

20041110000620490 Pg 1/4 32.00  
Shelby Cnty Judge of Probate, AL  
11/10/2004 15:22:00 FILED/CERTIFIED

## UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER [optional] Bradley M. Harris, Esq. 205.458.5190
B. SEND ACKNOWLEDGMENT TO: (Name and Address)  Bradley M. Harris, Esq. Burr & Forman LLP 420 North 20th Street 3100 SouthTrust Tower Birmingham, Alabama 35203

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 Moulton		FIRST NAME E.	MIDDLE NAME Russell	SUFFIX II
1c. MAILING ADDRESS 3832 Timberline Way		CITY Birmingham	STATE AL	POSTAL CODE 35243	COUNTRY USA
ADD'L INFO RE ORGANIZATION DEBTOR		1e. TYPE OF ORGANIZATION N/A	1f. JURISDICTION OF ORGANIZATION N/A	1g. ORGANIZATIONAL ID #, if any N/A <input 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					
OR	2b. INDIVIDUAL'S LAST NAME Moulton		FIRST NAME Anne	MIDDLE NAME H.	SUFFIX
2c. MAILING ADDRESS 3832 Timberline Way		CITY Birmingham	STATE AL	POSTAL CODE 35243	COUNTRY USA
ADD'L INFO RE ORGANIZATION DEBTOR		2e. TYPE OF ORGANIZATION N/A	2f. JURISDICTION OF ORGANIZATION N/A	2g. ORGANIZATIONAL ID #, if any N/A <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 SouthTrust Bank					
OR	3b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME	SUFFIX
3c. MAILING ADDRESS Post Office Box 2554		CITY Birmingham	STATE AL	POSTAL CODE 35290	COUNTRY USA

4. This FINANCING STATEMENT covers the following collateral:

See Exhibit A attached hereto for a description of the collateral.

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

To be filed with the Shelby County, Alabama Judge of Probate

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
Moulton	E.	Russell, II

10. MISCELLANEOUS:

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11. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one 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	
Moulton	Anne	H.		
11c. MAILING ADDRESS		CITY	STATE	POSTAL CODE
3832 Timberline Way		Birmingham	AL	35243
				COUNTRY
				USA
11d. TAX ID #: SSN OR EIN	ADD'L INFO RE ORGANIZATION DEBTOR	11e. TYPE OF ORGANIZATION	11f. JURISDICTION OF ORGANIZATION	11g. ORGANIZATIONAL ID #, if any
		N/A	N/A	N/A
				<input type="checkbox"/> NONE

12. ☐ ADDITIONAL SECURED PARTY'S or ☐ ASSIGNOR S/P'S NAME - 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 Exhibit A attached hereto for a description of the collateral.

16. Additional collateral description:

15. Name and address of a RECORD OWNER of above-described real estate (if Debtor does not have a record interest):

17. Check only if applicable and check only 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 only if applicable and check only 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



**EXHIBIT A TO UCC FINANCING STATEMENT**  
**(DESCRIPTION OF COLLATERAL)**

All of the following described land and interests in land, estates, easements, rights, improvements, personal property, fixtures, equipment, furniture, furnishings, appliances and appurtenances, including replacements and additions thereto (herein referred to collectively as the "Mortgaged Property"):

(A) All those certain tracts, pieces or parcels of land, and interests in land, located in Shelby County, Alabama, specifically described on Exhibit A-1 attached hereto and made a part hereof (herein referred to as the "Land");

(B) 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 any Debtor and located in, on or about, or used or intended to be used with or in connection with the construction, use, operation or enjoyment of the Mortgaged Property, 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 Mortgaged Property 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;

(C) 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 Mortgaged Property or any part thereof, or which hereafter shall in any way belong, relate or be appurtenant thereto, whether now owned or hereafter acquired by any Debtor; and

(D) All rents, issues, profits, revenues and proceeds of and from the Mortgaged Property, or any part thereof, from time to time accruing (including without limitation all payments under leases, ground leases or tenancies, proceeds of insurance, condemnation payments, tenant security deposits and escrow funds, and all proceeds from any sale or other disposition of the Mortgaged Property, or any part thereof), and all of the estate, right, title, interest, property, possession, claim and demand whatsoever at law, as well as in equity, of any Debtor of, in and to the same.

**EXHIBIT A-1**  
**Legal Description**

**PARCEL I:**

That part of the West  $\frac{1}{2}$  of Section 24, Township 18, Range 1 West, known as Lot 1-A and particularly described as beginning at an iron pin on the Southwest boundary of Lot 1 according to the Survey of Mountain View Lake Company, First Sector, as recorded in Map Book 3, Page 135, in said county and state, being 26 feet, more or less, from the normal water level of lake shown on said map; run thence Northwestwardly to the most Westerly corner of said Lot 1 in said survey of Mountain View Lake Company, 1<sup>st</sup> Sector; thence turn an angle to the left of 92 degrees, 02 minutes for a distance of 189.99 feet to an iron pin; thence turn an angle to the left of 75 degrees and 18 minutes for a distance of 129.47 feet to an iron pin; thence continue along the last described course 10 feet, more or less, to said normal water level; thence turn to the left and follow the normal water level in a Northeasterly direction to the most Southerly corner of Lot 1; thence in a Northwesterly direction 26 feet, more or less, to the point of beginning.

**PARCEL II:**

Part of Section 24, Township 18 South, Range 1 West, Shelby County, Alabama, which is more particularly described as follows: Beginning at the most Westerly corner of Lot 1, according to the Survey of Mountain View Lake Company, First Sector, as recorded in the Office of the Judge of Probate of said Shelby County, Alabama, in Map Book 3, on Page 135, looking in a Northeasterly direction along the Northwest line of said Lot 1, turn an angle to the left of 70 degrees, 43 minutes and run in a Northwesterly direction for a distance of 229.32 feet; thence turn an angle to the left of 68 degrees, 23 minutes and run in a Southwesterly direction for a distance of 105.0 feet; thence turn an angle to the left of 85 degrees, 42 minutes and run Southeasterly for a distance of 152.87 feet; thence turn an angle to the left of 15 degrees, 30 minutes and run Southeasterly for a distance of 139.55 feet; thence turn an angle to the left of 102 degrees, 27 minutes and run Northeasterly for a distance of 189.82 feet to the point of beginning.

All being situated in Shelby County, Alabama.