

UCC-1 Form

FILER INFORMATION

Full name: **JAMES A. IACOI, ESQ.**

Email Contact at Filer: **LINDA@IACOI-LAW.COM**

SEND ACKNOWLEDGEMENT TO

Contact name: **IACOI LAW**

Mailing Address: **171 BROADWAY**

City, State Zip Country: **PROVIDENCE, RI 02903 USA**

DEBTOR INFORMATION

Org. Name: **WAILEA EAST REALTY, LLC**

Mailing Address: **500 SOUTH MAIN STREET**

City, State Zip Country: **PROVIDENCE, RI 02903 USA**

SECURED PARTY INFORMATION

Org. Name: **BANK RHODE ISLAND**

Mailing Address: **ONE TURKS HEAD PLACE**

City, State Zip Country: **PROVIDENCE, RI 02903 USA**

TRANSACTION TYPE: STANDARD

CUSTOMER REFERENCE: 2020-1403

COLLATERAL

ALL PERSONAL PROPERTY AND FIXTURES OF DEBTOR NOW OWNED OR HEREAFTER ACQUIRED OR IN WHICH DEBTOR MAY NOW HAVE OR HEREAFTER ACQUIRE AN INTEREST, LOCATED ON OR AFFIXED TO THE REAL PROPERTY DESCRIBED ON EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF. EXHIBIT A TO UCC 1 FINANCING STATEMENT DEBTOR: WAILEAU EAST REALTY, LLC 500 SOUTH MAIN STREET PROVIDENCE, RHODE ISLAND 02903 SECURED PARTY: BANK RHODE ISLAND ONE TURKS HEAD PLACE PROVIDENCE, RHODE ISLAND 02903 THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS: FIXTURES, MACHINERY AND EQUIPMENT: ALL FIXTURES OF EVERY KIND AND NATURE WHATSOEVER, NOW OR HEREAFTER LOCATED IN, UPON OR ABOUT THE REAL ESTATE LOCATED AT 404 SOUTH MAIN STREET, UNIT 3, PROVIDENCE, RHODE ISLAND AND 500 SOUTH MAIN STREET, PROVIDENCE, RHODE ISLAND, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT B ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE (THE "PREMISES"), OR ANY PART THEREOF, AND USED OR USABLE IN CONNECTION WITH ANY PRESENT OR FUTURE OCCUPANCY OR OPERATION OF THE PREMISES, AND ALL RENEWALS AND REPLACEMENTS THEREOF AND ADDITIONS, SUBSTITUTIONS AND ACCESSIONS THERETO (THE "FIXTURES"). THE FIXTURES SHALL BE DEEMED TO INCLUDE, BUT WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL HEATING, LIGHTING, LAUNDRY, INCINERATION AND POWER EQUIPMENT, ENGINES, PIPES, PUMPS, TANKS, MOTORS, DYNAMOS, BOILERS, FUEL, CONDUITS, SWITCHBOARDS, PLUMBING, LIFTING, REFRIGERATING, VENTILATING, AND