

UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER [optional] James E. Vann (205) 930-5484	
B. SEND ACKNOWLEDGMENT TO: (Name and Address) Sirote & Permutt, P.C. 2311 Highland Avenue South Birmingham, Alabama 35205	

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. DEBTOR'S EXACT FULL LEGAL NAME - insert only <u>one</u> 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
	Walton		Philip	D.
1c. MAILING ADDRESS		CITY	STATE	POSTAL CODE
540 Wahapa Lake Circle		Leeds	Al	35094
1d. TAXID#: SSN OR EIN		1e. TYPE OF ORGANIZATION	1f. JURISDICTION OF ORGANIZATION	1g. ORGANIZATIONAL ID #, if any
				☐ NONE
2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME -insert only <u>one</u> 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
2c. MAILING ADDRESS		CITY	STATE	POSTAL CODE
2d. TAX ID#: SSN OR EIN		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 <u>one</u> secured party name (3a or 3b)				
3a. ORGANIZATION'S NAME				
OR	3b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME
	The Bank			
3c. MAILING ADDRESS		CITY	STATE	POSTAL CODE
17 North 20th Street		Birmingham	Al	35203

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 A attached hereto located on the real property described on EXHIBIT A attached hereto.

Additional security for mortgage recorded at 20020829000413760

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						
44643-00006						

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
Walton Philip D.

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 [X] fixture filing.
14. Description of real estate.
See exhibit A attached hereto and incorporated herein
15. Name and address of a RECORD OWNER of above-described real estate (if Debtor does not have a record interest):
Philip D. Walton

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

SCHEDULE A

All tangible personal property now or hereafter owned by Debtor and now or at any time hereafter located on or at the real estate described in Exhibit A attached hereto, or used in connection therewith, including, but not limited to: all building materials, goods, machinery, tools, insurance proceeds, equipment (including fire sprinklers and alarms systems, air conditioning, heating, refrigerating, electronic monitoring, entertainment, recreational, window or structural cleaning rigs, maintenance, exclusion of vermin or insects, removal of dust, refuse or garbage and all other equipment of every kind), lobby and all other indoor or outdoor furniture (including, but not limited to, tables, chairs, planters, desks, sofas, shelves, lockers and cabinets), wall beds, wall safes, furnishings, appliances (including, but not limited to, ice boxes, refrigerators, ranges, dishwashers, disposals, hoods, fans, heaters, stoves, water heaters and incinerators), inventory, rugs carpets and other floor coverings, draperies and drapery rods and brackets, awnings, window shades, Venetian blinds, curtains, lamps, chandeliers and other lighting fixtures and office maintenance and other supplies.

Together with all rents, issues, profits, royalties or other benefits derived from the real estate described in Exhibit A, and together with all leases or subleases covering any portion of the real estate described in Exhibit A, including, without limitation, all cash or security deposits, advance rentals, and deposits or payments of similar nature, and together with all additions and accessions thereto and replacements thereof; and together with all proceeds or sums payable in lieu of or as compensation for the loss or damage to any property covered hereby or the real property upon which said property covered hereby is or may be located; all rights in and to all pertinent present and future fire and/or hazard insurance policies; all fixtures; and together with all additions and accessions thereto and replacements thereof.

All fixtures, machinery, equipment, furniture and furnishings and personal property of every nature whatsoever now or hereafter owned by the Debtor and now or hereafter located in, on, or used or intended to be used in connection with or with the construction, operation, or use of said property, buildings, structures or other improvements, including all extensions, additions, improvements, betterments, renewals and replacements to any of the foregoing; all building materials, equipment, fixtures and fittings of every kind or character now owned or hereafter acquired by the Debtor for the purpose of being used or useful in connection with the improvements located or to be located on the hereinabove described real estate, whether such materials, equipment, fixtures, and fittings are actually located on or adjacent to said real estate or not, and whether in storage or otherwise, wheresoever the same may be located. Personal property included within the property described in this Schedule A and with respect to which a security interest is granted in connection herewith shall specifically include, without limitation, all lumber and lumber products, bricks, building stones and building blocks, sand and cement, roofing material, paint, doors, windows, hardware, nails, wires and wiring, plumbing and plumbing fixtures, heating and air conditioning equipment and appliances, electrical and gas equipment and appliances, pipes and piping, ornamental and decorative fixtures, furniture, and in general all building materials and equipment of every kind and character used or useful in connection with said improvements.

