



20020711000322050 Pg 1/6 36.00
Shelby Cnty Judge of Probate, AL
07/11/2002 14:28:00 FILED/CERTIFIED

UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER [optional]	
B. SEND ACKNOWLEDGMENT TO: (Name and Address)	
Guy V. Martin, Jr., Esq. Martin, Rawson and Woosley, P.C. #2 Metroplex Drive, Suite 102 Birmingham, Alabama 35209	

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

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		
	SUMMERS		MICHAEL	R.	MR.		
1c. MAILING ADDRESS			CITY	STATE	POSTAL CODE	COUNTRY	
3336 BrookHighland Circle			Birmingham	AL	35242	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	
	ALAMERICA BANK					
3c. MAILING ADDRESS			CITY	STATE	POSTAL CODE	COUNTRY
P.O. Box 55269			Birmingham	AL	35223	USA

4. This FINANCING STATEMENT covers the following collateral:

All of the fixtures, contract rights, general intangibles and tangible personal property of every nature now owned or hereafter acquired by Debtor and related to the real property described in Exhibit A attachd hereto, all additions, replacements, and proceeds thereof and all other property set forth in Schedule A attached hereto located on the real property described in Exhibit A attached hereto.

All rights, title and interest of Debtor in and to the Life Insurance Policy issued by Protective Life Insurance Company in the face amount of \$670,000, issued December 21, 1992, Policy No. PL0492724.

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 [if applicable]		7. Check to REQUEST SEARCH REPORT(S) on Debtor(s) [ADDITIONAL FEE] [optional]		All Debtors		Debtor 1	Debtor 2
8. OPTIONAL FILER REFERENCE DATA							

SCHEDULE A

All interest of Debtor, whether now owned or hereafter acquired, in the rights, interests and personal property (collectively referred to as the "personal property") of any kind or nature whatsoever, whether tangible or intangible, whether or not any of such personal property is now or becomes a "fixture" or attached to the real estate described in Exhibit A, which is used or will be used in the construction of, or is or will be placed upon, or is derived from or used in connection with, the maintenance, use, occupancy or enjoyment of the said real estate and any improvements located thereon, including, without limitation, all accounts, documents, instruments, chattel paper, general intangibles, inventory, all plans and specifications, contracts and subcontracts for the construction, reconstruction or repair of the improvements located on said real estate, bonds, permits, licenses, guarantees, warranties, causes of action, judgments, claims, profits, rents, security deposits, utility deposits, refunds of fees or deposits paid to any governmental authority, letters of credit, policies and proceeds of insurance, any award of payment or compensation payable on account of any condemnation or other taking for public or private use of the said real estate or any improvements located thereon, motor vehicles and aircraft, together with all present and future attachments, accretions, accessions, replacements and additions thereto and products and proceeds thereof.

All leases, license agreements and other occupancy or use agreements (whether oral or written), now or hereafter existing, which cover or relate to all or any portion of the said real estate, together with all options therefor, amendments thereto and renewals, modifications and guarantees thereof, and all rents, royalties, issues, profits, revenue, income and other benefits of the said real estate and improvements thereon arising from the use or enjoyment thereof or from any leases, including, without limitation, cash or securities deposited thereunder to secure performance by the tenants of their obligations thereunder, whether said cash or securities are to be held until the expiration of the terms of the said leases or applied to one or more of the installments of rent coming due.

All profits and sales proceeds, including, without limitation, earnest money and other deposits, now or hereafter becoming due by virtue of any contract or contracts for the sale of any interest of Debtor in the said real estate or improvements located thereon; and

Without limiting the foregoing, all fixtures, machinery, equipment, office equipment and machines, inventory, farm products, vehicles and conveyances (including, without limitation, tractors, mowers, sweepers, snow removers, and other similar equipment), construction materials, building supplies, and articles of personal property (whether or not actually located on the real estate); including, but not limited to: heating, ventilating, humidifying and dehumidifying, air conditioning, laundry (including, without limitation, washers and dryers), incinerating, safety, power, plumbing, cleaning, fire prevention and fire extinguishing, and communications supplies, equipment, systems, and apparatus, lamps, chandeliers, and other lighting equipment and fixtures, vacuum cleaning systems, furnaces, boilers, radiators, piping, and coal stokers, plumbing and bathroom fixtures, sprinkler and alarm systems, washtubs, tanks, sinks, gas and electric fixtures, awnings, screens, window shades, storm doors and windows, ducts and compressors, rugs, carpet and other floor coverings, shades and draperies, partitions, elevators, escalators, pumps, motors, engines, conduits, dynamos, refrigerators, stoves, ranges, freezers, incinerators, kitchen equipment and appliances, and all other appliances and fittings, cabinets, shelving and lockers, plants, shrubbery and all landscaping and planting materials, and indoor and outdoor furniture and furnishings; all logos, trademarks, trade names, service marks, good will, and similar property; all books and records, statements of account, operating statements, periodic reports, balance sheets, profit and loss statements, financial statements, checkbooks, deposit receipts, and all other business and financial records and statements of all kinds; all computer time, computer runs, computer software and services, computer programs, computer apparatus and computer hardware; all televisions, radios, receivers, recorders, cables, lines, apparatus and equipment of all kinds; provided that the property described in this paragraph is limited to such property as is used in connection with the maintenance and operation of the real estate described in Exhibit A..

