



# Uniform Commercial Code — FINANCING STATEMENT — Form UCC-1

**IMPORTANT — Read instructions on back before filling out form**

This FINANCING STATEMENT is presented to a filing officer for filing pursuant to the Uniform Commercial Code.

4. <input type="checkbox"/> Filed for record in the real estate records.	5. <input type="checkbox"/> Debtor is a Transmitting Utility.	6. No. of Additional Sheets Presented: <u>2</u>
1. Debtor(s) (Last Name First) and address(es) S & A PROPERTIES CORP. 12404 Park Central Drive Dallas, Texas 75251	2. Secured Party(ies) and address(es) SHAWMUT BANK, N.A. and MAX GOLDSMITH c/o Shawmut Bank, N.A. One Federal Street Boston, MA 02211	3. For Filing Officer (Date, Time, Number, and Filing Office)  212822  FILED U.E. SPEAS REGISTER OF DEEDS FORSYTH COUNTY, NC

7. This financing statement covers the following types (or items) of property:

See Exhibit B attached hereto for a description of the property covered by this financing statement. See Exhibit A attached hereto for a description of the real estate to which this filing pertains. This is a fixture filing to be included in the real estate records of Forsyth County, NC. Record owner: S & A PROPERTIES CORP., 12404 Park Central Drive, Dallas, Texas 75251.

This financing statement is being filed pursuant to Sec. 9,402(2)(c) to perfect a security interest in collateral as to which the filing has lapsed. Originally filed 3/16/90 No. 186893, Bk 1688 Pg 2190.

## FIXTURES

☐ Products of Collateral are also covered.

Whichever is Applicable (See Instruction Number 9)	.....	SHAWMUT BANK, N.A. and MAX GOLDSMITH
	Signature(s) of Debtor (Or Assignor)	.....

Filing Officer Copy — Alphabetical  
STANDARD FORM — UNIFORM COMMERCIAL CODE — FORM UCC-1

Rev. Jan. 1980

Fixture Filing

Exhibit B

All right, title and interest of Debtor in and to:

(i) all leases and other agreements now or hereafter entered into affecting the use or occupancy of the land more particularly described on Exhibit A and the improvements now or hereafter located thereon (collectively, the "Premises") including without limitation, the Agreement of Lease dated as of February 15, 1990 between S & A Properties Corp. as landlord and S & A Restaurant Corp. as tenant as the same may be amended from time to time;

(ii) all equipment, machinery, fixtures, and other items of property, including, but not limited to, all components thereof, now or hereafter located in, on or used in connection with, the Premises or necessary to the operation or maintenance thereof, which are now or hereafter owned by Debtor, including, without limitation, all furnaces, boilers, heaters, electrical equipment, heating, plumbing, refrigerating, ventilating, waste disposal, air-cooling and air-conditioning apparatus, sprinkler systems and fire and theft protection equipment, all of which are hereby deemed by the Debtor and Secured Party to constitute real estate under the laws of the State in which the Premises is located, together with all replacements, modifications, alterations and additions thereto (collectively, the "Fixtures");

(iii) all awards or payments, including interest thereon, which may be made with respect to the Premises or Fixtures whether from the exercise of eminent domain (including any transfer made in lieu of the exercise of said rights) or for any other injury to or decrease in the value of the Premises or Fixtures; and

(iv) all proceeds of any Fixtures.

This UCC-1 Financing Statement is filed in connection with a certain First Priority Indenture of Mortgage, Deed of Trust and Security Agreement dated February 15, 1990 made between the Debtor as Borrower and the Secured Party as Trustee securing an indebtedness of \$120,000,000.

BK1857 P3365

7838 N. Point Blvd.  
Winston-Salem, N.C. 27106

Site No. 3443

"Exhibit A"

LEGAL DESCRIPTION OF REAL ESTATE  
LOCATED IN FORSYTH COUNTY, NORTH CAROLINA

Legal description according to DSA Group Survey dated May 11, 1989 reads as follows:

BEGINNING at a point in the North right of way margin of North Point Boulevard (formerly Silas Creek Parkway), said point being S 81 11' 00" E 135.43 feet, thence S 82 26' 46" E 93.89 feet from the Southeast corner of the tract deeded to Shelton Companies in Deed Book 1229, Page 1291, Forsyth County, North Carolina Registry; thence from point of Beginning and running the following new lines N 00 14' 28" E 158.51 feet to a point, thence S 89 45' 32" E 185.00 feet to a point, thence S 00 14' 28" W 170.00 feet to a point in the North right of way margin of Silas Creek Parkway, thence with the North right of way margin of Silas Creek Parkway along an arc 185.42 feet to the point and place of BEGINNING, said arc having a chord of N 86 12' 14" W 185.36 feet.

Together with those certain easement rights established by the Declaration of Restrictions and Grant of Easements recorded in Book 1269, Page 956, and by Amendment No. 1 to Declaration of Restrictions and Grant of Easements recorded in Book 1377, Page 951, and by Amendment No. 2 to Declaration of Restrictions and Grant of Easements Recorded in Book 1605, Page 67.

Where the words "Silas Creek Parkway" appear in the above legal description, they shall mean "North Point Boulevard".