

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 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
Kidd Jack W.

1c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY
5492 Highway 280 East 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
☒ 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
Jack Rabbit, LLC

OR 2b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

2c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY
5492 Highway 280 East Birmingham AL 35242 USA

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
limited liability company Alabama ☒ 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
First Commercial Bank

OR 3b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

3c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY
800 Shades Creek Parkway Birmingham AL 35209 USA

4. This FINANCING STATEMENT covers the following collateral:

All of the properties, assets and rights of the Debtor, whether now owned or hereafter acquired or arising, including, described more fully on Schedule 1 attached hereto and incorporated fully herein by reference, which may now or hereafter be related to or located on the real property described on Exhibit "A" attached hereto, together with all additions thereto and replacements, proceeds and products thereof.

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

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

8. OPTIONAL FILER REFERENCE DATA

This instrument is filed as additional security to a mortgage in the amount of \$6,200,000.00 filed simultaneously herewith in Jefferson and Shelby Counties, Alabama

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
Kidd	Jack	W.

10. MISCELLANEOUS:

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

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			
Eastwood Mini Storage Company			
OR			
11b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX
11c. MAILING ADDRESS		CITY	STATE
5492 Highway 280 East		Birmingham	AL
		POSTAL CODE	COUNTRY
		35242	USA
11d. TAXID#: SSN OR EIN	ADD'L INFO RE ORGANIZATION DEBTOR	11e. TYPE OF ORGANIZATION	11f. JURISDICTION OF ORGANIZATION
		general partnership	Alabama
11g. ORGANIZATIONAL ID #, if any			<input checked="" type="checkbox"/> 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 certain real property 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):

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 1

Debtor: Jack W. Kidd
Jack Rabbit, LLC
Eastwood Mini Storage Company

Secured Party: First Commercial Bank

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

(b) The leasehold interest in Parcels 6 and 7 of the Land, as set forth in that certain lease agreement by and between Zimmer-Wesson Associates, Inc., Profit Sharing Trust and Zimmer-Wesson Associates, Inc., a corporation as lessor and Joe H. Williamson, as lessee, dated November 25, 1986, recorded in Real Volume 3110, page 912 and amended by instrument dated April 29, 1988 and recorded in Real Volume 3377, page 346 and assigned by that certain Assignment of Contract rights and Bill of Sale dated February 27, 1987 entered into by Joe H. Williamson, "Seller" and in favor of Jack W. Kidd "Buyer" recorded in Real Volume 3150, page 123 in the Probate Office of Jefferson County, Alabama, and further assigned to Guarantor in that certain Assignment and Assumption Agreement recorded in Instrument 20030643012 in the Probate Office of Jefferson County, Alabama, together with all rights, options and other benefits inuring to either of the Borrowing Parties as lessee of the Leasehold including, without limitation, any and all reversions or remainders in and to the Leasehold and all credits, deposits, options (including, without limitation, any options to purchase or renew set forth therein and other privileges and rights of lessee thereunder) (collectively, the "Leasehold Estate");

(c) 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 the Mortgagors 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 Land, 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 Land 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 this Mortgage; and

(d) 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 Land or the Leasehold 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

(e) All rents, issues, profits and revenues of the Land and Leasehold Estate and Improvements 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 the Mortgagors of, in and to the same, reserving only the right of the Mortgagors to collect the same so long as an Event of Default has not occurred hereunder or such collection is not otherwise restricted by this Mortgage; and

(f) To the fullest extent assignable (if assignable by law), any and all licenses and permits obtained by the Mortgagors relating to the use and operation of the Land and the Leasehold Estate and the Improvements.

(g) All money and investments from time to time on deposit in, or forming a part of, the funds and accounts established under the Indenture identified in the Mortgage recorded in connection herewith (herein called the "Special Funds"), subject to the prior lien of the Indenture with respect to the Special Funds and the provisions of the Indenture permitting the application thereof for the purposes and on the terms and conditions set forth therein.

