



# STATE OF NEBRASKA

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**JOHN A. GALE**  
**SECRETARY OF STATE**

**P.O. Box 94608**  
**State Capitol, Suite 2300**  
**Lincoln, NE 68509-4608**  
**Phone 402-471-2554**  
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**[www.sos.ne.gov](http://www.sos.ne.gov)**

August 3, 2018

Senator Dan Watermeier  
Chair, Executive Board  
Nebraska Legislature  
State Capitol, Room 2108  
Lincoln, NE 68509

**Via Hand Delivery to State Capitol Room 2108 and electronically via the Legislature's Website**

Dear Senator Watermeier:

Pursuant to Neb. Rev. Stat. § 84-907.06, enclosed are the following items relating to the proposed amended rules and regulation regarding Title 436, Administrative Rules for Article 9, Uniform Commercial Code: a copy of the hearing notice, a copy of the proposed rule and fiscal impact statement, and a copy of the information provided to the Governor pursuant to Neb. Rev. Stat. § 84-907.09).

Should you have any comments or questions regarding this matter, please do not hesitate to contact me.

Sincerely,

  
Colleen Byelick  
Chief Deputy/General Counsel

**Legal Notice**  
**Notice of Rule Making Hearing**  
**Secretary of State**

Notice is hereby given that the Secretary of State will hold a rule making hearing on September 11, 2018 at 10:00 a.m. in the 2<sup>nd</sup> Floor Conference Room of the Center on N Building, 1221 N Street, Lincoln, NE. The purpose of this hearing is to receive public testimony on amendments to Nebraska Administrative Code, Title 436, Administrative Rules for Article 9, Uniform Commercial Code. The purpose of the proposed amendments is to adopt changes consistent with the model rules adopted by the International Association of Commercial Administrators (IACA), and make other updates.

Copies of the proposed rule and the description, including an estimated quantification, of the fiscal impact on state agencies, political subdivisions, and persons being regulated are available for public examination at the Secretary of State's Office, Suite 2300, State Capitol Building, Lincoln, Nebraska 68509, telephone (402) 471-4070.

All interested persons are invited to attend and testify at the hearing. Interested persons may also submit written comments prior to the hearing, which shall be made a part of the hearing record at the time of the hearing. Written comments should be directed to Colleen Byelick, General Counsel, Secretary of State's Office, 1445 K Street, Suite 2300, Lincoln, NE 68509-4608, FAX (402) 471-3237, email [colleen.byelick@nebraska.gov](mailto:colleen.byelick@nebraska.gov). Comments may also be posted on-line through the Secretary of State's website. To view a copy of the proposed rule or to comment on-line, go to: <https://www.nebraska.gov/nesos/rules-and-regs/regtrack/index.cgi>

If auxiliary aids or reasonable accommodations are needed for attendance at the hearing, please call the Secretary of State's Office at (402) 471-8076. For persons with hearing/speech impairments, please call the Nebraska Relay System at (800) 833-7352 (TDD) or (800) 833-0920 (Voice). Advance notice of at least seven days is needed when requesting an interpreter.

This notice is provided pursuant to the Administrative Procedure Act.

## FISCAL IMPACT STATEMENT

|   |                               |
|---|-------------------------------|
| Agency: Secretary of State  |                               |
| Title: 436  | Prepared by: Colleen Byelick  |
| Chapters: 1 through 6   | Date prepared: August 2, 2018 |
| Subject: Administrative Rules for Article 9,<br>Uniform Commercial Code | Telephone: 402-471-8076       |

Type of Fiscal Impact:

|                   | State Agency | Political Sub. | Regulated Public |
|-------------------|--------------|----------------|------------------|
| No Fiscal Impact  | ( X )        | ( X )          | ( X )            |
| Increased Costs   | ( )          | ( )            | ( )              |
| Decreased Costs   | ( )          | ( )            | ( )              |
| Increased Revenue | ( )          | ( )            | ( )              |
| Decreased Revenue | ( )          | ( )            | ( )              |
| Indeterminable    | ( )          | ( )            | ( )              |

Provide an Estimated Cost & Description of Impact:

State Agency:

No fiscal impact.

Political Subdivision:

No fiscal impact.

Regulated Public:

No fiscal impact.



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August 3, 2018

Governor Pete Ricketts  
Governor's Office  
State Capitol  
Lincoln, NE 68509

Dear Governor Ricketts:

Pursuant to Neb. Rev. Stat. § 84-907.09, enclosed and below are the following items relating to the proposed amended regulations, Title 436, Administrative Rules for Article 9, Uniform Commercial Code:

1. A copy of the proposed rule and fiscal impact statement.
2. The purpose of the proposed amendments is to adopt changes consistent with the model rules adopted by the International Association of Commercial Administrators (IACA), and make other related updates. The regulation impacts individuals and entities that file Article 9, Uniform Commercial Code (UCC) financing statements and utilize the UCC information management system.
3. The regulation is necessary to carry out functions of the Secretary of State as specified in UCC 9-501 to UCC 9-530 and is authorized by UCC 9-526.
4. The proposed rule is consistent with the legislative intent of UCC 9-526.
5. The proposed rule is not a result of a state or federal mandate.
6. The Secretary of State will solicit public comment on the proposed rule or regulation before the public hearing.
7. The Secretary of State did not utilize the negotiated rulemaking process as provided for in the Negotiated Rulemaking Act.

I thank you for your attention to this matter. Should you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Colleen Byelick  
Chief Deputy/General Counsel

**NEBRASKA ADMINISTRATIVE CODE  
TITLE 436  
ADMINISTRATIVE RULES FOR ARTICLE 9  
UNIFORM COMMERCIAL CODE  
NUMERICAL TABLE OF CONTENTS**

| <b>Chapter #</b> | <b>Chapter Title</b>   | <b>Statutory Authority</b>        | <b>Code Section(s)</b>   |
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| <b>2</b>         | <b>Acceptance and Refusal<br/>of Documents<u>Records</u></b> | <b>U9-501 through 531</b>         | <b>200-205</b>           |
| <b>3</b>         | <b>UCC Information<br/>Management System</b>                 | <b>U9-501 through 531</b>         | <b>300-316<u>314</u></b> |
| <b>4</b>         | <b>Filing and Data<br/>Entry Procedures</b>                  | <b>U9-501 through 531</b>         | <b>400-404</b>           |
| <b>5</b>         | <b>Search Requests<br/>and Reports</b>                       | <b>U9-501 through 531</b>         | <b>500-505</b>           |
| <b>6</b>         | <b>Other Notices of Liens</b>                                | <b>U9-501 through 531</b>         | <b>600-603</b>           |
| <b>A</b>         | <b>Approved Filing and Search Request Forms</b>              |                                   | <b>Appendix A</b>        |

**NEBRASKA ADMINISTRATIVE CODE  
TITLE 436  
ADMINISTRATIVE RULES FOR ARTICLE 9  
UNIFORM COMMERCIAL CODE  
ALPHABETICAL TABLE OF CONTENTS**

| <b>Chapter #</b> | <b>Chapter Title</b>   | <b>Statutory Authority</b> | <b>Code Section(s)</b>   |
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| <b>1</b>         | <b>General Provisions</b>                                    | <b>U9-501 through 531</b>  | <b>100-108</b>           |
| <b>6</b>         | <b>Other Notices of Liens</b>                                | <b>U9-501 through 531</b>  | <b>600-603</b>           |
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| <b>3</b>         | <b>UCC Information<br/>Management System</b>                 | <b>U9-501 through 531</b>  | <b>300-316<u>314</u></b> |
| <b>A</b>         | <b>Approved Filing and Search Request Forms</b>              |                            | <b>Appendix A</b>        |

**NEBRASKA ADMINISTRATIVE CODE**  
**TITLE 436**  
**ADMINISTRATIVE RULES FOR ARTICLE 9**  
**UNIFORM COMMERCIAL CODE**

**Chapter 1 -- General Provisions**

100 Definitions. ~~Terms not defined in this rule~~ used in these filing-office rules that which are defined in the UCC and not otherwise defined in this Chapter, shall have the respective meanings accorded such terms in the UCC.

~~100.1 Active Record.~~ "Active Record" means a UCC Record that has been stored in the UCC information management system and indexed in, but not yet removed from, the Searchable Indexes.

~~100.2~~ 100.1 Address. "Address" means either (i) a street address, route number (may include box) or PO Box number plus the city, state and zip code, or (ii) an address that purports to be a mailing address outside the United States of America.

~~100.3~~ 100.2 -Amendment statement. "Amendment" means a any UCC Rrecord filed that amends relates to the initial ~~the information contained in~~ a financing statement. Amendments include party or collateral changes, assignments, continuations and terminations.

~~100.4~~ 100.3 Assignment statement. "Assignment" is an amendment that assigns all or a part of a secured party's power to authorize an amendment to a financing statement.

~~100.5~~ 100.4 Information statement. "Information Sstatement" means a UCC Rrecord that indicates ~~that~~ a financing statement is inaccurate or wrongfully filed.

~~100.6~~ "File number" means the unique identifying information assigned to an initial financing statement by the filing officer for the purpose of identifying the financing statement and UCC documents relating to the financing statement in the UCC information management system. For a financing statement with an initial financing statement filed on or prior to June 30, 1999, the file number includes three segments: 1) the County location [1-93] or UCC Div prefix [99], 2) the year of filing expressed as a two-digit number, and 3) a 6-digit number assigned to the financing statement by the filing officer. For a financing statement with an initial financing statement filed on or after July 1, 1999, the file number includes three segments: 1) the County location [1-93], UCC Division [99], or Electronic Filing [98] prefix, 2) the year of filing expressed as a 2-digit number, 3) followed by a unique 6-digit number assigned to the financing statement by the filing office. Filings after July 1, 2000, end with a single-digit verification number assigned by the filing office but mathematically derived from the numbers in the six digit segment. The filing number bears no relation to the time of filing and is not an indicator of priority.

~~100.7~~ 100.5 Filing office. "Filing office" and "filing officer" means the Nebraska Secretary of State's Office.

~~100.8~~ 100.6 Filing office statement. "Filing Office Statement" means a statement entered into the filing office's UCC information management system to explain an action by the Filing office to correct an error by the Filing office.

~~100.9~~ 100.7 Initial financing statement. "Initial financing statement" means a UCC Record that causes the Filing office to establish the initial record of filing of a financing statement.

~~100.10~~ 100.8 Remitter. "Remitter" means a person who tenders a UCC ~~document record~~ to the Filing office for filing, whether the person is a filer or an agent of a filer responsible for tendering the ~~document record~~ for filing. Remitter does not include a person responsible merely for the delivery of the ~~document record~~ to the Filing office, such as the postal service or a courier service but does include a service provider who acts as a filer's representative in the filing process.

~~100.11~~ 100.9 Searchable indexes. "Searchable indexes" means the searchable index of individual debtor names and the searchable index of organization debtor names ~~maintained the Filing office maintains~~ in the UCC information management system.

~~100.12~~ 100.10 Secured party of record. "Secured party of record" means every party designated as a secured party in a financing statement, including a secured party of record as defined in the UCC as well as a person who has been a secured party of record with respect to those for whom an amendment has been filed purporting to delete them as a secured party or purporting to indicate they have assigned their secured interest of record. The term includes an assignor listed on an amendment that purports to be an assignment.