COMMUNICATIONS APPARATUS, SPRINKLER SYSTEM AND OTHER FIRE PREVENTION AND FIRE EXTINGUISHING APPARATUS, AIR COOLING AND AIR CONDITIONING APPARATUS, ELEVATORS, ESCALATORS, SHADES, BLINDS, AWNINGS, SCREENS, STORM DOORS, AND WINDOWS, STOVES, REFRIGERATORS, REFRIGERATING PLANT, ATTACHED CABINETS, PARTITIONS, DUCTS AND COMPRESSORS, GAS AND ELECTRIC FIXTURES, RANGES, STOVES, DISPOSALS AND RUGS. ALL MACHINERY AND EQUIPMENT OF EVERY KIND AND NATURE WHATSOEVER, NOW OR HEREAFTER LOCATED IN OR UPON THE PREMISES, OR ANY PART THEREOF, AND ALL RENEWALS AND REPLACEMENTS THEREOF AND ADDITIONS, SUBSTITUTIONS AND ACCESSIONS THERETO (THE "MACHINERY AND EQUIPMENT"). THE MACHINERY AND EQUIPMENT SHALL BE DEEMED TO INCLUDE, WITHOUT LIMITATION OF THE GENERALITY OF THE FOREGOING, ALL RIGHT, TITLE AND INTEREST OF DEBTOR IN AND TO ALL MACHINERY, EQUIPMENT, FURNISHINGS, FURNITURE, CARPETS, APPLIANCES, CABINETS AND IMPROVEMENTS, NOW OR ANY TIME HEREAFTER ATTACHED TO, PLACED UPON, OR USED IN ANY WAY IN CONNECTION WITH THE USE, ENJOYMENT, OPERATION, MAINTENANCE AND OCCUPANCY OF THE PREMISES. ALL CASH AND NON CASH PROCEEDS OF ANY OF THE FOREGOING FIXTURES AND/OR MACHINERY AND EQUIPMENT, INCLUDING INSURANCE PROCEEDS, CLAIMS AND SETTLEMENTS; AND ALL PROCEEDS AND PRODUCTS OF ANY FIXTURES AND/OR MACHINERY AND EQUIPMENT, INCLUDING BUT NOT LIMITED TO ANY DEPOSITS OR PAYMENTS NOW OR HEREAFTER MADE BY DEBTOR ON ANY OF THE FOREGOING TO BE ACQUIRED BY DEBTOR. PREMIUMS: ALL UNEARNED PREMIUMS, ACCRUED, ACCRUING OR TO ACCRUE UNDER INSURANCE POLICIES NOW OR HEREAFTER OBTAINED BY DEBTOR AND ALL PROCEEDS OF THE CONVERSION, VOLUNTARY OR INVOLUNTARY, OF THE PREMISES, THE FIXTURES, THE MACHINERY AND EQUIPMENT, THE IMPROVEMENTS, THE MORTGAGED PROPERTY (AS DEFINED IN THE MORTGAGE, SECURITY AGREEMENT AND COLLATERAL ASSIGNMENT OF RENTALS AND LEASES DATED OF EVEN DATE HERewith GRANTED BY DEBTOR TO SECURED PARTY), AND/OR ANY OTHER PROPERTY OR RIGHTS DESCRIBED HEREIN, OR ANY PART THEREOF, INTO CASH OR