EXHIBIT "A"

PROPERTY DESCRIPTIONS

PARCEL 1: Intentionally deleted

PARCEL 2: (Commons Drive)

Lot 2-D, of a resurvey of Lot 2-C, of a resurvey of Lot 2, Lakeshore Commons, as recorded in Map Book 186, Page 17, in the Probate Office of Jefferson County, Alabama, and being more particularly described as follows:

Begin at the Southeast corner of Lot 2-B, of a resurvey of Lot 2, of Lakeshore Commons, as recorded in Map Book 185, Page 79, in the Office of the Probate Judge of Jefferson County, Alabama; thence run on an assumed bearing North 51 degrees 30 minutes 00 seconds East for 175.16 feet along the Northerly right of way line of Commons Drive; thence 87 degrees 32 minutes 45 seconds left and run on an assumed bearing of North 36 degrees 02 minutes 45 seconds West for 302.51 feet to a point on the Southerly right of way line of Lakeshore Parkway, said point being on a curve to the right, said curve having a radius of 3,969.72 feet and subtending a central angle of 02 degrees 31 minutes 54 seconds and an assumed chord bearing of South 57 degrees 49 minutes 29 seconds West; thence 87 degrees 23 minutes 43 seconds left to become tangent to said curve and run along the arc of said curve for 175.41 feet to the Northeast corner of said aforementioned Lot 2-B; thence from tangent to said curve 95 degrees 08 minutes 11 seconds left and run along the Easterly line of said Lot 2-B on an assumed bearing of South 36 degrees 02 minutes 45 seconds East for 321.85 feet to the point of beginning.

PARCEL 3: (West Park Drive)

Lot 20, according to the Survey of West Park at Oxmoor, as recorded in Map Book 169, Page 25, in the Probate Office of Jefferson County, Alabama.

PARCEL 4: (West Park Drive)

Lot 21, according to Baughan Resurvey at West Park, as recorded in Map Book 187, Page 41, in the Probate Office of Jefferson County, Alabama.

PARCEL 5: (Brookhurst)

Lot B, according to the Map and Survey of Roebuck Crest Addition to Brookhurst, as recorded in Map Book 114, Page 2, in the Probate Office of Jefferson County, Alabama.

PARCEL 6: (Jack Rabbit)

Lot 5A, Block 3, according to a Resurvey of Lots 5 and 6, Block 3, of Rosedale Park, as recorded in Map Book 151, Page 57, in the Probate Office of Jefferson County, Alabama.

PARCEL 7: (Auto Pride Car Wash)

Lot 36A, Block 2, according to the First Amendment to a Resurvey of Lots 36, 37 and 38, Block 2, of Rosedale Park, as recorded in Map Book 156, Page 21, in the Probate Office of Jefferson County, Alabama.

PARCEL 8: (Highway 280 Office/Warehouse)

Commence at the Northwest corner of the Northwest quarter of the Northeast quarter of Section 5, Township 19 South, Range 1 West, thence run North 86 degrees 43 minutes 38 seconds East for a distance of 333.88 feet to the Point of Beginning; thence run South 71 degrees 31 minutes 13 seconds East for a distance of 100.20 feet; thence run South 23 degrees 59 minutes 16 seconds West for a distance of 275.63 feet; thence run North 67 degrees 10 minutes 15 seconds West for a distance of 104.08 feet; thence run North 12 degrees 30 minutes 00 seconds West for a distance of 57.00 feet; thence run North 30 degrees 17 minutes 51 seconds East for a distance of 239.82 feet to the point of beginning.

Situated in Shelby County, Alabama

ALSO: An easement described as follows:

Commence at the northwest corner of the Northwest one-quarter of the Northeast one-quarter of Section 5, Township 19 South, Range 1 West; thence run North 86 degrees 43 minutes 38 seconds East along the North line of said quarter-quarter for a distance of 333.88 feet; thence run South 71 degrees 31 minutes 13 seconds East for a distance of 100.20 feet; thence run South 23 degrees 59 minutes 16 seconds West for a distance of 260.63 feet to the POINT OF BEGINNING; thence run South 71 degrees 19 minutes 30 seconds East for a distance of 29.78 feet to the point of intersection with a curve to the left, said curve having a central angle of 18 degrees 42 minutes 34 seconds, a radius of 183.00, a chord of 59.49 and a chord bearing of South 26 degrees 50 minutes 01 seconds West; thence run along the arc of said curve for a distance of 59.76 feet to the end of said curve; thence run South 17 degrees 28 minutes 44 seconds West for a distance of 153.42 feet to the point of commencement of a curve to the right, said curve having a central angle of 50 degrees 45 minutes, a radius of 146.77 feet, a chord of 125.79 and a chord bearing of South 42 degrees 51 minutes 14 seconds; thence run along the arc of said curve for a distance of 130.00 feet to the end of said curve; thence run South 68 degrees 13 minutes 44 seconds West for a distance of 30.04 feet to a point on the northeasterly right of way line of U. S. 280, said right of way being situated on a curve to the left and having a central angle of 0 degrees 35 minutes 01 seconds, a radius 2944.79 feet, a chord of 30.00 feet and a chord bearing of North 21 degrees 46 minutes 15 seconds West; thence run along the arc of said curve and the Northeasterly right of way line of U. S. Highway No. 280 for a distance of 30.00 feet; thence run North 68 degrees 13 minutes 44 seconds East for a distance of 30.04 feet to the point of commencement of a curve to the left, said curve having a central angle of 50 degrees 45 minutes, a radius of 116.77 feet, a chord of 100.08 feet and a chord bearing of North 42 degrees, 51 minutes 14 seconds East; thence run along the arc of said curve for a distance of 103.43 feet to the end of said curve; thence run North 17 degrees 28 minutes 44 seconds East for a distance of 153.42 feet to the point of commencement of a curve to the right, said curve, having a central

