

UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

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

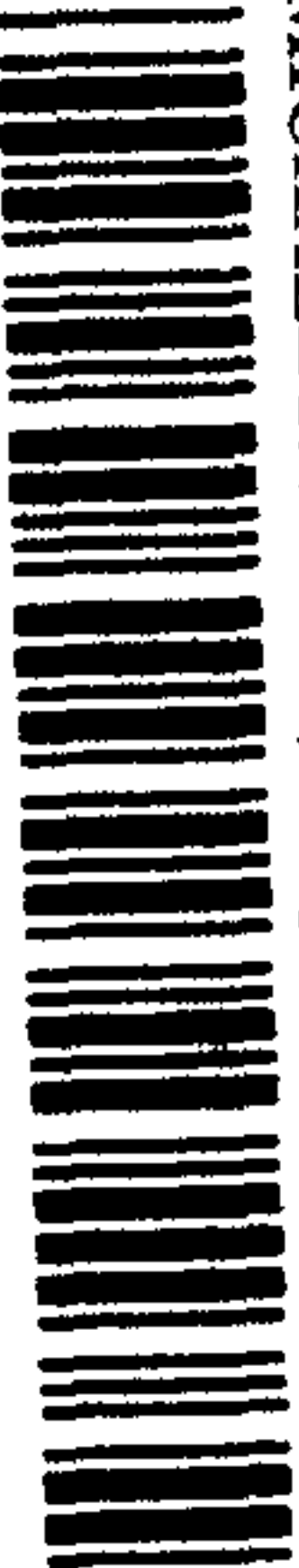
Stephen Grimes (205) 631-4814

B. SEND ACKNOWLEDGEMENT TO: (Name and Address)

Stephen Grimes
Attorney at Law
P. O. Box 463
Gardendale, AL 35071

COPY

200410/0812



28.00 Total \$
MICHAEL F. BOLIN, Judge of Probate

2004 JUL 21 02:32:15:23PM
Recorded and \$
Deed Tax and Fee Amt.
Mtg. Tax

State of Alabama - Jefferson County
I certify this instrument filed on:

200410/0812

I HEREBY AUTHORIZE THE
FILING OF THIS STATEMENT

Rocky Ridge L.L.C.

BY JEFF FALCETTA



20040805000438870 Pg 1/5 34.00
Shelby Cnty Judge of Probate, AL
08/05/2004 12:43:00 FILED/CERTIFIED

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 name

1a. ORGANIZATION'S NAME OLD ROCKY RIDGE, LLC				
OR	1b. INDIVIDUAL'S LAST NAME			
1c. MAILING ADDRESS		CITY	STATE AL	POSTAL CODE COUNTRY USA
1d. TAX ID#: SSN or EIN	ADD'L INFO RE ORGANIZATION DEBTOR	1e. TYPE OF ORGANIZATION limited liability co.	1f. JURISDICTION OF ORGANIZATION ALABAMA	1g. ORGANIZATION 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 name

2a. ORGANIZATION'S NAME				
OR	2b. INDIVIDUAL'S LAST NAME			
2c. MAILING ADDRESS		CITY	STATE	POSTAL CODE COUNTRY
2d. TAX ID#: SSN or EIN	ADD'L INFO RE ORGANIZATION DEBTOR	2e. TYPE OF ORGANIZATION	2f. JURISDICTION OF ORGANIZATION	2g. ORGANIZATION ID#, if any <input 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 COMMUNITY BANK				
OR	3b. INDIVIDUAL'S LAST NAME			
3c. MAILING ADDRESS P. O. Box 367		CITY Hayden	STATE AL	POSTAL CODE 35079 COUNTRY USA

4. This FINANCING STATEMENT covers the following collateral:

The following (hereinafter "Mortgaged Property"): a) The Land described in Section 14 hereof; b) All buildings, structures, equipment, fixtures, machinery, furniture, furnishings, and improvements of every nature whatsoever now or hereafter situated on the Land or used or intended to be used in connection with or with the operation of the Mortgaged Property; c) All easements, rights of way, gores of land, streets, ways, alleys, passages, sewer rights, waters, 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 now or hereafter to the Mortgaged Property, and the reversion and reversions,

200410/0811

5. ALT. 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 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) [ADDITIONAL FEE] [optional] <input type="checkbox"/> All Debtors <input type="checkbox"/> Debtor 1 <input type="checkbox"/> Debtor 2		
8. OPTIONAL FILER REFERENCE DATA				

UCC FINANCING STATEMENT ADDENDUM

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

9a. ORGANIZATION'S NAME			
OLD ROCKY RIDGE LLC			
OR	9b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME SUFFIX

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 name

11a. ORGANIZATION'S NAME			
OR	11b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME SUFFIX

11c. MAILING ADDRESS

CITY	STATE	POSTAL CODE	COUNTRY
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11d. TAX ID#: SSN or EIN	ADD'L INFO RE ORGANIZATION DEBTOR	11e. TYPE OF ORGANIZATION	11f. JURISDICTION OF ORGANIZATION	11g. ORGANIZATION ID#, if any
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12. ☐ ADDITIONAL SECURED PARTY'S or ☐ ASSIGNOR S/P -insert only one 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
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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:

(SEE ATTACHED EXHIBIT "A" INCORPORATED
HEREIN BY REFERENCE THE SAME AS IF
FULLY SET FORTH)

