

**UCC FINANCING STATEMENT**

## FOLLOW INSTRUCTIONS

A NAME & PHONE OF CONTACT AT FILER (optional) <b>Jim Kelly- 401-272-5800</b>
B E-MAIL CONTACT AT FILER (optional) <b>jkelly@simmonsllc.com</b>
C SEND ACKNOWLEDGMENT TO (Name and Address)  <div style="border: 1px solid black; padding: 5px;"> <b>Simmons Associates, Ltd.</b>  <b>155 South Main Street, Suite 301</b>  <b>Providence, RI 02903</b>  <b>Attn: JVK</b> </div>

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 the 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 <b>PIETZAK REALTY, LLC</b>	FIRST PERSONAL NAME		ADDITIONAL NAME(S) INITIAL(S)		SUFFIX
OR 1b INDIVIDUAL'S SURNAME	CITY <b>Lincoln</b>		STATE <b>RI</b>	POSTAL CODE <b>02865</b>	COUNTRY <b>USA</b>
1c MAILING ADDRESS <b>14 Red Chimney Drive</b>					

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

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

3a ORGANIZATION'S NAME <b>Bank Rhode Island</b>	FIRST PERSONAL NAME		ADDITIONAL NAME(S) INITIAL(S)		SUFFIX
OR 3b INDIVIDUAL'S SURNAME	CITY <b>Providence</b>		STATE <b>RI</b>	POSTAL CODE <b>02903</b>	COUNTRY <b>USA</b>
3c MAILING ADDRESS <b>One Turks Head Place</b>					

4 COLLATERAL: This financing statement covers the following collateral:

The Collateral consists of all assets of the Debtor, including, without limitation, all Personal Property of the Debtor now or hereafter related or located at the Real Estate known as Land Unit A and Building, in Old Pike Condominiums, 1947 Old Louisquisset Pike, Lincoln, RI, and 655 Douglas Pike, Smithfield, RI, as more particularly described on Exhibit A-1 and Exhibit A-2 attached hereto and incorporated herein by reference, and including, but not limited to, the Collateral as more particularly described on Exhibit B attached hereto and incorporated herein by reference.

5 Check <u>only</u> if applicable and check <u>only</u> one box: Collateral is <input type="checkbox"/> held in a Trust (see UCC1Ad, item 17 and instructions)	Being administered by a Decedent's Personal Representative
6a Check <u>only</u> if applicable and check <u>only</u> one box: <input type="checkbox"/> Pseudo-Finance Transaction <input type="checkbox"/> Manufactured-Home Transaction <input type="checkbox"/> A Debtor is a Transmiling Utility	6b Check <u>only</u> if applicable and check <u>only</u> one box: <input type="checkbox"/> Agricultural Lien <input type="checkbox"/> Non-UCC Filing
7 ALTERNATE DESIGNATION (if applicable): <input type="checkbox"/> Lessee-Lessor <input type="checkbox"/> Consignee-Consignor <input type="checkbox"/> Seller-Buyer <input type="checkbox"/> Bailor-Balor <input type="checkbox"/> Licensee-Licensor	
8 OPTIONAL FILER REFERENCE DATA <b>RI Secretary of State-Mortgage Term Loan</b>	

## 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

**PIETZAK REALTY, LLC**

OR 9b INDIVIDUAL'S SURNAME

FIRST PERSONAL NAME

ADDITIONAL NAME(S); INITIAL(S)

SUFFIX

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

10. DEBTOR'S NAME Provide (10a or 10b) only if you are adding additional Debtor name or Debtor name that did not fit on 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):

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

Not Applicable

14. This FINANCING STATEMENT:

☐ covers timber to be cut

☐ covers as-extracted collateral

☒ is filed as a future filing

16. Description of real estate:

Street Addresses:

Land Unit A, 1947 Old Louisquisset Pike, Lincoln, RI

655 Douglas Pike, Smithfield, RI

Legal Descriptions:

See Exhibit A-1 and Exhibit A-2, attached hereto and incorporated herein by reference

17. MISCELLANEOUS

## **EXHIBIT A-1**

### **LEGAL DESCRIPTION FOR:**

**Land Unit A within the Old Pike  
Condominiums, 1947 Old Louisquisset Pike, Lincoln, RI**

That certain parcel of Condominium Property situated in the Old Pike Condominium in the Town of Lincoln, County of Providence, and State of Rhode Island, and more particularly described as Unit No. A within said Condominium Property and an undivided 50 % interest in and to the Common Area within said Condominium Property, as the same are established and identified in the Declaration of Condominium dated July 10, 2003 and recorded in the Land Evidence Records of Lincoln, Rhode Island in Book 1028 Page 190 and on Condominium Map as recorded therewith. The Condominium is situated on the easterly side of Old Louisquisset Pike, in the Town of Lincoln, County of Providence, State of Rhode Island described as A.P. 31 Lot 165 on that certain plat entitled "LINCOLN, R.I. ADMINISTRATIVE SUBDIVISION OF LAND OWNED BY THE SARATOGA GROUP, INC. A.P. 31 LOTS 165, 166 & 197 OLD LOUISQUISSET PIKE SURVEYED BY MARSH SURVEYING INC. 840 SMITHFIELD AVE. LINCOLN, R.I. SCALE: 1" = 30' AUGUST 5, 1997" and containing by computation 31,463 square feet of land, which said plat was recorded on August 29, 1997 at 1:10 p.m. in Book 540 at Page 186 as Subdivision #100 in the Office of the Land Evidence Records of the Town of Lincoln, Rhode Island.