angle of 16 degrees 10 minutes 47 seconds, a radius of 213.00 feet, a chord of 59.95 feet and a chord bearing of North 25 degrees 34 minutes 08 seconds East; thence run along the arc of said curve for a distance of 60.15 feet to the end of said curve; thence run South 71 degrees, 19 minutes 30 seconds East for a distance of 1.46 feet to the POINT OF BEGINNING.

PARCEL 9: (Linden)

Lot 1, Block D, according to the Survey of Shades Heights, as recorded in Map Book 6, Page 97, in the Probate Office of Jefferson County, Alabama.

PARCEL 10: (Pears)

Lot 15, Block C, according to the Survey of Shades Heights, as recorded in Map Book 6, Page 97, in the Probate Office of Jefferson County, Alabama.

PARCEL 11: (Adams)

Sub-Parcel I:

A parcel of land located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, Township 19 South, Range 3 West, Shelby County, Alabama, more particularly described as follows:

Commence at the NW corner of said $\frac{1}{4}$ - $\frac{1}{4}$ Section; thence in an Easterly direction along the North line of said $\frac{1}{4}$ - $\frac{1}{4}$ section; a distance of 470.20 feet to the point of beginning; thence continue along last described course, a measured distance of 31.33 (31.24 feet deed); thence 42 degrees 06 minutes 46 seconds right, in a Southeasterly direction a distance of 244.75 feet to a point on a curve having a radius of 50 feet last described course being radial to said curve; thence in a Southwesterly direction along the arc of said curve to the left a distance of 23.90 feet; thence 39 degrees 19 minutes 16 seconds right from line tangent to said curve in a Southwesterly direction a distance of 197.05 feet; thence 104 degrees 30 minutes right; in a Northwesterly direction a measured distance of 271.44 (271.40 feet deed); thence 71 degrees 40 minutes 30 seconds right, in a Northeasterly direction a distance of 74.50 feet to the point of beginning.

Sub-Parcel II:

A parcel of land located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, Township 19 South, Range 3 West, more particularly described as follows: Commence at the NW corner of said $\frac{1}{4}$ - $\frac{1}{4}$ Section and run thence in an Easterly direction along the Northerly line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section a distance of 501.44 feet to point of beginning; thence continue along last described course a distance of 396.00 feet; thence 89 degrees 19 minutes 08 seconds right in a Southerly direction a distance of 82.27 feet; thence 54 degrees 43 minutes 51 seconds right in a Southwesterly direction a distance of 163.39 feet to a point of a curve having a radius of 50 feet; thence 103 degrees 01 minutes 59 seconds right to tangent to said curve and in a Northwesterly direction along the arc of said curve to the left a distance of 100.33 feet; thence in a Northwesterly direction along a line radial to said curve a distance of 244.75 feet to the point of beginning. Situated in Shelby County, Alabama.

Less and Except the following:

A portion of Sub-Parcel II, described as a parcel of land located in the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 25, Township 19 South, Range 3 West, more particularly described as follows:

Commence at the Northwest corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 25 and run South 89 degrees 55 minutes 20 seconds East along the North line of said $\frac{1}{4}$ - $\frac{1}{4}$ section for a distance of 761.20 feet to the point of beginning; from the point of beginning thus obtained continue along the last described course for a distance of 135.60 feet; thence turn an angle of 89 degrees 17 minutes 37 seconds to the right and run in a Southerly direction for a distance of 82.24 feet; thence turn an angle of 54 degrees 43 minutes 54 seconds to the right and run in a Southwesterly direction for a distance of 163.14 feet; thence turn an angle of 124 degrees 30 minutes 03 seconds to the right and run in a Northerly direction for a distance of 178.13 feet to the point of beginning.