100.11 Statutory Agricultural Lien(s). "Statutory Agricultural Lien" includes liens filed with the Filing office pursuant to Neb. Rev. Stat. §§52-202, 52-501, 52-701, 52-901, 52-1101, 52-1201, 52-1401 to 52-1411, 54-201, or 54-208.

~~100.13~~ 100.12 UCC. "UCC" means the Uniform Commercial Code as adopted in ~~this~~ the State of Nebraska.

~~100.14~~ 100.13 UCC information management system. "UCC information management system" means the information management system used by the Filing office to store, index, and retrieve information relating to financing statement as described in Chapter 3 of these filing-office rules.

~~100.15~~ 100.14 UCC record. "UCC Record" means an initial financing statement, an amendment of party or collateral information, an assignment, a continuation statement, a termination statement, a Filing office statement or an information statement, and



includes a record thereof maintained by the ~~f~~Filing office. The term shall not be deemed to refer exclusively to paper or paper-based writings.

~~100.16~~ 100.15 Unlapsed record. “Unlapsed record” means a UCC ~~R~~record that has been stored and indexed in the UCC information management system, which has ~~not yet a~~ not yet a ~~lapsed date that has not yet occurred.~~ lapsed date that has not yet occurred. ~~under UCC §9-515 with respect to all secured parties of record.~~

101 Means to deliver UCC ~~R~~records; time of filing. UCC ~~R~~records may be tendered for filing at the ~~f~~Filing office as follows:

101.1 Personal delivery by Remitter, at the ~~f~~Filing office’s street address. The file time for a UCC ~~r~~Record delivered by this method is when delivery of the UCC ~~R~~record is taken by the ~~f~~Filing office (even though the UCC ~~R~~record may not yet have been accepted for filing and subsequently may be rejected). This rule applies only to a Remitter who tenders a UCC ~~R~~record to the ~~f~~Filing office and awaits an immediate determination of whether or not the UCC ~~R~~record will be taken or not.

101.2 Courier delivery by a person other than a Remitter, at the ~~f~~Filing office’s street address. The file time for a UCC ~~document~~ record delivered by this method is, notwithstanding the time of delivery, at the earlier of the time the UCC ~~document~~ record is first examined by a ~~f~~Filing officer for processing (even though the UCC ~~R~~record may not yet have been accepted for filing and may be subsequently rejected), or the next close of business following the time of delivery. This rule does not apply to a courier who is acting as an agent of the Remitter and who tenders a UCC ~~R~~record to the ~~f~~Filing office and awaits an immediate determination of whether or not the UCC ~~R~~record will be taken or not under ~~r~~Rule 101.1.

A UCC ~~r~~Record delivered after regular business hours or on a day the ~~f~~Filing office is not open for business will have a filing time of the close of business on the next day the ~~f~~Filing office is open for business.

101.3 Postal service delivery, to the ~~f~~Filing office’s mailing address. The file time for a UCC ~~document~~ record delivered by this method is the next close of business following the time of delivery (even though the UCC ~~document~~ record may not yet have been accepted for filing and may be subsequently rejected). A UCC record delivered after regular business hours or on a day the ~~f~~Filing office is not open for business will have a filing time of the close of business on the next day the ~~f~~Filing office is open for business.

~~101.8~~101.4 —Electronic Mail. Electronic mail cannot be used for filing UCC ~~documents~~ records. ~~or for~~ Electronic mail may be used for requesting searches of the records of financing statements.

~~101.4~~101.5 Electronic filing. UCC records, excluding information statements and Filing office statements, may be transmitted electronically using the XML Format approved by the International Association of Commercial Administrators. At the request of an

authorized XML Remitter, the Filing office shall identify which versions and releases of the XML Format are acceptable to the Filing office. The Filing office publishes an implementation guide that prescribes the use of the XML Format. The implementation guide shall be available to the public upon request. The file time for a UCC Record delivered by this method is the time that the Filing office's UCC information management system analyzes the relevant transmission and determines that all the required elements of the transmission have been received in a required format and are machine-readable.

~~101.5~~101.6 Direct ~~[on-line and]~~ web page data entry. UCC Records, excluding information statements, ~~and Filing officer statements, and transmitting utility filings may be delivered by web page data entry using the Filing office's website on the internet entered on-line as described in rules 314 et seq.~~The file time for a UCC Record delivered by this method is the time the entry of all required elements of the UCC Record in the proper format is acknowledged by the on-line entry system.

101.6.1 UCC record electronic filing procedures. Interested parties may apply for electronic filing services to the Filing office by completing an Electronic Filing Service Agreement form. If approved by the Filing office, the Filing office's electronic filing provider will contact the interested party for billing purposes and to establish account number(s) and password(s). Filing guidelines and procedures are available on the Filing office's website.

~~101.6~~101.7 Means of communication. Regardless of the method of delivery, information submitted to the UCC ~~Filing office~~ must be communicated only in the form of characters that appear on the US ASCII ~~are defined in an acceptable~~ character set. A financing statement or amendment form that includes characters not in the US ASCII character set or does not designate separate fields for organization and individual names, and separate fields for the surname, first personal name, additional name(s)/initials(s) and suffixes for individual names is not an acceptable means of communication to the Filing office and shall be rejected.

~~101.7~~101.8 Transmitting utility, manufactured-home and public-finance transactions. The only means to indicate to the ~~Filing office~~ that an initial financing statement is being filed in connection with a manufactured-home or public-finance transaction, or that a financing statement is being or has been filed against a debtor that is a transmitting utility, ~~in order to affect the filing office's determination of the lapse date under rule 306.3 or rule 307, is to so indicate by checking the appropriate box on a UCC1 Financing Statement or by transmitting the requisite information in the proper field in an electronic filing that is such initial financing statement or is part of such financing statement. is to check the appropriate box on, or to transmit the indication in the proper field in, the related initial financing statement.~~

102 Search request delivery. UCC search requests may be delivered to the ~~f~~Filing office by any of the means by which UCC records may be delivered to the ~~f~~Filing office.

~~102.1 A search request may not be delivered by checking a box or otherwise including a search request in or on an initial financing statement, but may be delivered in or on a separate search request after the initial financing statement is filed.~~

103 Forms. Forms prescribed by U.C.C. §9-521 are accepted by the ~~f~~Filing office. Paper based forms approved by the International Association of Commercial Administrators from time to time and forms otherwise approved by the ~~f~~Filing office from time to time shall be accepted. A list of forms approved by the ~~f~~Filing office will be made available on request and on-line at www.sos.ne.govthe Filing office's website.

104 Filing Fees.

~~104.1 Filing fee.~~The fee for filing and indexing a UCC ~~R~~record is provided in U.C.C. §9-525.

~~104.2 UCC search fee.~~ The fee for a UCC search request is provided in U.C.C. § 9-525.

~~104.3 UCC copies.~~ The fee for UCC search copies (paper) is provided in U.C.C. §9-528.

105 Methods of payment. Filing fees and fees for public records services may be paid by the following methods.

105.1 Cash. Payment in cash shall be accepted if paid in person at the ~~f~~Filing office.

105.2 Checks. Personal checks, cashier's checks and money orders made payable to the ~~f~~Filing office shall be accepted for payment provided that the drawer (or the issuer in the case of the cashier's check or money order) is deemed creditworthy by the ~~f~~Filing office in its discretion. ~~Checks in an amount to be filled in by a filing officer but not to exceed a particular amount, will be accepted for payment. Checks may be made payable in an amount to be filled in by the Filing office if the Filing office is clearly authorized to fill in the amount.~~ (Exception: If previous checks were returned unpaid, future payments from the same party must be made by ~~C~~cashier's check, ~~C~~certified check, or ~~M~~money ~~O~~order.)

~~105.3 Other account.~~ Filers may apply for a Monthly Charge Account on an application furnished by the filing office. Upon approval, fees for filings and search/copy requests will be charged to this account and invoiced monthly. Online filings and searches may be billed through a third party provider contracting with the state to provide these services.

105.3 Prepaid account. A Remitter may open a prepaid account by submitting an application prescribed by the filing office and prepaying an amount not less than \$100. The filing office shall issue an account number to be used by a Remitter who chooses to pay filing fees by this method. The filing office shall deduct filing fees from the Remitter's prepaid account as authorized to do so by the Remitter.

105.4 Debit and credit cards. The filing office shall accept payment by debit cards and credit cards of types approved by the filing office. Remitters shall provide the filing office with the card number, the expiration date of the card, the name of the card issuer, the name of the person or entity to whom the card was issued and the billing address for the card. Payment will not be deemed tendered until the issuer or its agent has confirmed payment.

106 Overpayment and underpayment policies.

106.1 Overpayment. The filing officer shall refund the amount of an overpayment exceeding \$5.00 to the remitter. The filing officer shall refund an overpayment of \$5.00 or less only upon the written request of the remitter and said request must be received within 30 days of deposit of the check by filing office. The Filing officer shall apply the amount of an overpayment to the Remitter's account to be used in future filings. The filing officer shall refund an overpayment upon the written request of the remitter.

106.2 Underpayment. Upon receipt of a filing with an insufficient fee, the Filing officer shall return the document UCC record to the Remitter as provided in rule 203, with the fee attached. Any payment remitted with the filing shall be applied to the Remitter's account to be used in future filings. The Filing officer shall refund the underpayment upon the written request of the remitter.

107 Public records services. Public records services are provided on a non-discriminatory basis to any member of the public. Copies of individual UCC Rrecords, bulk copies of records and data elements from the fFiling offices UCC information management system are made available in such forms, at such times and for such fees as the fFiling office may prescribe from time to time.

316107.1 Online — Search request procedures. Interested parties may apply for on-line access to request searches by contacting the Filing office's e-filing providerNebraska.gov. Nebraska.gov. The provider will establish account number(s) and password(s). Searching guidelines are available on-lineon the Filing office's website.

107.1 Individually identified documents. Copies of individually identified UCC documents are available in the following forms. UCC copies are available on paper through the UCC Division or through Nebraska.gov.

107.2 Data from the information management system. A list of available data elements from the UCC information management system, and the file layout of the data elements, is available from Nebraska.gov upon request. Data from the information management system is available as follows from Nebraska.gov.

107.2.1 Full extract. A bulk data extract of information from the UCC information management system are available on a monthly basis.

~~107.2.2 Special Request extract. User specified file parameters from the UCC information management system are available.~~

~~107.2.3 Format. Extracts from the UCC information management system are available in the following formats.~~

~~FTP (Electronic File Transfer)~~

~~Or other electronic means approved by the filing office~~

~~107.3 Direct on line services. On line services make UCC data available on a subscription basis. A description of subscription services is available from Nebraska.gov.~~

108 Fees for public records services. Fees for public records services (other than those established under Rule 104) are established as follows: by U.C.C. § 9-528(d), Neb. Rev. Stat. § 33-101, U.C.C. §9-523, and by the Filing office from time to time and are available upon request.

