



20120113000017940 1/4 \$33.00  
Shelby Cnty Judge of Probate, AL  
01/13/2012 03:01:49 PM FILED/CERT

## UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER (optional)

Christine Keifer Borton, 205-254-1000

B. SEND ACKNOWLEDGEMENT TO: (Name and Address)

Christine Keifer Borton  
Maynard, Cooper & Gale, P.C.  
1901 Sixth Avenue North  
2400 Regions Harbert Plaza  
Birmingham, Alabama 35203

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

OR	1a. ORGANIZATION'S NAME <b>Ponder Properties, L.L.C.</b>					
	1b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME	SUFFIX	
1c. MAILING ADDRESS 850 Corporate Parkway			CITY Birmingham	STATE AL	POSTAL CODE 35242	COUNTRY USA
1d. <u>SEE INSTRUCTIONS</u>		ADD'L INFO RE ORGANIZATION DEBTOR	1e. TYPE OF ORGANIZATION LLC	1f. JURISDICTION OF ORGANIZATION Alabama		1g. ORGANIZATIONAL ID #, if any <input checked="" 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

OR	2a. ORGANIZATION'S NAME					
	2b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME	SUFFIX	
2c. MAILING ADDRESS			CITY	STATE	POSTAL CODE	COUNTRY
2d. <u>SEE INSTRUCTIONS</u>		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)

OR	3a. ORGANIZATION'S NAME Regions Bank					
	3b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME	SUFFIX	
3c. MAILING ADDRESS 1901 Sixth Avenue North, 19 <sup>th</sup> Floor			CITY Birmingham	STATE AL	POSTAL CODE 35203	COUNTRY USA

4. This FINANCING STATEMENT covers the following collateral:

See Schedule I and Exhibit A attached hereto and made a part hereof.

NOTE TO PROBATE JUDGE: This Financing Statement is being recorded as additional security for obligations described in that certain mortgage recorded as Instrument No. 20080724000298360, as assigned and assumed pursuant to that certain Note and Mortgage Assumption Agreement recorded as Instrument No. 20111215000379570, upon which mortgage tax has previously been paid in full.

TO BE FILED IN: Shelby County, Alabama  
Project: Regions/T&T Investments / MCG # 2-3960

5. ALTERNATIVE DESIGNATION [If applicable]: ☐ LESSEE/LESSOR ☐ COSIGNEE/COSIGNOR ☐ BAILEE/BAILOR ☐ SELLER/BUYER ☐ AG. LIEN ☐ NON-UCC FILING

6. ☒ 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) ☐ All Debtors ☐ Debtor 1 ☐ Debtor 2 [ADDITIONAL FEE] [optional]

8. OPTIONAL FILER REFERENCE DATA

# 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 Ponder Properties, L.L.C.		
	9b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME, SUFFIX

## 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

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:

See Exhibit A to Schedule I attached hereto.

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.

### **Schedule I**

All of Debtor's right, title and interest in and to the property described in "Exhibit A" attached hereto (the "Real Property"), together with all existing or subsequently erected or affixed buildings, improvements and fixtures, including without limitation all existing and future improvements, buildings, structures, mobile homes affixed to the Real Property, facilities, additions, replacements and other construction on the Real Property, all of the Debtor's present and future rights, title and interest in, to and under any and all present and future leases with respect to all or any part of the Real Property, including without limitation the Debtor's right to enforce such leases and to receive and collect payment and proceeds thereunder, all of the rents, revenues, income, issues, royalties, bonuses, accounts receivable, cash or security deposits, advance rentals, profits, proceeds and other payments or benefits now due or to become due and derived from the Real Property, and all equipment, fixtures, and other articles of personal property now or hereafter owned by Debtor, and now or hereafter attached or affixed to the Real Property; together with all accessions, parts, and additions to, all replacements of, and all substitutions for, any of such personal property, and together with all proceeds (including without limitation all insurance proceeds and refunds of premiums) from any sale or other disposition of the property.



**EXHIBIT "A"**

  
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**A parcel of land located in the S 1/2 of the NE 1/4 of the NW 1/4 of Section 13, Township 20 South, Range 3 West, Shelby County, Alabama, and being more particularly described as follows:**

**Commence at the Northeast corner of S 1/2 of the said 1/4 - 1/4 Section, thence North 82°58'11" West a distance of 1276.95 feet; thence South 32°31'16" West a distance of 240.00 feet to the point of beginning which lies at the point of intersection of the Southwesterly right of way line of Canyon Park Drive (50 foot right of way) and the Easterly right of way line of U.S. Highway 31 (200 foot right of way); thence South 32°21'29" West along said U.S. Highway 31 right of way line a distance of 249.81 feet; thence South 84°12'24" East and leaving said right of way line a distance of 160.93 feet; thence North 05°04'18" East a distance of 18.96 feet; thence North 36°35'16" East along the centerline of a 20 foot ingress/egress and utility easement, a distance of 161.01 feet to a point on the Southwesterly right of way line of Canyon Park Drive; thence North 57°28'44" West along said right of way line a distance of 147.12 feet to the point of beginning; being situated in Shelby County, Alabama.**

**A 20 foot wide ingress/egress and utility easement lying 10 feet on each side of and parallel to the following described centerline:**

**Commence at the NE corner of the S 1/2 of said 1/4 - 1/4 section; thence North 82°58'11" West, a distance of 1,276.95 feet; thence South 32°31'16" West, a distance of 141.18 feet; thence South 05°24'10" West, distance of 111.02 feet; thence South 57°28'44" East, a distance of 71.56 feet to the point of beginning, said point lying on the Southwesterly ROW line of Canyon Park Drive (50' ROW); thence South 36°35'16" West a distance of 161.01 feet to the end of said easement.**