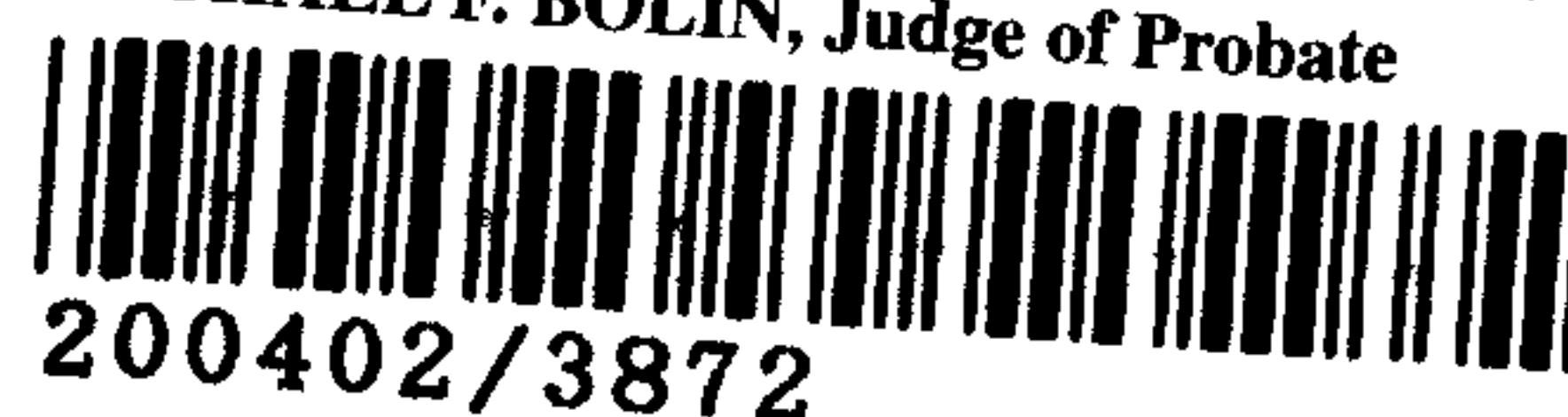


COPY

200402/3872

State of Alabama - Jefferson County  
I certify this instrument filed on:  
2004 FEB 02 P.M. 16:36Recorded and \$  
and \$  
\$ 26.00  
Total \$ 26.00  
Deed Tax and Fee Amt.  
MICHAEL F. BOLIN, Judge of Probate

200402/3872

20040203000056460 Pg 1/4 32.00  
Shelby Cnty Judge of Probate, AL  
02/03/2004 15:56:00 FILED/CERTIFIED

## 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

## 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 The Habshey Family Limited Partnership				
OR				
1b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME	SUFFIX
1c. MAILING ADDRESS 3807 Helena Road				
CITY Helena		STATE AL	POSTAL CODE 35080	COUNTRY 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 <input checked="" type="checkbox"/> 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 The Habshey Family Limited Partnership				
OR				
2b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME	SUFFIX
2c. MAILING ADDRESS 3807 Helena Road				
CITY Helena		STATE AL	POSTAL CODE 35080	COUNTRY 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 <input checked="" type="checkbox"/> 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 Heritage Bank				
OR				
3b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME	SUFFIX
3c. MAILING ADDRESS 3535 Grandview Parkway				
CITY Birmingham		STATE AL	POSTAL CODE 35243	COUNTRY USA

## 4. This FINANCING STATEMENT covers the following collateral:

All of the property and collateral described in SCHEDULE A attached hereto, whether now owned or hereafter acquired by Debtor, all additions, replacements, and proceeds thereof located on or used in the operation of the real property described on EXHIBIT A attached hereto.

Additional security for mortgage recorded at 200402 / 3869

200402 / 3870

Shelby Co. Inst # 20040203000056450

5. ALTERNATIVE DESIGNATION [if applicable]	LESSEE/LESSOR	CONSIGNEE/CONSIGNOR	BAILEE/BAILOR	SELLER/BUYER	AG. LIEN	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]				All Debtors <input type="checkbox"/> Debtor 1 <input type="checkbox"/> Debtor 2 <input type="checkbox"/>		

## 8. OPTIONAL FILER REFERENCE DATA

45240-8 (Shelby &amp; Jefferson Counties)

FILING OFFICE COPY — NATIONAL UCC FINANCING STATEMENT (FORM UCC1) (REV. 07/29/98)

