

20101229000435940 1/3 \$31.00
Shelby Cnty Judge of Probate, AL
12/29/2010 07:59:57 AM FILED/CERT

UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

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

(256)249-0341

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

Frontier Bank
Loan Ops
P.O. Box 630
Sylacauga Alabama 35150

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

Highway 31 Commercial Park, LLC

OR 1b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

1c. MAILING ADDRESS

170 Jennifer Cove

CITY

Montevallo

STATE

AL

POSTAL CODE

35115

COUNTRY

1d. SEE INSTRUCTIONS

ADD'L INFO RE
ORGANIZATION
DEBTOR

1e. TYPE OF ORGANIZATION

Limited Liability Company

1f. JURISDICTION OF ORGANIZATION

1g. ORGANIZATIONAL ID #, if any

☐ 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

☐ 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

Frontier Bank

OR 3b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

3c. MAILING ADDRESS

P O Box 1708

CITY

Pelham

STATE

AL

POSTAL CODE

35124

COUNTRY

4. This FINANCING STATEMENT covers the following collateral:

SEE ATTACHED EXHIBIT A

US HWY 31 & WHIPPOORWILL RD, CALERA
PERSONAL GUARANTY OF STEVEN ALLEN
PERSONAL GUARANTY OF STEPHEN STRICKLIN
PERSONAL GUARANT OF JOE ROSE
Shelby county \$90,000 20090501000161210 \$12
Shelby County \$1,027,873.33 20100527000168440

5. ALTERNATIVE DESIGNATION [if applicable]: ☐ LESSEE/LESSOR ☐ CONSIGNEE/CONSIGNOR ☐ BAILEE/BAILOR ☐ SELLER/BUYER ☐ AG. LIEN ☐ NON-UCC FILING6. ☐ 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 [ADDITIONAL FEE]

8. OPTIONAL FILER REFERENCE DATA

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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

OR	9a. ORGANIZATION'S NAME Highway 31 Commercial Park, 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

OR	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>	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:

Fixtures are to be filed of record. This account is in the real estate records of Shelby County. These goods are affixed (or will be affixed) to real property.

US HWY 31 & WHIPPOORWILL RD
Calera AL

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

EXHIBIT A

All debtor's fixtures of every kind, type or description, whether now owned or hereafter acquired, including returned or repossessed goods, and any chattel paper or accounts arising from the sale or lease of inventory, and proceeds thereof; where ever located. Fixtures are to be filed of record. This account is in the real estate records of Shelby County. These goods are affixed (or will be affixed) to real property.

Contract Rights - All contracts, accounts, accounts receivable, chattel paper, chattel mortgages, leases, instruments, documents, promissory notes, contracts for receipt of money, conditional sales contracts, and evidences of Debt of or owing to or acquired by Debtor whether now existing or hereafter arising, including, without limitation, (1) all accounts and other rights to payment of money which arise or result from Debtor's selling or other disposition of Debtor's goods or the providing of services by the Debtor, (2) the proceeds of any insurance covering the collateral, including any accounts receivable insurance, and (3) the return of unearned insurance premiums.

General Intangibles - All general intangibles of Debtor, whether now owned or hereafter acquired, including, without limitation, all choses in action, causes of action, corporate or other business records, deposit accounts, inventions, designs, patents, patent application trademarks, trade names, trade secrets, goodwill, copyrights, registrations, licenses, franchises, customer lists, tax refund claims, computer programs, all claims under guaranties, performance and payment bonds or bonds for the furnishing of labor and materials, rights under noncompetition agreements with third parties, cash surrender value of life insurance policies owned by Debtor, security interests or other security held by or granted to Debtor to secure payment of any of the Accounts by an account debtor, all rights to indemnification, and all other intangible property of every kind and nature.

A parcel of land located in the SW1/4 of the SE1/4 of Section 9, Township 22 South, Range 2 West more particularly described as follows:

Begin at the SE corner of the NW1/4 of the SE1/4 of said Section 9; thence 88°43'18" left from the East line of said NW1/4 of the SE1/4 in a westerly direction a distance of 652.21 feet; thence an exterior angle to the right of 90°08'58" in a southerly direction a distance of 42.17 feet to an iron pin found; thence an exterior angle to the right of 180°04'10" from the last described course and continue in a southerly direction a distance of 290.85 feet to an iron pin found, being 39.3 feet more or less north of the centerline of pavement of Whippoorwill (Drive)(Lane); thence an interior angle to the left of 90°30'56" in a westerly direction a distance of 368.66 feet to an iron pin found, being 130.4 feet more or less east of the centerline of pavement of U.S. Highway No. 31; thence an interior angle to the left of 85°12'32" in a northeasterly direction a distance of 276.97 feet to an iron pin found being 131.0 feet more or less east of the centerline of pavement of U.S. Highway No. 31; thence an interior angle to the left of 180°04'52" in a northerly direction a distance of 334.46 feet to an iron pin found, being 129 feet more or less east of the centerline of pavement of U.S. Highway No. 31; thence an interior angle to the left of 97°47'36" in a northeasterly direction a distance of 968.93 feet to an iron pin found; thence an interior angle to the left of 87°53'54" in a southerly direction a distance of 331.86 feet to the Point of Beginning containing 9.56 acres, more or less.

Signed for identification.

Highway 31 Commercial Park, LLC

Steven Allen, Member

Date

Stephen Stricklin, Member

Date

Joe Rose, Member

Date

Date

Date

Date