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20091015000389770 1/6 \$36.00 Shelby Cnty Judge of Probate, AL 10/15/2009 11:31:58 AM FILED/CERT

UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

| A. N | Phone: (800) | | nai] x: (818) 662-4141 | | | | | | |
|-----------------------------|--|---|--------------------------------|-------------------|------------------------------------|-------------------------------------|--------------------------|---------|--|
| B. S | END ACKNOWLEDGEME | NT TO: (Name and | Address) 10654 WACH | IOVIA SMALL | | | | | |
| | CT Lien Solut | ions | 187649 | 39 | | | | | |
| | P.O. Box 2907 | 71 | A + A 1 | | | | | | |
| | Glendale, CA | 91209-9071 | ALAL FIXTUF | RE | | | | | |
| File with: CC AL Shelby, AL | | | | | | SPACE IS FOR FILING OFFICE USE ONLY | | | |
| 1. D | EBTOR'S EXACT FUL | L LEGAL NAME - | insert only one debtor name (1 | la or 1b) - do no | t abbreviate or combine na | mes | | | |
| | 1a. ORGANIZATION'S NA McPherson Enter | | | | | | | | |
| OR | OR 1b. INDIVIDUAL'S LAST NAME | | | FIRST NAME | | MIDDLE NAME | | SUFFIX | |
| | MAILING ADDRESS O B Highway 31 S. | | | CITY Pelham | | STATE | POSTAL CODE 35214 | COUNTRY | |
| 1d. <u>S</u> | SEE INSTRUCTIONS | ADD'L INFO RE ORGANIZATION DEBTOR | 1e. TYPE OF ORGANIZATION | 1f. JURISDICT | ION OF ORGANIZATION AL | 1g. ORG | ANIZATIONAL ID #, if any | X | |
| 2. A | DDITIONAL DEBTOR'S | S EXACT FULL L | EGAL NAME - insert only one | debtor name (2a | or 2b) - do not abbreviate | or combine n | ames | | |
| | 2a. ORGANIZATION'S NA | | | | | | | | |
| OR | 2b. INDIVIDUAL'S LAST I | NAME | | FIRST NAME | | MIDDLE | NAME | SUFFIX | |
| 2c. I | MAILING ADDRESS | | | CITY | <u>-</u> | STATE | POSTAL CODE | COUNTRY | |
| 2d. <u>s</u> | SEE INSTRUCTIONS | ADD'L INFO RE ORGANIZATION DEBTOR | 2e. TYPE OF ORGANIZATION | 2f. JURISDICT | TION OF ORGANIZATION | 2g. ORG | ANIZATIONAL ID#, if an | y NONE | |
| 3. 8 | ECURED PARTY'S NA | | TOTAL ASSIGNEE of ASSIGN | IOR S/P) - inser | t only <u>one</u> secured party na | me (3a or 3b |) | | |
| | 3a. ORGANIZATION'S NA Wachovia SBA L | | | | | | | | |
| OR | 3b. INDIVIDUAL'S LAST | NAME | | FIRST NAME | | MIDDLE | NAME | SUFFIX | |
| | MAILING ADDRESS 20 E. Roseville Pa | rkway Suite 1 | 00 | CITY Roseville | | STATE | POSTAL CODE 95661 | COUNTRY | |

4. This FINANCING STATEMENT covers the following collateral:

All Fixtures, now owned, or to be acquired, together with all increases to and replacements thereof. This security interest extends to any and all proceeds of the property described herein, including, but not limited to, chattel paper, documents, insurance proceeds, contract rights, and general intangibles now in force or hereafter acquired, relating to the above described collateral. Additional Security; tax paid in Shelby instrument number 20090121000018380.

Complete only when filing with the Judge of Probate:
The initial indebtedness secured by this financing statement is \$0.00
Nortgage tax due (\$.15 per \$100.00 or fraction thereof) \$0.00

| 5. ALTERNATIVE DESIGNATION [if applicable] LESSEE/LE | SSOR CONSIGNEE/CONSIGNOR BAILEE/BAILOR SELLER/BUYER AG. LIEN NON-UCC FILING |
|--|--|
| 6. X This FINANCING STATEMENT is to be filed [for record] (estate RECORDS. Attach Addendum | or recorded) in the REAL 7. Check to REQUEST SEARCH REPORT(S) on Debtor(s) [if applicable] [ADDITIONAL FEE] [optional] All Debtors Debtor 1 Debtor 2 |
| 8. OPTIONAL FILER REFERENCE DATA | |
| 18764939 | 110467842 |

| 20091015000389770 2/6 \$36.00 | |
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| Shalby Coty Judge of Probate, F | 귀 |

