

20070426000194540 1/2 \$28.00
 Shelby Cnty Judge of Probate, AL
 04/26/2007 02:39:52PM FILED/CERT

UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER [optional]
 Lisa Parker 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 | | | | |
| OR | | | | |
| 1b. INDIVIDUAL'S LAST NAME | | FIRST NAME | MIDDLE NAME | SUFFIX |
| Nichols | | Gary | | |
| 1c. MAILING ADDRESS | | CITY | STATE | POSTAL CODE |
| 1380 McCain Parkway | | Pelham | AL | 35124 |
| 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 |
| | | | Alabama | <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 |
| | | | | |
| 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 | | | | |
| Compass Bank | | | | |
| OR | | | | |
| 3b. INDIVIDUAL'S LAST NAME | | FIRST NAME | MIDDLE NAME | SUFFIX |
| | | | | |
| 3c. MAILING ADDRESS | | CITY | STATE | POSTAL CODE |
| 15 South 20th Street | | Birmingham | AL | 35233 |
| | | | | USA |

4. This FINANCING STATEMENT covers the following collateral:

All rents, leases, profits and royalties from or relating to the property described in Exhibit "A". All contract and contract rights now existing or hereafter arising which are related to the operation of the property described in Exhibit "A", reserving to Borrower, however, as long as Borrower is not in default, the right to receive the benefits of such contracts and said contract rights.

Any and all fixtures, fittings, building materials, and fixed equipment of every nature whatsoever now or hereafter owned by the Debtors and used or intended to be used in connection with the operation of the property, structures, or other improvements described in Exhibit "A", including all extensions, additions, improvements, betterments, renewals, substitutions, replacements, to any of the foregoing.

| | | | | | | |
|--|---|--|--|---------------------------------------|-----------------------------------|---|
| 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 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 | | | | | | |

EXHIBIT "A"


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A parcel of land situated in the SE ¼ of the SE ¼ of Section 24, Township 20 South, Range 3 West, described as follows:

Commence at the SE corner of the SE ¼ of the SE ¼ of Section 24, Township 20 South, Range 3 West and go South 89 degrees 52 minutes 17 seconds West for 782.20 feet to the East right of way line of Interstate Highway #65; thence North 06 degrees 51 minutes East along said right of way for 19.81 feet; thence North 04 degrees 51 minutes 05 seconds West along said right of way for 570.00 feet to a concrete monument and the point of beginning; thence North 07 degrees 21 minutes 09 seconds East along said right of way for 149.40 feet; thence North 02 degrees 57 minutes 07 seconds West along said right of way for 200.21 feet; thence leaving said right of way North 85 degrees 14 minutes 40 seconds East for 266.60 feet to a point on a curve to the left on the West right of way line of McCain Parkway, said curve having a central angle of 05 degrees 12 minutes 33 seconds and a radius of 3849.72 feet; thence southerly along said curve and said right of way for 350.00 feet; thence leaving said right of way South 85 degrees 58 minutes West for 293.67 feet to the point of beginning.

According to the survey of Robert C. Farmer, dated March 21, 2007.