~~108.1 Paper copies of individual documents (from filing office) regular mail delivery method. Fee is provided in statute U.C.C. §9-528(d).~~

~~108.2 Data from the information management system (through Nebraska.gov).~~

~~108.2.1 Full extract. Fee is provided in Neb. Rev. Stat. §33-101.~~

~~108.2.2 Special Requests. Fee is provided in U.C.C. §9-523.~~

**NEBRASKA ADMINISTRATIVE CODE**  
**TITLE 436**  
**ADMINISTRATIVE RULES FOR ARTICLE 9**  
**UNIFORM COMMERCIAL CODE**

**Chapter 2 -- Acceptance and Refusal of Documents~~Records~~.**

200 Role of ~~f~~Filing officer. Unless otherwise expressly provided for by statute, tThe duties and responsibilities of the ~~f~~Filing officer with respect to the administration of the UCC are ministerial. In accepting for filing or refusing to file a UCC ~~R~~record pursuant to these rules, the ~~f~~Filing officer does none of the following:

200.1 Determine the legal sufficiency or insufficiency of a ~~document~~ the UCC record.

200.2 Determine that information in the ~~document~~ UCC record is correct or incorrect, in whole or in part.

200.3 Create a presumption that information in the UCC ~~R~~record is correct or incorrect, in whole or in part.

~~201~~202 Grounds for refusal. In addition to refusing a record for any reason, or multiple reasons, as set forth in U.C.C §9-516, a ~~f~~Filing office shall refuse to accept a UCC ~~R~~record that does not provide an address that meets the minimum requirement, as set forth in these ~~f~~Filing office rules (See "Address" under ~~rules 100.2~~Rule 100.1)

~~202.201~~ \_\_\_\_\_ Time for filing a continuation statement.

202.1 First day permitted. The first day on which a continuation statement may be filed is the date of the month corresponding to the date upon which the related financing statement would lapse, six months preceding the month in which the financing statement would lapse. If there is no such corresponding date, the first day on which a continuation may be filed is the last day of the sixth month preceding the month in which the financing statement would lapse. The foregoing rule is subject to the ability of the ~~f~~Filing office to take delivery of the continuation statement as tendered and to ~~¶~~Rule 101.

202.2 Last day permitted. The last day on which a continuation may be filed is the date upon which the financing statement lapses. The foregoing rule is subject to the ability of the ~~f~~Filing office to take delivery of the continuation statement as tendered and to ~~¶~~Rule 101. Accordingly, the time of filing of the continuation statement under ~~¶~~Rule 101 must be on or prior to such last day, ~~and delivery by certain means of communication may not be available on such last day if the filing office is not open for business on such day.~~

203 Procedure upon refusal. ~~Except as provided in rule 106, i~~If the ~~f~~Filing officer finds grounds to refuse a UCC ~~R~~record, the ~~f~~Filing officer shall ~~refund~~ return the filing fee. Communication of the refusal, the reason(s) for the refusal and other related information will be made to the Remitter as soon as practicable and in any event within {two}

business days after the refused UCC Record was received by the Filing office, by the same means as the means by which such UCC Record was delivered to the Filing office, or by mail or such more expeditious means as the Filing office shall determine. Records of refusal, including a copy of the refused UCC Record and the ground(s) for refusal, shall be maintained until the first anniversary of the lapse date that applies or would have applied to the related financing statement, assuming that the refused record had been accepted and filed.

- 204 Refusal errors. If a secured party or a Remitter demonstrates to the satisfaction of the Filing officer that a UCC ~~document~~ record that was refused for filing should not have been refused under ~~rule 201~~ Rule 202, the Filing officer will file the UCC Record with the filing date and time the UCC Record was originally tendered for filing. A Filing officer statement record relating to the relevant initial financing statement will be placed in the UCC information management system on the date the corrective action was taken. A Filing officer statement ~~must~~ shall provide the date of the correction and explain the nature of the corrective action taken. The record shall be preserved for so long as the record of the initial financing statement is preserved in the UCC information management system.
- 205 Notification of defects. Nothing in these rules prevents a Filing officer from communicating to a filer or a Remitter that the Filing officer noticed apparent potential defects in a UCC Record, whether or not it was filed or refused for filing. However, the Filing office is under no obligation to do so and may not, in fact, have the resources to do so or to identify such defects. The responsibility for the legal effectiveness of filing rests with filers and Remitters and the Filing office bears no responsibility for such effectiveness.

**NEBRASKA ADMINISTRATIVE CODE**  
**TITLE 436**  
**ADMINISTRATIVE RULES FOR ARTICLE 9**  
**UNIFORM COMMERCIAL CODE**

**Chapter 3 -- UCC Information Management System**

300 General. The ~~f~~Filing officer uses ~~an~~ the UCC information management system to store, index, and retrieve information relating to financing statements. The UCC information management system includes ~~an index of the names of debtors included on financing statements that are Active Records~~ the searchable indexes. The rules in this section describe the UCC information management system.

301 Primary data elements. The primary data elements used in the UCC information management system are the following:

301.1 Identification numbers.

301.1.1 Each initial financing statement is identified by its file number. Identification of the initial financing statement is noted by a label affixed to written UCC ~~R~~records or otherwise permanently associated with the record maintained for UCC ~~R~~records in the UCC information management system. A record is created in the UCC information management system for each initial financing statement and all information comprising such record is maintained in such system. The record is identified by the same information assigned to the initial financing statement.

301.1.2 A UCC ~~R~~record other than an initial financing statement is identified by a unique file number assigned by the ~~f~~Filing officer. In the UCC information management system, records of all UCC ~~R~~records other than initial financing statements are linked to the record of their related initial financing statement.

301.2 Type of Record. The type of UCC ~~R~~record from which data is transferred is identified in the UCC information management system from information supplied by the Remitter. Types of records include initial financing statement, amendment, assignment, continuation, termination and collateral amendment.

301.3 Filing date and filing time. The filing date and filing time of UCC ~~R~~records are stored in the UCC information management system. Calculation of the lapse date of an initial financing statement is based upon the filing date.



301.4 Identification of parties. The names and addresses of debtors and secured parties are transferred from UCC ~~R~~records to the UCC information management system.

301.5 Page count. The total number of pages in a UCC ~~R~~record is maintained in the UCC information management system.

301.6 Lapse indicator. An indicator is maintained by which the UCC information management system identifies whether or not a financing statement will lapse and, if it does, when it will lapse. The lapse date is determined as provided in ~~r~~Rules 306.3, 307, and 308.1.

301.7 Indexes of names. The ~~f~~Filing office maintains in the UCC information management system a searchable index of organization debtor names, and a searchable index of individual debtor names. The ~~f~~Filing office may also maintain a searchable index of names of secured parties of record. Such an index need not be a separate database but may be comprised of records in the UCC information management system identified to be included in such searchable index.

302 Individual debtor names. For purposes of these rules, an “individual debtor name” is any name provided as a debtor name in a UCC ~~R~~record in a format that identifies the name as that of a debtor who is an individual, without regard to the nature or character of the name or to the nature or character of the actual debtor.

302.1 Individual name fields. ~~The names of individuals~~ Individual debtor names are stored in data fields~~files~~ that include only the individual debtor names, and not organization debtor names. Separate ~~data~~data entry fields are established for surnames (last or family names), first personal names (given), and additional name(s)/initial(s) of individuals. The name of a debtor with a single name (e.g. “Cher”) is treated as a surname and shall be entered in the individual’s surname field. The ~~f~~Filing office~~r~~ assumes no responsibility for the accurate designation of the components of a name but shall accurately enter the data in accordance with the filer’s designations.

302.2 Titles, prefixes and suffixes. Titles, prefixes (e.g. “Ms”) and suffixes or indications of status (e.g. “M.D.”) are not typically part of an individual debtor’s name. Suffixes used to distinguish between family members with identical names (e.g. “Jr”) should be provided in the Suffix field. However, when entering a “name” into the UCC information management system, the data will be entered exactly as they appear.

302.3 Extended debtor name field. The Financing Statement form has limited space for individual debtor names. If any portion of the individual debtor name is too long for the corresponding field, the filer is instructed to check the box that indicates the name was too long and enter the name in item 10 of the Addendum Form UCC1AD. A ~~f~~Filing office~~r~~ shall not refuse to accept a Financing

Statement that lacks debtor information in item 1 and/or item 2 if the record includes an Addendum that provides a debtor name in item 10.

302.4 Truncation - individual names. Personal name fields in the UCC information management system are fixed in length. Although filers should continue to provide full names on their UCC Records, a name that exceeds the fixed length is entered as presented to the Filing officer, up to the maximum length of the data entry field. The length of data entry name fields are as follows:

302.4.1 First personal name: 40 characters.

302.4.2 Additional name(s)/initial(s): 20 characters.

302.4.3 Surname: 70 characters.

302.4.4 Suffix: 20 characters.

303 Organization debtor names. For purposes of these rules, an “organization debtor name” is any name provided as a debtor name in a UCC Record in a format that identifies the name as that of a debtor who is an organization, without regard to the nature or character of the name or to the nature or character of the actual debtor.

303.1 Single field. Organization debtor names are stored in files that include only organization debtor names and not individual debtor names. A single field is used to store an organization debtor name.

303.2 Truncation - organization names. The organization debtor name field in the UCC information management system is fixed in length. The maximum length is 300 characters. Although filers should continue to provide full names on their UCC Records, a name that exceeds the fixed length is entered as presented to the Filing officer, up to the maximum length of the organization debtor name field.

304 Collateral being administered by a Decedent’s Personal Representative. The debtor name to be provided on a financing statement when the collateral is being administered by a decedent’s personal representative is the name of the relevant decedent. In order for the UCC information management system to function in accordance with the usual expectations of filers and searchers, the filer should provide the debtor name as an individual debtor name. However, the Filing office will enter data submitted by a filer in the fields designated by the filer exactly as it appears in such fields.

305 Collateral held in a Trust. The debtor name to be provided when collateral is held in a trust that is not a registered organization is the name of the trust as set forth in its organic record(s), if the trust has such a name or, if the trust is not so named, the name of the trust’s settler settlor or testator. In order for the UCC information management system to function in accordance with the usual expectations of filers and searchers, the name of a trust or of a settler settlor or testator that is an organization should be provided as an

organization debtor name, and the name of the settler who is an individual should be provided as an individual debtor name, in each case without regard to the nature of or character of the debtor. Notwithstanding the foregoing, the Filing office will enter data submitted by a filer in the fields designated by the filer exactly as it appears in such fields.

306 Initial financing statement. Upon the filing of an initial financing statement the status of the parties and the status of the financing statement shall be as follows.

306.1 Status of secured party. Each secured party named on an initial financing statement shall be a secured party of record, except that if the UCC Record names an assignee, the secured party/assignor shall not be a secured party of record and the secured party/assignee shall be a secured party of record.

306.2 Status of debtor. Each debtor name provided by the initial financing statement shall be indexed in the UCC information management system ~~so long as the financing statement is an Active Record~~, and shall remain on the record until removed in accordance with UCC §9-519(g)

306.3 Status of financing statement. ~~The status of the financing statement shall be an Active Record. The financing statement will be stored and indexed in the searchable index within the UCC information management system.~~ A lapse date shall be calculated, five years from the file date, unless (i) the initial financing statement indicates as provided in rule ~~401.7101.8~~ that it is filed with respect to a public-financing transaction or a manufactured-home transaction, in which case the lapse date shall be thirty years from the file date, or (ii) if the initial financing statement indicates as provided in rule ~~401.7101.8~~ that it is filed against a transmitting utility, in which case there shall be no lapse date. The lapse date for a financing statement filed on February 29 shall be the March 1 in the fifth year following the year of the filing date.

