

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) James E. Vann, Esq. Sirote & Permutt, P.C. 2311 Highland Avenue South Birmingham, Alabama 35209	

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 Rogoff		FIRST NAME Lee	MIDDLE NAME	SUFFIX
1c. MAILING ADDRESS 4639 Highway 280 East		CITY Birmingham	STATE AL	POSTAL CODE 35242
1d. TAXID#: SSN OR EIN		1e. TYPE OF ORGANIZATION	1f. JURISDICTION OF ORGANIZATION	
ADD'L INFO RE ORGANIZATION DEBTOR			1g. ORGANIZATIONAL ID #, if any	
			<input type="checkbox"/> 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	SUFFIX
2c. MAILING ADDRESS		CITY	STATE	POSTAL CODE
				COUNTRY
2d. TAX ID#: SSN OR EIN		2e. TYPE OF ORGANIZATION	2f. JURISDICTION OF ORGANIZATION	
ADD'L INFO RE ORGANIZATION DEBTOR			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 <u>one</u> 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 800 Shades Creek Parkway		CITY Birmingham	STATE AL	POSTAL CODE 35209
				COUNTRY USA

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 _____ / _____.

5. ALTERNATIVE DESIGNATION [if applicable]	<input type="checkbox"/> LESSEE/LESSOR	<input type="checkbox"/> CONSIGNEE/CONSIGNOR	<input type="checkbox"/> BAILEE/BAILOR	<input type="checkbox"/> SELLER/BUYER	<input type="checkbox"/> AG. LIEN	<input type="checkbox"/> 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) [optional]		<input type="checkbox"/> All Debtors <input type="checkbox"/> Debtor 1 <input type="checkbox"/> Debtor 2			
8. OPTIONAL FILER REFERENCE DATA 44640-228						

UCC FINANCING STATEMENT ADDENDUM

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

9. NAME OF FIRST DEBTOR (1a or 1b) ON RELATED FINANCING STATEMENT

OR

9a. ORGANIZATION'S NAME		
9b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME, SUFFIX
Rogoff	Lee	

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

OR

11a. ORGANIZATION'S NAME				
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	
			<input type="checkbox"/> NONE	

12. ADDITIONAL SECURED PARTY'S or ASSIGNOR S/P'S NAME -insert only one debtor name (12a or 12b)

OR

12a. ORGANIZATION'S NAME				
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 filling.

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):

Lee Rogoff (aka Murray Lee Rogoff)

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

Part of the Southeast $\frac{1}{4}$ of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:

Commence at the Southwest corner of said $\frac{1}{4}$ section; thence run East along the South line of same for 1,826.71 feet; thence 122 degrees 59 minutes 53 seconds left and run Northwesterly for 399.97 feet to a point on the Northerly right of way line of Oak Mountain Park Road; thence continue Northwesterly along the same course for 846.69 feet; thence 91 degrees 18 minutes 39 seconds right and run Northeasterly for 152.01 feet; thence 90 degrees 00 minutes 00 seconds left and run Northwesterly for 349.02 feet; thence 90 degrees 00 minutes 00 seconds left and run Southwesterly for 160.00 feet; thence 88 degrees 41 minutes 21 seconds right and run Northwesterly for 25.0 feet to a point on the South right of way line of Alabama Highway 119; thence 91 degrees 18 minutes 39 seconds right and run Northeasterly along said right of way line for 253.07 feet; thence 14 degrees 02 minutes 10 seconds right and continue Northeasterly for 9.51 feet to a point on the Southerly right of way line of a County Road; thence 30 degrees 57 minutes 50 seconds right and run Easterly along said right of way line for 62.56 feet to an angle point in said right of way; thence 45 degrees 00 minutes 00 seconds right and run Southeasterly along said right of way line for 390.67 feet to an angle point in said right of way; thence 90 degrees 00 minutes 00 seconds left and run Northeasterly for 575.98 feet to a point on the Westerly right of way line of Oak Mountain State Park Road; thence 86 degrees 19 minutes 31 seconds right and run Southeasterly along said right of way line for 142.98 feet; thence 22 degrees 07 minutes 10 seconds right and run Southeasterly along said right of way line for 266.08 feet to the beginning of a curve to the right, said curve having a radius of 3,579.72 feet and subtending a central angle of 03 degrees 16 minutes 07 seconds; thence 08 degrees 19 minutes 34 seconds right to the chord of said curve and run Southerly along the arc of said curve and along said right of way line for 204.22 feet; thence from said chord 09 degrees 37 minutes 54 seconds left and run Southeasterly along said right of way line for 96.08 feet to the beginning of a curve to the right, said curve having a radius of 3599.42 feet and subtending a central angle of 02 degrees 19 minutes 55 seconds; thence 13 degrees 55 minutes 51 seconds right to the chord of said curve and run Southerly along the arc of said curve and along said right of way line for 146.49 feet to a point at the intersection of the Westerly right of way line of said Oak Mountain State Park Road and the North right of way line of Bishop Circle; thence from the chord of said curve 97 degrees 35 minutes 27 seconds right and run Southwesterly along the North right of way line of said Bishop Circle for 300.49 feet to the beginning of a curve to the left, said curve having a radius of 50.00 feet and subtending a central angle of 17 degrees 54 minutes 41 seconds; thence run Southwesterly along the arc of said curve and along said right of way line for 15.63 feet to the Eastern most corner of the Cock of the Walk site; thence continue Southwesterly along said Bishop Circle right of way line and along a curve to the left, said curve having a radius of 50 feet and subtending a central angle of 85 degrees 26 minutes 04 seconds for 74.55 feet to the end of said curve, said point being the point of beginning of the property herein described; thence from the tangent of said curve 60 degrees 46 minutes 27 seconds right and run Southwesterly along the Southerly property line of said Cock of the Walk site for 276.49 feet; thence 87 degrees 23 minutes 54 seconds left and run Southeasterly for 139.79 feet to a point on the North right of way line of Amphitheater Road; thence 45 degrees 21 minutes 12 seconds left