20091015000389770 2/6 \$36.00 Shelby Cnty Judge of Probate, AL 10/15/2009 11:31:58 AM FILED/CERT

| INANCING STATEME OLLOW INSTRUCTIONS (front and ba | NT ADDENI ack) CAREFULLY | DUM | | | | | |
|--|--|--|---|--|------------------|------------------------|-------------------|
| NAME OF FIRST DEBTOR (1a or 1b) | أكالت المستحدد المستح | CING STATE | MENT | | | | |
| 9a. ORGANIZATION'S NAME | <u> </u> | | | | | | |
| | | | | | | | |
| 9b. INDIVIDUAL'S LAST NAME | FIRST NAME | | MIDDLE NAME, SUFFIX | | | | |
| MISCELLANEOUS 764939-AL-117 Mortgage ta | av will be paid by | CTI ion Sc | olutions and | | | | |
| lled to Secured Party on UC torney Mortgage Tax is only | CC Fixture filing s | ubmitted { | 5/15/09 - per | | | | |
| e with: CC AL Shelby, AL 110 |)467842 | | | THE ABOVE SPA | CE IS FOF | R FILING OFFICE USE | ONLY |
| ADDITIONAL DEBTOR'S EXACT F | HILLEGAL NAME - ins | sert only one r | name (11a or 11b) - do not a | abbreviate or combine | e names | | |
| | OLL LEGAL MAIVIE - IIIs | Sert Orny <u>Orie</u> i | Tarrie (114 of 115) do not | | | | <u> </u> |
| 11a. ORGANIZATION'S NAME | | | | | | | |
| 11b. INDIVIDUAL'S LAST NAME | | <u>. </u> | FIRST NAME | | MIDDLE | NAME | SUFFIX |
| c. MAILING ADDRESS | <u> </u> | · · · | CITY | | STATE | POSTAL CODE | COUNTRY |
| d. <u>SEE INSTRUCTION</u> ADD'L INFO ORGANIZAT DEBTOR | l | ANIZATION | 11f. JURISDICTION OF ORG | SANIZATION | 11g. OR | GANIZATIONAL ID#, if | any NON |
| ADDITIONAL SECURED PAR 12a. ORGANIZATION'S NAME | RTY'S or ASSIG | NOR S/P's N | AME - insert only <u>one</u> name | e (12a or 12b) | | | · |
| 12b. INDIVIDUAL'S LAST NAME | | | FIRST NAME | | MIDDLE | NAME | SUFFIX |
| c. MAILING ADDRESS | <u>. </u> | | CITY | · · · · · · · · · · · · · · · · · · · | STATE | POSTAL CODE | COUNTRY |
| | | | | | | | |
| This FINANCING STATEMENT covers collateral or is filed as a X fixture filing | timber to be cut or ng. | as-extracted | 16. Additional collateral des | cription: | | | |
| Description of real estate: | | | | | | | |
| escription: See Attached Ex | hibit "A" | | | | | | |
| | | | | | | | |
| | | | | | | | |
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| | | | | | | | |
| 5. Name and address of a RECORD OWNE (if Debtor does not have a record intere | | estate | | | | | |
| nland American Birmingham | | | 17. Check only if applicable | | | nomi bold in the cot | r Decedent's Esta |
| | | | Debtor is a Trust or 18. Check only if applicable | Trustee acting with respondent and check only one box. | ·· <u>····</u> · | perty held in trust o | Decedent's Esta |
| | | | Debtor is a TRANSMIT | TING UTILITY n a Manufactured-Home | Transactio | n – effective 30 years | |
| | | | Filed in connection with | | | | |



Shelby Cnty Judge of Probate, AL 10/15/2009 11:31:58 AM FILED/CERT

9 3 946 678 W

20090121000018380 1/4 \$8967.00 Shelby Chty Judge of Probate, AL 01/21/2009 11:06:15AM FILED/CERT

This Instrument Prepared By and After Recording Return to:

The Inland Real Estate Group, Inc. 2091 Butterfield Road Oak Brook, IL 60523 Attn: Robert Baum, General Counsel

Send Tax Notice To:

The Inland Real Estate Group, Inc. 2901 Butterfield Road Oak Brook, IL 60523
Attn: Robert Baum, General Counsel

STATE OF ALABAMA COUNTY OF SHELBY

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the payment of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned Grantor, MCW-RC AL — Southgate, LLC, a Delaware limited liability company (the "Grantor"), does by these presents hereby grant, bargain, sell and convey unto Inland American Birmingham Southgate, L.L.C., a Delaware limited liability company (the "Grantee"), the following described real estate situated in Shelby County, Alabama, to wit:

See Exhibit A attached hereto and made a part hereof.