307 Amendments generally. Upon the filing of an amendment the status of the parties shall be unchanged, except that in the case of an amendment that adds a debtor or a secured party, the new debtor or secured party shall be added to appropriate index and associated with the record of the financing statement in the UCC information management system, and an amendment that designates an assignee shall cause the assignee to be added as a secured party of record with respect to the affected financing statement in the UCC information management system. Notwithstanding the filing of an amendment that deletes a debtor or a secured party from a financing statement, no debtor or secured party of record is deleted from the UCC information management system. A deleted secured party will still be treated by the Filing office as a secured party of record as the Filing office cannot verify the effectiveness of an amendment. ~~In general~~ Except in the case of a continuation statement, the filing of an amendment does not affect the status of the financing statement.

308 Continuation statement.

308.1 Continuation of lapse date. Upon the timely filing of one or more continuation statements by any secured party(ies) of record, the lapse date of the financing statement shall be postponed for five years. The lapse date is postponed once notwithstanding the fact that more than one continuation statement is filed within a given 6-month period prior to a lapse date. Notwithstanding the immediate postponement of the lapse date with respect to one or more secured parties of record who file timely a continuation statement within a given 6-month period prior to a lapse date, such lapse date remains effective solely for purposes of determining whether or not a subsequent continuation statement filed in the same 6-month period is timely.

308.2 Status. The filing of a continuation statement shall have no effect upon the status of any party to the financing statement or upon the status of the financing statement.

309 Termination. The filing of a termination statement shall have no effect upon the status of any party to the financing statement or upon the status of the financing statement.

310 Information statement. The filing of an information statement shall have no effect upon the status of any party to the financing statement, the status of the financing statement or to the information maintained in the UCC information management system.

311 Filing officer statement. A ~~f~~Filing officer statement affects the status of parties and of the relevant financing statement as provided in the corrective action described as having been taken in the ~~f~~Filing officer statement.

312 Procedure upon lapse. If there is no timely filing of a continuation with respect to a financing statement, the financing statement lapses on its lapse date but no action is then taken by the ~~f~~Filing office.

313 Removal of record. A financing statement ~~must~~ shall remain as an ~~Active Record in the searchable index within the UCC information management system~~ until at least one year after it lapses, ~~or if it is indicated to be filed against a transmitting utility, until at least one year after it is terminated with respect to all secured parties of record.~~ On or after the first anniversary of such lapse ~~or termination date~~, the ~~f~~Filing office and all related UCC records may be removed from the Searchable indexes or from ~~or the UCC information management system.~~ may remove the financing statement and all related UCC Records from the Searchable Indexes or from the UCC information management system and upon such removal, the removed UCC Records shall cease to be Active Records. UCC Records removed from the UCC information management system shall be maintained as provided in the Records Retention Schedule 34-15 Secretary of State Business Services.

313.1 Transmitting Utilities. A financing statement that indicates a debtor is a transmitting utility shall remain in the searchable index within the UCC information management system until at least one year after it is terminated with respect to all secured

parties of record. On or after the first anniversary of the termination date of the last remaining secured party of record, the financing statement may be removed from its searchable index or from the UCC information management system.

314 Archives-general.

UCC records removed from the UCC information management system shall be maintained as provided in the Records Retention Schedule 34-15 Secretary of State Business Services.

**Direct On-line Data Entry Procedures**

~~314—Definitions. For the purpose of rules relating to the submission of e-filed documents, terms shall have the meaning provided in this rule, unless the context otherwise requires.~~

~~314.1 "E-filed document" means a UCC, EFS Document, or Statutory Agriculture Lien Statutory Lien transmitted from a filer to the filing office by e-filing services authorized under this rule.~~

~~315—Document filing procedures. Interested parties may apply for e-filing services to the filing office by completing an Electronic Filing Service Agreement form. After approval by the filing office Nebraska.gov will contact the interested party for billing purposes and to establish account number(s) and password(s). Filing guidelines and procedures are available on-line.~~

~~316—Search request procedures. Interested parties may apply for on-line access to request searches by contacting Nebraska.gov. Nebraska.gov will establish account number(s) and password(s). Searching guidelines are available on-line.~~

**NEBRASKA ADMINISTRATIVE CODE  
TITLE 436  
ADMINISTRATIVE RULES FOR ARTICLE 9  
UNIFORM COMMERCIAL CODE**

**Chapter 4 -- Filing and Data Entry Procedures**

400 Errors of the ~~f~~Filing officer. The ~~f~~Filing office may correct the data entry and indexing errors of ~~f~~Filing office personnel in the UCC information management system at any time. If the correction is made to a record of a financing statement ~~after the filing office has issued a search report with a through date and time (see rule 505.2.4) that is on or after the filing date and time of the financing statement,~~ the ~~f~~Filing office will associate with the record of the financing statement in the UCC information management system a ~~f~~Filing officer statement on the date that the corrective action was taken providing the date and an explanation of the correction.

- 401 Data entry. Data is entered into the UCC information management system exactly as provided in a UCC ~~R~~record, without regard to apparent errors. Data provided in electronic form is transferred to the information management system exactly as submitted by the Remitter. The filing office will reject a filing containing characters not in the US ASCII character set.
- 402 Verification of data entry. The ~~f~~Filing office will verify accuracy of the data from UCC ~~R~~records entered in accordance with Rule 401 into the UCC information management system. Data entry performed by Remitters with respect to electronically filed UCC ~~R~~records is the responsibility of the Remitter and is not verified by the ~~f~~Filing office.
- 403 Notice of bankruptcy. The ~~f~~Filing office~~r~~ takes no action upon receipt of a notification, formal or informal, of a bankruptcy proceeding involving a debtor named in the UCC information management system.
- 404 Redaction of certain information. The ~~f~~Filing office~~r~~ may be obliged to redact certain information from the information it provides to searchers and bulk data purchasers in accordance with applicable privacy and identity theft protection laws. Such information should not be included in UCC ~~R~~records and will be redacted in accordance with such laws.

# NEBRASKA ADMINISTRATIVE CODE

## TITLE 436

### ADMINISTRATIVE RULES FOR ARTICLE 9 UNIFORM COMMERCIAL CODE

#### Chapter 5 -- Search Requests and Reports

500 General requirements. The ~~f~~Filing officer maintains records for public inspection in a searchable index ~~for all Active Records in~~ within the UCC information management system. ~~Active~~ Records will be retrievable by the name of the debtor or by the file number of the related initial financing statement, and each Active Record related to an initial financing statement is retrieved with the initial financing statement using either retrieval method.

501 Search requests - required information. Search requests shall contain the following:

501.1 Name searched. A search request must set forth the name of the debtor to be searched using designated fields for organization name or individual surname, first personal name, and additional name(s)/initial(s). A search request will be processed using the data and designated fields exactly as submitted, including the submission of no data in a given field, without regard to the nature or character of the debtor that is the subject of the search.

501.2 Requesting party. The name and address of the person to whom the search report is to be sent.

501.3 Fee. The appropriate fee shall be tendered by a method described in ~~¶~~Rule 105.

502 Search Requests - Optional information. Search requests may include the following:

502.1 Copies. The request may limit the copies of UCC ~~R~~records that would normally be provided with a search report by requesting that no copies be provided or that copies be limited to those UCC ~~R~~records that:

502.1.1 include a particular debtor address;

~~502.1.1~~ 502.1.2 include a particular city in the debtor address;

~~502.1.2~~ 502.1.3 were filed on a particular date or within a particular range of dates; or

~~502.1.3~~ 502.1.4 include a particular secured party name.

502.2 Scope of search. A search request may ask for a search that reports all ~~Active~~ Rrecords or all Unlapsed Records from the UCC information management system's

~~searchable index retrieved by the search rather than only Unlapsed Records retrieved by the search.~~

502.3 Mode of delivery. A search request may specify a mode of delivery for search results and that request will be honored if the requested mode is then made available by the fFiling office, and all requisite fees are tendered.

~~502.4 Search request with filing. If a filer requests a search at the time an Initial financing statement is filed by submitting a search request with the Initial financing statement at the time it is tendered for filing, the search request shall be deemed to request a search to be conducted as soon as practicable such that it would include all UCC records filed, against the debtor name(s) provided on the Initial financing statement, on or prior to the date [time] the Initial financing statement is filed.~~

503 Search methodology. Search results are produced by the application of search logic to the name presented to the fFiling officer. Human judgment does not play a role in determining the results of the search.

503.1 Standard search logic. The following rules describe the fFiling office's standard search logic and apply to all searches except as provided 503.2.1.

503.1.1 There is no limit to the number of matches that may be returned in response to the search criteria.

503.1.2 No distinction is made between upper and lower case letters.

503.1.3 Punctuation marks and accents are disregarded. For the purposes of this rule, punctuation and accents include all characters other than the numerals 0 through 9 and the letters A through Z (in upper and lower case) of the English alphabet.

~~503.1.7~~ 503.1.4 All spaces are disregarded.

503.1.5 The following rules apply only to organization names:

(a) The character "&" (the ampersand) is deleted and replaced with the characters "and" each place it appears in the name.

~~503.1.4 Punctuation marks and accents are disregarded. For the purposes of this rule, punctuation and accents include all characters other than the numerals 0 through 9 and the letters A through Z (in any case) of the English alphabet.~~

503.1.5 (b) The following words and abbreviations at the end of an organization name that indicate the existence or nature of the organization are "disregarded" to the extent practicable as determined by the fFiling office's programming of its UCC information management system: Agency, Association, Assn, Associates, Assc, Assoc, Attorneys at Law, Bank, National Bank, Business Trust, Charter,



Chartered, Company, Co, Corporation, Corp, Credit Union, CU, Federal Savings Bank, FSB, General Partnership, Gen part, GP, Incorporated, Inc, Limited, Ltd, Ltee, Limited Liability Company, LC, LLC, Limited Partnership, LP, Limited Liability Partnership, LLP, Medical Doctors Professional Association, MDPA, Medical Doctors Professional Corporation, MDPC, National Association, NA, Partners, Partnership, Professional Association, Prof Assn, PA, Professional Corporation, Prof Corp, PC, Professional Limited Liability Company, Professional Limited Liability Co, PLLC, Railroad, RR, Real Estate Investment Trust, REIT, Registered Limited Liability Partnership, RLLP, Savings Association, SA, Savings Association, SA, Service Corporation, SC, Sole Proprietorship, SP, SPA, Trust, Trustee, As Trustee, ~~punctuation and accents are disregarded as well as “and” and “&.”~~

~~503.1.6 (c) The word "the" at the beginning of an organization debtor name is disregarded.~~

~~503.1.7 All spaces are disregarded.~~

503.1.6 The following search rules apply to individual debtor names:

(a) Surname: The individual debtor surname on a filed record must exactly match the surname of the search request. The search logic does not provide equivalencies for the surname filed, nor does the search logic disregard titles, suffixes or ending noise words of any type if entered in the surname field.

