

UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS

A. NAME & PHONE OF CONTACT AT FILER (optional) Rusty A. Fleming, Esq. (404) 322-6466
B. E-MAIL CONTACT AT FILER (optional) rusty.fleming@nelsonmullins.com
C. SEND ACKNOWLEDGMENT TO: (Name and Address) Rusty A. Fleming, Esq. Nelson Mullins Riley & Scarborough LLP 201 17th Street, NW, Suite 1700 Atlanta, GA 30363

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THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. DEBTOR'S NAME: Provide only one Debtor name (1a or 1b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name); if any part of the Individual Debtor's name will not fit in line 1b, leave all of item 1 blank, check here ☐ and provide the Individual Debtor information in item 10 of the Financing Statement Addendum (Form UCC1Ad)

1a. ORGANIZATION'S NAME MBN 300 Building, LLC				
OR 1b. INDIVIDUAL'S SURNAME	FIRST PERSONAL NAME	ADDITIONAL NAME(S)/INITIAL(S)		SUFFIX
1c. MAILING ADDRESS 445 Bishop Street, Suite 100	CITY Atlanta	STATE GA	POSTAL CODE 30318	COUNTRY USA

2. DEBTOR'S NAME: Provide only one Debtor name (2a or 2b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name); if any part of the Individual Debtor's name will not fit in line 2b, leave all of item 2 blank, check here ☐ and provide the Individual Debtor information in item 10 of the Financing Statement Addendum (Form UCC1Ad)

2a. ORGANIZATION'S NAME				
OR 2b. INDIVIDUAL'S SURNAME	FIRST PERSONAL NAME	ADDITIONAL NAME(S)/INITIAL(S)		SUFFIX
2c. MAILING ADDRESS	CITY	STATE	POSTAL CODE	COUNTRY

3. SECURED PARTY'S NAME (or NAME of ASSIGNEE of ASSIGNOR SECURED PARTY): Provide only one Secured Party name (3a or 3b)

3a. ORGANIZATION'S NAME State Bank & Trust Company				
OR 3b. INDIVIDUAL'S SURNAME	FIRST PERSONAL NAME	ADDITIONAL NAME(S)/INITIAL(S)		SUFFIX
3c. MAILING ADDRESS 3399 Peachtree Road NE, Suite 2000	CITY Atlanta	STATE GA	POSTAL CODE 30326	COUNTRY USA

4. COLLATERAL: This financing statement covers the following collateral:

All assets and personal property now or hereafter owned by the Debtor (the "Collateral"). Proceeds of the Collateral are also covered. This financing statement is to be cross indexed in the real estate records.

5. Check only if applicable and check only one box: Collateral is ☐ held in a Trust (see UCC1Ad, item 17 and Instructions) ☐ being administered by a Decedent's Personal Representative

6a. Check only if applicable and check only one box:

☐ Public-Finance Transaction ☐ Manufactured-Home Transaction ☐ A Debtor is a Transmitting Utility

6b. Check only if applicable and check only one box:

☐ Agricultural Lien ☐ Non-UCC Filing

7. ALTERNATIVE DESIGNATION (if applicable): ☐ Lessee/Lessor ☐ Consignee/Consignor ☐ Seller/Buyer ☐ Bailee/Bailor ☐ Licensee/Licenser

8. OPTIONAL FILER REFERENCE DATA:

Shelby County, Alabama Filing

NMRS File No. 32397.09054

UCC FINANCING STATEMENT ADDENDUM

FOLLOW INSTRUCTIONS

9. NAME OF FIRST DEBTOR: Same as line 1a or 1b on Financing Statement; if line 1b was left blank because Individual Debtor name did not fit, check here ☐

9a. ORGANIZATION'S NAME

MBN 300 Building, LLC

OR

9b. INDIVIDUAL'S SURNAME

FIRST PERSONAL NAME

ADDITIONAL NAME(S)/INITIAL(S)

SUFFIX



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10. DEBTOR'S NAME: Provide (10a or 10b) only one additional Debtor name or Debtor name that did not fit in line 1b or 2b of the Financing Statement (Form UCC1) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name) and enter the mailing address in line 10c

10a. ORGANIZATION'S NAME

OR

10b. INDIVIDUAL'S SURNAME

INDIVIDUAL'S FIRST PERSONAL NAME

INDIVIDUAL'S ADDITIONAL NAME(S)/INITIAL(S)

SUFFIX

10c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

11. ☐ ADDITIONAL SECURED PARTY'S NAME or ☐ ASSIGNOR SECURED PARTY'S NAME: Provide only one name (11a or 11b)

11a. ORGANIZATION'S NAME

OR

11b. INDIVIDUAL'S SURNAME

FIRST PERSONAL NAME

ADDITIONAL NAME(S)/INITIAL(S)

