

20091230000477080 1/3 \$30.00  
Shelby Cnty Judge of Probate, AL  
12/30/2009 02:20:38 PM FILED/CERT

## UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

|   |  |
|---|--|
| A. NAME & PHONE OF CONTACT AT FILER [optional]<br>Katie Booth (205) 251-8100  |  |
| B. SEND ACKNOWLEDGMENT TO: (Name and Address)<br><br>Katie Booth<br>Balch & Bingham LLP<br>P. O. Box 306<br>Birmingham, AL 35201-0306 |  |

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|   |                            |   |   |                                 |                      |  |                               |
|---|----------------------------|---|---|---------------------------------|----------------------|--|-------------------------------|
| 1. DEBTOR'S EXACT FULL LEGAL NAME - insert only <u>one</u> debtor name (1a or 1b) - do not abbreviate or combine names            |                            |   |   |                                 |                      |  |                               |
| 1a. ORGANIZATION'S NAME<br>H & L Properties, Limited Liability Company  |                            |   |   |                                 |                      |  |                               |
| OR  | 1b. INDIVIDUAL'S LAST NAME |   | FIRST NAME                                  | MIDDLE NAME                     | SUFFIX               |  |                               |
| 1c. MAILING ADDRESS<br>1524 Chatham Ct.   |                            |   | CITY<br>Pelham                              | STATE<br>AL                     | POSTAL CODE<br>35124 | COUNTRY<br>USA                           |                               |
| ADD'L INFO RE ORGANIZATION DEBTOR   |                            | 1e. TYPE OF ORGANIZATION<br>limited liability co. | 1f. JURISDICTION OF ORGANIZATION<br>Alabama | 1g. ORGANIZATIONAL ID #, if any |                      | <input checked="" type="checkbox"/> NONE |                               |
| 2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only <u>one</u> 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                                  |                               |
| 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 <u>one</u> secured party name (3a or 3b)        |                            |   |   |                                 |                      |  |                               |
| 3a. ORGANIZATION'S NAME<br>Superior Bank  |                            |   |   |                                 |                      |  |                               |
| OR  | 3b. INDIVIDUAL'S LAST NAME |   | FIRST NAME                                  | MIDDLE NAME                     | SUFFIX               |  |                               |
| 3c. MAILING ADDRESS<br>17 North 20th Street   |                            |   | CITY<br>Birmingham                          | STATE<br>AL                     | POSTAL CODE<br>35203 | COUNTRY<br>USA                           |                               |

4. This FINANCING STATEMENT covers the following collateral:

All that collateral more particularly described in Exhibit A, attached hereto and made a part hereof.

2 pages attached.

Some or all of the personal property described on Exhibit A is or may become fixtures on the real property described on Exhibit A.

|   |   |               |                     |               |              |          |                |
|---|---|---------------|---------------------|---------------|--------------|----------|----------------|
| 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 | 7. Check to REQUEST SEARCH REPORT(S) on Debtor(s) [ADDITIONAL FEE] [optional] |               | All Debtors         |               | Debtor 1     | Debtor 2 |                |
| 8. OPTIONAL FILER REFERENCE DATA<br>To be filed with the Shelby County Judge of Probate   |   |               |                     |               |              |          |                |

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## UCC FINANCING STATEMENT ADDENDUM

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### 9. NAME OF FIRST DEBTOR (1a or 1b) ON RELATED FINANCING STATEMENT

|    |  |            |                     |
|----|--|------------|---------------------|
| OR | 9a. ORGANIZATION'S NAME<br>H & L Properties, Limited Liability Company |            |                     |
|    | 9b. INDIVIDUAL'S LAST NAME   | FIRST NAME | MIDDLE NAME, SUFFIX |

### 10. MISCELLANEOUS:

This financing statement is recorded as additional security for a mortgage recorded simultaneously herewith upon which recording taxes have been paid.

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

|                           |                                   |                           |                                   |  |         |
|---------------------------|-----------------------------------|---------------------------|-----------------------------------|--|---------|
| OR                        | 11a. ORGANIZATION'S NAME          |                           |                                   |  |         |
|                           | 11b. INDIVIDUAL'S LAST NAME       | FIRST NAME                | MIDDLE NAME                       | SUFFIX   |         |
| 11c. MAILING ADDRESS      |                                   | CITY                      | STATE                             | POSTAL CODE  | COUNTRY |
| 11d. TAX ID #: SSN OR EIN | ADD'L 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)

|                      |                             |            |             |             |         |
|----------------------|-----------------------------|------------|-------------|-------------|---------|
| OR                   | 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:

Real property described on Exhibit A, attached hereto and made a part hereof.

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

Record owner: Debtor (H & L Properties, Limited Liability Company)

### 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

## **EXHIBIT A**

### **Description of Collateral**

All of Debtor's right, title and interest in the following (all referred to as the "Property"):

- (a) Lot 98, according to the Survey of Weatherly Oxford Sector 10, as recorded in Map Book 19, page 38, in the Probate Office of Shelby County, Alabama.
- (b) Together with all rights, easements, appurtenances, royalties, mineral rights, oil and gas rights, crops, timber, all diversion payments or third party payments made to crop producers, all water and riparian rights, wells, ditches, reservoirs, and water stock and all existing and future improvements, structures, fixtures, and replacements that may now, or at any time in the future, be part of the real estate described above.
- (c) Existing or future leases, subleases, licenses, guaranties and any other written or verbal agreements for the use and occupancy of the Property, including any extensions, renewals, modifications or replacements (all referred to as Leases).
- (d) Rents, issues and profits (all referred to as Rents), including but not limited to security deposits, minimum rent, percentage rent, additional rent, common area maintenance charges, parking charges, real estate taxes, other applicable taxes, insurance premiums contributions, liquidated damages following default, cancellation premiums, "loss or rents" insurance, guest receipts, revenues, royalties, proceeds, bonuses, accounts, contract rights, general intangibles, and all rights and claims Debtor may have that in any way pertain to or are on account of the use or occupancy of the whole or any part of the Property.