All personalty and other property described in the mortgage and security agreement or deed of trust and security agreement or deed to secure debt and security agreement executed by the Debtor in favor of or for the benefit of Secured Party.

All proceeds (including claims thereto or demands therefor) of the conversion, voluntary or involuntary, permitted or otherwise, of any of the foregoing into cash or liquidated claims.

EXHIBIT A

Parcel I.

A parcel of land situated in the Southeast Quarter of Section 29, and the Southwest Quarter of Section 28, Township 18 South, Range 1 West, Shelby County, Alabama, being all of Lot 3 and part of Lot 2 in Bigler's Resurvey as recorded in Map Book 8, on Page 106, in the Office of the Judge of Probate, Shelby County, Alabama plus acreage being more particularly described as follows:

Commence at the Southwest corner of said Southeast Quarter Section, thence run North along the West line of said Southeast Quarter Section for a distance of 1,460.00 feet to a point; thence turn an angle to the right of $123^{\circ}00'00''$ and run in a southeasterly direction for a distance of 581.68 feet to a point on the Southeast line of an 80 foot wide right-of-way for Alabama Highway No. 119; thence turn an angle to the left of $98^{\circ}31'00''$ and run in a northeasterly direction along said Southeast line for a distance of 23.23 feet to the intersection of the Southeast right-of-way line of Alabama Highway No. 119 and the Northeast line of a 60 foot right-of-way for a county road; thence continue along last stated course for a distance of 549.91 feet to an iron pin found at the point of beginning; thence continue along last stated course for a distance of 211.29 feet to an iron pin set at the Southwest corner of Harris Cemetery; thence turn an angle to the right of $90^{\circ}23'57''$ and run in a southeasterly direction along the South line of said Harris Cemetery for a distance of 116.54 feet to an iron pin set at the Southeast corner of Harris Cemetery; thence turn an angle to the left of $89^{\circ}35'56''$ and run in a northeasterly direction along the East side of said Harris Cemetery for a distance of 62.00 feet to an iron pin found; thence turn an angle to the right of $0^{\circ}26'34''$ and run in a northeasterly direction along the East side of said Harris Cemetery for a distance of 72.17 feet to an iron pin found at the northeast corner of said Harris Cemetery; thence turn an angle to the left of $86^{\circ}20'19''$ and run in a northwesterly direction along the North side of said Harris Cemetery for a distance of 112.79 feet to an iron pin set, said iron pin set being on the Southeast right-of-way line of Alabama Highway No. 119, also known as Cahaba Valley Road, said iron pin set also being on a curve to the right having a central angle of $1^{\circ}09'26''$ and a radius of 10,373.33 feet; thence turn an angle to the right of $88^{\circ}20'18''$ to the chord of said curve and run in a northeasterly direction along the arc of said curve and also along said Southeast right-of-way line of Alabama Highway No. 119 for a distance of 209.51 feet to an iron pin set; thence run tangent to last stated curve in a northeasterly direction along said Southeast right-of-way line of Alabama Highway No. 119 for a distance of 207.07 feet to an iron pin found; thence turn an angle to the right of $92^{\circ}28'53''$ and run in a southeasterly direction for a distance of 2,205.05 feet to an iron pin found; thence turn an angle to the right of $102^{\circ}45'49''$ and run in a southwesterly direction for a distance of 138.24 feet to an iron pin found; thence turn an angle to the left of $0^{\circ}00'45''$ and run in a southwesterly direction for a distance of 154.96 feet to an iron pin found; thence turn an angle to the left of $1^{\circ}00'33''$ and run in a southwesterly direction for a distance of 203.08 feet to an iron pin found; thence turn an

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angle to the right of $78^{\circ}14'44''$ and run in a northwesterly direction for a distance of 1,074.39 feet to an iron pin set; thence turn an angle to the left of $90^{\circ}00'00''$ and run in a southwesterly direction for a distance of 100.00 feet to an iron pin set; thence turn an angle to the right of $90^{\circ}00'00''$ and run in a northwesterly direction for a distance of 34.49 feet to an iron pin set; thence turn an angle to the left of $90^{\circ}00'00''$ and run in a southwesterly direction for a distance of 183.69 feet to an iron pin found; thence turn an angle to the right of $90^{\circ}00'00''$ and run in a northwesterly direction for a distance of 937.67 feet to the point of beginning.