PARCEL 12: (Rainbow Paint Center)

Lot 1, Carnaggio's Survey, as recorded in Map Book 121, Page 23, in the Probate Office of Jefferson County, Alabama.

PARCEL 13: (Rainbow Paint Center)

Lot 2-C, according to a resurvey of Lot 2-A, Meeks 1st Addition to Shady Springs and part of Lot D-1, being a part of a resurvey of Lot D, Meeks 1st Addition to Shady Springs, as recorded in Map Book 123, Page 59, in the Probate Office of Jefferson County, Alabama.

PARCEL 14: (Rainbow Paint Center)

A parcel of land being part of Lot 3, according to the Survey of Meeks 1st Addition to Shady Springs as recorded in Map Book 15, Page 31, and being bounded on the Southeasterly side by the Northwesterly line of Lot 1, Carnaggio's Survey Map Book 121, Page 23; on the Southwesterly side by the Northeasterly line of Lot 2C, a Resurvey of Lot 2-A Meeks 1st Addition to Shady Springs and part of Lot D-1, being a part of a Resurvey of Lot D, Meeks 1st Addition to Shady Springs as recorded in Map Book 123, Page 59, and by one of the Northeasterly lines of the Cabana Condominium Survey, Map Book 103, Page 55A, on Northwesterly side by one of the Southeasterly lines of the same Cabana Condominium Survey, and on the Northeasterly side by one of the Southwesterly sides of the same Cabana Condominium Survey, and by the Southwesterly boundary of Lot 3A according to a Resurvey of part of Lots 3 & 4, Meeks 1st Addition to Shady Springs, as recorded in Map Book 76, Page 64, and on the Southeasterly side by the Northwesterly right of way of U. S. Highway No. 31.

PARCEL 15: (Vacant Homewood Land and Xpress Lube)

All of Lots 32, 33, 34 and 35, in Block 2, according to the Survey of Rosedale park, as recorded in the Office of the Judge of Probate, Jefferson County, Alabama, in Map Book 3, Page 26, less

and except any portion lying in road right of way and being more particularly described as follows:

Beginning at the NW corner of said Lot 35, run in an Easterly direction along the North line of said Lot 35, for a measured distance of 150.03 feet to an existing iron pin being the Northeast corner of said Lot 35 and being on the West right of way of 18th Place South; thence turn an angle to the right of 89 degrees 47 minutes and run in a Southerly direction along the East line of said Lot 35 for a distance of 50.0 feet to an existing iron rebar being on the North right of way line of 29th Avenue, South; thence turn an angle to the right of 90 degrees 13 minutes and run in a Westerly direction along the North right of way line of 29th Avenue, South, for a distance of 222.43 feet to an existing iron pin being on the East right of way line of 18th Street; thence turn an angle to the right of 90 degrees 09 minutes 14 seconds and run in a Northerly direction along the East right of way line of 18 the Street for a distance of 102.26 feet, more or less, to an existing concrete right of way monument; thence turn an angle to the right of 43 degrees 37 minutes 28 seconds and run in a Northeasterly direction for a distance of 66.11 feet to an existing iron pin being on the North line of said Lot 32; thence turn an angle to the right of 46 degrees 13 minutes 18 seconds and run in an Easterly direction along the North line of said Lot 32, for a distance of 25.05 feet, more or less, to an existing iron pin, being the Northeast corner of said Lot 32; thence turn an angle to the right of 88 degrees 56 minutes 18 seconds and run in a Southerly direction along the East line of said Lot 32, for a distance of 50.0 feet to an existing PK nail, being the Southeast corner of said Lot 32; thence turn a measured angle to the right of 0 degrees 48 minutes 42 seconds and run in a Southerly direction for a distance of 50.0 feet, more or less; to the point of beginning.

Situated in Jefferson County, Alabama.

PARCEL 16: (Hardee's - Trussville)

Lot 3-A, according to the Resurvey of Lot 3, Cahaba Plaza, as recorded in Map Book 133, Page 52, in the Probate Office of Jefferson County, Alabama.

PARCEL 17: (Highlander)

Lots 3 and 4, in Block 4, according to the Survey of Highland Office Park, as recorded in Map Book 55, Page 91, in the Probate Office of Jefferson County, Alabama.