

20070629000308360 1/4 \$32.00  
Shelby Cnty Judge of Probate, AL  
06/29/2007 04:16:29PM FILED/CERT

## UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

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

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

Harris A. Dainoff, Esquire  
c/o Fox Rothschild LLP  
2000 Market Street, 10th Floor  
Philadelphia, PA 19103

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

**FOLMAR & ASSOCIATES LLP**

OR 1b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

1c. MAILING ADDRESS

**P.O. Box 12**

CITY

**Montgomery**

STATE

**AL**

POSTAL CODE

**36101**

COUNTRY

**U.S.**

1d. SEE INSTRUCTIONS

ADD'L INFO RE  
ORGANIZATION  
DEBTOR

1e. TYPE OF ORGANIZATION

**Ltd. Liability Part.**

1f. JURISDICTION OF ORGANIZATION

**Alabama**

1g. ORGANIZATIONAL ID #, if any

**AL400-109**

☐ 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. 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

**Sun Life Assurance Company of Canada**

OR 3b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

3c. MAILING ADDRESS

CITY

**Wellesley Hills**

STATE

**MA**

POSTAL CODE

**02481**

COUNTRY

**U.S.**

4. This FINANCING STATEMENT covers the following collateral:

**ALL OF THE COLLATERAL MORE PARTICULARLY DESCRIBED ON EXHIBIT "B" ATTACHED HERETO,  
LOCATED ON THE PROPERTY MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO.**

**THIS IS ADDITIONAL SECURITY TO THE MORTGAGE DATED JUNE 25, 2007, AND RECORDED IN THE OFFICE  
OF THE RECORDER OF DEEDS OF THE COUNTY OF SHELBY, STATE OF ALABAMA AT BOOK       , PAGE  
      . Inst # 20070629000308340**

5. ALTERNATIVE DESIGNATION [if applicable]: ☐ LESSEE/LESSOR ☐ CONSIGNEE/CONSIGNOR ☐ BAILEE/BAIOR ☐ 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 ☐ 7. Check to REQUEST SEARCH REPORT(S) on Debtor(s) [ADDITIONAL FEE] ☐ All Debtors ☐ Debtor 1 ☐ Debtor 2

8. OPTIONAL FILER REFERENCE DATA



20070629000308360 2/4 \$32.00  
Shelby Cnty Judge of Probate, AL  
06/29/2007 04:16:29PM FILED/CERT

## 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

**FOLMAR & ASSOCIATES LLP**

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. ORGANIZATIONAL 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:

**1855 Montgomery Highway South, City of Hoover, Jefferson and Shelby Counties, Alabama, as more particularly described on Exhibit "A" attached hereto.**

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:

**ALL OF THE COLLATERAL MORE PARTICULARLY DESCRIBED ON EXHIBIT "B" ATTACHED HERETO, LOCATED ON THE PROPERTY MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO.**

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



## EXHIBIT A

### LEGAL DESCRIPTION:

A parcel of land situated in the East Half of Section 24, Township 19 South, Range 3 West and in the West Half of Section 19, Township 2 South, Range 2 West, Jefferson County and Shelby County, Alabama, and being more particularly described by metes and bounds as follows:

Commence at the Northeast Corner of Section 24, Township 19 South, Range 3 West; thence North 88°58'25" West along the north line of said Section 24, 618.94 feet to a point; thence South 20°02'58" East, 1059.79 feet to a point 25 feet southerly of the centerline of Data Drive, said point also being the POINT OF BEGINNING; thence continue along the previously described course, 433.66 feet to the approximate centerline of the Cahaba River; thence along said centerline of the Cahaba River the following courses: South 33°20'32" West, 37.15 feet; South 16°23'24" West, 43.61 feet; South 15°04'56" East, 541.33 feet; South 23°08'00" East, 222.85 feet; South 01°07'08" East, 216.30 feet; South 39°34'01" West, 236.88 feet; and South 45°24'27" West, 416.19 feet to a point on the easterly right-of-way margin of U.S. Highway No. 31, said point being 150.00 feet easterly of the centerline of said U.S. Highway No. 31; thence North 26°23'50" West along said easterly right-of-way margin, 201.95 feet to a point; thence, leaving said right-of-way margin, proceed North 62°07'44" East, 239.50 feet to a point; thence North 26°23'50" West, and parallel to said right-of-way margin, 147.00 feet to a point; thence North 72°08'03" West, 73.98 feet to a point; thence South 62°07'44" West, 186.50 feet to a point on the easterly right-of-way margin of U.S. Highway No. 31, said point being 150.00 feet easterly of the centerline of said U.S. Highway No. 31; thence North 26°23'50" West along said easterly right-of-way margin, 582.72 feet to a point, said point being 150.00 feet easterly of the centerline of said U.S. Highway No. 31; thence South 63°36'10" West along said easterly right-of-way margin, 50.00 feet to a point, said point being 100.00 feet easterly of the centerline of said U.S. Highway No. 31; thence North 26°23'50" West along said easterly right-of-way margin, 416.79 feet to a point; thence, leaving said easterly right-of-way margin, proceed North 63°52'22" East, 271.98 feet to a point; thence North 25°27'37" West, 20.00 feet to the point of curvature of a curve to the left having a central angle of 10°07'14", a radius of 310.00 feet, and a chord which bears North 30°31'13" West for a distance of 54.69 feet; thence along the arc of said curve for a distance of 54.76 feet to the point of tangency; thence North 35°34'51" West, 121.67 feet to the point of curvature of a curve to the left having a central angle of 82°11'28", a radius of 25.00 feet, and a chord which bears North 77°29'33" West for a distance of 32.87 feet; thence along the arc of said curve for a distance of 35.86 feet to the point of tangency; thence North 28°35'17" West, 5.00 feet to a point on the southerly right-of-way margin of Data Drive, said point being 25.00 feet southerly of the centerline of said Data Drive, said point also being on a curve to the left having a central angle of 11°56'21", a radius of 429.69 feet, and a chord which bears North 55°26'33" East for a distance of 89.38 feet; thence northeasterly along said southerly right-of-way margin and along the arc of said curve for a distance of 89.54 feet to the point of tangency; thence North 49°28'23" East along said southerly right-of-way margin, 290.58 feet to the point of curvature of a curve to the right having a central angle of 28°47'56", a radius of 382.42 feet, and a chord which bears North 63°52'19" East for a distance of 190.20 feet; thence proceed northeasterly along said southerly right-of-way margin and along the arc of said curve for a distance of 192.22 feet to the point of tangency; thence North 78°16'17" East, and along said southerly right-of-way margin, 125.18 feet to the point of curvature of a curve to the left having a central angle of 08°19'15", a radius of 546.00 feet, and a chord which bears North 74°06'40" East for a distance of 79.22 feet; thence proceed northeasterly along said southerly right-of-way margin and along the arc of said curve for a distance of 79.29 feet to the POINT OF BEGINNING.

**EXHIBIT "B" TO UCC-1**

Exhibit "B" to UCC-1 Financing Statement from FOLMAR & ASSOCIATES LLP ("Debtor"), to SUN LIFE ASSURANCE COMPANY OF CANADA ("Secured Party"):

(1) All of Debtor's interest in personal property of any kind or nature whatsoever, whether tangible or intangible, which is used or will be used in the construction of, or is or will be placed upon, or is derived from or used in connection with, the maintenance, use, occupancy, or enjoyment of the Real Property described on Exhibit "A", including, without limitation, all accounts, documents, instruments, chattel paper, equipment, general intangibles and inventory (as those terms are defined in the Uniform Commercial Code of Alabama), all plans and specifications, contracts and subcontracts for the construction, reconstruction or repair of the Improvements, bonds, permits, licenses, guarantees, warranties, causes of action, judgments, claims, profits, security deposits, utility deposits, refunds of fees, Insurance Premiums, deposits paid to any governmental authority, letters of credit, insurance policies, Insurance Proceeds, Taking Proceeds, and escrowed funds together with all present and future attachments, accretions, accessions, replacements, and additions thereto and products and proceeds thereof.

(2) All buildings, structures and other improvements now or hereafter existing, erected or placed on or under the Real Property, or in any way used in connection with the use, enjoyment, occupancy or operation of the Real Property or any portion thereof; all fixtures of every kind and nature whatsoever now or hereafter owned by Debtor and used or procured for use in connection with the Real Property.