

# UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

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

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

FIRST COMMERCIAL BANK  
P. O. BOX 11746  
BIRMINGHAM, AL 35202-1746

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 R C OWEN COMPANY, INC

1b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

1c. MAILING ADDRESS

P. O. BOX 533

CITY

HOPKINSVILLE

STATE

POSTAL CODE

KY

42241

COUNTRY

USA

1d. TAX ID #: SSN OR EIN

ADD'L INFO RE  
ORGANIZATION  
DEBTOR

1e. TYPE OF ORGANIZATION

CORPORATION

1f. JURISDICTION OF ORGANIZATION

ALABAMA

1g. ORGANIZATIONAL ID #, if any

NONE X

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

ZIP CODE

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

OR

FIRST COMMERCIAL-BIRMINGHAM

3b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

3c. MAILING ADDRESS

CITY

BIRMINGHAM

STATE

AL

POSTAL CODE

35209

COUNTRY

USA

4. This FINANCING STATEMENT covers the following collateral:

ALL OF THE FIXTURES, EQUIPMENT, FURNITURE, FURNISHINGS AND 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 AND MADE A PART HEREOF, LOCATED ON THE REAL PROPOERTY DESCRIBED ON THE ATTACHED EXHIBIT "A".

THIS FINANCING STATEMENT IS TO BE CROSS-INDEXED IN THE REAL ESTATE MORTGAGE RECORDS. DEBTOR IS THE RECORD OWNER OF THE REAL ESTATE.

THIS STATEMENT IS BEING FILED TO PERFECT A SECURITY INTEREST IN COLLATERAL AS TO WHICH THE FILING HAS LAPSED.

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. X 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 I**

**All of Debtor's right, title and interest in, to, and under the following described land, real estate, buildings, improvements, fixtures, furniture, and personal property:**

**(a) All those certain tracts or parcels of land located in Shelby County, State of 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, or about, or used or intended to be used with or in connection with the construction, use, operation or enjoyment of the Premises, 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 Premises 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 a Mortgage and Security Agreement of even date (the "Mortgage"); 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 Premises or any part thereof, or which hereafter shall in any way belong, relate or be appurtenant thereto, whether now owned or hereafter acquired by them; and**

**(d) All rents, issues, profits and revenues of the Premises 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 has not occurred hereunder or such collection is not otherwise restricted by the Mortgage; and**

**(e) To the fullest extent assignable (if assignable by law), any and all licenses and permits obtained by Debtor relating to the use and operation of the Premises.**

EXHIBIT "A"

20030129000054720 Pg 3/3 30.00  
Shelby Cnty Judge of Probate, AL  
01/29/2003 13:55:00 FILED/CERTIFIED

A parcel of land situated in the Northwest quarter of the Southeast quarter and the Southwest quarter of the Northeast quarter of Section 2, Township 21 South, Range 3 West, Shelby County, Alabama and being more particularly described as follows:

Commence at an iron pin found purported to be the Northeast corner of the Northwest quarter of the Southeast quarter of said Section 2, Township 21 South, Range 3 West; thence proceed in a Westerly direction, along the North line of the Southeast quarter of said Section 2 for 177.22 feet to the POINT OF BEGINNING of said parcel; thence with a right interior angle of 61 degrees 43 minutes 01 second, proceed in a Southeasterly direction 174.78 feet to an iron pin set; thence with a left interior angle of 120 degrees 11 minutes 47 seconds, proceed in a Southwesterly direction, 86.61 feet to an iron pin set; thence with a left interior angle of 89 degrees 58 minutes 47 seconds, proceed in a Northwesterly direction, 179.34 feet to an iron pin set; thence with a left interior angle of 149 degrees 49 minutes 26 seconds, proceed in a Northwesterly direction, 245.07 feet to an iron pin set; thence with a left interior angle of 91 degrees 58 minutes 42 seconds, proceed in a Northeasterly direction, 120.72 feet to the beginning of a curve to the right and an iron pin set, said curve having a central (delta) angle of 1 degree 58 minutes 42 seconds, a radius of 1284.89 feet and an arc length of 44.36 feet; thence proceed in a Northeasterly direction, along the arc of said curve, 44.36 feet to a cross set in concrete curb and the end of said curve; thence with a left interior angle of 90 degrees 00 minutes 00 seconds from the tangent of said previous curve, proceed in a Southeasterly direction, 186.69 feet to THE POINT OF BEGINNING of said parcel.

Parcel contains 57.860 square feet or 1.328 acres, more or less.