SUFFIX

11c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

12. ADDITIONAL SPACE FOR ITEM 4 (Collateral):

13. ☒ This FINANCING STATEMENT is to be filed [for record] (or recorded) in the REAL ESTATE RECORDS (if applicable)

14. This FINANCING STATEMENT:

☐ covers timber to be cut

☐ covers as-extracted collateral

☒ is filed as a fixture filing

15. Name and address of a RECORD OWNER of real estate described in item 16 (if Debtor does not have a record interest)

16. Description of real estate:

See attached Exhibit "A"

17. MISCELLANEOUS:

300 Corporate Parkway, Birmingham, Shelby County, Alabama 35242


EXHIBIT "A"

LEGAL DESCRIPTION OF THE LAND

FEE PARCEL 1 (#300 CORPORATE PARKWAY):

LOT 5, ACCORDING TO THE MAP AND SURVEY OF MEADOW BROOK CORPORATE PARK SOUTH, PHASE II, AS RECORDED IN MAP BOOK 12, PAGE 10 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:


COMMENCE AT THE SOUTHEAST CORNER OF THE S.W. 1/4 OF THE S.E. 1/4 OF SECTION 31, TOWNSHIP 18 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA AND RUN NORTH 0 DEGREES 00 MINUTES EAST (ASSUMED) ALONG THE EAST LINE OF SAID 1/4-1/4 SECTION A DISTANCE OF 1115.12 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY #280; THENCE SOUTH 83 DEGREES 13 MINUTES 57 SECONDS WEST ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY #280 A DISTANCE OF 2088.72 FEET TO THE NORTHWESTERN MOST CORNER OF LOT 4, MEADOW BROOK CORPORATE PARK SOUTH PHASE II, AS RECORDED IN MAP BOOK 12, PAGE 10 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, SAID POINT ALSO BEING THE NORTHEASTERN MOST CORNER OF LOT 2 OF SAID SUBDIVISION; THENCE SOUTH 12 DEGREES 44 MINUTES 50 SECONDS EAST ALONG THE COMMON BOUNDARY OF SAID LOTS 2 AND 4 A DISTANCE OF 349.64 FEET TO A POINT; THENCE SOUTH 30 DEGREES 56 MINUTES 48 SECONDS EAST ALONG THE COMMON BOUNDARY OF SAID LOTS 2 AND 4 A DISTANCE OF 410.33 FEET TO THE SOUTHERNMOST CORNER OF SAID LOT 4, SAID POINT BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 48 DEGREES 41 MINUTES 24 SECONDS EAST ALONG THE PROPERTY BOUNDARY OF SAID LOT 4 A DISTANCE OF 338.18 FEET TO A POINT; THENCE SOUTH 67 DEGREES 18 MINUTES 52 SECONDS EAST ALONG THE PROPERTY BOUNDARY OF SAID LOT 4 AND ITS EXTENSION, BEING THE PROPERTY BOUNDARY OF LOT B OF SAID MEADOW BROOK CORPORATE PARK SOUTH PHASE II, A DISTANCE OF 229.49 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF CORPORATE PARKWAY, SAID POINT LYING ON A CURVE TO THE LEFT HAVING A RADIUS OF 385.00 FEET, A CENTRAL ANGLE OF 17 DEGREES 47 MINUTES 46 SECONDS AND A CHORD BEARING OF SOUTH 0 DEGREES 56 MINUTES 13 SECONDS WEST; THENCE ALONG THE ARC OF SAID CURVE AND THE RIGHT-OF-WAY LINE OF CORPORATE PARKWAY A DISTANCE OF 119.58 FEET TO THE P.T. (POINT OF TANGENT) OF SAID CURVE; THENCE TANGENT TO SAID CURVE SOUTH 7 DEGREES 57 MINUTES 41 SECONDS EAST ALONG THE RIGHT-OF-WAY LINE OF CORPORATE PARKWAY A DISTANCE OF 150.16 FEET TO THE P.C. (POINT OF CURVE) OF A CURVE TO THE RIGHT HAVING A RADIUS OF 240.00 FEET, A CENTRAL ANGLE OF 124 DEGREES 59 MINUTES 24 SECONDS AND A CHORD BEARING OF SOUTH 54 DEGREES 32 MINUTES 01 SECONDS WEST; THENCE ALONG THE ARC OF SAID CURVE AND THE RIGHT-OF-WAY LINE OF CORPORATE PARKWAY A DISTANCE OF 523.56 FEET TO THE P.C.C. (POINT OF COMPOUND CURVE) OF A CURVE TO THE RIGHT HAVING


