

20051025000554350 1/2 \$28.00
Shelby Cnty Judge of Probate, AL
10/25/2005 12:18:23PM FILED/CERT

UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER [optional] Karren Underwood 205-250-8400
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 one debtor name (1a or 1b) - do not abbreviate or combine names

1a. ORGANIZATION'S NAME Tito's Company Incorporated						
OR	1b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME	SUFFIX	
1c. MAILING ADDRESS 1046 Saddlecreek Parkway			CITY Birmingham	STATE AL	POSTAL CODE 35242	COUNTRY USA
1d. TAX ID #: SSN OR EIN	ADD'L INFO RE ORGANIZATION DEBTOR	1e. TYPE OF ORGANIZATION Corporation	1f. JURISDICTION OF ORGANIZATION Alabama	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						
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	ADD'L INFO RE ORGANIZATION DEBTOR	2e. TYPE OF ORGANIZATION	2f. JURISDICTION OF ORGANIZATION	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 one secured party name (3a or 3b)

3a. ORGANIZATION'S NAME CapitalSouth Bank						
OR	3b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME	SUFFIX	
3c. MAILING ADDRESS 2340 Woodcrest Place			CITY Birmingham	STATE AL	POSTAL CODE 35209	COUNTRY USA

4. This FINANCING STATEMENT covers the following collateral:

All furniture, fixtures, and leasehold improvements of every description, now owned or hereafter acquired and wherever located, together with all replacements thereof, all attachments, accessories, parts and tools belonging thereto or for use in connection therewith.

All equipment and machinery, including power-driven machinery and equipment, furniture and fixtures now owned or hereafter acquired, together with all replacements thereof, all attachments, accessories, parts and tools belonging thereto or for use in connection therewith.

All Borrower's Inventory, raw materials, work in process and supplies, whether now owned or hereafter existing, created, arising or acquired, and wherever located;

The property described on Schedule "I" attached hereto and made a part hereof as if set out fully herein.

5. ALTERNATIVE DESIGNATION [if applicable]:	LESSEE/LESSOR	CONSIGNEE/CONSIGNOR	BAILEE/BAILOR	SELLER/BUYER	AG. LIEN	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						

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EXHIBIT "A"

LEGAL DESCRIPTION

Lot 3, Block 274 according to Dunstan's Map and Survey of the Town of Calera, Alabama.

A part of Lot 3 Block 274 according to the survey of J. H. Dunston's map of Calera as shown by map recorded in the Probate Office of Shelby County, Alabama. lying in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 21. T-22-S, R-2-W and being more fully described as follows: Commencing at the southwest corner of said Lot 3; thence northerly along the west line of said lot, a distance of 145 feet, more or less, to a point that is 50 feet southerly of and at right angles to the centerline of Project No. S-44-10 and the point of beginning of the property herein to be conveyed; thence continuing northerly along said west line, a distance of 5 feet, more or less, to the present south right-of-way line of said Alabama Highway No. 25, the north line of said lot; thence easterly along said north line, a distance of 95 feet, more or less, to the east property line; thence southerly along said east property line, a distance of 5 feet, more or less, to a point that is 50 feet southerly of and at right angles to the centerline of said project; thence N 88° 09' 48" W, parallel with the centerline of said project, a distance of 95 feet, more or less, to the point of beginning.