve a distance of 582.86 feet to a point; thence tangent to said curve North 49 degrees 05 minutes 56 seconds East a distance of 49.58 feet to a curve to the right having a central angle of 8 degrees 28 minutes 00 seconds and a radius of 460.00 feet; thence run along said curve a distance of 67.97 feet; thence tangent to said curve North 57 degrees 33 minutes 56 seconds East a distance of 190.65 feet to a curve to the left having a central angle of 7 degrees 47 minutes 45 seconds and a radius of 1632.50 feet; thence run along said curve a distance of 222.12 feet to a point; thence tangent to said curve North 49 degrees 52 minutes 02 seconds East a distance of 138.87 feet to a curve to the right having a central angle of 29 degrees 57 minutes 09 seconds and a radius of 250.49 feet; thence run along said curve a distance of 130.95 feet to a curve to the left having a central angle of 22 degrees 21 minutes 34 seconds and a radius of 520.91 feet; thence run along said curve a distance of 203.28 feet to a point; thence South 31 degrees 37 minutes 12 seconds West and leaving said Hugh Daniel Drive a distance of 1825.76 feet to a point on the south boundary of said Section 33; thence North 88 degrees 48 minutes 29 seconds West a distance of 655.96 feet to the point of beginning.

All lying and being the SW1/4 of Section 33 and the SE1/4 of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama, and containing 27.19 acres.

Being the same property shown on the boundary survey dated June 8, 1994, prepared by Charley Foster & Associates, Inc. and described as follows:

To locate the point of beginning, commence at the southwest corner of Section 33, Township 18 South, Range 1 West, Shelby County, Alabama; thence South 88 degrees 48 minutes 29 East seconds on the south boundary of said Section 33 a distance of 745.00 feet to the point of beginning; thence North 21 degrees 39 minutes 44 seconds East a distance of 619.23 feet to a point; thence South 82 degrees 35 minutes 44 seconds West a distance of 126.84 feet to a curve to the right having a central angle of 20 degrees 00 minutes 20 seconds and a radius of 1890.00 feet; thence run along said curve a distance of 659.92 feet; thence tangent to said curve North 77 degrees 23 minutes 57 seconds West a distance of 250.36 feet to a curve to the left having a central angle of 3 degrees 49 minutes 33 seconds and a radius of 370.00 feet; thence run along said curve a distance of 24.71 feet; thence North 1 degrees 11 minutes 29 seconds East a distance of 60.00 feet; thence North 88 degrees 48 minutes 31 seconds West a distance of 166.64 feet; thence South 4 degrees 52 minutes 01 seconds East a distance of 73.91 feet to a point on a curve to the left having a central angle of 9 degrees 44 minutes 39 seconds and a radius of 370.00 feet; thence run along said curve a distance of 62.93 feet to a point; thence North 88 degrees 48 minutes 29 seconds West a distance of 154.69 feet to a point; thence North 17 degrees 45 minutes 42 seconds West a distance of 74.92 feet to a point; thence North 39 degrees 44 minutes 09 seconds West a distance of 40.00 feet to a point on a south right-of-way of Hugh Daniel Drive, said point being on a curve to the right having a central angle of 52 degrees 20 minutes 28 seconds and a radius of 570.00 feet; thence run along said curve a distance of 520.71 feet; thence tangent to said curve South 77 degrees 23 minutes 57 seconds East a distance of 250.36 feet to a curve to the left having a central angle of 20 degrees 00 minutes 20 seconds and a radius of 1690.00 feet; thence run along said curve a distance of 590.09 feet; thence tangent to said curve North 82 degrees 35 minutes 43 seconds East a distance of 169.47 feet to a curve to the left having a central angle of 33 degrees 24 minutes 16 seconds and a radius of 1000.00 feet; thence run along said curve a distance of 583.02 feet to a point; thence tangent to said curve North 49 degrees 11 minutes 26 seconds East a distance of 49.12 feet to a curve to the right having a central angle of 8 degrees 25 minutes 01 seconds and a radius of 460.00 feet; thence run along said curve a distance of 67.58 feet; thence tangent to said curve North 57 degrees 36 minutes 27 seconds East a distance of 192.38 feet to a curve to the left having a central angle of 7 degrees 45 minutes 24 seconds and a radius

of 1640.00 feet; thence run along said curve a distance of 222.02 feet to a point; thence tangent to said curve North 49 degrees 51 minutes 03 seconds East a distance of 138.92 feet to a curve to the right having a central angle of 29 degrees 51 minutes 15 seconds and a radius of 251.62 feet; thence run along said curve a distance of 131.10 feet to a curve to the left having a central angle of 22 degrees 12 minutes 53 seconds and a radius of 523.89 feet; thence run along said curve a distance of 203.13 feet to a point; thence South 31 degrees 40 minutes 13 seconds West and leaving said Hugh Daniel Drive a distance of 1824.61 feet to a point on the south boundary of said Section 33; thence North 88 degrees 48 minutes 29 seconds West a distance of 656.00 feet to the point of beginning.