2 0 0 4 0 2 / 3 8 7 2

**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		
The Habshey Family Limited Partnership		
OR 9b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME, SUFFIX

**10. MISCELLANEOUS:**

State of Alabama - Jefferson County

I certify this instrument filed on:

2004 FEB 02 P.M. 16:36

Recorded and \$

Mtg. Tax

and \$

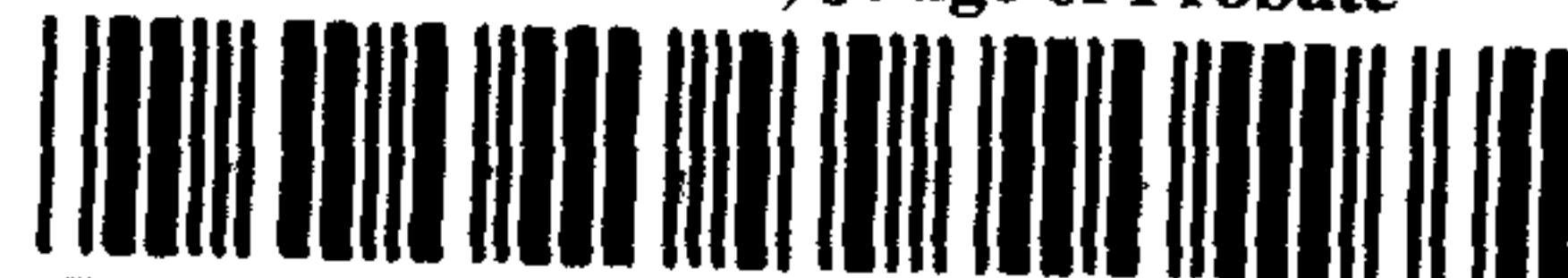
Deed Tax and Fee Amt.

\$ 26.00

Total \$

26.00

MICHAEL F. BOLIN, Judge of Probate



200402/3872

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				
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	
			<input 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.

16. Additional collateral description:

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):

The Habshey Family Limited Partnership

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 Estate18. 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

(a) All that tract or parcel or parcels of land and estates particularly described on Exhibit "A" attached hereto and made a part hereof (the "Land");

(b) All buildings, structures, and improvements of every nature whatsoever now or hereafter situated on the Land, and all fixtures, fittings, building materials, equipment, furniture and furnishings and personal property of every nature whatsoever now or hereafter owned by the Debtor and used or intended to be used in connection with or with the operation of said property, buildings, structures of other improvements, 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 actually are located on or adjacent to the Land or not, and whether in storage or otherwise, and wheresoever the same may be located (the "Improvements");

(c) All personal and fixture property of every kind and nature including all furniture, fixtures, equipment, raw materials, inventory, other goods, accounts, contracts (including all construction contracts, architectural services contracts, management contracts, leasing agent contracts, purchase and sales contracts, put or other option contracts, and all other contracts and agreements relating to the construction of improvements on, or the operation, management and sale of all or any part of the Land and Improvements), contract rights, rights to the payment of money, insurance refund claims and all other insurance claims and proceeds, tort claims, chattel paper, electronic chattel paper, documents, instruments (including promissory notes), securities and other investment property, deposit accounts, rights to proceeds of letters of credit, letter-of-credit rights, as-extracted collateral, supporting obligations of every nature, and general intangibles including all payment intangibles, tax refund claims, license fees, patents, patent applications, trademarks, trademark applications, trade names, copyrights, copyright applications, rights to sue and recover for past infringement of patents, trademarks and copyrights, computer programs, computer software, engineering drawings, service marks, customer lists, goodwill, and all licenses, permits, agreements of any kind or nature pursuant to which (i) the Debtor operates or has authority to operate, (ii) the Debtor possesses, uses or has authority to possess or use property (whether tangible or intangible) of others, or (iii) others possess, use or have authority to possess or use property (whether tangible or intangible) of the Debtor, and all recorded data of any kind or nature, regardless of the medium of recording, including all software, writings, plans, specifications and schematics;

(d) Together with all easements, rights of way, gores of land, streets, ways, alleys, passages, sewer rights, waters, water courses, water rights and powers, and all estates, leases, subleases, licenses, rights, titles, interests, privileges, liberties, tenements, hereditaments, and appurtenances whatsoever, in any way belonging, relating or appertaining to any of the property hereinabove described, or which hereafter shall in any way belong, relate or be appurtenant thereto, whether now owned or hereafter acquired by the Debtor, 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 Debtor of, in and to the same, including:

(i) All rents, royalties, profits, products, issues and revenues of the Land and Improvements 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 of the taking of the Land and Improvements or any part thereof under the power of eminent domain, or for any damage (whether caused by such taking or otherwise) to the Land and Improvements or any part thereof, or to any rights appurtenant thereto, including any award for change of grade or streets. Lender hereby is authorized on behalf of and in the name of Debtor to execute and deliver valid acquittances for, and appeal from, any such judgments or awards. Lender may apply all such sums or any part thereof so received, after the payment of all its expenses, including costs and attorneys' 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;

(e) All cash and non-cash proceeds and all products of any of the foregoing items or types of property described in (a), (b), (c) or (d) above, including, but not limited to all insurance, contract and tort proceeds and claims, and including all inventory, accounts, chattel paper, documents, instruments, equipment, fixtures, consumer goods and general intangibles, including payment intangibles, as such terms are defined in the Uniform Commercial Code (as defined in Section 3.1 below) acquired with cash proceeds of any of the foregoing items or types of property described in (a), (b), (c) or (d) above.



EXHIBIT "A"

**LEGAL DESCRIPTION REAL PROPERTY**

**PARCEL I:**

A PART OF LOT 6, BLOCK 1, ACCORDING TO JOSEPH SQUIRE'S MAP OF TOWN OF HELENA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SW CORNER OF LOT 10 OF BLOCK 1, JOSEPH SQUIRE'S MAP OF TOWN OF HELENA AND RUN N 1°34'31" W ALONG WEST EDGE OF SAID BLOCK 1 A DISTANCE OF 147.07 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 1°34'31" W A DISTANCE OF 42.93 FEET; THENCE N 89°28'27" E A DISTANCE OF 46.96 FEET; THENCE S 0°49'59" E A DISTANCE OF 42.92 FEET; THENCE S 89°28'27" W A DISTANCE OF 46.40 FEET TO THE POINT OF BEGINNING; BEING SITUATED IN SECTION 15, TOWNSHIP 20 SOUTH, RANGE 3 WEST, IN THE CITY OF HELENA, SHELBY COUNTY, ALABAMA.

**PARCEL II:**

A PART OF LOT 2, 3, AND 4, IN BLOCK 5, ACCORDING TO JOSEPH SQUIRE'S MAP OF TOWN OF HELENA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF SAID BLOCK 5, AND RUN N 0°13'19" W ALONG WEST EDGE OF SECOND STREET, A DISTANCE OF 157.95 FEET TO THE NE CORNER OF LOT 2 IN BLOCK 5; THENCE S 89°20'00" W ALONG THE NORTH LINE OF LOT 2 IN BLOCK 5, A DISTANCE OF 174.31 FEET TO THE EAST SIDE OF A BRANCH; THENCE IN A SOUTHERLY DIRECTION ALONG SAID BRANCH S 1°25'33" E A DISTANCE OF 48.96 FEET; THENCE S 16°31'18" E ALONG BRANCH 35.81 FEET; THENCE S 30°08'47" E ALONG BRANCH 50.26 FEET; THENCE S 51°33'11" E ALONG BRANCH 30.24 FEET; THENCE S 10°11'16" E ALONG BRANCH 17.12 FEET TO THE NORTHERLY EDGE OF SECOND AVENUE; THENCE N 86°40'44" E AND RUN ALONG NORTH SIDE OF SECOND AVENUE A DISTANCE OF 111.74 FEET TO THE POINT OF BEGINNING; BEING SITUATED IN SECTION 15, TOWNSHIP 20 SOUTH, RANGE 3 WEST, IN THE CITY OF HELENA, SHELBY COUNTY, ALABAMA.

**PARCEL III:**

ALL OF LOT 11, AND THE NORTH 40.0 FEET OF LOTS 12 AND 13, BLOCK 143, ELYTON LAND COMPANY'S SURVEY; BEING SITUATED IN JEFFERSON COUNTY, ALABAMA, BIRMINGHAM DIVISION.

THIS SURVEY HAS NEVER BEEN FILED FOR RECORD AND IS NOT AVAILABLE FOR RECORDATION.

State of Alabama - Jefferson County  
I certify this instrument filed on:  
2004 FEB 02 P.M. 16:36  
Recorded and \$  
Deed Tax and Fee Amt.  
Mtg. Tax  
and \$ 26.00 Total \$  
MICHAEL F. BOLIN, Judge of Probate  
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