(b) First Personal Name. The following equivalencies apply:

- (1) A first personal name is the logical equivalent of the first initial of the name.
- (2) An initial (a single letter) is the logical equivalent of all first personal names that begin with that letter.
- (3) No first personal name or initial is the logical equivalent of all first personal names and initials.

(c) Additional Names/Initials. The following equivalencies apply:

- (1) A name is the logical equivalent of the first initial of the name.
- (2) An initial (a single letter) is the logical equivalent of all names that begin with that letter and no entry in the additional names/initials field.
- (3) No entry in the additional names/initials field is the logical equivalent of all names and initials.

(d) Search Results. Only records that exactly match the surname field under subsection (a); exactly match the first personal name after application of the equivalency rules in subsection (b); and that exactly match the additional

names/initials field after application of the equivalency rules in subsection (c) will be reported.

(e) Single Names. 503.1.9-If the name being searched is the surname of an individual debtor name without any first personal name or additional name(s)/initial(s) provided, the search will retrieve from the UCC information management system all financing statements with individual debtor names that consist of only the surname.

503.1.8- (f) Search Result Examples

(1) For first personal name and additional name(s)/initial(s) of individual debtor names, initials are treated as the logical equivalent of all names that begin with such initials, and first personal name and no additional name(s)/initial(s) is equated with all additional name(s)/initial(s). For example, a search request for “John A. Smith” (first personal name and surname with an initial in the additional name(s)/initial(s) field) would cause the search to retrieve all filings against all individual debtors with (i) “John” or the initial “J” as the first personal name, (ii) “Smith” as the surname, and (iii) no name or initial, with the initial “A” or any name beginning with “A” in the additional name(s)/initial(s) field.

(2) A search request for “J.A. Smith” (initial for first personal name, surname and an initial in the additional name(s)/initial(s) field), would retrieve all filings against individual debtors with (i) the initial “J” or any name beginning with “J” as the first personal name (ii) “Smith” as the surname, and (iii) no name or initial, the initial “A” or any name beginning with “A” in the additional name(s)/initial(s) field.

(3) A search for If the search request were for “John Smith” (first personal and surnames with no designation in the additional name(s)/initial(s) field), the search would retrieve all filings against individual debtors with (i) “John” or the initial “J” as the first personal name, (ii) “Smith” as the surname and with any name or initial or no name or initial in the additional name(s)/initial(s) field.

~~503.1.9 If the name being searched is the surname of an individual debtor name without any first personal name or additional name(s)/initial(s) provided, the search will retrieve from the UCC information management system all financing statements with individual debtor names that consist of only the surname.~~

~~503.1.10 503.1.5 After using applying the preceding rules to modify the name being searched, the search will -retrieve from the UCC information management system’s searchable index all Unlapsed Records, or, if requested by the searcher, all Active Rrecords, that pertain to financing statements with debtor names that, after being modified application of as provided in this ¶Rule 503, exactly match the modified name being searched.~~

503.2 Non-standard (wild-card) search logic.

503.2.1 A non-standard (wild-card) search methodology is used to check against non-UCC liens or miscellaneous liens ~~that may exist in the UCC information management database maintained by the Filing office~~ including Federal Tax Liens, State Tax Liens, Mechanics Liens, and Judgment liens ~~in favor of a governmental body~~ (including Abstract of Judgment, Criminal Fine Enforcement and Notice of Lien for Fine or Penalty for Sentencing), Statutory (Agricultural) Liens prior to July 1, 2001, and Farm Product Security Interests (EFS statements).

504 Changes in standard search logic. If the ~~f~~Filing office changes its standard search logic or the implementation of its standard search logic in a manner that could alter search results, the ~~f~~Filing office will provide public notice of such change.

505 Search responses. Responses to a search request shall include the following:

505.1 Copies. Copies of all UCC ~~R~~records retrieved by the search unless only limited copies are requested by the searcher. Copies will reflect any redaction of personal identifying information required by law.

505.2 Introductory information. A ~~f~~Filing office~~r~~ shall include the following information with a UCC search response:

505.2.1 Filing office identification. Identification of the ~~f~~Filing office ~~responsible for providing~~ the search response.

505.2.2 Unique search report identification number. Unique number which identifies the search report.

505.2.3 Report date and time. The date and time the report was generated.

505.2.4 Through date and time. The date and time at or prior to which a UCC record must have been filed with the ~~f~~Filing office in order for it to be reflected on the search.

505.2.5 Certification language. ~~THE UNDERSIGNED FILING OFFICER HEREBY CERTIFIES THAT THE ENCLOSED LISTING IS A RECORD OF ALL PRESENTLY EFFECTIVE FINANCING STATEMENTS AND RELATED SUBSEQUENT DOCUMENTATION WHICH NAME THE REQUESTED DEBTORS, AND WHICH ARE ON FILE IN THE SECRETARY OF STATE'S OFFICE, BUSINESS SERVICES DIVISION, AS OF DATE INDICATED ON THE SEARCH. Secretary of State Seal placed on letter as well.~~ The following certification language will be included when a certified search is requested: The undersigned Filing office hereby certifies that attached is a summary of all UCC records, Federal and State tax liens, Judgment liens, and Statutory Agricultural liens maintained by the Filing office as of the date and time indicated on the search for the debtor name provided.

The state seal will be included on the certification.

~~505.2.6 Scope of search. Active and Unlapsed. All/Unlapsed~~

~~505.2.7 Search -logic -used. See rule 503.1.~~

~~505.2.8 Search logic disclaimer language. **DISCLAIMER** INFORMATION RELATIVE TO SECURITY INTERESTS, TAX LIENS, AND AND STATUTORY AGRICULTURE STATUTORY LIENS OBTAINED FROM THE COMPUTER INDEX IS FOR INFORMATION PURPOSES ONLY. SUCH INFORMATION DOES NOT RELIEVE ANY PERSON OR BUSINESS FROM LIABILITY, ALTER PRIORITIES OF SECURITY INTEREST OR LIENS, OR AFFECT ANY OTHER LEGAL RIGHTS OR RESPONSIBILITIES. THE COMPUTER INDEX PRIMARILY CONTAINS INFORMATION RELATIVE TO SECURITY INTERESTS, TAX LIENS, AND STATUTORY AGRICULTURE LIENS SECURITY INTERESTS AND STATUTORY LIENS WHICH HAVE BEEN FILED FOR RECORD AFTER SEPTEMBER 1, 1981. THERE ARE SECURITY INTERESTS, TAX LIENS, AND STATUTORY AGRICULTURE LIENS SECURITY INTERESTS AND STATUTORY LIENS FILED BEFORE THAT TIME WHICH MAY BE VALID. A SEARCH LIMITED TO A PARTICULAR CITY MAY NOT REVEAL ALL FILINGS AGAINST THE DEBTOR SEARCHED AND THE SEARCHER BEARS THE RISK OF RELYING ON SUCH A SEARCH.~~

~~505.2.9-505.2.8~~ Name provided. Name as provided by searcher.

~~505.2.10-505.2.9~~ Search string. Normalized name as provided by rule 503. Name as searched after application of Rule 503.

~~505.2.11-505.2.10~~ Lien type searched. UCC, UCC Statutory liens, Federal and State tax liens, liens in favor of a governmental body Judgment liens, Statutory (Agricultural) Liens, and Farm Product Security Interests (EFS statements).

~~505.2.12-505.2.11~~ Copies. Copies of all UCC Records revealed by the search and requested by the searcher.

505.3 Report. The search report shall contain the following:

505.3.1 Identification. Identification of the ~~f~~Filing office ~~r~~esponsible for providing the search report.

505.3.2 Search report identification number. Unique number assigned under ~~r~~Rule 505.2.2

505.3.3 Identification of financing statement. Identification of each initial financing statement, including a listing of all related amendments, information statements, or ~~f~~Filing officer notices, filed on or prior to the through date corresponding to the search criteria (including whether the searcher has requested

~~Active all R~~records or only ~~Unlapsed R~~records from the searchable index).  
Financing statement information shall include, but is not limited to the following:

505.3.3.1 Initial financing statement file number. The initial financing statement file number.

505.3.3.2 Initial financing statement filing date and time. The date and time it was filed.

505.3.3.3 Lapse date. Provide lapse date.

505.3.3.4 Debtor name. The debtor name(s) that appear(s) of record.

505.3.3.5 Debtor address. The debtor address(s) that appear(s) of record.

505.3.3.6 Secured party name. The secured party name(s) that appear(s) of record.

505.3.3.7 Secured party address. The secured party address(es) that appear(s) of record.

505.3.3.8 Amendment -type. An indication of type of each amendment, if any.

505.3.3.9 Amendment filing date and time. The date and time each amendment, if any, was filed.

505.3.3.10 Amendment file number. The amendment file number of each amendment, if any.

505.3.3.11 Information statement filing date and time. The date and time an information statement, if any, was filed.

505.3.3.12 Filing officer statement filing date and time. The date and time a ~~f~~Filing officer statement, if any, was filed.

**NEBRASKA ADMINISTRATIVE CODE**  
**TITLE 436**  
**ADMINISTRATIVE RULES FOR ARTICLE 9**  
**UNIFORM COMMERCIAL CODE**

**Chapter 6 -- Other Notices of Liens**

600 The purpose of rules in this section is to describe records of liens maintained by the ~~f~~Filing office created pursuant to statutes other than the UCC that are treated by the ~~f~~Filing officer in a manner substantially similar to UCC ~~documents~~ Records and are included upon request with the reports described in rule 505.3.

601 Tax Liens.

601.1 Notice of Federal Tax Lien.

601.1.1 Duration. The federal tax lien continues until the liability for the amount assessed is satisfied or becomes unenforceable by reason of lapse of time, IRC §6322. Generally, after assessment, the Internal Revenue Service has ten years to collect the tax liability. IRC §6502. However, there are some circumstances which may extend or suspend the ten-year collection period. Quoted from Internal Revenue Service, Internal Revenue Manual 5.17.2.2.2 (03-27-2012) chapter regarding Duration of the Federal Tax Lien.

601.1.2 Mechanics of search. See search logic described in rule 503.2.

601.2.1 Fee for search. UCC searches include all Federal Tax lien listings in the database for the customary search fee provided in statute.

601.2 -Notice of State Tax Lien.

601.2.1 Duration. The duration of a State Tax Lien is 10 years from the date of recording.

601.2.2 Mechanics of search. See search logic described in ~~rule~~ Rule 503.2.

601.2.3 Fee for search. UCC searches include all State Tax Lien listings in the database for the customary search fee provided in statute.

601.3 ~~Notice of other lien in favor of a governmental body~~ Judgment liens. Including Abstract of Judgment, Criminal Fine Enforcement Liens and Notice of Lien for Fine or Penalty for Sentencing.

601.3.1 Duration. The duration of Abstracts of Judgment, Criminal Fine Enforcement ~~Liens~~, and Notice of Lien for Fine or Penalty for Sentencing is 20 years from the date of record.