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A RADIUS OF 1150.00 FEET, A CENTRAL ANGLE OF 10 DEGREES 51 MINUTES 31 SECONDS AND A CHORD BEARING OF NORTH 57 DEGREES 32 MINUTES 31 SECONDS WEST; THENCE ALONG THE ARC OF SAID CURVE AND THE RIGHT-OF-WAY LINE OF CORPORATE PARKWAY A DISTANCE OF 217.95 FEET TO THE P.T. (POINT OF TANGENT) OF SAID CURVE; THENCE TANGENT TO SAID CURVE NORTH 52 DEGREES 06 MINUTES 46 SECONDS WEST ALONG THE RIGHT-OF-WAY LINE OF CORPORATE PARKWAY A DISTANCE OF 100.00 FEET TO THE SOUTHERNMOST CORNER OF LOT 2 OF SAID MEADOW BROOK CORPORATE PARK SOUTH PHASE II; THENCE NORTH 31 DEGREES 41 MINUTES 55 SECONDS EAST ALONG THE PROPERTY BOUNDARY OF SAID LOT 2 A DISTANCE OF 237.30 FEET TO THE POINT OF BEGINNING.

BEING THE SAME REAL PROPERTY DESCRIBED AS FOLLOWS:

Commence at the Southeast corner of the S.W.1/4 of the S.E.1/4 of Section 31, Township 18 South, Range 1 West, Shelby County, Alabama and run North 0°00' East (assumed) along the East line of said 1/4-1/4 section a distance of 1115.12 feet to a point on the Southeasterly right-of-way line of U. S. Highway #280; thence South 83°13'57" West along the Southeasterly right-of-way line of U. S. Highway #280 a distance of 2088.78 feet (2088.74 ft measured) to the Northwesternmost corner of Lot 4, Meadow Brook Corporate Park South Phase II, as recorded in Map Book 12, Page 10 in the Probate Office of Shelby County, Alabama, said point also being the Northeasternmost corner of Lot 2 of said subdivision; thence South 12°44'50" East along the common boundary of said Lots 2 and 4 a distance of 349.64 feet to a point; thence South 30°56'15" East along the common boundary of said Lots 2 and 4 a distance of 410.59 feet (410.30 ft measured) to the Southernmost corner of said Lot 4, said point being the POINT OF BEGINNING of the parcel herein described; thence North 48°40'59" East along the property boundary of said Lot 4 a distance of 338.00 feet (338.14 ft measured) to a point; thence South 67°19'02" East along the property boundary of said Lot 4 and its extension, being the property boundary of Lot B of said Meadow Brook Corporate Park South Phase II, a distance of 229.49 feet to a point on the Westerly right-of-way line of Corporate Parkway, said point lying on a curve to the left having a radius of 385.00 feet, a central angle of 17°47'46" and a chord bearing of South 0°56'09" West; thence along the arc of said curve and the right-of-way line of Corporate Parkway a distance of 119.58 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve South 7°57'44" East along the right-of-way line of Corporate Parkway a distance of 150.00 feet (150.16 ft measured) to the P.C. (point of curve) of a curve to the right having a radius of 240.00 feet, a central angle of 125°00'00" (124°59'37" measured) and a chord bearing of South 54°32'05" West; thence along the arc of said curve and the right-of-way line of Corporate Parkway a distance of 523.60 feet (523.57 ft measured) to the P.C.C. (point of compound curve) of a curve to the right having a radius of 1150.00 feet, a central angle of 10°50'38" (10°51'19" measured) and a chord bearing of North 57°32'28" West; thence along the arc of said curve and the right-of-way line of Corporate Parkway a distance of 217.65 feet (217.88 ft measured) to the P.T. (point of tangent) of said curve; thence tangent to said curve North 52°06'48" West along the right-of-way line of Corporate Parkway a distance of 100.00 feet to the Southernmost corner of Lot 2 of said Meadow Brook Corporate Park South Phase II; thence North 31°41'53" East along the property boundary of said Lot 2 a distance of 237.30 feet to the POINT OF BEGINNING.


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EASEMENT PARCEL 2:

TOGETHER WITH THE FOLLOWING EASEMENT APPURTENANT TO FEE PARCEL 1:

(I) THAT CERTAIN EASEMENT AGREEMENT DATED AS OF MARCH 6, 1989, BY AND AMONG DANIEL U.S. PROPERTIES LIMITED PARTNERSHIP, DANIEL MEADOW BROOK ONE LIMITED PARTNERSHIP, AND DANIEL MEADOW BROOK IV LIMITED PARTNERSHIP, AS RECORDED IN BOOK 229, PAGE 631, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA, AND (II) THAT CERTAIN EASEMENT AGREEMENT FOR INGRESS AND EGRESS DATED AS OF MARCH 6, 1989, BY AND BETWEEN DANIEL U.S. PROPERTIES LIMITED PARTNERSHIP AND DANIEL MEADOW BROOK IV LIMITED PARTNERSHIP, AS RECORDED IN BOOK 229, PAGE 641, IN SAID PROBATE OFFICE.

