

**UCC FINANCING STATEMENT**

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

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

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

Timothy D. Davis, Esq.  
Sirote & Permutt, P.C.  
P. O. Box 55727  
Birmingham, Alabama 35255-5727

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Inst # 2002-1708R  
04/11/2002-17088  
03:42 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MSB

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						
OR						
1b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME	SUFFIX		
Lumpkin		Edwin	B.	Jr.		
1c. MAILING ADDRESS		CITY	STATE	POSTAL CODE	COUNTRY	
100 Metro Parkway		Pelham	AL	35124	USA	
1d. TAX ID# SSN OR EIN	ADD'L INFO RE ORGANIZATION DEBTOR	1e. TYPE OF ORGANIZATION	1f. JURISDICTION OF ORGANIZATION			1g. ORGANIZATIONAL ID #, if any
						<input type="checkbox"/> 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
						<input type="checkbox"/> 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					
OR					
3b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME	SUFFIX	
SouthTrust Bank					
3c. MAILING ADDRESS		CITY	STATE	POSTAL CODE	COUNTRY
P. O. Box 2554		Birmingham	AL	35290	USA

4. This FINANCING STATEMENT covers the following collateral:

All of the equipment, fixtures, contract rights, general intangibles, and tangible 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 located on the real property described on EXHIBIT A attached hereto.

This UCC is to be cross-indexed in real estate records.

5. ALTERNATIVE DESIGNATION (if applicable)		LESSEE/LESSOR	CONSIGNEE/CONSIGNOR	BAILEE/BAILOR	SELLER/BUYER	AG. LIEN	NON-UCC FILING
6. <input checked="" type="checkbox"/> This FINANCING STATEMENT is to be filed (for record) (or recorded) in the REAL ESTATE RECORDS. Attach Addendum		7. Check to REQUEST SEARCH REPORT(S) on Debtor(s) (optional)		All Debtors		Debtor 1	Debtor 2
8. OPTIONAL FILER REFERENCE DATA							
Filed as additional security for indebtedness in original amount of \$1,475,000 secured by mortgage recorded herewith on which taxes have already been paid							
FILING OFFICE COPY — NATIONAL UCC FINANCING STATEMENT (FORM UCC1) (REV. 07/29/98)							

# UCC FINANCING STATEMENT ADDENDUM

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

## 9. NAME OF FIRST DEBTOR (1a or 1b) ON RELATED FINANCING STATEMENT

9a. ORGANIZATION'S NAME

OR

9b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME, SUFFIX

Lumpkin

Edwin

B., Jr.

## 10. MISCELLANEOUS:

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## 11. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (11a or 11b) - do not abbreviate or combine names

11a. ORGANIZATION'S NAME

OR

11b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

11c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

11d. TAXID#: SSN OR EIN

ADD'L INFO RE  
ORGANIZATION  
DEBTOR

11e. TYPE OF ORGANIZATION

11f. JURISDICTION OF ORGANIZATION

11g. ORGANIZATIONAL ID #, if any

☐ NONE

## 12. ADDITIONAL SECURED PARTY'S or ASSIGNOR S/P'S NAME - insert only one debtor name (12a or 12b)

12a. ORGANIZATION'S NAME

OR

12b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

12c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

13. This FINANCING STATEMENT covers ☐ timber to be cut or ☐ as-extracted collateral, or is filed as a ☒ fixture filing.

## 14. Description of real estate.

That real property situated in Shelby County, Alabama described more fully on Exhibit "A" attached hereto and incorporated fully herein by reference.

15. Name and address of a RECORD OWNER of above-described real estate (if Debtor does not have a record interest):

Debtor is the record owner of the real estate described on the attached Exhibit "A"

## 16. Additional collateral description:

17. Check only if applicable and check only one box.

Debtor is a ☐ Trust or ☐ Trustee acting with respect to property held in trust or ☐ Decedent's Estate

18. Check only if applicable and check only one box.

☐ Debtor is a TRANSMITTING UTILITY

☐ Filed in connection with a Manufactured-Home Transaction - effective 30 years

☐ Filed in connection with a Public-Finance Transaction - effective 30 years

Debtor - Edwin B. Lumpkin, Jr.  
Tax ID# - 423-66-7118

## **SCHEDULE I**

All of 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 (hereinafter referred to collectively as the "Property"):

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

(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 Property, 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 Property as between Debtor and Secured Party and all persons claiming by, through or under them, and which shall be deemed to be a portion of the security for the indebtedness described in and to be secured by that certain Mortgage and Security Agreement entered into by and between Debtor and Secured Party simultaneously herewith (as the same may be amended or modified from time to time, the "Mortgage");

(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 Property 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; and

(d) All rents, issues, profits, revenues and proceeds of and from the Property, or any part thereof, from time to time accruing (including without limitation all payments under leases, ground leases or tenancies, proceeds of insurance, condemnation payments, tenant security deposits and escrow funds, and all proceeds from any sale or other disposition of the Property, or any part thereof), 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 Debtor is not in default under the Mortgage or such collection is not otherwise restricted by the Mortgage.

