

20070727000350930 1/3 \$30.00
Shelby Cnty Judge of Probate, AL
07/27/2007 01:59:24PM FILED/CERT

UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER [optional] ROBERT B. VICE, JR., ESQ. (502) 587-3400	
B. SEND ACKNOWLEDGMENT TO: (Name and Address) ROBERT B. VICE, JR., ESQ. STITES & HARBISON PLLC 400 W. MARKET STREET, SUITE 1800 LOUISVILLE, KENTUCKY 40202	

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 MIDLAND VALLEYDALE, LLC				
OR	1b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX
1c. MAILING ADDRESS 8044 MONTGOMERY ROAD, SUITE 710		CITY CINCINNATI	STATE OH	POSTAL CODE 45236
1d. SEE INSTRUCTIONS		ADD'L INFO RE ORGANIZATION DEBTOR	1e. TYPE OF ORGANIZATION LLC	1f. JURISDICTION OF ORGANIZATION OHIO
			1g. ORGANIZATIONAL ID #, if any OH 1711026	<input 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. SEE INSTRUCTIONS		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 REGIONS BANK				
OR	3b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX
3c. MAILING ADDRESS 1900 5TH AVENUE NORTH, 15TH FLOOR		CITY BIRMINGHAM	STATE AL	POSTAL CODE 35203
				COUNTRY USA

4. This FINANCING STATEMENT covers the following collateral:

ALL GOODS WHICH ARE NOW OR MAY BECOME AFFIXED TO THE REAL PROPERTY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND MADE PART HEREOF.

5. ALTERNATIVE DESIGNATION [if applicable]:	LESSEE/LESSOR	CONSIGNEE/CONSIGNOR	BAILEE/BAILOR	SELLER/BUYER	AG. LIEN	NON-UCC FILING
6. <input checked="" 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) [optional]		All Debtors		Debtor 1	Debtor 2
8. OPTIONAL FILER REFERENCE DATA AM157/0AM28						

20070727000350930 2/3 \$30.00
Shelby Cnty Judge of Probate, AL
07/27/2007 01:59:24PM 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 MIDLAND VALLEYDALE, LLC		
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				
11b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME	SUFFIX
11c. MAILING ADDRESS		CITY	STATE	POSTAL CODE COUNTRY
11d. <u>SEE INSTRUCTIONS</u>	ADDL. 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				
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.

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

FILING OFFICE COPY — NATIONAL UCC FINANCING STATEMENT ADDENDUM (FORM UCC1Ad) (REV. 05/22/02)

EXHIBIT "A"

Lot 2, according to the Survey of Valleydale Market Place, as recorded in Map Book 16, page 117 in the Probate Office of Shelby County, Alabama.

SLOPE EASEMENT NUMBER 1:

Commence at the Northwest corner of the South 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 15, Township 19 South, Range 2 West; thence run South 0°04'46" West along the West line of the Southeast 1/4 of the Northwest 1/4 of said Section 15 for a distance of 100 feet to the point of beginning; thence run North 89°10'56" West for a distance of 120.11 feet; thence run South 34°39'01" East for a distance of 30.71 feet; thence run South 78°48'57" East for a distance of 83.36 feet; thence run North 88°44'07" East for a distance of 20.81 feet; thence run North 0°04'46" East along the West line of the Southeast 1/4 of the Northwest 1/4 of said Section 15 for a distance of 39.26 feet to the point of beginning.

Being recorded in Instrument 1992-09484 in the Probate Office of Shelby County, Alabama.

SLOPE EASEMENT NUMBER 3:

Commence at the Northwest corner of the South 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 15, Township 19 South, Range 2 West; thence run South 0°04'46" West along the West line of the Southeast 1/4 of the Northwest 1/4 of said Section 15 for a distance of 100 feet; thence run North 89°10'56" West for a distance of 120.11 feet; thence run North 44°19'31" West for a distance of 74.56 feet; thence run North 16°58'37" East for a distance of 52.89 feet to the point of beginning, from the point of beginning thus obtained; thence run North 9°02'51" West for a distance of 155.91 feet; thence run North 19°02'51" West for a distance of 75.39 feet; thence run North 55°12'48" West for a distance of 84.65 feet; thence run North 78°30'34" West for a distance of 79.54 feet to a point on the Southeasterly right of way line of Valleydale Road, said right of way being situated in the curve, said curve curving to the left in a Northeasterly direction having a central angle of 1°33'12" and a radius of 2913.72 feet and a chord bearing of North 54°56'14" East and a chord distance of 78.99 feet; thence run along arc of said curve in a Northeasterly direction along the Southeasterly right of way line of Valleydale Road for a distance of 79.00 feet; thence run South 40°50'56" East for a distance of 113.48 feet to a point of commencement of a curve to the right, said curve having a central angle of 41°40' and a radius of 254.91 feet; thence run along the arc of said curve in a Southeasterly direction for a distance of 185.38 feet to the end of said curve; thence run South 0°49'04" West for a distance of 40.00 feet to a point of commencement of a curve to the right, said curve having a central angle of 9°35'56" and a radius of 231.50 feet; thence run along the arc of said curve to the right in a Southwesterly direction for a distance of 38.78 feet to the point of beginning.

Being recorded in Instrument 1992-09484 in the Probate Office of Shelby County, Alabama.

ALSO, TOGETHER WITH those certain beneficial cross-access easement rights granted to the Property pursuant to the Declaration of Covenants Regarding Ingress and Egress Easements recorded in Instrument No. 1992-09745.