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:

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 in and to the same; d) All now existing or hereafter made leases and agreements for use or occupancy of any portion of the Mortgaged Property (the "Leases"); e) All guaranties of the lessees' and any sublessees' performance under any of the Leases; f) All of the rents, income, receipts, revenues, issues and profits now due or which may become due arising or issuing from or out of the Leases or from or out of the Mortgaged Property, and all proceeds payable under any policy of insurance covering

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

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11d. TAX ID# SSN or EIN	ADD'L INFO RE ORGANIZATION DEBTOR	11e. TYPE OF ORGANIZATION	11f. JURISDICTION OF ORGANIZATION	11g. ORGANIZATION ID#, if any	<input type="checkbox"/> NONE

12. ☐ ADDITIONAL SECURED PARTY'S or ☐ ASSIGNOR S/P - insert only one 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:

(SEE ATTACHED EXHIBIT "A" INCORPORATED
HEREIN BY REFERENCE THE SAME AS IF
FULLY SET FORTH)

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:

loss of rents resulting from untenability caused by destruction or damage to the Mortgaged Property, together with any and all rights and claims of any kind that the Debtor may have against any such lessee under the Leases or against any subtenants or occupants of the Mortgaged Property; g) All 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, any dividend or other payment made hereafter to the Debtor in any court procedure involving the Mortgaged Property; and h) All cash and non-cash proceeds and all products

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.

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☐ Filed in connection with a Manufactured-Home Transaction -- effective 30 years
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UCC FINANCING STATEMENT ADDENDUM

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11a. ORGANIZATION'S NAME				
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11c. MAILING ADDRESS		CITY	STATE	POSTAL CODE COUNTRY
11d. TAX ID#: SSN or EIN	ADD'L INFO RE: ORGANIZATION DEBTOR	11e. TYPE OF ORGANIZATION	11f. JURISDICTION OF ORGANIZATION	11g. ORGANIZATION ID#, if any <input type="checkbox"/> NONE
12. <input type="checkbox"/> ADDITIONAL SECURED PARTY'S or <input type="checkbox"/> ASSIGNOR S/P -insert only one 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 <input type="checkbox"/> timber to be cut or <input type="checkbox"/> as-extracted collateral, or is filed as a <input type="checkbox"/> fixture filing.		16. Additional collateral description: 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.		
14. Description of real estate: (SEE ATTACHED EXHIBIT "A" INCORPORATED HEREIN BY REFERENCE THE SAME AS IF FULLY SET FORTH)				
15. Name and address of a RECORD OWNER of above described real estate (if Debtor does not have a record interest):		17. Check <u>only</u> if applicable and check <u>only</u> one box. Debtor is a <input type="checkbox"/> Trust or <input type="checkbox"/> Trustee acting with respect to property held in trust or <input type="checkbox"/> Decedent's Estate		
		18. Check <u>only</u> if applicable and check <u>only</u> one box. <input type="checkbox"/> Debtor is a TRANSMITTING UTILITY <input type="checkbox"/> Filed in connection with a Manufactured-Home Transaction -- effective 30 years <input type="checkbox"/> Filed in connection with a Public-Finance Transaction -- effective 30 years		

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EXHIBIT "A"
LEGAL DESCRIPTION

A parcel of land as situated in Section 8, Township 19 South, Range 2 West, Jefferson County, Alabama, and Section 17, Township 19 South, Range 2 West, Shelby County, Alabama being more particularly described as follows:

Begin at the intersection of the north line of Riverforest Re-survey, as recorded in Map Book 178, Page 98, in the Office of the Judge of Probate, Jefferson County, Alabama, and the Easterly right of way line of Old Rocky Ridge Road (right of way width varies); thence run northerly along the said easterly right of way line for a distance of 248.60 feet to a point on the south line or the westerly extension thereof for Old Rocky Ridge Townhomes (as recorded in Map Book 137, Page 26, in the Office of the Judge of Probate, Jefferson County, Alabama); thence turn an interior angle to the left of 93 degrees 39 minutes 27 seconds and run easterly along the aforementioned south line for a distance of 903.41 feet to the point herein after referred to as Point A; thence continue along the course last traversed for a distance of 91.25 feet more or less to the center line of Cahaba River; thence meander southerly and southwesterly along the centerline of Cahaba River for a distance of 646 feet more or less to the north line of Riverforest and its easterly extension thereof, as recorded in Map Book 163, Page 56, in the Office of the Judge of Probate, Jefferson County, Alabama; thence run westerly along the said north line for a distance of 49 feet more or less to the point hereinafter referred to as Point B; thence continue westerly along the said north line and its easterly extension for a distance of 1400.19 feet to the point of beginning. The above described property contains 8.76 acres more or less.

Except that part of the above described tract which lies within the right of way of the public road which bounds the same on its northwesterly side.

Less and except any part of subject property lying within the Cahaba River.

Subject to any restrictions, easements and rights of way of record.

State of Alabama - Jefferson County

I certify this instrument filed on:

2004 JUL 21 02:32:15:23PM

Recorded and \$

Mtg. Tax

and \$

Deed Tax and Fee Amt.

\$ 28.00

Total \$ 28.00

MICHAEL F. BOLIN, Judge of Probate



200410/0812