601.3.2 Mechanics of search. See search logic described in ~~¶~~Rule 503.2.

## 602—Statutory (Agricultural) Liens.

602.1 Treatment as UCC agricultural lien. A Statutory Agricultural Lien shall be treated in all respects as an agricultural lien as provided in Article 9, Uniform Commercial Code and may be enforced in the matter and form provided for the enforcement of secured transactions as provided in Article 9, Uniform Commercial Code except as otherwise provided by law.

~~602.1~~602.2 Mechanics of filing. Statutory (Agricultural) Liens are filed in the same manner as an initial financing statement and may use all forms and formats of communication permitted to be used in connection with initial financing statements.

~~602.1.1~~ Duration. ~~A financing statement filed to perfect a Statutory (Agricultural) Lien is effective for a period of 5 years after the date of filing.~~

~~602.1.2~~ Fee for search. ~~UCC searches include all Statutory (Agricultural) Liens in the database for the customary UCC search fee as provided in statute.~~

~~602.1.3~~ Statutory (Agricultural) Liens filed prior to July 1, 2001 will be searched using non-standard search logic as defined in rule 503.2. Statutory (Agricultural) Liens filed on or after July 1, 2001, will be searched using the standard search logic as defined in rule 503.1.

~~602.1.4~~ Statutory (Agricultural) Liens include the following: ~~Agister Lien, Ag Production Input Lien, Artisan Lien, Seed or Electrical Lien, Feed Lien, Fertilizer Lien, Petroleum Products Lien, Threshers Lien, and Veterinarians Lien.~~

## 603 Farm Product Security Interests (EFS statements)

603.1 Mechanics of filing. EFS (Effective Financing Statements) are filed in the ~~f~~Filing office.

603.1.1 Duration. The duration is 5 years from date of filing.

603.1.2 Mechanics of search. See search logic described in rule 503.2.

# **APPENDIX A**

## **Secretary of State Approved Filing and Search Forms**

**Forms include the following, also found on the Secretary of State's website:**

UCC Financing Statement (UCC1)  
UCC Financing Statement Addendum (UCC1Ad)  
UCC Financing Statement Additional Party (UCC1AP)  
UCC Financing Statement Amendment or Change (UCC3)  
UCC Financing Statement Amendment Addendum (UCC3Ad)  
UCC Financing Statement Amendment Additional Party (UCC3AP)  
UCC Information Statement (UCC5)  
UCC Information Request (UCC11)  
Universal Attachment for Statutory Agriculture Lien  
Universal Attachment for Agricultural Production Input Lien (API)



# UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS

|  |
|--|
| A. NAME & PHONE OF CONTACT AT FILER (optional) |
| B. E-MAIL CONTACT AT FILER (optional)          |
| C. SEND ACKNOWLEDGMENT TO: (Name and Address)  |

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  |                     |                               |             |         |
| OR                       |                     |                               |             |         |
| 1b. INDIVIDUAL'S SURNAME | FIRST PERSONAL NAME | ADDITIONAL NAME(S)/INITIAL(S) |             | SUFFIX  |
| 1c. MAILING ADDRESS      | CITY                | STATE                         | POSTAL CODE | COUNTRY |

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  |                     |                               |             |         |
| OR                       |                     |                               |             |         |
| 3b. INDIVIDUAL'S SURNAME | FIRST PERSONAL NAME | ADDITIONAL NAME(S)/INITIAL(S) |             | SUFFIX  |
| 3c. MAILING ADDRESS      | CITY                | STATE                         | POSTAL CODE | COUNTRY |

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

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/Licensor

8. OPTIONAL FILER REFERENCE DATA:

## Instructions for UCC Financing Statement (Form UCC1)

Please type or laser-print this form. Be sure it is completely legible. Read and follow all Instructions, especially Instruction 1; use of the correct name for the Debtor is crucial.

Fill in form very carefully; mistakes may have important legal consequences. If you have questions, consult your attorney. The filing office cannot give legal advice.

Send completed form and any attachments to the filing office, with the required fee.

### ITEM INSTRUCTIONS

A and B. To assist filing offices that might wish to communicate with filer, filer may provide information in item A and item B. These items are optional.

C. Complete item C if filer desires an acknowledgment sent to them. If filing in a filing office that returns an acknowledgment copy furnished by filer, present simultaneously with this form the Acknowledgment Copy or a carbon or other copy of this form for use as an acknowledgment copy.

1. **Debtor's name.** Carefully review applicable statutory guidance about providing the debtor's name. Enter only one Debtor name in item 1 -- either an organization's name (1a) or an individual's name (1b). If any part of the Individual Debtor's name will not fit in line 1b, check the box in item 1, leave all of item 1 blank, check the box in item 9 of the Financing Statement Addendum (Form UCC1Ad) and enter the Individual Debtor name in item 10 of the Financing Statement Addendum (Form UCC1Ad). Enter Debtor's correct name. Do not abbreviate words that are not already abbreviated in the Debtor's name. If a portion of the Debtor's name consists of only an initial or an abbreviation rather than a full word, enter only the abbreviation or the initial. If the collateral is held in a trust and the Debtor name is the name of the trust, enter trust name in the Organization's Name box in item 1a.

1a. **Organization Debtor Name.** "Organization Name" means the name of an entity that is not a natural person. A sole proprietorship is **not** an organization, even if the individual proprietor does business under a trade name. If Debtor is a registered organization (e.g., corporation, limited partnership, limited liability company), it is advisable to examine Debtor's current filed public organic records to determine Debtor's correct name. Trade name is insufficient. If a corporate ending (e.g., corporation, limited partnership, limited liability company) is part of the Debtor's name, it must be included. Do not use words that are not part of the Debtor's name.

1b. **Individual Debtor Name.** "Individual Name" means the name of a natural person; this includes the name of an individual doing business as a sole proprietorship, whether or not operating under a trade name. The term includes the name of a decedent where collateral is being administered by a personal representative of the decedent. The term does not include the name of an entity, even if it contains, as part of the entity's name, the name of an individual. Prefixes (e.g., Mr., Mrs., Ms.) and titles (e.g., M.D.) are generally not part of an individual name. Indications of lineage (e.g., Jr., Sr., III) generally are not part of the individual's name, but may be entered in the Suffix box. Enter individual Debtor's surname (family name) in Individual's Surname box, first personal name in First Personal Name box, and all additional names in Additional Name(s)/Initial(s) box.

If a Debtor's name consists of only a single word, enter that word in Individual's Surname box and leave other boxes blank.

For both organization and individual Debtors. Do not use Debtor's trade name, DBA, AKA, FKA, division name, etc. in place of or combined with Debtor's correct name; filer may add such other names as additional Debtors if desired (but this is neither required nor recommended).

1c. Enter a mailing address for the Debtor named in item 1a or 1b.

2. **Additional Debtor's name.** If an additional Debtor is included, complete item 2, determined and formatted per Instruction 1. For additional Debtors, attach either Addendum (Form UCC1Ad) or Additional Party (Form UCC1AP) and follow Instruction 1 for determining and formatting additional names.

3. **Secured Party's name.** Enter name and mailing address for Secured Party or Assignee who will be the Secured Party of record. For additional Secured Parties, attach either Addendum (Form UCC1Ad) or Additional Party (Form UCC1AP). If there has been a full assignment of the initial Secured Party's right to be Secured Party of record before filing this form, either (1) enter Assignor Secured Party's name and mailing address in item 3 of this form and file an Amendment (Form UCC3) [see item 5 of that form]; or (2) enter Assignee's name and mailing address in item 3 of this form and, if desired, also attach Addendum (Form UCC1Ad) giving Assignor Secured Party's name and mailing address in item 11.

4. **Collateral.** Use item 4 to indicate the collateral covered by this financing statement. If space in item 4 is insufficient, continue the collateral description in item 12 of the Addendum (Form UCC1Ad) or attach additional page(s) and incorporate by reference in item 12 (e.g., See Exhibit A). Do not include social security numbers or other personally identifiable information.

*Note:* If this financing statement covers timber to be cut, covers as-extracted collateral, and/or is filed as a fixture filing, attach Addendum (Form UCC1Ad) and complete the required information in items 13, 14, 15, and 16.

5. If collateral is held in a trust or being administered by a decedent's personal representative, check the appropriate box in item 5. If more than one Debtor has an interest in the described collateral and the check box does not apply to the interest of all Debtors, the filer should consider filing a separate Financing Statement (Form UCC1) for each Debtor.

6a. If this financing statement relates to a Public-Finance Transaction, Manufactured-Home Transaction, or a Debtor is a Transmitting Utility, check the appropriate box in item 6a. If a Debtor is a Transmitting Utility and the initial financing statement is filed in connection with a Public-Finance Transaction or Manufactured-Home Transaction, check only that a Debtor is a Transmitting Utility.

6b. If this is an Agricultural Lien (as defined in applicable state's enactment of the Uniform Commercial Code) or if this is not a UCC security interest filing (e.g., a tax lien, judgment lien, etc.), check the appropriate box in item 6b and attach any other items required under other law.

7. **Alternative Designation.** If filer desires (at filer's option) to use the designations lessee and lessor, consignee and consignor, seller and buyer (such as in the case of the sale of a payment intangible, promissory note, account or chattel paper), bailee and bailor, or licensee and licensor instead of Debtor and Secured Party, check the appropriate box in item 7.

8. **Optional Filer Reference Data.** This item is optional and is for filer's use only. For filer's convenience of reference, filer may enter in item 8 any identifying information that filer may find useful. Do not include social security numbers or other personally identifiable information.

# 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

|    |                               |        |
|----|-------------------------------|--------|
| OR | 9a. ORGANIZATION'S NAME       |        |
|    |                               |        |
|    | 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 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

|    |  |      |       |             |
|----|--|------|-------|-------------|
| OR | 10a. ORGANIZATION'S NAME                   |      |       |             |
|    |  |      |       |             |
|    | 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)

|    |                           |                     |                               |             |
|----|---------------------------|---------------------|-------------------------------|-------------|
| OR | 11a. ORGANIZATION'S NAME  |                     |                               |             |
|    |                           |                     |                               |             |
|    | 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:

17. MISCELLANEOUS:

## Instructions for UCC Financing Statement Addendum (Form UCC1Ad)

Please type or laser-print this form. Be sure it is completely legible. Read and follow all Instructions; use of the correct name for the Debtor is crucial. Fill in form very carefully; mistakes may have important legal consequences. If you have questions, consult your attorney. The filing office cannot give legal advice.

### ITEM INSTRUCTIONS

9. **Name of first Debtor.** Enter name of first Debtor exactly as shown in item 1 of Financing Statement (Form UCC1) to which this Addendum relates. The name will not be indexed as a separate debtor. The Debtor name in this section is intended to cross-reference this Addendum with the related Financing Statement (Form UCC1).  
  
