

20090204000036130 1/5 \$34.00
Shelby Cnty Judge of Probate, AL
02/04/2009 12:47:46PM FILED/CERT

UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER [optional] James E. Vann (205) 930-5484	
B. SEND ACKNOWLEDGMENT TO: (Name and Address) James E. Vann, Esq. Sirote & Permutt, P.C. 2311 Highland Avenue South Birmingham, Alabama 35205	

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	
Eddleman	Douglas	D.		
1c. MAILING ADDRESS		CITY	STATE	POSTAL CODE COUNTRY
2700 Highway 280, Suite 425		Birmingham	AL	35223 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 <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	
Eddleman	Billy	D.		
2c. MAILING ADDRESS		CITY	STATE	POSTAL CODE COUNTRY
2700 Highway 280, Suite 425		Birmingham	AL	35223 USA
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				
BancorpSouth Bank				
OR				
3b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX	
3c. MAILING ADDRESS		CITY	STATE	POSTAL CODE COUNTRY
4680 Highway 280 East		Birmingham	AL	35242 USA

4. This FINANCING STATEMENT covers the following collateral:

All of the property and collateral and types of property and collateral described on Schedule A located on or relating to the real property described in Exhibit A attached hereto, whether now owned or existing or hereafter created on or acquired.

Additional security for mortgage recorded at 20090204/000036110

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 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]		<input type="checkbox"/> All Debtors	<input type="checkbox"/> Debtor 1	<input type="checkbox"/> Debtor 2

8. OPTIONAL FILER REFERENCE DATA

44641-552



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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

9b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME, SUFFIX

Eddleman

Douglas

D

10. MISCELLANEOUS:

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11. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (11a or 11b) - do not abbreviate or combine names

11a. ORGANIZATION'S NAME

Eddleman Club Properties

OR

11b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

11c. MAILING ADDRESS

2700 Highway 280, Suite 425

CITY

Birmingham

STATE

AL

POSTAL CODE

35223

COUNTRY

USA

11d. TAXID#: SSN OR EIN

ADD'L INFO RE
ORGANIZATION
DEBTOR

11e. TYPE OF ORGANIZATION

General partnership

11f. JURISDICTION OF ORGANIZATION

Alabama

11g. ORGANIZATIONAL ID #, if any

☒ NONE

12. ☐ ADDITIONAL SECURED PARTY'S or ☐ ASSIGNOR S/P'S NAME - insert only one debtor 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 ATTACHED EXHIBIT "A" FOR
PROPERTY DESCRIPTION

16. Additional collateral description:

15. Name and address of a RECORD OWNER of above-described real estate
(if Debtor does not have a record interest):

Douglas D. Eddleman, Billy D. Eddleman and
Eddleman Club Properties

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

Schedule A

(a) All that tract or parcel or parcels of land and estates more particularly described on Exhibit A attached hereto and made a part hereof (the "Land");

(b) All buildings, structures, and improvements of every nature whatsoever now or hereafter situated on the Land, and all fixtures, fittings, building materials, machinery, equipment, furniture and furnishings and personal property of every nature whatsoever now or hereafter owned by the Debtor and used or intended to be used in connection with or with the operation of said property, buildings, structures or other improvements (except household goods of the Debtor not acquired with the proceeds of any amount secured hereby), including all extensions, additions, improvements, betterments, renewals, substitutions and replacements and accessions to any of the foregoing, whether such fixtures, fittings, building materials, machinery, equipment, furniture, furnishings and personal property actually are located on or adjacent to the Land or not, and whether in storage or otherwise, and wheresoever the same may be located (the "Improvements");

(c) All accounts (as presently or hereafter defined in the Uniform Commercial Code), general intangibles, goods, contracts and contract rights relating to the Land, Improvements, and other Mortgaged Property, whether now owned or existing or hereafter created, acquired or arising, including without limitation, all construction contracts, architectural services contracts, management contracts, leasing agent contracts, purchase and sales contracts, put or other option contracts, and all other contracts and agreements relating to the construction of improvements on, or the operation, management and sale of all or any part of the Land, Improvements and other Mortgaged Property;

(d) Together with all easements, rights of way, gores of land, streets, ways, alleys, passages, sewer rights, waters, water courses, water rights and powers, and all estates, leases, subleases, licenses, rights, titles, interests, privileges, liberties, tenements, hereditaments, and appurtenances whatsoever, in any way belonging, relating or appertaining to any of the property hereinabove described, or which hereafter shall in any way belong, relate or be appurtenant thereto, whether now owned or hereafter acquired by the Debtor, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, property, possession, claim and demand whatsoever at law, as well as in equity, of the Debtor of, in and to the same, including but not limited to:

(i) All rents, royalties, profits, issues and revenues of the Land, Improvements, and other Mortgaged Property from time to time accruing, whether under leases or tenancies now existing or hereafter created, reserving to Debtor, however, so long as Debtor is not in default hereunder, the right to receive and retain the rents, issues and profits thereof; and

(ii) All judgments, awards of damages and settlements hereafter made resulting from condemnation proceedings or the taking of the Land, Improvements, or other Mortgaged Property, or any part thereof under the power of eminent domain, or for any damage (whether caused by such taking or otherwise) to the Land, Improvements, or other Mortgaged Property, or any part thereof, or to any rights or appurtenances thereto, including any award for change of grade or streets. Lender is hereby authorized on behalf of and in the name of Debtor to execute and deliver valid acquittances for, and appeal from, any such judgments or awards. Lender may apply all such sums or any part thereof so received, after the payment of all its expenses, including costs and attorneys' fees on any of the indebtedness secured hereby in such manner as it elects, or at its option, the entire amount or any part thereof so received may be released.

(e) Any and all licenses, development permits, building permits, utility supply agreements, sewer and water discharge permits and agreements, and other licenses, permits and agreements relating to the use, development, construction, occupancy and operation of the Land and Improvements, whether now or hereafter issued or executed, and all modifications, amendments, replacements or re-issuances of the foregoing;

(f) All proceeds and products, cash or non-cash (including, but not limited to, all insurance, contract and tort proceeds and all inventory, accounts, chattel paper, documents, instruments, equipment, fixtures, consumer goods and general intangibles acquired with cash proceeds of any of the property described above) of any of the foregoing types or items of property described in subparagraphs(a), (b), (c) (d) or (e) above.

EXHIBIT A

A PARCEL OF LAND SITUATED IN SECTION 29, TOWNSHIP 18 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 18 SOUTH, RANGE 1 WEST;

