

# **UCC FINANCING STATEMENT**

The Arrange Security				
B. SEND ACKNOWLEDGMENT TO: (Name and Address)  Najjar Denaburg, P.C. 2125 Morris Avenue Birmingham, AL 35203  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  [a. GRGANIZATION'S NAME Eddlernan-Thornton, LLC  R. bi. INDIVIDUAL'S LAST NAME  [T. MALING ADDRESS  2700 Highway 280, Suite 425  Birmingham  [T. TAX IO #: SSN OR EIN ORGANIZATION PRE 16. TYPE OF ORGANIZATION II. JUNISDICTIONOF ORGANIZATION III. JUNISDICTIONOF				
Najjar Denaburg, P.C. 2125 Morris Avenue Birmingham, AL 35203  THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY  1. DEBTOR'S EXACT FULL LEGAL NAME - insert only gog denitor name (1s or 1b) - do not abbreviate or combine names  1s ORGANIZATION'S NAME  Eddleman-Thornton, LLC  TIC INDIVIDUAL'S LAST NAME  FIRST NAME  FIRST NAME  MIDDLE NAME  SUFFIX  NALING ADDRESS  COTY  AL  STATE  POSTAL CODE  COUNTI  AL  SSN OR EIN  ADDL INFO RE  THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY  STATE  POSTAL CODE  COUNTI  AL  SSTATE  POSTAL CODE  COUNTI  AL  ADAMIZATION  LLC  Alabama  FIRST NAME  MIDDLE NAME  FIRST NAME  MIDDLE NAME  SUFFIX  STATE  POSTAL CODE  COUNTE  COUNTI  COUNTIES EXACT FULL LEGAL NAME - insert only gog debtor name (2s or 2b) - do not abbreviate or combine names  COR  TOTY  STATE  POSTAL CODE  COUNTIE  COUNTIES  COUNTIES  COUNTIES  SO ORGANIZATION'S NAME  FIRST NAME  MIDDLE NAME  SUFFIX  STATE  POSTAL CODE  COUNTIE  SO ORGANIZATION NAME  FIRST NAME  MIDDLE NAME  MIDDLE NAME  SUFFIX  SON ORGANIZATION NAME  NORMALING ADDRESS  SO ORGANIZATION NAME  NORMALING ADDRESS  SO NORMALIZATION NAME  POSTAL CODE  COUNTIE  SO ORGANIZATION NAME  NORMALING ADDRESS  OITY  STATE  POSTAL CODE  COUNTIE  SO ORGANIZATION STANE  NORMALING ADDRESS  OITY  STATE  POSTAL CODE  COUNTIE  SO ORGANIZATION STANE  NORMALING ADDRESS  OITY  STATE  POSTAL CODE  COUNTIE  SO ORGANIZATION STANE  NORMALING ADDRESS  OITY  STATE  POSTAL CODE  COUNTIE  SO ORGANIZATION STANE  NORMALING ADDRESS  OITY  STATE  POSTAL CODE  COUNTIE  SO ORGANIZATION  AL  SO ORGANIZATION  STATE  POSTAL CODE  COUNTIE  SO ORGANIZATION  STATE  POSTAL CODE  COUNTIE  SO ORGANIZATION  STATE  POSTAL CO				