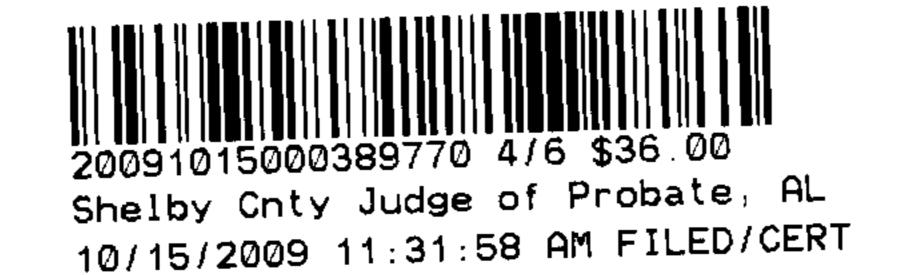
TOGETHER WITH all improvements situated thereon or attached thereto, and all tenements, hereditaments, appurtenances, rights, easements, benefits and rights-of-ways, if any, appurtenant thereto, subject, however, to the matters set forth on Exhibit B attached hereto and made a part hereof.

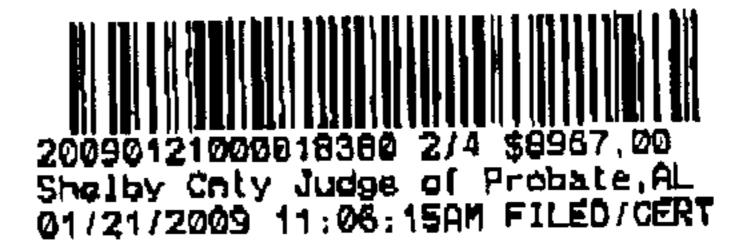
TO HAVE AND TO HOLD to said Grantee, and its successors, heirs, and assigns forever.

Shelby County, AL 01/21/2009 State of Alabama

Deed Tax: \$8947,00

1715675 V1 CHDB02 5232940 08138752





IN WITNESS WHEREOF, the undersigned Grantor has caused this instrument to be duly executed and sealed on this 14 day of January, 2009.

> MCW-RC AL - Southgate, LLC, a Delaware limited liability company

Macquarie CountryWide (US) Corporation, By:

a Maryland corporation

Managing Manabeff Its:

[SEAL]

STATE OF ALABAMA COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Mark Mullen, whose name as authorized signatory of Macquarie CountryWide (US) Corporation, a Maryland corporation, the managing member of MCW-RC AL - Southgate, LLC, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, such as such officer and with full authority, executed the same voluntarily for and as the act of said Gray or

Given under my hand and official seal this _____ day of January, 2009.

[NOTARIAL SEAL]

Notary Public My Commission Expires: 26 Sept 20/2

OFFICIAL SEAL KIM L MARANDA Notary Public - State of Minols My Commission Expires Sep 26, 2012



Shelby Cnty Judge of Probate, AL 10/15/2009 11:31:58 AM FILED/CERT



EXHIBIT A

Legal Description

A tract of land situated in the Southeast ¼ of the Southeast ¼ of Section 25, Township 19 South, Range 3 West, Shelby County, Alabama, and more particularly described as follows:

Commence at the Northeast corner of said ¼ - ¼ section and run North 87°18'38" West, along the North line thereof a distance of 422.06 feet; thence run South 01°17'56" West, for a distance of 412.83 feet to the Point of Beginning; thence run South 87°17'54" East, for a distance of 417.36 feet to a point on the East line of said ¼ - ¼ section; thence run South 01°57'45" West, along said East line a distance of 189.93 feet; thence run South 88°02'15" East, for a distance of 3.83 feet to a point on the West right of way line of U.S. Highway No. 31; thence run along said right of way South 10°40'00" West, a distance of 434.26 feet; thence run South 32°01 '05" West, a distance of 188.80 feet to a point on the Northwest right of way line of Alabama Highway No. 261; thence run South 61°31'05" West, along said right of way a distance of 122.50 feet; thence run North 32°30'55" West, along the Northeast boundary of Riverchase Animal Clinic property a distance of 141.48 feet; thence run South 57°29'05" West, along the Northwest line of said property a distance of 100.00 feet to the Northeast right of way line of Valley Dale Terrace; thence run North 32°30'55" West, along right of way line a distance of 25.60 feet to the beginning of a curve to the right, said curve having a radius of 419.64 feet and subtending a central angle of 13°13"21"; thence run Northwest along the arc of said curve a distance of 96.84 feet; thence on a line tangent to curve, continue North 19°17'34" West, along right of way line a distance of 166.06 feet; thence run North 58°04'35" East, along right of way a distance of 13.01 feet; thence an angle to the left to tangent of a curve to the left of 77°07'41", said curve having a radius of 174.25 feet and subtending a central angle of 30°07'58"; thence run along the arc of said curve a distance of 91.61 feet; thence on a line tangent to curve, continue along right of way line North 49°11'04" West, a distance of 67.40 feet; thence run North 40°48'56" East, a distance of 147.17 feet; thence run North 50°36'35" East, a distance of 175.89 feet; thence run North 01°17'56" East, for a distance of 175.35 feet to the Point of Beginning.