THENCE NORTH 69°45'12" WEST ALONG THE NORTH LINE OF LOT 2A, BROOK HIGHLAND COMMERCIAL RESURVEY NO. 2 AS RECORDED IN MAP BOOK 23, PAGE 90, A DISTANCE OF 83.54 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 26°58'34" WEST ALONG THE NORTHWEST LINE OF SAID LOT 2A, A DISTANCE OF 64.86 FEET; THENCE SOUTH 13°31'18" WEST ALONG THE NORTHWEST LINE OF SAID LOT 2A, A DISTANCE OF 82.00 FEET; THENCE SOUTH 04°15'20" WEST ALONG THE NORTHWEST LINE OF SAID LOT 2A, A DISTANCE OF 167.66 FEET; THENCE SOUTH 19°36'55" WEST ALONG THE NORTHWEST LINE OF SAID LOT 2A, A DISTANCE OF 351.95 FEET; THENCE SOUTH 29°24'24" WEST ALONG THE NORTHWEST LINE OF SAID LOT 2A, A DISTANCE OF 52.09 FEET; THENCE NORTH 21°02'58" WEST ALONG THE NORTHWEST LINE OF SAID LOT 2A, A DISTANCE OF 64.34 FEET TO THE SOUTHEAST CORNER OF LOT 327, BROOK HIGHLAND, 7TH SECTOR, AS RECORDED IN MAP BOOK 13, PAGE 99; THENCE NORTH 00°23'26" EAST ALONG THE EAST LINE OF SAID SUBDIVISION, A DISTANCE OF 274.43 FEET; THENCE NORTH 19°10'55" WEST ALONG THE EAST LINE OF SAID SUBDIVISION, A DISTANCE OF 170.23 FEET; THENCE NORTH 00°23'43" EAST ALONG THE EAST LINE OF SAID SUBDIVISION, A DISTANCE OF 354.02 FEET; THENCE NORTH 26°10'01" EAST ALONG THE EAST LINE OF SAID SUBDIVISION, A DISTANCE OF 156.47 FEET TO THE NORTHEAST CORNER OF LOT 320 OF SAID SUBDIVISION; THENCE NORTH 69°01'49" WEST ALONG THE NORTH LINE OF SAID LOT, A DISTANCE OF 204.41 FEET TO THE EASTERLY ROAD RIGHT OF WAY OF KINROSS DRIVE AS RECORDED IN SAID SUBDIVISION TO THE POINT OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES NORTH 68°49'56" WEST, A RADIAL DISTANCE OF 503.60 FEET; THENCE NORTHERLY ALONG THE ARC AND SAID ROAD RIGHT OF WAY, THROUGH A CENTRAL ANGLE OF 21°41'50", A DISTANCE OF 190.71 FEET; THENCE NORTH 00°23'26" WEST ALONG SAID ROAD RIGHT OF WAY, A DISTANCE OF 34.08 FEET TO THE POINT OF CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES NORTH 89°19'34" EAST, A RADIAL DISTANCE OF 25.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC AND SAID ROAD RIGHT OF WAY, THROUGH A CENTRAL ANGLE OF 85°16'16", A DISTANCE OF 37.21 FEET; THENCE NORTH 10°09'59" WEST, A DISTANCE OF 60.12 FEET TO A POINT ON THE NORTHERLY ROAD RIGHT OF WAY OF KINROSS LANE AND THE SOUTHEAST CORNER OF LOT 314 OF SAID SUBDIVISION; THENCE NORTH 04°47'14" WEST ALONG THE EAST LINE OF SAID LOT 314, A DISTANCE OF 190.13 FEET TO THE NORTHEAST CORNER OF SAID LOT 314 AND A POINT ON THE SOUTH LINE OF LOT 188 ACCORDING TO THE SURVEY OF BROOK HIGHLAND, AND EDDLEMAN COMMUNITY, 6TH SECTOR, 1ST PHASE AS RECORDED IN MAP BOOK 14, PAGE 83; THENCE NORTH 56°24'21" EAST ALONG THE SOUTH LINE OF SAID LOT 188 A DISTANCE OF 28.37 FEET; THENCE NORTH 79°08'15" EAST, A DISTANCE OF 40.12 FEET; THENCE SOUTH 89°46'49" EAST, A DISTANCE OF 330.40 FEET; THENCE SOUTH 74°32'25" EAST, A DISTANCE OF 305.34 FEET TO THE POINT OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES NORTH 48°46'42" WEST, A RADIAL DISTANCE OF 133.21 FEET; THENCE NORTHEASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 31°05'22", A DISTANCE OF 72.28 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 309.48 FEET AND A CENTRAL ANGLE OF 47°00'00"; THENCE NORTHEASTERLY ALONG THE ARC, A DISTANCE OF 253.87 FEET TO A POINT OF REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 289.40 FEET AND A CENTRAL ANGLE OF 22°34'13"; THENCE NORTHEASTERLY ALONG THE ARC, A DISTANCE OF 114.00 FEET TO THE POINT ON THE SOUTHERLY ROAD RIGHT OF WAY OF BROOK HIGHLAND DRIVE AND A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES NORTH 38°52'26" EAST, A RADIAL DISTANCE OF 698.62 FEET; THENCE SOUTHEASTERLY ALONG THE ARC AND SAID ROAD RIGHT OF WAY, THROUGH A CENTRAL ANGLE OF 15°21'49", A DISTANCE OF 187.33 FEET TO THE WESTERN PROPERTY LINE OF COURTSIDE AT BROOK HIGHLAND AS RECORDED IN MAP BOOK 28, PAGE 103; THENCE SOUTH 28°48'20" WEST ALONG SAID PROPERTY LINE, A DISTANCE OF 47.29 FEET; THENCE NORTH 66°51'03" WEST, A DISTANCE OF 107.68 FEET TO THE POINT OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES NORTH 46°44'23" WEST, A RADIAL DISTANCE OF 379.40 FEET; THENCE SOUTHWESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 13°52'18", A DISTANCE OF 91.86 FEET TO A POINT OF REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 219.48 FEET AND A

CENTRAL ANGLE OF 47°00'00"; THENCE SOUTHWESTERLY ALONG THE ARC, A DISTANCE OF 180.04 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 223.21 FEET AND A CENTRAL ANGLE OF 47°17'11"; THENCE SOUTHWESTERLY ALONG THE ARC, A DISTANCE OF 184.22 FEET; THENCE SOUTH 46°12'46" EAST, A DISTANCE OF 149.90 FEET TO THE WESTERN PROPERTY LINE OF COURTSIDE AT BROOK HIGHLAND AS RECORDED IN MAP BOOK 28, PAGE 103; THENCE SOUTH 34°55'55" WEST ALONG SAID SUBDIVISION LINE, A DISTANCE OF 488.72 FEET; THENCE SOUTH 37°53'41" WEST ALONG SAID SUBDIVISION LINE, A DISTANCE OF 268.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 674,697 SQUARE FEET OR 15.49 ACRES.



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