21.25 Morris Avenue Birmingham, AL 35203  THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY  1. DEBTOR'S EXACT FULL LEGAL NAME - insert only ong debtor name (1s or 1b) - do not abbreviate or combine names  To ORGANIZATION'S NAME  Eddleman-Thornton, LLC  To INDIVIDUAL'S LAST NAME  FIRST NAME  OR MIDDLE NAME  SUFFIX  ORDANIZATION ORGANIZATION ORGANIZATION ORGANIZATION ORGANIZATION ORGANIZATION ORGANIZATION LLC  Alabama  To INDIVIDUAL'S LAST NAME  FIRST NAME  FIRST NAME  FIRST NAME  MIDDLE NAME  ORGANIZATION 1s, it is any organization only ong debtor name (2s or 2b) - do not abbreviate or combine names  2a ORGANIZATION'S NAME  OR 7b INDIVIDUAL'S LAST NAME  FIRST NAME  FIRST NAME  MIDDLE NAME  SUFFIX  ORGANIZATION'S NAME  OR 7b INDIVIDUAL'S LAST NAME  AL 35223  USA  Alabama  FIRST NAME  MIDDLE NAME  SUFFIX  STATE POSTAL CODE COUNTS  TOTY STATE POSTAL CODE COUNTS  ORGANIZATIONAL ID #, if any ORGANIZATION ORGANIZATION ORGANIZATION ORGANIZATION ORGANIZATION ORGANIZATION ORGANIZATION SIAME  SUFFIX  SIAME  MIDDLE NAME  SUFFIX  SUFFIX  TOTY STATE POSTAL CODE COUNTS  SIAME NEXTYS NAME (or NAME of TOTAL ASSIGNEE of ASSIGNOR S/P) - Insert only one secured party name (3s or 3b)  Sa ORGANIZATION'S NAME  NEXTYS NAME NEXTYS NAME NEXTYS NAME NEXTYS NAME ORGANIZATION'S NAME  NEXTYS NAME ORGANIZATION'S NAME  NEXTYS NAME ORGANIZATION'S NAME  NEXTYS NAME ORGANIZATION'S NAME  NEXTYS NAME ORGANIZATION'S NAME  NEXTYS NAME ORGANIZATION'S NAME  NEXTYS NAME ORGANIZATION'S NAME  NEXTYS NAME ORGANIZATION'S NAME  NEXTYS NAME ORGANIZATION'S NAME  NEXTYS NAME ORGANIZATION'S NAME  NEXTYS NAME ORGANIZATION'S NAME ORGANIZATION'S NAME ORGANIZATION'S NAME ORGANIZATION'S NAME  NEXTYS NAME ORGANIZATION'S NAME ORGANIZATIO				
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Eddleman-Thornton, LLC    Ib. INDIVIDUAL'S LAST NAME	THE ABOVE	SPACE IS FO	OR FILING OFFICE U	SE ONLY
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TID. INDIVIDUAL'S LAST NAME    FIRST NAME			<del></del>	<del></del>
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	1	STATE	POSTAL CODE	COUNTRY
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4. This FINANCING STATEMENT covers the following collateral:		ļ.	30189	USA
		FIRST NAME  CITY Birmingham  1f. JURISDICTION OF ORGANIZATION Alabama  debtor name (2a or 2b) - do not abbreviate or comb  FIRST NAME  CITY  2f. JURISDICTION OF ORGANIZATION  R S/P) - insert only one secured party name (3a or	FIRST NAME  CITY  Birmingham  AL  1f. JURISDICTION OF ORGANIZATION  Alabama  debtor name (2a or 2b) - do not abbreviate or combine names  FIRST NAME  MIDDLE  CITY  STATE  Alabama  debtor name (2a or 2b) - do not abbreviate or combine names  FIRST NAME  MIDDLE  CITY  STATE  2f. JURISDICTION OF ORGANIZATION  2g. ORGANIZATION  R S/P) - insert only one secured party name (3a or 3b)	FIRST NAME    MIDDLE NAME

