

20060718000347170 1/2 \$28.00  
 Shelby Cnty Judge of Probate, AL  
 07/18/2006 04:03:09PM FILED/CERT

**UCC FINANCING STATEMENT**

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER [optional]  
 Mary Jane Barnette (205)803-5835

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

Mary Jane Barnette, CapitalSouth Bank (FORMERLY KNOWN AS BANK OF ALABAMA)  
 PO Box 59587  
 Birmingham, Alabama 35209

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 DIEGUEZ-MARINO HOLDINGS, Limited Liability Company/L.L.C./LLC

1b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

1c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY  
 2072 Cahaba Crest Drive Birmingham AL 35242 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  
 [REDACTED] Limited Liability Company Alabama  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  
 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  
 OR CapitalSouth Bank Commercial Loan Department

3b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

3c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY  
 2340 Woodcrest Place Birmingham AL 35209 USA

4. This FINANCING STATEMENT covers the following collateral:

20060718000347130 ? 20060718000347150

Additional Collateral for Real Estate Mortgages dated July 14, 2006 in the amounts of \$300,000.00 & \$265,000.00

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) [optional]  All Debtors  Debtor 1  Debtor 2 [ADDITIONAL FEE]

8. OPTIONAL FILER REFERENCE DATA

Loan Nos. 170115 & 64205



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# 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 DIEGUEZ-MARINO HOLDINGS, Limited Liability |            |                     |
| 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                             |
|                                  |                                   |                           |                                   |
| 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 |                                   |                           | <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  |
|                             |            |             |        |

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:  
 The goods are or are to become fixtures on: Lot 1-B2 and Lot 1-B3, along with a 60-foot by 100-foot access easement for the benefit of Lot 1-B2, which lies on Lot 1-B1 and access and egress thereupon, according to map of Dieguez Resurvey of Lot 1-B, the Narrows Commercial Subdivision, Sector 1, as recorded in Map Book 37, page 5, in the Office of the Judge of Probate of Shelby County, Alabama.

15. Name and address of a RECORD OWNER of above-described real estate (if Debtor does not have a record interest):  
 Fixtures: DIEGUEZ-MARINO HOLDINGS, Limited Liability Company/L.L.C./LLC.

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