If the box in item 1 of the Financing Statement (Form UCC1) was checked because Individual Debtor name did not fit, the box in item 9 of this Addendum should be checked.
10. **Additional Debtor's name.** If this Addendum adds an additional Debtor, complete item 10 in accordance with Instruction 1 of Financing Statement (Form UCC1). For additional Debtors, attach either an additional Addendum or Additional Party (Form UCC1AP) and follow Instruction 1 of Financing Statement (Form UCC1) for determining and formatting additional names.
11. **Additional Secured Party's name or Assignor Secured Party's name.** If this Addendum adds an additional Secured Party, complete item 11 in accordance with Instruction 3 of Financing Statement (Form UCC1). For additional Secured Parties, attach either an additional Addendum or Additional Party (Form UCC1AP) and complete applicable items in accordance with Instruction 3 of Financing Statement (Form UCC1). In the case of a full assignment of the Secured Party's interest before the filing of this financing statement, if filer has provided the name and mailing address of the Assignee in item 3 of Financing Statement (Form UCC1), filer may enter Assignor Secured Party's name and mailing address in item 11.
12. **Additional Collateral Description.** If space in item 4 of Financing Statement (Form UCC1) is insufficient or additional information must be provided, enter additional information in item 12 or attach additional page(s) and incorporate by reference in item 12 (e.g., See Exhibit A). Do not include social security numbers or other personally identifiable information.
- 13-16. **Real Estate Record Information.** If this Financing Statement is to be filed in the real estate records and covers timber to be cut, covers as-extracted collateral, and/or is filed as a fixture filing, complete items 1-4 of the Financing Statement (Form UCC1), check the box in item 13, check the appropriate box in item 14, and complete the required information in items 15 and 16. If the Debtor does not have an interest of record, enter the name and address of the record owner in item 15. Provide a sufficient description of real estate in accordance with the applicable law of the jurisdiction where the real estate is located in item 16. If space in items 15 or 16 is insufficient, attach additional page(s) and incorporate by reference in items 15 or 16 (e.g., See Exhibit A), and continue the real estate record information. Do not include social security numbers or other personally identifiable information.
17. **Miscellaneous.** Under certain circumstances, additional information not provided on the Financing Statement (Form UCC1) may be required. Also, some states have non-uniform requirements. Use this space or attach additional page(s) and incorporate by reference in item 17 (e.g., See Exhibit A) to provide such additional information or to comply with such requirements; otherwise, leave blank. Do not include social security numbers or other personally identifiable information.

# UCC FINANCING STATEMENT ADDITIONAL PARTY

FOLLOW INSTRUCTIONS

18. 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

|    |                               |        |  |
|----|-------------------------------|--------|--|
| OR | 18a. ORGANIZATION'S NAME      |        |  |
|    | 18b. INDIVIDUAL'S SURNAME     |        |  |
|    | FIRST PERSONAL NAME           |        |  |
|    | ADDITIONAL NAME(S)/INITIAL(S) | SUFFIX |  |

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

19. ADDITIONAL DEBTOR'S NAME: Provide only one Debtor name (19a or 19b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name)

|    |                           |                     |                               |             |
|----|---------------------------|---------------------|-------------------------------|-------------|
| OR | 19a. ORGANIZATION'S NAME  |                     |                               |             |
|    | 19b. INDIVIDUAL'S SURNAME | FIRST PERSONAL NAME | ADDITIONAL NAME(S)/INITIAL(S) | SUFFIX      |
|    | 19c. MAILING ADDRESS      | CITY                | STATE                         | POSTAL CODE |
|    |                           |                     |                               | COUNTRY     |

20. ADDITIONAL DEBTOR'S NAME: Provide only one Debtor name (20a or 20b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name)

|    |                           |                     |                               |             |
|----|---------------------------|---------------------|-------------------------------|-------------|
| OR | 20a. ORGANIZATION'S NAME  |                     |                               |             |
|    | 20b. INDIVIDUAL'S SURNAME | FIRST PERSONAL NAME | ADDITIONAL NAME(S)/INITIAL(S) | SUFFIX      |
|    | 20c. MAILING ADDRESS      | CITY                | STATE                         | POSTAL CODE |
|    |                           |                     |                               | COUNTRY     |

21. ADDITIONAL DEBTOR'S NAME: Provide only one Debtor name (21a or 21b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name)

|    |                           |                     |                               |             |
|----|---------------------------|---------------------|-------------------------------|-------------|
| OR | 21a. ORGANIZATION'S NAME  |                     |                               |             |
|    | 21b. INDIVIDUAL'S SURNAME | FIRST PERSONAL NAME | ADDITIONAL NAME(S)/INITIAL(S) | SUFFIX      |
|    | 21c. MAILING ADDRESS      | CITY                | STATE                         | POSTAL CODE |
|    |                           |                     |                               | COUNTRY     |

22.  ADDITIONAL SECURED PARTY'S NAME or  ASSIGNOR SECURED PARTY'S NAME: Provide only one name (22a or 22b)

|    |                           |                     |                               |             |
|----|---------------------------|---------------------|-------------------------------|-------------|
| OR | 22a. ORGANIZATION'S NAME  |                     |                               |             |
|    | 22b. INDIVIDUAL'S SURNAME | FIRST PERSONAL NAME | ADDITIONAL NAME(S)/INITIAL(S) | SUFFIX      |
|    | 22c. MAILING ADDRESS      | CITY                | STATE                         | POSTAL CODE |
|    |                           |                     |                               | COUNTRY     |

23.  ADDITIONAL SECURED PARTY'S NAME or  ASSIGNOR SECURED PARTY'S NAME: Provide only one name (23a or 23b)

|    |                           |                     |                               |             |
|----|---------------------------|---------------------|-------------------------------|-------------|
| OR | 23a. ORGANIZATION'S NAME  |                     |                               |             |
|    | 23b. INDIVIDUAL'S SURNAME | FIRST PERSONAL NAME | ADDITIONAL NAME(S)/INITIAL(S) | SUFFIX      |
|    | 23c. MAILING ADDRESS      | CITY                | STATE                         | POSTAL CODE |
|    |                           |                     |                               | COUNTRY     |

24. MISCELLANEOUS:

## Instructions for UCC Financing Statement Additional Party (Form UCC1AP)

Please type or laser-print this form. Be sure it is completely legible. Read and follow all Instructions; use of the correct name for the Debtor is crucial. Fill in form very carefully; mistakes may have important legal consequences. If you have questions, consult your attorney. The filing office cannot give legal advice.

Use this form (multiple copies if needed) to continue adding additional Debtor or Secured Party names as needed when filing a UCC Financing Statement (Form UCC1).

### ITEM INSTRUCTIONS

18. **Name of first Debtor.** Enter name of first Debtor exactly as shown in item 1 of Financing Statement (Form UCC1) to which this Additional Party relates. The name will not be indexed as a separate Debtor. If line 1b of the Financing Statement (Form UCC1) was left blank because the Individual Debtor name did not fit, check the box in item 18 and enter as much of the Individual Debtor name from item 10 that will fit. The Debtor name in this section is intended to cross-reference this Additional Party with the related Financing Statement (Form UCC1).
- 19-21. **Additional Debtor's name.** If this Additional Party adds additional Debtors, complete items 19, 20, and 21 in accordance with Instruction 1 of Financing Statement (Form UCC1).
- 22-23. **Additional Secured Party's name or Assignor Secured Party's name.** If this Additional Party form adds additional Secured Parties, complete items 22 and 23 in accordance with Instruction 3 of Financing Statement (Form UCC1). In the case of a full assignment of the Secured Party's interest before the filing of this financing statement, if filer has provided the name and mailing address of the Assignee in item 3 of Financing Statement (Form UCC1), filer may enter Assignor Secured Party's name and mailing address in items 22 and 23.
24. **Miscellaneous.** Under certain circumstances, additional information not provided on the Financing Statement (Form UCC1) may be required. Also, some states have non-uniform requirements. Use this space or attach additional page(s) and incorporate by reference in item 24 (e.g., See Exhibit A) to provide such additional information or to comply with such requirements; otherwise, leave blank. Do not include social security numbers or other personally identifiable information.

# UCC FINANCING STATEMENT AMENDMENT

FOLLOW INSTRUCTIONS

|  |
|--|
| A. NAME & PHONE OF CONTACT AT FILER (optional) |
| B. E-MAIL CONTACT AT FILER (optional)          |
| C. SEND ACKNOWLEDGMENT TO: (Name and Address)  |

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1a. INITIAL FINANCING STATEMENT FILE NUMBER

1b.  This FINANCING STATEMENT AMENDMENT is to be filed [for record] (or recorded) in the REAL ESTATE RECORDS  
Filer: attach Amendment Addendum (Form UCC3Ad) and provide Debtor's name in item 13

2.  TERMINATION: Effectiveness of the Financing Statement identified above is terminated with respect to the security interest(s) of Secured Party authorizing this Termination Statement

3.  ASSIGNMENT (full or partial): Provide name of Assignee in item 7a or 7b, and address of Assignee in item 7c and name of Assignor in item 9  
For partial assignment, complete items 7 and 9 and also indicate affected collateral in item 8

4.  CONTINUATION: Effectiveness of the Financing Statement identified above with respect to the security interest(s) of Secured Party authorizing this Continuation Statement is continued for the additional period provided by applicable law

5.  PARTY INFORMATION CHANGE:

Check one of these two boxes:

AND Check one of these three boxes to:

This Change affects  Debtor or  Secured Party of record  CHANGE name and/or address: Complete  item 6a or 6b; and item 7a or 7b and item 7c  ADD name: Complete item  7a or 7b, and item 7c  DELETE name: Give record name to be deleted in item 6a or 6b

6. CURRENT RECORD INFORMATION: Complete for Party Information Change - provide only one name (6a or 6b)

|                         |                          |                     |                               |        |
|-------------------------|--------------------------|---------------------|-------------------------------|--------|
| 6a. ORGANIZATION'S NAME |                          |                     |                               |        |
| OR                      | 6b. INDIVIDUAL'S SURNAME | FIRST PERSONAL NAME | ADDITIONAL NAME(S)/INITIAL(S) | SUFFIX |

7. CHANGED OR ADDED INFORMATION: Complete for Assignment or Party Information Change - provide only one name (7a or 7b) (use exact, full name, do not omit, modify, or abbreviate any part of the Debtor's name)

|                         |  |  |        |
|-------------------------|--|--|--------|
| 7a. ORGANIZATION'S NAME |  |  |        |
| OR                      | 7b. INDIVIDUAL'S SURNAME                   |  |        |
|                         | INDIVIDUAL'S FIRST PERSONAL NAME           |  |        |
|                         | INDIVIDUAL'S ADDITIONAL NAME(S)/INITIAL(S) |  |        |
|                         |  |  | SUFFIX |

|                     |      |       |             |         |
|---------------------|------|-------|-------------|---------|
| 7c. MAILING ADDRESS | CITY | STATE | POSTAL CODE | COUNTRY |
|---------------------|------|-------|-------------|---------|

8.  COLLATERAL CHANGE: Also check one of these four boxes:  ADD collateral  DELETE collateral  RESTATE covered collateral  ASSIGN collateral  
Indicate collateral:

9. NAME OF SECURED PARTY OF RECORD AUTHORIZING THIS AMENDMENT: Provide only one name (9a or 9b) (name of Assignor, if this is an Assignment)  
If this is an Amendment authorized by a DEBTOR, check here  and provide name of authorizing Debtor

|                         |                          |                     |                               |        |
|-------------------------|--------------------------|---------------------|-------------------------------|--------|
| 9a. ORGANIZATION'S NAME |                          |                     |                               |        |
| OR                      | 9b. INDIVIDUAL'S SURNAME | FIRST PERSONAL NAME | ADDITIONAL NAME(S)/INITIAL(S) | SUFFIX |

10. OPTIONAL FILER REFERENCE DATA:

## Instructions for UCC Financing Statement Amendment (Form UCC3)

Please type or laser-print this form. Be sure it is completely legible. Read and follow all Instructions, especially Instruction 1a; correct file number of initial financing statement is crucial.