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 ESTATE RECORDS. Attach Addendum	[for record] (or recorded)	in the REAL 7. Check to REC	UEST SEARCH REPO	RT(S) on Debtor(s)		Debtor 1 Debtor 2
8. OPTIONAL FILER REFERENCE DATA		<u>-</u>				

#### SCHEDULE "I"

TO

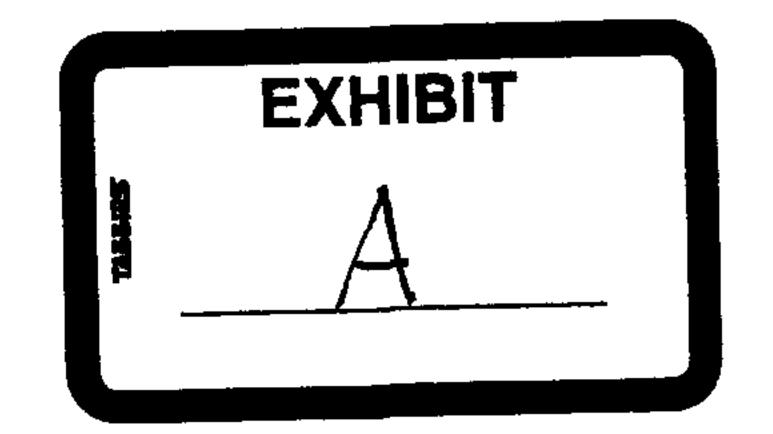
## FINANCING STATEMENT (UCC-1)

Debtor/Mortgagor:	Eddleman-Thornton, LLC
Secured Party/Mortgagee:	Nexity Bank
<b>++++++++++++</b>	<sup>┝</sup> ╈╫╂╂╊╋╈╇╈╃╀┼╂╅╋┿╇╈╂╁╁╫╋┿╇╋╈╂┼┼╬╋╋╋┿ <del>╠╽╏╇╇╇╇╄╏╄╈╋╇╅╏</del> ╋╋╈╅╅╂╂ <del>╏</del> ╋╋╇╅╅╅
The following (hereinafter	r "Mortgaged Property"):

- a) The Land situated in Shelby County, Alabama and described on Exhibit "A" attached hereto and incorporated herein by this reference;
- b) Together with all buildings, equipment, machinery, structures, and improvements of every nature whatsoever now or hereafter situated on the Land, and all fixtures, fittings, buildings, materials, machinery, equipment, furniture and furnishings and personal property of every nature whatsoever now or hereafter owned by the Mortgagor and used or intended to be used in connection with or with the operation of the Mortgaged Property, and the buildings, structures or other improvements located thereon, including all extensions, additions, improvements, betterments, renewals, substitutions, replacements and accessions to any of the foregoing, whether such fixtures, fittings, building materials, machinery, equipment, furniture, furnishings and personal property are actually located on or adjacent to the Land or not and whether in storage or otherwise wheresoever the same may be located;
- Together with all easements, rights of way, gores of land, streets, ways, alleys, passages, sewer rights, waters, c) water courses, water rights and powers, and all estates, licenses, rights, titles, interest, privileges, liberties, tenements, hereditaments, and appurtenances whatsoever, in any way belonging, relating or appertaining to any of the Mortgaged Property, or which hereafter shall in any way belong, relate or be appurtenant thereto, whether now owned or hereafter acquired by the Mortgagor, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, property, possession, claim and demand whatsoever at law, as well as in equity, of the Mortgagor of, in and to the same, including but not limited to: i) all rents, royalties, profits, issues and revenues of the Mortgaged Property from time to time accruing, whether under leases or tenancies now existing or hereafter created; and ii) all judgments, awards of damages and settlements hereafter made resulting from condemnation proceedings or the taking of the Mortgaged Property or any part thereof under the power of eminent domain, or for any damage (whether caused by such taking or otherwise) to the Mortgaged Property or the improvements thereon or any part thereof, or to any rights appurtenant thereto, including any award for change of grade of streets. Mortgagee is hereby authorized on behalf of and in the name of Mortgagor to execute and deliver valid acquittance for, and appeal from, any such judgments or awards. Mortgagee may apply all such sums or any part thereof so received, after the payment of all its expenses, including costs and attorney's fees, on any of the indebtedness secured hereby in such manner as it elects or, at its option, the entire amount or any part thereof so received may be released;
- d) Together with all contract and contract rights now existing or hereafter arising which are related to the operation of the property described in Exhibit "A", reserving to Borrower, however, as long as Borrower is not in default, the right to receive the benefits of such contracts and said contract rights.
- e) Together with all leases, written or oral, and all agreements for use or occupancy of any portion of the Mortgaged Property with respect to which the Mortgagor is the lessor, any and all extensions and renewals of said leases and agreements and any and all further leases or agreements, now existing or hereafter made, including subleases thereunder, upon or covering the use or occupancy of all or any part of the Mortgaged Property (all such leases,

subleases, agreements and tenancies heretofore mentioned, being hereinafter collectively referred to as the "Leases");