Parcel II

A part of Lot 2, Bigler's Resurvey, as recorded in Map Book 8, Page 106, in the Office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows:

Commence at the Westernmost corner of Lot 2 of Bigler's Resurvey as recorded in Map Book 8, Page 106, in the Office of the Judge of Probate, Shelby County, Alabama, said point being the intersection of the Southwesterly line of said Lot 2 and the Southeasterly right-of-way line of Alabama Highway No. 119 and run in a Northeasterly direction along the Northwesterly line of said Lot 2 and the Southeasterly right-of-way line of Alabama Highway No. 119 a distance of 135.11 feet to the point of beginning. Thence continue in a Northeasterly direction along the Northwesterly line of said Lot 2 and the Southeasterly right-of-way line of said highway a distance of 60.06 feet to a point; thence $92^{\circ}32'47''$ to the right in a Southeasterly direction a distance of 2221.44 feet to a point on the Southeasterly line of said Lot 2; thence $102^{\circ}41'43''$ to the right in a Southwesterly direction along the Southeasterly line of said Lot 1 a distance of 61.50 feet to a point; thence $77^{\circ}18'17''$ to the right in a Northwesterly direction a distance of 2205.25 feet to the point of beginning.

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Less and except the following:

A parcel of land situated in the SE 1/4 of Section 29 and the SW 1/4 of Section 28, Township 18 South, Range 1 West, Shelby County, Alabama, being a part of Lot 3 and a part of Lot 2 in Bigler's Resurvey as recorded in Map Book 8 on Page 106 in the Office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows:

Commence at the SW corner of said SE 1/4 section; thence run North along the West line of said SE 1/4 section for a distance 1,460 feet to a point; thence turn an angle to the right of 123 deg. 00 min. 00 sec. and run in a Southeasterly direction for a distance of 581.68 feet to a point on the Southeast line of an 80 foot wide right of way for Alabama Highway No. 119; thence turn an angle to the left of 98 deg. 31 min. 00 sec. and run in a Northeasterly direction along said Southeast line for a distance of 23.23 feet to the intersection of the Southeast right of way line of Alabama Highway No. 119 and the Northeast line of a 60 feet right of way for a county road; thence continue along last stated course for a distance of 549.91 feet to an iron pin found; thence continue along last stated course for a distance of 211.29 feet to an iron pin found at the Southwest corner of Harris Cemetary, thence turn an angle to the right of 90 deg. 23 min. 57 sec. and run in a Southeasterly direction along the South line of said Harris Cemetary for a distance of 116.54 feet to an iron pin found at the Southeast corner of Harris Cemetary; thence turn an angle to the left of 89 deg. 35 min. 56 sec. and run in a Northeasterly direction along the East side of said Harris Cemetary for a distance of 62.00 feet to an iron pin found at the point of beginning; thence turn an angle to the right 0 deg. 26 min. 34 sec. and run in an Northeasterly direction along the East side of said Harris Cemetary for a distance of 72.17 feet to an iron pin found at the Northeast corner of said Harris Cemetary; thence turn an angle to the left of 86 deg. 20 min. 19 sec. and run in a Northwesterly direction along the North side of said Harris Cemetary for a distance of 112.79 feet to an iron pin found, said found, said iron pin found being on the Southeast right of way line of Alabama Highway No. 119 also known as Cahaba Valley Road, said iron pin found also being on a curve to the right having a central angle of 1 deg. 09 min. 26 sec. and a radius of 10,373.33 feet; thence turn an angle to the right of 88 deg. 20 min. and 18 sec. to the chord of said curve and run in a Northeasterly direction along the arc of said curve and also along said Southeasterly right of way line of Alabama Highway No. 119 for a distance of 209.51 feet to an iron pin found; thence run tangent to last stated curve in an Northeasterly direction along said Southeast right of way line of Alabama Highway No. 119 for a distance of 207.07 feet to an iron pin found; thence turn an angle to the left of 00 deg. 03 min. 43 sec. and run in a Northeasterly direction along said Southeast right of way line of Alabama Highway No. 119 for a distance of 60.05 feet to an iron pin found; thence turn an angle to the right of 92 deg. 32 min. 42 sec. and run in an Southeasterly direction for a distance of 2,221.26 feet to an iron pin found; thence turn an angle to the right of 102 deg. 44 min. 09 sec. and run in a Southwesterly direction for a distance of 61.44 feet to an iron pin found; thence turn an angle to the right of 00 deg. 01 min. 34 sec. and run in a Southwesterly direction for distance of 138.24 feet to an iron pin found; thence turn an angle to the left of 00 deg. 45 sec. and run in a Southwesterly direction for a distance of 154.96 feet to an iron pin found; thence turn an angle to the left of 1 deg. 00 min. 33 sec. and run in a Southwesterly direction for a distance of 203.08

feet to an iron pin found; thence turn an angle to the right of 78 deg. 11 min. 27 sec. and run in a Northwesterly direction for a distance of 1,040.19 feet to an iron pin set; thence turn an angle to the right 81 deg. 54 min. 07 sec. and run in a Northeasterly direction for a distance of 115.00 feet to an iron pin set; thence turn an angle to the left of 79 deg. 38 min. 49 sec. and run in a Northwesterly direction for a distance of 294.24 feet to an iron pin set; thence turn an angle to the left of 95 deg. 21 min. 43 sec. and run in a Southwesterly direction for a distance of 115.00 feet to an iron pin set; thence turn an angle to the right of 92 deg. 17 min. 41 sec. and run in a Northwesterly direction for a distance of 615.60 feet to the point of beginning.