All lying and being the SW1/4 of Section 33 and the SE1/4 of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama, and containing 27.19 acres.

LESS AND EXCEPT that portion of the above-described parcel situated in the SW 1/4 of Section 33 and the SE 1/4 of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

To locate the point of beginning, commence at the Southwest corner of said Section 33, thence run South 88°48'29" East along the South boundary line of said Section 33 for a distance of 745.00 feet to a point; thence run North 21°40'24" East for a distance of 619.35 feet to the point of beginning; thence run South 82°36'49" West for a distance of 126.88 feet to a point on a curve to the right having a central angle of 20°00'32" and a radius of 1890.00 feet and a radial bearing in of North 7°24'41" West; thence run along the arc of said curve in a northwesterly direction for a distance of 660.02 feet to a point; thence run North 77°20'17" West for a distance of 250.27 feet to a point on a curve to the left having a central angle of 3°49'59" and a radius of 369.83 feet and a radial bearing in of South 12°31'16" West; thence run in a northwesterly direction along the arc of said curve for a distance of 24.74 feet to a point; thence run North 2°01'22" East for a distance of 60.13 feet to a point; thence run North 88°50'56" West for a distance of 166.57 feet to a point on a curve to the right having a central angle of 1°54'04" and a radius of 2226.56 feet and a radial bearing in of South 84°07'39" West; thence run in a southeasterly direction along the arc of said curve for a distance of 73.87 feet to a point on a curve to the left having a central angle of 9°44'39" and a radius of 369.83 feet and a radial bearing in of South 16°02'40" East; thence run in a southwesterly direction along the arc of said curve for a distance of 62.90 feet to a point; thence run North 88°58'04" West for a distance of 154.82 feet to a point; thence run North 18°27'45" West for a distance of 75.05 feet to a point; thence run North 39°43'07" West for a distance of 38.96 feet to a point on the South right of way line of Hugh Daniel Drive, said point being on a curve to the right having a central angle of 52°12'19" and a radius of 570.00 feet and a radial bearing in of South 39°43'07" East; thence run in a northeasterly direction along the arc of said curve and also along said South right of way line for a distance of 519.36 feet to a point; thence run tangent to last stated curve South 77°30'48" East along said South right of way line for a distance of 251.65 feet to a point on a curve to the left having a central angle of 20°00'20" and a radius of 1690.00 feet; thence run in a southeasterly to northeasterly direction along the arc of said curve and also along said South right of way line for a distance of 590.09 feet to a point; thence run tangent to last stated curve along said South right of way line North 82°28'52" East for a distance of 169.49 feet to a point on a curve to the left having a central angle of 3°59'16" and a radius of 1000.40 feet; thence run in a northeasterly direction along the arc of said curve and also along said South right of way line for a distance of 69.63 feet to a point; thence run South 21°40'24" West and leaving said South right of way line for a distance of 232.50 feet to the point of beginning. Containing 6.54 acres more or less.

EXHIBIT B
TO UCC-1 FINANCING STATEMENT
FROM DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, AS DEBTOR
TO SOUTHTRUST BANK, AS SECURED PARTY

This Financing Statement covers all of the Debtor's right, title, and interest in and to the following described land and interests in land, estates, easements, rights, improvements, personal property, fixtures, equipment, furniture, furnishings, appliances and appurtenances, including replacements and additions thereto, and proceeds thereof (which property is hereinafter referred to collectively as the "Collateral"):

(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, on or about, or used or intended to be used with or in connection with the construction, use, operation or enjoyment of the Collateral, 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 Collateral 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 the Mortgage and Security Agreement of even date herewith from Debtor in favor of Secured Party (the "Mortgage"); provided, however, that with respect to any items of equipment and personal property which are leased and not owned, the Collateral shall include the Debtor's leasehold interest only, together with any option to purchase any of said items and any additional or greater rights with respect to such items hereafter acquired; 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 Collateral or any

part thereof, or which hereafter shall in any way belong, relate or be appurtenant thereto, whether now owned or hereafter acquired by Debtor (the "Appurtenant Rights"), and any and all such greater rights as the Debtor may hereafter acquire in and to the Appurtenant Rights; and

(d) All rents, issues, profits and revenues of the Collateral 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 (as therein defined) has not occurred hereunder or such collection is not otherwise restricted by that certain Mortgage and Security Agreement from Debtor in favor of Secured Party encumbering the Collateral; and

(e) To the fullest extent assignable (if assignable by law), licenses, permits, certificates of occupancy, and similar documents, warranties, guarantees, operating agreements, and service contracts obtained by the Debtor relating to the use and operation of the Collateral; and

(f) All rights, powers, and reservations as the "Developer" under (i) the Greystone Residential Declaration of Covenants, Conditions and Restrictions as recorded in the Probate Office of Shelby County, Alabama in Real 317, Page 260 et seq., as amended from time to time, as such rights, powers, and reservations shall apply to the Collateral.

Inst # 2001-02191

**01/22/2001-02191
09:07 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
010 NMB 24.00**