

20060104000004910 1/3 \$30.00  
Shelby Cnty Judge of Probate, AL  
01/04/2006 10:50:01AM FILED/CERT

## UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

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

Michael Aguilar, Esq. 214/745-5472

### B. SEND ACKNOWLEDGMENT TO: (Name and Address)

Michael Aguilar, Esq.  
Winstead Sechrest & Minick P.C.  
1201 Elm Street, Suite 5400  
Dallas, Texas 75270

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

**ARBOR PLACE, LLC**

OR

#### 1b. INDIVIDUAL'S LAST NAME

#### FIRST NAME

#### MIDDLE NAME

#### SUFFIX

#### 1c. MAILING ADDRESS

2057 Valleydale Road, Suite 200

#### CITY

Birmingham

#### STATE

AL

#### POSTAL CODE

35244

#### COUNTRY

USA

#### 1d. SEE INSTRUCTIONS

#### ADD'L INFO RE ORGANIZATION DEBTOR

#### 1e. TYPE OF ORGANIZATION

Limited Liability Company

#### 1f. JURISDICTION OF ORGANIZATION

Alabama

#### 1g. ORGANIZATION ID#, if any

☒ 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. SEE INSTRUCTIONS

#### ADD'L INFO RE ORGANIZATION DEBTOR

#### 2e. TYPE OF ORGANIZATION

#### 2f. JURISDICTION OF ORGANIZATION

#### 2g. ORGANIZATION ID#, if any

☐ 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

**COLUMN FINANCIAL, INC.**

OR

#### 3b. INDIVIDUAL'S LAST NAME

#### FIRST NAME

#### MIDDLE NAME

#### SUFFIX

#### 3c. MAILING ADDRESS

11 Madison Avenue

#### CITY

New York

#### STATE

NY

#### POSTAL CODE

10010-3629

#### COUNTRY

USA

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

All assets and all personal property now or hereafter owned by Debtor (the "Collateral"). Proceeds of the Collateral are also covered. The appropriate mortgage tax has been paid on the related Mortgage, Security Agreement and Assignment of Leases and Rents.

This financing statement is to be cross-indexed in the real estate records.

5. ALTERNATIVE DESIGNATION [if applicable] ☐ LESSEE/LESSOR ☐ CONSIGNEE/CONSIGNOR ☐ BAILEE/BAILOR ☐ SELLER/BUYER ☐ AG. LIEN ☐ NON-UCC FILING

6. ☒ 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]

☐ All Debtors ☐ Debtor 1 ☐ Debtor 2



8. OPTIONAL FILER REFERENCE DATA

County: Shelby, Alabama

3011-1846

**International Association of Commercial Administrators (IACA)**  
**FILING OFFICE COPY - UCC FINANCING STATEMENT (FORM**  
**UCC1) (REV. 05/22/02) 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

**ARBOR PLACE, 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 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. SEE INSTRUCTIONS

ADD'L INFO RE  
ORGANIZATION  
DEBTOR

11e. TYPE OF ORGANIZATION

11f. JURISDICTION OF ORGANIZATION

11g. ORGANIZATION ID#, if any

☐ 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 and incorporated herein  
by reference for all purposes.

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:

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

Debtor Name:  
ARBOR PLACE, LLC

Item No. 14 continued:

EXHIBIT A

**Legal Description**

  
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A parcel of land situated in the Southwest one-quarter of the Northeast one-quarter of Section 5, Township 19 South, Range 1 West, Shelby County, Alabama being more particularly described as follows:

Commence at the Northeast corner of said quarter-quarter and run in a Westerly direction along the North line for a distance of 661.18 feet to the POINT OF BEGINNING; thence turn a deflection angle left of 88°55'31" and run in a Southerly direction for a distance of 330.76 feet; thence turn a deflection angle right 88°57'12" and run in a Westerly direction for a distance of 328.39 feet to a point on the Easternmost right of way line of U.S. Highway 280 (120' right of way); thence turn a deflection angle of 84°03'40" and run in a Northwesterly direction along said Easternmost right of way line for a distance of 331.89 feet to a point on said North line of quarter-quarter; thence turn a deflection angle right 95°50'48" and run in an Easterly direction along said North line for a distance of 368.78 feet to the POINT OF BEGINNING.