TOGETHER WITH all of owner's right, title and interest in and to that certain Easement dated November 18, 1987, and recorded in Book 161, page 3, in the Probate Office of Shelby County, Alabama.

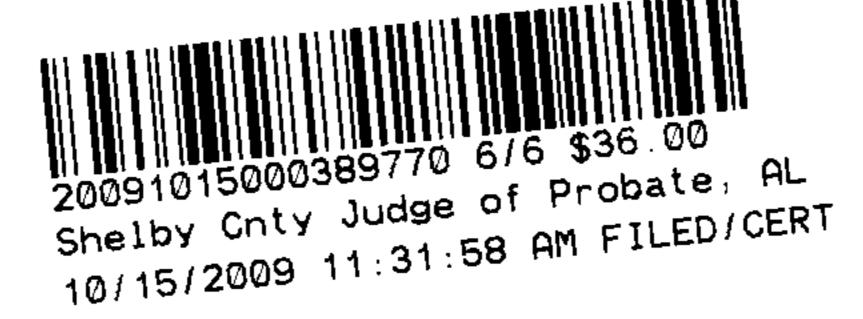
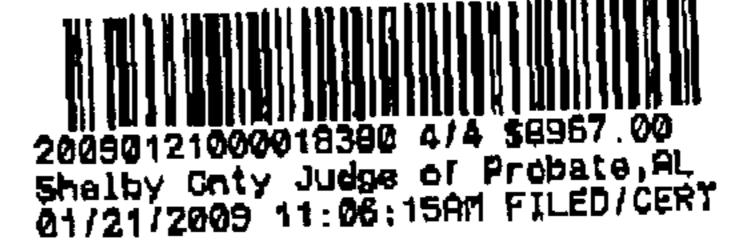


EXHIBIT B



Encumbrances

- 1. All taxes for the year 2009 and subsequent years, not yet due and payable.
- 2. Any prior reservation or conveyance, together with release of damages of minerals of every kind and character, including, but not limited to, oil, gas, sand and gravel in, on and under subject property.
- 3. Right of Way granted to Alabama Power Company by instrument recorded in Deed Book 101, page 500; Deed Book 101, page 569; Deed Book 111, page 153; Deed Book 129, page 38; Deed Book 222, page 435; Deed Book 251, page 514 and Real 182, page 550, in the Probate Office of Shelby County, Alabama.
- 4. Right of way to the City of Pelham, recorded in Real 83, page 287 and Real 90, page 380, in the Probate Office of Shelby County, Alabama, as shown on the survey prepared by Melvin R. Reynolds with Reynolds Surveying Co., Inc. dated May 15, 2003 and last revised June 19, 2003 and known as Job No. PROJ/SOUTHGATE.
- 5. Easement agreement recorded in Real 94, page 31 and Real 303, page 1, in the Probate Office of Shelby County, Alabama, as shown on the survey prepared by Melvin R. Reynolds with Reynolds Surveying Co., Inc. dated May 15, 2003 and last revised June 19, 2003 and known as Job No. PROJ/SOUTHGATE.
- 6. Rights of the following parties in possession pursuant to unrecorded leases, as tenants only without right to purchase or right of first refusal, as disclosed by Rent Roll:
- 7. Terms and conditions of that certain Memorandum of Lease dated 6-22-01, by and between Regency Centers, L.P. and Publix Alabama, LLC, filed for record 9-25-01, recorded in Instrument 2001-41350, in the Probate Office of Shelby County, Alabama, corrected by that certain Corrective Memorandum of Lease recorded in Instrument 20030512000291080 and further amended by that certain First Amendment to Memorandum of Lease recorded in Instrument 20030512000291090, and all amendments and/or modifications thereto.