- f) Together with any and all guaranties of the lessees' and any sublessees' performance under any of the Leases;
- Together with the immediate and continuing right to collect and receive all of the rents, income, receipts, revenues, issues and profits now due or which may become due or to which the Mortgagor may now or shall hereafter (including during the period of redemption, if any) become entitled or may demand or claim, arising or issuing from or out of the Leases or from or out of the Mortgaged Property or any part thereof, including, but not limited to, minimum rents, additional rents, percentage rents, common area maintenance charges, parking charges, tax and insurance premium contributions, and liquidated damages following default, the premium payable by any lessee upon the exercise of any cancellation privilege provided for in any of the Leases, and all proceeds payable under any policy of insurance covering loss of rents resulting from untenantability caused by destruction or damage to the Mortgaged Property, together with any and all rights and claims of any kind that the Mortgagor may have against any such lessee under the Leases or against any subtenants or occupants of the Mortgaged Property (all such moneys, rights and claims in this paragraph described being hereinafter referred to as the "Rents"); provided, however, so long as no Event of Default has occurred, the Mortgagor shall have the right under a license granted hereby to collect, receive and retain the Rents (but not prior to accrual thereof);
- h) Together with any award, dividend or other payment made hereafter to the Mortgagor in any court procedure involving any of the lessees under the Leases in any bankruptcy, insolvency or reorganization proceedings in any state or federal court and any and all payments made by lessees in lieu of rent. Mortgagor hereby appoints the Mortgagee as the Mortgagor's irrevocable attorney in fact to appear in any action and/or to collect any such award, dividend, or other payment;
- i) Together with any awards hereafter made for any taking of or injury to said Mortgaged Property through eminent domain or otherwise, including awards or damages for change of grade, and also any return premiums or other payments upon any insurance at any time provided for the benefits of Mortgagee, all of which awards, damages, premiums, and payments are hereby assigned to Mortgagee and may be at any time collected by it; and
- j) All cash and non-cash proceeds and all products of any of the foregoing items or types of property described above, including, but not limited to, all insurance, contract and tort proceeds and claims.



20030429000262640 Pg 4/4 32.00 Shelby Cnty Judge of Probate, AL 04/29/2003 12:05:00 FILED/CERTIFIED

### PARCEL 1

A parcel of land situated in the North one-half of Section 27, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northeast comer of said Section and run in a Westerly direction along the North line for a distance of 1438.65 feet to the POINT OF BEGINNING; thence turn a deflection angle of 88 degrees 10 minutes 58 seconds to the left and run in a Southerly direction for a distance of 1400.74 feet; thence turn an interior angle of 132 degrees 21 minutes 35 seconds to the left and run in a Southwesterly direction for a distance of 1180.00 feet; thence turn an interior angle of 98 degrees 08 minutes 06 seconds to the left and run in a Northwesterly direction for a distance of 860.00 feet; thence turn an interior angle of 129 degrees 30 minutes 18 seconds to the left and run in a Northerly direction for a distance of 1600.00 feet to a point on the North line of said Section 27; thence turn an interior angle of 91 degrees 49 minutes 02 seconds to the left and run in an Easterly direction along said North line for a distance of 1536.26 feet to the POINT OF BEGINNING.

## ACCESS EASEMENT

The beneficial rights set out in the Declaration of Easement dated \_\_\_\_\_, 2003, by Eddleman-Thornton, LLC to be recorded, subject to the terms and provisions thereof.