# **UCC FINANCING STATEMENT**

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

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

Judd J. Wiggins

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

Ray D. Gibbons, Esq.
Bradley Arant Boult Cummings LLP
One Federal Place
1819 Fifth Avenue North
Birmingham, Alabama 35203-2119

20091006000379460 1/4 \$32.00
20091006000375460 177 WOL.55
Shelby Cnty Judge of Probate, AL
10/06/2009 03:20:08 PM FILED/CERT

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			<del></del>
1a. ORGANIZATION'S NAME				
			<u></u>	
OR 1b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME		SUFFIX
Howell	John (Rick)	E.		
1c. MAILING ADDRESS	CITY	STATE	POSTAL CODE	COUNTRY
1407 Legacy Drive	Birmingham	AL	35242	USA
1d. TAX ID #: SSN OR EIN   ADD'L INFO RE   1e. TYPE OF ORGANIZATION	1f. JURISDICTION OF ORGANIZATION	1g. ORGANIZATIONAL ID #, if any		
ORGANIZATION DEBTOR				NONE
2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one det	otor name (2a or 2b) - do not abbreviate or combine	names		
2a. ORGANIZATION'S NAME	<u> </u>			
OR 2b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME SUFFIX		SUFFIX
Howell	Wendy	M.		
2c. MAILING ADDRESS	CITY	STATE	POSTAL CODE	COUNTRY
1407 Legacy Drive	Birmingham	AL	35242	USA
2d. TAX ID #: SSN OR EIN ADD'L INFO RE 2e. TYPE OF ORGANIZATION	2f. JURISDICTION OF ORGANIZATION	2g. ORGANIZATIONAL ID #, if any		
ORGANIZATION DEBTOR		,,,,,, <u>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</u>		NONE
3. SECURED PARTY'S NAME (or NAME of TOTAL ASSIGNEE of ASSIGNOR S	S/P) - insert only <u>one</u> secured party name (3a or 3b)	,		····
3a. ORGANIZATION'S NAME				
ServisFirst Bank				
OR 3b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE	NAME	SUFFIX
3c. MAILING ADDRESS	CITY	STATE	POSTAL CODE	COUNTRY
850 Shades Creek Parkway, Suite 200	Birmingham	AL	35209	USA

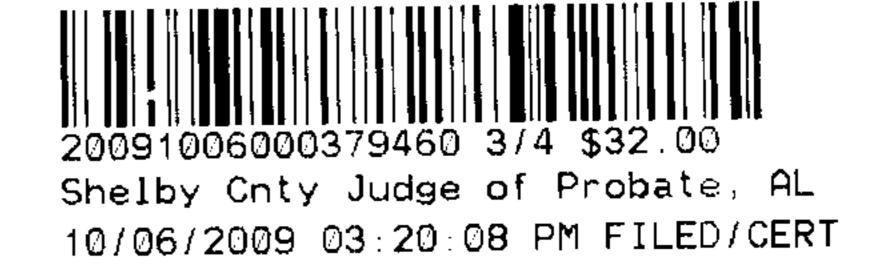
See Schedule A attached hereto for description of collateral.

5. ALTERNATIVE DESIGNATION [if applicable]:	LESSEE/LESSOR CONSIGNE	E/CONSIGNOR BAILEE/B/	AILOR SELLER/BUYER	AG. LIEN	NON-UCC FILING
6. This FINANCING STATEMENT is to be filed [for ESTATE RECORDS. Attach Addendum		7. Check to REQUEST SEARC [ADDITIONAL FEE]	H REPORT(S) on Debtor(s)	All Debtors	Debtor 1 Debtor 2
8. OPTIONAL FILER REFERENCE DATA	- /OOOOO 4040EO\				

Filed with Shelby County, Alabama (S0302-104952)

<sup>4.</sup> This FINANCING STATEMENT covers the following collateral:

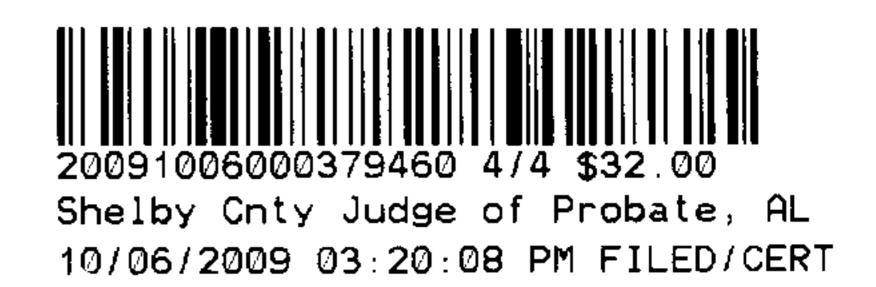
## UCC FINANCING STATEMENT ADDENDUM FOLLOW INSTRUCTIONS (front and back) CAREFULLY 9. NAME OF FIRST DEBTOR (1a or 1b) ON RELATED FINANCING STATEMENT 20091006000379460 2/4 \$32.00 9a. ORGANIZATION'S NAME Shelby Cnty Judge of Probate, AL 10/06/2009 03:20:08 PM FILED/CERT 9b. INDIVIDUAL'S LAST NAME MIDDLE NAME, SUFFIX FIRST NAME E. John (Rick) Howell 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 SUFFIX FIRST NAME MIDDLE NAME COUNTRY 11c. MAILING ADDRESS STATE POSTAL CODE CITY 11g. ORGANIZATIONAL ID#, if any ADD'L INFO RE 11e. TYPE OF ORGANIZATION 11f. JURISDICTION OF ORGANIZATION 11d. ORGANIZATION NONE DEBTOR ASSIGNOR S/P'S NAME - insert only one name (12a or 12b) ADDITIONAL SECURED PARTY'S or 12a. ORGANIZATION'S NAME OR FIRST NAME MIDDLE NAME SUFFIX 12b. INDIVIDUAL'S LAST NAME COUNTRY STATE POSTAL CODE CITY 12c. MAILING ADDRESS 16. Additional collateral description: This FINANCING STATEMENT covers \_\_\_\_\_ timber to be cut or \_\_\_\_\_ collateral, or is filed as a fixture filing. Description of real estate: See Exhibit A attached hereto for description of real estate. Name and address of a RECORD OWNER of above-described real estate (if Debtor does not have a record interest): 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 Public-Finance Transaction — effective 30 years



# SCHEDULE "A" TO UCC FINANCING STATEMENT (DESCRIPTION OF COLLATERAL)

"Collateral" means all of Debtor's right, title and interest of whatever kind, nature or description, whether now owned or hereafter acquired, in and to the following described land and interests in land, estates, easements, rights, improvements, personal property, fixtures, equipment, furniture, furnishings, appliances and appurtenances, including replacements and additions thereto:

- (A) All those certain tracts, pieces or parcels of land, and interests in land, located in Shelby County, Alabama, 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 gas and electric fixtures, radiators, heaters, engines and machinery, boilers, ranges, elevators and motors, plumbing and heating fixtures, carpeting and other floor coverings, water heaters, awnings and storm sashes, and cleaning apparatus which are or shall be attached to said buildings, structures or improvements, and all other furnishings, furniture, fixtures, machinery, equipment, appliances, vehicles and personal property of every kind and nature whatsoever now or hereafter owned by Debtor and located in, on or about, or used or intended to be used with or in connection with the construction, use, operation or enjoyment of the Collateral, including all extensions, additions, improvements, betterments, renewals and replacements, substitutions, or proceeds from a permitted sale of any of the foregoing, and all building materials and supplies of every kind now or hereafter placed or located on the Land (collectively the "Improvements"), all of which are hereby declared and shall be deemed to be fixtures and accessions to the Land;
- (C) All easements, rights-of-way, strips and gores of land, vaults, streets, ways, alleys, passages, sewer rights, waters, water courses, water rights and powers, minerals, flowers, shrubs, crops, trees, timber and other emblements now or hereafter located on the Land or under or above the same or any part or parcel thereof, and all ground leases, estates, rights, titles, interests, privileges, liberties, tenements, hereditaments and appurtenances, reversions, and remainders whatsoever, in any way belonging, relating or appertaining to the Collateral or any part thereof, or which hereafter shall in any way belong, relate or be appurtenant thereto, whether now owned or hereafter acquired by Debtor; and
- (D) All rents, issues, profits, revenues and proceeds of and from the Collateral, or any part thereof, from time to time accruing (including without limitation all payments under leases, ground leases or tenancies, proceeds of insurance, condemnation payments, tenant security deposits and escrow funds, and all proceeds from any sale or other disposition of the Collateral, or any part thereof), and all of the estate, right, title, interest, property, possession, claim and demand whatsoever at law, as well as in equity, of Debtor of, in and to the same.



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### EXHIBIT A

# LEGAL DESCRIPTION OF LAND

Lot 808, according to the Survey of Greystone Legacy 8th Sector, Phase 1, as recorded in Map Book 31, Page 14, in the Probate Office of Shelby County, Alabama.