Except as otherwise specifically defined herein, all capitalized words and phrases used herein shall have the respective meanings attributable to them as set forth in the Mortgage, the terms and conditions of which are hereby incorporated herein by this reference.



EXHIBIT "A"

Situated in the Southwest quarter of Section 25, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Begin at a pine heart locally accepted to be the Southeast corner of the Northeast quarter of the Southwest quarter of said Section 25; thence run in a Westerly direction along the South line of said quarter-quarter section for a distance of 952.16 feet to an iron pin set on the Northeast right-of-way line of CSX Railroad, said iron pin set also being on a curve to the left having a central angle of 05 degrees, 20 minutes, 58 seconds and a radius of 1,002.00 feet; thence turn an angle to the right to the chord of said curve of 49 degrees, 53 minutes, 11 seconds and run in a Northwesterly direction along the arc of said curve and also along the Northeast right-of-way line of said CSX Railroad for a distance of 93.52 feet to an iron pin set on the Northeast right-of-way line of said CSX Railroad; thence turn an angle to the right from the tangent of last stated curve of 90 degrees, 00 minutes, 00 seconds and run in a Northeasterly direction for a distance of 50.00 feet to an iron pin set on the Northeast right-of-way line of said CSX Railroad, said iron pin also being on a curve to the left having a central angle of 42 degrees, 20 minutes, 03 seconds and a radius of 1,052.00 feet; thence run in a Northwesterly direction along the arc of said curve for a distance of 777.29 feet to an iron pin found on the Northerly right-of-way line of said CSX Railroad; thence turn an angle from the chord of said curve of 62 degrees, 48 minutes, 50 seconds and run in a Northwesterly direction for a distance of 71.73 feet to an iron pin found on the Southwest right of way line of Shelby County Highway # 440, said iron pin being on a curve to the left having a central angle of 18 degrees, 41 minutes, 58 seconds and a radius of 445.00 feet; thence turn an angle to the chord of said curve of 49 degrees, 45 minutes, 01 second and run in a Northeasterly direction along the arc of aid curve for a distance of 145.23 feet to an iron pin set on the Southeast right-of-way line of Shelby County Highway # 440, said iron pin also being on a curve to the left having a central angle of 06 degrees, 40 minutes, 47 seconds and a radius of 1,995.54 feet; thence run along the arc of said curve in a Northeasterly direction for a distance of 232.65 feet to an iron pin set on the Southeast right-of-way line of said Shelby County Highway # 440; thence run tangent to last stated curve in a Northeasterly direction for a distance of 279.52 feet to a concrete monument found on the Southeast right-of-way line of said Shelby County Highway # 440, said concrete monument also being the South right-of-way line of U.S. Highway # 280; thence turn an angle to the right of 90 degrees, 08 minutes, 12 seconds and run in a Southeasterly direction for a distance of 34.12 feet to a concrete monument found on the Southeast right-of-way line of said U.S. Highway # 280; thence turn an angle to the left of 90 degrees, 19 minutes, 13 seconds and run in a Northeasterly direction along the Southeast right-of-way line of said U.S. Highway # 280 for a distance of 157.70 feet to a concrete monument found; thence turn an angle to the right of 29 degrees, 25 minutes, 18 seconds and run in a Northeasterly direction along the Southeast right-of-way line of said U.S. Highway # 280 for a distance of 171.16 feet to a concrete monument found; thence turn an angle to the right of 32 degrees, 10 minutes, 21 seconds and run in a Southeasterly direction along the South right-of-way line of said U.S. Highway # 280 for a distance of 1,021.16 feet to a 3/8 inch rebar found on the South right-of-way line of said U.S. Highway # 280, said iron also being on the East line of said Northeast quarter of the Southwest quarter; thence turn an angle to the right of 86 degrees, 55 minutes, 26 seconds and run in a Southerly direction along the East line of said Northeast quarter of the Southwest quarter for a distance of 1,154.68 feet to the point of beginning.

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