All Debtor's rights in and to the contracts, agreements, and other documents relating to the construction of the improvements on the property described in Exhibit A, including without limitation, construction contracts, drawings and specifications, together with any additions, extensions, revisions, modifications, or guarantees of performance or obligations to Debtor under any of the above.

EXHIBIT "A"

PARCEL I:

A parcel of land situated in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21, Township 22 South, Range 3 West, described as follows:

Commence at the Southeast corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21 and go South 89°52' West along the South boundary of said $\frac{1}{4}$ - $\frac{1}{4}$ Section 990.63 feet; thence North 0°27' West for 261.90 feet to the point of beginning; thence continue along this line for 189.60; thence North 89°33' East for 197.08 feet; thence North 5°39' West for 164.10 feet; thence South 89°27' East for 266.88 feet to the West boundary of Apache Street; thence South 4°57' West along this boundary 348.0 feet; thence South 89°33' West for 415.58 feet to the point of beginning; being situated in Shelby County, Alabama.

PARCEL II:

Commence at the Southeast corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21, Township 22 South, Range 3 West, and go South 89°52' West along the South boundary of said $\frac{1}{4}$ - $\frac{1}{4}$ Section 539.50 feet to the point of beginning; thence continue along this line for 559.14 feet; thence North 13°24' West for 323.18 feet; thence South 16°11' East for 24.97 feet; thence North 83°14' East for 175.90 feet; thence South 0°27' East for 49.35 feet; thence North 89°33' East for 415.58 feet to the West boundary of Apache Trail; thence South 4°57' West along this boundary for 7.27 feet to the beginning of a curve to the left having a central angle of 95°05' a radius 125.00 feet and a tangent distance of 136.61 feet; thence along this curve for 207.43 feet to the point of tangent; thence South 89°52' West for 76.61 feet; thence south 4°57' West for 119.66 feet to the point of beginning; there is excepted and excluded from said Parcel II the following described Parcel, (the same being Parcel III hereinafter described):

Commence at the SE corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21, Township 22 South, Range 3 West, go South 89°52' West along the South boundary of said $\frac{1}{4}$ - $\frac{1}{4}$ Section 539.50 feet to the point of beginning; thence continue along this line for 310.25 feet; thence North 1°32' West for 261.23 feet; thence North 89°33' East for 280.00 feet to the West boundary of Apache Trail; thence South 4°57' West along boundary for 7.27 feet to the beginning of a curve to the left, having a central angle of 95°05' a radius of 125.00 feet and a tangent distance of 136.61 feet; thence along this curve for 207.43 feet to the point of tangent; thence South 89°52' West for 76.61 feet; thence South 4°57' West for 119.66 feet to the point of beginning; being situated in Shelby County, Alabama.

PARCEL III:

Commence at the SE corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21, Township 22 South, Range 3 West, go South 89°52' West along the South boundary of said $\frac{1}{4}$ - $\frac{1}{4}$ Section 539.50 feet to the point of beginning; thence continue along this line for 310.25 feet; thence North 1°32' West for 261.23 feet; thence North 89°33' East for 280.00 feet to the West boundary of Apache Trail; thence South 4°57' West along boundary for 7.27 feet to the beginning of a curve to the left, having a central angle of 95°05' a radius of 125.00 feet and a tangent distance of 136.61 feet; thence along this curve for 207.43 feet to the point of tangent; thence South 89°52' West for 76.61 feet; thence South 4°57' West for 119.66 feet to the point of beginning; being situated in Shelby County, Alabama.

PARCEL IV:

Commence at the Southeast corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21, Township 22 South, Range 3 West; thence run South 89°52' West along the South boundary of said $\frac{1}{4}$ section for 990.63 feet; thence North 0°27' West for 436.31 feet to a point; thence turn an angle of 91°04'06" to the right and run 170.88 feet to a point; thence turn an angle of 89°17'28" to the left and run 21.08 feet to the point of beginning of the parcel herein described; thence continue along the last described course for 165.39 feet to a point; thence turn an angle of 171°09'56" to the right and run 166.18 feet to a point; thence turn an angle of 96°09'26" to the right and run 25.55 feet to the point of beginning. Said parcel is lying in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21, Township 22 South, Range 3 West, Shelby County, Alabama.