

# UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER [optional]

Shelley Scallan - 770-804-5569

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

Robert T. Morgan, Esq.  
Thrasher, Whitley, Hampton & Morgan, P.C.  
Five Concourse Parkway, Suite 2150  
Atlanta, Georgia 30328

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

Inst # 2001-37757

08/31/2001-37757  
03:15 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
17.00

1. DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (1a or 1b) - do not abbreviate or combine names

1a. ORGANIZATION'S NAME

Helena Properties, LLC

OR 1b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

1c. MAILING ADDRESS

c/o Harcon, Inc., 905 Union Hill Road

Alpharetta

STATE

POSTAL CODE

GA

30084

COUNTRY

USA

1d. TAX ID #: SSN OR EIN

ADD'L INFO RE  
ORGANIZATION  
DEBTOR

1e. TYPE OF ORGANIZATION

LLC

1f. JURISDICTION OF ORGANIZATION

Georgia

1g. ORGANIZATIONAL ID #, if any

NONE

2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (2a or 2b) - do not abbreviate or combine names

2a. ORGANIZATION'S NAME

OR 2b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

2c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

2d. TAX ID #: SSN OR EIN

ADD'L INFO RE  
ORGANIZATION  
DEBTOR

2e. TYPE OF ORGANIZATION

2f. JURISDICTION OF ORGANIZATION

2g. ORGANIZATIONAL ID #, if any

NONE

3. SECURED PARTY'S NAME (or NAME of TOTAL ASSIGNEE of ASSIGNOR S/P) - insert only one secured party name (3a or 3b)

3a. ORGANIZATION'S NAME

SouthTrust Bank

OR 3b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

3c. MAILING ADDRESS

2161 Pleasant Hill Road

Duluth

STATE

POSTAL CODE

GA

30096

COUNTRY

USA

4. This FINANCING STATEMENT covers the following collateral:

See Exhibit "A", pages 1 and 2, attached hereto and incorporated herein.

5. ALTERNATIVE DESIGNATION (if applicable) ☐ LESSEE/LESSOR ☐ CONSIGNEE/CONSIGNOR ☐ BAILEE/BAILOR ☐ SELLER/BUYER ☐ AG. LIEN ☐ NON-UCC FILING

6. This FINANCING STATEMENT is to be filed (for record) (or recorded) in the REAL ESTATE RECORDS. Attach Addendum (if applicable) 7. Check to REQUEST SEARCH REPORT(S) on Debtor(s) (optional) ☐ All Debtors ☐ Debtor 1 ☐ Debtor 2

8. OPTIONAL FILER REFERENCE DATA

4696-12-414

Helena Properties, LLC

By: *Michael A. Hardin* Its: Manager/Member

FILING OFFICE COPY — NATIONAL UCC FINANCING STATEMENT (FORM UCC1) (REV. 07/29/98)

FORM SHOULD BE TYPEWRITTEN OR COMPUTER GENERATED

## **EXHIBIT "A"**

### **THE TYPES OR ITEMS OF COLLATERAL COVERED BY THIS FINANCING STATEMENT ARE AS FOLLOWS:**

- (a) All buildings, structures and improvements of every nature whatsoever now or hereafter situated on that certain real property more particularly described on page 2 of this Exhibit "A" (hereinafter referred to as 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, fire extinguishers and any other safety equipment required by governmental regulation or law, washers dryers, water heaters, mirrors, mantels, air conditioning apparatus, refrigerating plants, refrigerators, cooking apparatus and appurtenances, window screens, awning and storm sashes, which are or shall be attached to said buildings, structures or improvements and all other fixtures 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 use, operation or enjoyment of the Land, including all extensions, additions, improvements, betterments, after-acquired property, renewals, replacements and substitutions, or proceeds from a permitted sale of any of the foregoing, and all the right, title and interest of Debtor in any such fixtures subject to or covered by any prior security agreement, conditional sales contract, chattel mortgage or similar lien or claim, together with the benefit of any deposits or payment now or hereafter made by Debtor or on behalf of Debtor, any property acquired with cash proceeds of any of the fixtures described hereinabove; all of which are hereby declared and shall be deemed to be fixtures and accessions to the Land an a part of the Land as between the parties hereto and all persons claiming by, through or under them. The location of the above-described collateral is also the location of the Land.
- (b) 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 of parcel thereof, and all estates, rights, titles interest, privileges, liberties, tenements, hereditaments and appurtenances, reversion and reversions, remainder and remainders, whatsoever, in any way belonging, relating or appertaining to the Land 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.
- (c) All income, rents issues, profits and revenues of the Land from time to time accruing (including without limitation all payments under leases or tenancies, proceeds of insurance, condemnation payments, tenant security deposits whether held by Debtor or in a trust account, and escrow funds), and all 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.

## EXHIBIT "A"

### (Legal Description of 204 Rolling Mill Street, Helena, Alabama)

Beginning at the Northwest corner of Lot 1, Block 1, Mullins East Side Addition to Helena, as recorded in Map Book 4, page 25, in the Office of the Judge of Probate of Shelby County and run thence North 82° 28' 39" East along the North line of said Lot 1 a distance of 163.05 feet to the Northwest corner of Lot 15, Block 1, of same said Subdivision; thence run North 82° 17' 12" East along the North line of said Lot 15 a distance of 173.99 feet to the Northeast corner of same said Lot 15; thence continue North 83° 10' 04" East, crossing the Northerly end of the Vacated Mimosa Street a distance of 51.15 feet to the Northwest corner of Lot 9, Block 2 of same said Subdivision; thence continue North 80° 02' 41" East a distance of 180.57 feet to a corner; thence run North 35° 54' 28" East a distance of 38.14 feet to a corner; thence run North 80° 05' 13" East a distance of 231.10 feet to a found capped corner; thence run South 06° 46' 41" East a distance of 87.40 feet to a cross in concrete corner; thence run South 10° 57' 15" East a distance of 91.97 feet to a found rebar corner; thence run South 74° 26' 16" West a distance of 191.12 feet to a found rebar corner; thence run South 60° 15' 51" West a distance of 42.65 feet to a found rebar corner; thence run South 07° 54' 53" East a distance of 185.78 feet to a set rebar corner on a cul de sac property line having a central angle of 77° 29' 14" and a radius of 50.0 feet; thence run Southwesterly along the arc of said cul de sac a distance of 67.62 feet to a set rebar corner; thence run North 85° 24' 07" West a distance of 366.10 feet to a set rebar corner; thence run North 13° 13' 14" West a distance of 127.78 feet to a found rebar corner; thence run South 82° 14' 09" West a distance of 199.32 feet to a found rebar corner on the East margin of Rolling Mill Street; thence run North 02° 58' 06" West along said margin of said street a distance of 199.91 feet to the point of beginning.

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