LIQUIDATED CLAIMS. AWARDS: ALL AWARDS OR PAYMENTS, INCLUDING INTEREST THEREON, AND THE RIGHT TO RECEIVE THE SAME, WHICH MAY BE MADE WITH RESPECT TO EMINENT DOMAIN, THE ALTERATION OF THE GRADE OF ANY STREET, OR ANY OTHER INJURY TO OR DECREASE IN THE VALUE OF THE PREMISES, THE FIXTURES, THE MACHINERY AND EQUIPMENT, SAID MORTGAGED PROPERTY, THE IMPROVEMENTS AND/OR ANY OTHER PROPERTY OR RIGHTS DESCRIBED HEREIN. LEASES: ALL EXISTING AND FUTURE TENANCIES, SUBTENANCIES, LEASES AND SUBLEASES OF, AND AGREEMENTS NOW OR HEREAFTER AFFECTING OR HAVING REFERENCE TO, THE WHOLE OR ANY PART OF THE PREMISES AND TO WHICH DEBTOR IS A PARTY, AND ANY RENEWALS OR EXTENSIONS THEREOF OR LEASES OR SUBLEASES IN SUBSTITUTION THEREFOR. RENTALS AND OTHER PAYMENTS: ALL RENTS, ISSUES AND PROFITS FROM THE PREMISES AND ALL OTHER SUMS NOW OR HEREAFTER PAID OR PAYABLE TO DEBTOR BY TENANTS NOW OR HEREAFTER OCCUPYING THE PREMISES OR ANY PORTION THEREOF, UNDER OR BY REASON OF ALL EXISTING AND FUTURE TENANCIES AND LEASES AND SUBLEASES OF THE WHOLE OR ANY PART OF THE PREMISES, INCLUDING, WITHOUT LIMITING THE GENERALITY OF THE FOREGOING LANGUAGE, ANY AND ALL SUMS PAID OR PAYABLE TO DEBTOR BY REASON OF THE EXERCISE BY ANY TENANT, OF ANY OPTION, PREEMPTIVE RIGHT OR RIGHT OF FIRST REFUSAL TO PURCHASE OR LEASE THE WHOLE OR ANY PORTION OF THE PREMISES, PROCEEDS OF RENT INSURANCE AND BUSINESS INTERRUPTION INSURANCE, SO CALLED, PROCEEDS OF ANY INSURANCE OR GUARANTY OF ANY LEASE OR SUBLEASE OF THE WHOLE OR ANY PORTION OF THE PREMISES OR OF THE OBLIGATIONS OF ANY TENANT UNDER SUCH LEASE, AWARDS OF DAMAGE OR OTHER SUMS PAID OR PAYABLE TO DEBTOR BY REASON OF THE TAKING OF ALL OR ANY PORTION OF THE PREMISES BY CONDEMNATION OR OTHER SIMILAR PROCEEDINGS, ALL SUMS PAID OR PAYABLE TO DEBTOR IN ADDITION TO RENTAL FOR SUCH ITEMS AS TAXES, UTILITIES AND WATER CHARGES, ALL SUMS PAID OR PAYABLE FOR USE AND OCCUPANCY OF THE PREMISES OR ANY PORTION THEREOF, AND ALL SUMS PAID PURSUANT TO SETTLEMENT WITH OR JUDGMENT AGAINST ANY TENANT RELATING TO ANY ALLEGED BREACH OF ANY LEASE, SUBLEASE OR AGREEMENT. EXHIBIT B ATTACH LEGAL DESCRIPTION OF PREMISES PARCEL I UNIT No. 3 IN THE 400 SOUTH MAIN STREET CONDOMINIUM (THE "CONDOMINIUM") IN THE CITY AND COUNTY OF PROVIDENCE AND STATE OF RHODE ISLAND CREATED BY THE DECLARATION OF CONDOMINIUM RECORDED JUNE 3, 2005 AND AS AMENDED AND RESTATED BY AMENDMENT TO THE DECLARATION OF CONDOMINIUM DATED JANUARY 30, 2009 AND RECORDED FEBRUARY 2, 2009 AT 2:03 PM IN BOOK 9327 AT PAGE 247 IN THE RECORDS OF LAND EVIDENCE OF THE CITY OF PROVIDENCE, STATE OF RHODE ISLAND, AS MAY BE FURTHER AMENDED FROM TIME TO TIME, TOGETHER WITH THE APPLICABLE PERCENTAGE INTEREST IN THE COMMON AREAS OF SAID CONDOMINIUM APPURTENANT TO SAID UNITS AND TOGETHER WITH THE LIMITED COMMON ELEMENTS AND THE RIGHTS AND EASEMENTS APPURTENANT TO SAID UNIT AS SET FORTH IN THE DECLARATION AND PLANS. TOGETHER WITH ALL OF GRANTOR'S DEVELOPMENT RIGHTS AND SPECIAL DECLARANT RIGHTS IN AND TO THE CONDOMINIUM AS SET FORTH IN SAID DECLARATION OF CONDOMINIUM. SUBJECT TO: TERMS AND PROVISIONS OF THE DECLARATION CREATING 400 SOUTH MAIN STREET CONDOMINIUM RECORDED IN BOOK 7329 AT PAGE 252, AS THE SAME MAY BE AMENDED FROM TIME TO TIME. SAID DECLARATION PROVIDES FOR THE IMPOSITION OF ASSESSMENTS, THE FAILURE OF WHICH TO PAY SHALL CONSTITUTE A CHARGE UPON THE LAND AND A CONTINUING LIEN AGAINST WHICH CHARGE IS MADE. UNPAID ASSESSMENTS FOR COMMON EXPENSES OR CHARGES ASSESSED AGAINST THE HEREIN-DESCRIBED PREMISES. TERMS AND PROVISIONS OF CHAPTERS 36 AND 36.1 OF TITLE 34, RHODE ISLAND GENERAL LAWS, 1956, AS AMENDED AND APPLICABLE. PROPERTY ADDRESS (FOR REFERENCE ONLY) 404 SOUTH MAIN STREET UNIT 3 PROVIDENCE, RI AP 16 LOT 112-3 PARCEL II THAT CERTAIN PARCEL OF LAND TOGETHER WITH ALL THE BUILDINGS AND IMPROVEMENTS THEREON, SITUATED IN THE CITY OF PROVIDENCE AND STATE OF RHODE ISLAND BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT, SAID POINT BEING THE SOUTHWESTERLY CORNER OF THE PARCEL HEREIN DESCRIBED AND BEING THE POINT OF INTERSECTION OF THE NORTHERLY LINE OF TRANSIT STREET AND THE EASTERLY LINE OF SOUTH MAIN STREET; THENCE RUNNING N 41° 56' 35" W BOUNDED WESTERLY BY SAID SOUTH MAIN STREET A DISTANCE OF 77.49 FEET TO AN ANGLE POINT; THENCE TURNING AN INTERIOR ANGLE OF 175° 06' 00" AND RUNNING N 37° 02' 35" W BOUNDED WESTERLY BY SAID SOUTH MAIN STREET A DISTANCE OF 71.57 FEET TO THE LAND NOW OR FORMERLY OF THE PROVIDENCE REDEVELOPMENT AGENCY AND A CORNER; THENCE TURNING AN INTERIOR ANGLE OF 61° 32' 00" AND RUNNING N 81° 25' 25" E BOUNDED NORTHERLY BY SAID AGENCY LAND A DISTANCE OF 82.84 FEET TO THE LAND NOW OR FORMERLY OF EDWARD O. HANDY AND SUSAN HANDY, AND AN ANGLE POINT; THENCE TURNING AN INTERIOR ANGLE OF 179° 07' 35" AND RUNNING N 82° 17' 50" E BOUNDED NORTHERLY IN PART BY SAID HANDY LAND AND IN PART BY LAND NOW OR FORMERLY OF PHINEAS SPRAGUE AND MARY LOUISE T. SPRAGUE A DISTANCE OF 67.79 FEET TO THE LAND, NOW OR FORMERLY OF JOAQUIM PIRES AND A CORNER; THENCE TURNING AN INTERIOR ANGLE OF 93° 40' 00" AND RUNNING S 11° 22' 10" E BOUNDED EASTERLY BY SAID PIRES LAND A DISTANCE OF 106.71 FEET TO A POINT ON THE SAID NORTHERLY LINE OF TRANSIT STREET AND A CORNER; THENCE TURNING AN INTERIOR ANGLE OF 88° 12' 00" AND RUNNING S 80° 25' 50" W BOUNDED SOUTHERLY BY SAID TRANSIT STREET A DISTANCE OF 15.58 FEET TO AN ANGLE POINT; THENCE TURNING AN INTERIOR ANGLE OF 196° 16' 53" AND RUNNING S 64° 08' 57" W BOUNDED SOUTHERLY BY SAID LINE OF TRANSIT STREET A DISTANCE OF 66.51 FEET TO THE POINT AND PLACE OF BEGINNING CREATING AN INTERIOR ANGLE OF 106° 05' 32" BETWEEN THE FIRST AND LAST MENTIONED COURSES. TOGETHER WITH ALL RIGHT, TITLE AND INTEREST OF THE GRANTOR IN AND TO A PRIVATE GANGWAY TEN (10) FEET WIDE RUNNING NORTHERLY FROM TRANSIT STREET, THE CENTER LINE OF WHICH IS THE EASTERLY BOUNDARY OF THE ABOVE DESCRIBED PREMISES. SUBJECT TO: RESTRICTIONS RECORDED IN BOOK 1199 AT PAGE 267. TEN FOOT GANGWAY LOCATED AT THE EASTERLY BOUNDARY OF PREMISES SET FORTH IN BOOK 1058 AT PAGE 346. PROPERTY ADDRESS (FOR REFERENCE ONLY) 500 SOUTH MAIN STREET PROVIDENCE, RI AP 16 LOT 184