### **TOGETHER WITH:**

1. An exclusive easement to use the Common Area appurtenant to said Unit.
2. The benefit of the other covenants, restrictions, easements, and provisions of the Declaration (including the schedules and exhibits thereto), as it may be amended from time to time.

Said premises are conveyed SUBJECT TO and WITH the benefit of the Provisions of Rhode Island General Laws 34-36.1 et. seq., the Declaration of Condominium referred to above, the By-Laws set forth therein and the Rules and Regulations attached thereto as any or all of the above may be amended from time to time.

**PROPERTY ADDRESS  
FOR REFERENCE PURPOSES ONLY  
1947 Old Louisquisset Pike Unit A  
Lincoln, RI  
Plat 31 Lot 165-A**

**EXHIBIT A-2**

**LEGAL DESCRIPTION FOR:**

655 Douglas Pike, Smithfield, Rhode Island

The land with all buildings and improvements thereon designated as Lot 3 on that plan dated January 9, 2015 and signed on September 8, 2015 entitled "Minor Subdivision Record Plan AP 45 Lot 43A Douglas Pike, Harris Road and Limerock Road Prepared by Waterman Engineering Company, Inc. for A&R One, LLC stamped approved the Smithfield Planning Board on October 1, 2015. The plan was recorded in the Records of Land Evidence Town of Smithfield, Rhode Island on October 9, 2015 at 1:46 p.m. as instrument number 20150020

**PROPERTY ADDRESS:  
(FOR REFERENCE PURPOSES ONLY)  
655 Douglas Pike  
Smithfield, RI  
AP 45 Lot 182**

**EXHIBIT B**  
**TO UCC-1 FINANCING STATEMENT**

Debtor: **PIETZAK REALTY, LLC**  
14 Red Chimney Drive  
Lincoln, RI 02865

Secured Party: **Bank Rhode Island**  
One Turks Head Place  
Providence, RI 02903

All the tangible and intangible personal property (including goods, equipment, machinery, tools and other personal property described herein) and fixtures of every kind and description now or hereafter owned by Debtor or in which Debtor has an interest (but only to the extent of such interest), situated or to be situated upon or used in connection with the real property described below (the "Premises") or in any of said buildings and improvements, and relating to the Premises and the Improvements (as defined in the Mortgage Deed, Security Agreement, and Fixture Filing from Debtor in favor of the Secured Party (the "Mortgage")), together with any renewals, replacements or additions thereto or substitutions therefor, all proceeds and products of, and now or hereafter located at, or used in connection with the operation of the Premises or the improvements thereon, including without limitation the following:

A. **EQUIPMENT, ETC.:** All of Debtor's interest in and to all equipment, fixtures, inventory, goods, materials, supplies, furnishings, accounts, accounts receivable, contract rights, plans, specifications, permits, licenses, other rights, bank deposits and other accounts, cash, and general intangibles, whether now or hereafter existing, for use on or in connection with the Premises.

B. **PROCEEDS FOR DAMAGE TO THE MORTGAGED PROPERTY:** All proceeds (including without limitation, insurance and condemnation proceeds) including interest thereon, paid for any damage done to the Mortgaged Property (as defined in the Mortgage) or any part thereof, or for any portion thereof appropriated for any character of public or quasi-public use in accordance with the provisions, terms and conditions set forth in the Mortgage.

C. **LEASES AND RENTS:** All of the Debtor's right, title and interest in and to any leases or other agreements for use of any of the Premises or Improvements and all rents, security deposits, and other proceeds, products, offspring or profits of such leases and other agreements, in each case whether now or hereafter existing, relating to the Premises or Improvements, as provided in a Collateral Assignment of Rents and Leases of even date herewith delivered by the Debtor to the Secured Party.

D. **UTILITY DEPOSITS:** All right, title and interest of the Debtor in and to all monetary deposits which Debtor has been or will be required to give to any public or private utility with respect to utility services furnished or to be furnished to the Premises.

E.       RECORDS: All of the records and books of account now or hereafter maintained by Debtor in connection with the operation of the Premises.

F.       NAME AND GOODWILL: The right, in event of foreclosure under the Mortgage of the Mortgaged Property, to take and use any name by which the Mortgaged Property is then known or any variation of the words hereof, and the goodwill of Debtor with respect thereto.

The Premises are located in the Town of Lincoln, State of Rhode Island, with a a street address of Land Unit A, 1947 Louisquisset Pike, Lincoln, Rhode Island and in the Town of Smithfield, State of Rhode Island, with a street address of 655 Douglas Pike, Smithfield, RI