and run Southeasterly along the North right of way line of Amphitheater Road for 192.14 feet; thence 94 degrees 40 minutes 36 seconds left and run Northeasterly for 280.69 feet to a point on the right of way line of said Bishop Circle, said point being on a curve to the right, said curve having a radius of 50 feet and subtending a central angle of 112 degrees 09 minutes 41 seconds; thence 125 degrees 30 minutes 26 seconds left to become tangent to said curve and run Southwesterly, Westerly and Northwesterly along the arc of said curve and along said right of way line of Bishop Circle for 97.88 feet to the point of beginning.

PARCEL II

Part of SE ¼ Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:

Commence at the Southwest corner of said ¼ section; thence run East along the South line of same for 1,826.71 feet; thence 122 degrees 59 seconds 53 minutes left and run Northwesterly for 399.97 feet to a point on the Northerly right of way line of Oak Mountain Park Road; thence continue Northwesterly along the same course for 846.69 feet; thence 91 degrees 18 minutes 39 seconds right and run Northeasterly for 152.01 feet; thence 90 degrees left and run Northwesterly for 349.02 feet; thence 90 degrees left and run Southwesterly for 160.00 feet; thence 88 degrees 41 minutes 21 seconds right and run Northwesterly for 25.0 feet to a point on the South right of way line of Alabama Highway 119; thence 91 degrees 18 minutes 39 seconds right and run Northeasterly along said right of way line for 253.07 feet; thence 14 degrees 02 minutes 10 seconds right and continue Northeasterly for 9.51 feet to a point on the Southerly right of way line of a county road; thence 30 degrees 57 minutes 50 seconds right and run Easterly along said right of way line for 62.56 feet to an angle point in said right of way; thence 45 degrees 00 minutes right and run Southeasterly along said right of way line for 390.67 feet to an angle point in said right of way; thence 90 degrees left and run Northeasterly for 575.98 feet to a point on the Westerly right of way line of Oak Mountain State Park Road; thence 86 degrees 19 minutes 31 seconds right and run Southeasterly along said right of way for 142.98 feet; thence 22 degrees 07 minutes 10 seconds right and run Southeasterly along said right of way line for 266.08 feet to the beginning of a curve to the right said curve having a radius of 3,579.72 feet and subtending a central angle of 3 degrees 16 minutes 07 seconds; thence 8 degrees 19 minutes 34 seconds right to the chord of said curve and run Southerly along the arc of said curve and along said right of way line for 204.22 feet; thence from said chord, 9 degrees 37 minutes 54 seconds left and run Southeasterly along said right of way line for 96.08 feet to the beginning of a curve to the right, said curve having a radius of 3,599.42 feet and subtending a central angle of 6 degrees 45 minutes; thence 16 degrees 08 minutes 24 seconds right to the long chord of said curve and run Southerly along the arc of said curve and along said right of way line for 196.80 feet to the point of beginning of said property being described; said point also being at the intersection of the Westerly right of way line of said Oak Mountain State Park Road and the South right of way line of a proposed street; thence from said point of beginning of said property being described continue Southerly along the arc of said curve for 227.28 feet to a point on the Northerly right of way line of Amphitheater Road; thence from said long chord 51 degrees 13 minutes 17 seconds right and run Southwesterly along said right of way line for 136.51 feet; thence 43 degrees 39 minutes 13 seconds right and run Westerly along said right of way line for 170.00 feet; thence 5

degrees 11 minutes 01 seconds right and run Westerly for 24.00 feet; thence 85 degrees 19 minutes 24 seconds right and run Northerly for 280.69 feet; to a point on the cul-de-sac of a proposed street; said point being at the beginning of a curve to the left, said curve having a radius of 50.00 feet and subtending a central angle of 37 degrees 53 minutes 28 seconds; thence 35 degrees 32 minutes 50 seconds right the chord of said curve and run Northeasterly along the arc of said curve and along said proposed street R.O.W. for 33.07 feet to the end of said curve, said point being at the beginning of a curve to the right, said curve having a radius of 20.00 feet and subtending a central angle of 73 degrees 23 minutes 54 seconds; thence run Northeasterly along the arc of said curve and along said proposed street R.O.W. for 25.62 feet to the end of said curve; thence at tangent to said curve, run Northeasterly along the South R.O.W. line of said proposed street R.O.W. for 238.68 feet to the point of beginning.

Situated in Shelby County, Alabama.