Fill in form very carefully; mistakes may have important legal consequences. If you have questions, consult your attorney. The filing office cannot give legal advice.

Send completed form and any attachments to the filing office, with the required fee.

### ITEM INSTRUCTIONS

A and B. To assist filing offices that might wish to communicate with filer, filer may provide information in item A and item B. These items are optional.

C. Complete item C if filer desires an acknowledgment sent to them. If filing in a filing office that returns an acknowledgment copy furnished by filer, present simultaneously with this form the Acknowledgment Copy or a carbon or other copy of this form for use as an acknowledgment copy.

#### Always complete items 1a and 9.

- 1a. **File Number.** Enter file number of initial financing statement to which this Amendment relates. Enter only one file number. In some states, the file number is not unique; in those states, also enter in item 1a, after the file number, the date that the initial financing statement was filed.
- 1b. If this Amendment is to be filed in the real estate records or in any other filing office where the name of current Debtor is required for indexing purposes, check the box in item 1b and enter Debtor name in item 13 of Amendment Addendum (Form UCC3Ad). Complete item 13 in accordance with instructions on Amendment Addendum (Form UCC3Ad). If Debtor does not have an interest of record, enter the name and address of the record owner in item 16 of Amendment Addendum (Form UCC3Ad).

*Note:* Show purpose of this Amendment by checking box 2, 3, 4, 5, or 8 (in items 5 and 8 you must check additional boxes); also complete items 6, 7, and/or 8 as appropriate. Some, but not all filing offices accept multiple actions on an Amendment. Filing offices that accept multiple actions may charge an additional fee. Some filing offices that accept multiple actions may only index one of the actions requested. Consult the administrative rules of the designated filing office to determine the extent to which multiple actions will be accepted, indexed, and the applicable filing fees for multiple actions.

2. **Termination.** To terminate the effectiveness of the identified financing statement with respect to the security interest(s) of authorizing Secured Party, check box in item 2. See Instruction 9 below.
3. **Assignment.** To assign (1) some or all of Assignor's right to amend the identified financing statement, or (2) the Assignor's right to amend the identified financing statement with respect to some (but not all) of the collateral covered by the identified financing statement: Check box in item 3 and enter name of Assignee in item 7a or 7b; always enter the Assignee's mailing address in item 7c. Also enter name of Assignor in item 9. If assignment affects the right to amend the financing statement which respect to some (but not all) of the collateral covered by the identified financing statement, check the ASSIGN collateral box and indicate the particular collateral covered in item 8.
4. **Continuation.** To continue the effectiveness of the identified financing statement with respect to the security interest(s) of authorizing Secured Party, check box in item 4. See Instruction 9 below.
- 5-7. **Party Information Change.** To indicate a party information change, check this box; also check additional boxes (as applicable) and complete items 5, 6, and/or 7 as appropriate.

To change the name and/or address of a party (items 5, 6, and 7): Check box in item 5 to indicate whether this Amendment relates to a Debtor or Secured Party of record; and check the CHANGE name and/or mailing address box in item 5 and enter name of affected party (current record name) in item 6a or 6b; and repeat or enter the new name in item 7a or 7b; always enter the party's mailing address in item 7c.

To add a party (items 5 and 7): Check box in item 5 to indicate whether this Amendment relates to a Debtor or Secured Party of record; and check the ADD name box in item 5 and enter the added party's name in item 7a or 7b; always enter the party's mailing address in item 7c. For additional Debtors or Secured Parties, attach Amendment Additional Party (Form UCC3AP), using correct name format.

To delete a party (items 5 and 6): Check box in item 5 to indicate whether this Amendment relates to a Debtor or Secured Party of record; and check the DELETE name box in item 5 and enter the deleted party's name in item 6a or 6b.

8. **Collateral Change.** To indicate a collateral change, check this box; also check additional box (as applicable) and describe the change in item 8. If space in item 8 is insufficient, continue collateral description in item 14 of Amendment Addendum (Form UCC3Ad). Do not include social security numbers or other personally identifiable information.

To add collateral: Check the ADD collateral box in item 8 and indicate the additional collateral.

To delete collateral: Check the DELETE collateral box in item 8 and indicate the deleted collateral. A partial release is a DELETE collateral change.

To restate covered collateral description: Check the RESTATE covered collateral box in item 8 and indicate the restated collateral.

To assign the right to amend the financing statement with respect to part (but not all) of the collateral covered by the identified financing statement: Comply with Instruction 3 above and check the ASSIGN collateral box in item 8.

If, due to a full release of collateral, filer no longer claims a security interest under the identified financing statement, check box in item 2 (Termination) and not a box in item 8 (Collateral Change).

9. **Name of Authorizing Party.** Enter name of party of record authorizing this Amendment. In most cases, the authorizing party is the Secured Party of record. If this is an Amendment (Assignment), enter Assignor's name in item 9a or 9b. If this is an Amendment (Termination) authorized by a Debtor, check the box in item 9 and enter the name of the Debtor authorizing this Amendment in item 9a or 9b. If this Amendment (Termination) is to be filed or recorded in the real estate records, also enter, in item 12 of Amendment Addendum (Form UCC3Ad), the name of Secured Party of record. If there is more than one authorizing Secured Party or Debtor, enter additional name(s) in item 14 of Amendment Addendum (Form UCC3Ad).
10. **Optional Filer Reference Data.** This item is optional and is for filer's use only. For filer's convenience of reference, filer may enter in item 10 any identifying information that filer may find useful. Do not include social security numbers or other personally identifiable information.



# UCC FINANCING STATEMENT AMENDMENT ADDENDUM

FOLLOW INSTRUCTIONS

|  |   |                               |
|--|---|-------------------------------|
| 11. INITIAL FINANCING STATEMENT FILE NUMBER: Same as item 1a on Amendment form |   |                               |
| 12. NAME OF PARTY AUTHORIZING THIS AMENDMENT: Same as item 9 on Amendment form |   |                               |
| OR   | 12a. ORGANIZATION'S NAME  |                               |
|  | 12b. INDIVIDUAL'S SURNAME   |                               |
|  | FIRST PERSONAL NAME   |                               |
|  | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">ADDITIONAL NAME(S)/INITIAL(S)</td> <td style="width: 20%;">SUFFIX</td> </tr> </table> | ADDITIONAL NAME(S)/INITIAL(S) |
| ADDITIONAL NAME(S)/INITIAL(S)  | SUFFIX  |                               |

**THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY**

13. Name of DEBTOR on related financing statement (Name of a current Debtor of record required for indexing purposes only in some filing offices - see Instruction item 13): Provide only one Debtor name (13a or 13b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name); see Instructions if name does not fit

|    |                           |                     |                               |        |
|----|---------------------------|---------------------|-------------------------------|--------|
| OR | 13a. ORGANIZATION'S NAME  |                     |                               |        |
|    | 13b. INDIVIDUAL'S SURNAME | FIRST PERSONAL NAME | ADDITIONAL NAME(S)/INITIAL(S) | SUFFIX |

14. ADDITIONAL SPACE FOR ITEM 8 (Collateral):

15. This FINANCING STATEMENT AMENDMENT:  
 covers timber to be cut     covers as-extracted collateral     is filed as a fixture filing

16. Name and address of a RECORD OWNER of real estate described in item 17  
 (if Debtor does not have a record interest):

17. Description of real estate:

18. MISCELLANEOUS:

## Instructions for UCC Financing Statement Amendment Addendum (Form UCC3Ad)

Please type or laser-print this form. Be sure it is completely legible. Read and follow all Instructions; use of the correct name for the Debtor is crucial. Fill in form very carefully; mistakes may have important legal consequences. If you have questions, consult your attorney. The filing office cannot give legal advice.

### ITEM INSTRUCTIONS

11. **File Number.** Enter file number of initial financing statement as shown in item 1a of Amendment (Form UCC3) to which this Amendment Addendum relates.
12. **Name of Authorizing Party.** Enter information exactly as shown in item 9 on Amendment (Form UCC3).
13. **Name of Debtor on related Financing Statement.** If this Amendment (Form UCC3) is to be filed in the real estate records or in any other filing office where the name of a current Debtor of record is required for indexing purposes, enter Debtor name in item 13a or 13b. Item 13 is intended to cross-reference the Amendment (Form UCC3) and Amendment Addendum with the related Financing Statement (Form UCC1). If more than one current Debtor, enter additional name(s) in item 14 or on additional Amendment Addendum (Form UCC3Ad). Do not use item 13 to change, add, or delete a Debtor name.
14. **Additional Space for Item 8 (Collateral).** If space in item 8 of Amendment (Form UCC3) is insufficient or additional information must be provided, enter additional information in item 14 or attach additional page(s) and incorporate by reference in item 14 (e.g., See Exhibit A). Do not include social security numbers or other personally identifiable information.
- 15-17. **Real Estate Record Information.** If this Amendment (Form UCC3) is to be filed in the real estate records, complete the required information (items 15, 16, and 17). If this Amendment (Form UCC3) covers timber to be cut, covers as-extracted collateral, and/or is filed as a fixture filing, check appropriate box in item 15. If the Debtor does not have an interest of record, enter the name and address of the record owner in item 16. Provide a sufficient description of real estate in accordance with the applicable law of the jurisdiction where the real estate is located in item 17. If space in items 16 or 17 is insufficient, attach additional page(s) and incorporate by reference in items 16 or 17 (e.g., See Exhibit A), and continue the real estate information. Do not include social security numbers or other personally identifiable information.
18. **Miscellaneous.** Under certain circumstances, additional information not provided on the Financing Statement Amendment (Form UCC3) may be required. Also, some states have non-uniform requirements. Use this space or attach additional page(s) and incorporate by reference in item 18 (e.g., See Exhibit A) to provide such additional information or to comply with such requirements; otherwise, leave blank. Do not include social security numbers or other personally identifiable information.

# UCC FINANCING STATEMENT AMENDMENT ADDITIONAL PARTY

FOLLOW INSTRUCTIONS

19. INITIAL FINANCING STATEMENT FILE NUMBER: Same as item 1a on Amendment form

20. NAME OF PARTY AUTHORIZING THIS AMENDMENT: Same as item 9 on Amendment form

|    |                               |        |  |
|----|-------------------------------|--------|--|
| OR | 20a. ORGANIZATION'S NAME      |        |  |
|    |                               |        |  |
|    | 20b. INDIVIDUAL'S SURNAME     |        |  |
|    |                               |        |  |
|    | FIRST PERSONAL NAME           |        |  |
|    |                               |        |  |
|    | ADDITIONAL NAME(S)/INITIAL(S) | SUFFIX |  |
|    |                               |        |  |

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

21. ADDITIONAL DEBTOR'S NAME: Provide only one Debtor name (21a or 21b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name)

|                          |                           |                     |                               |         |
|--------------------------|---------------------------|---------------------|-------------------------------|---------|
| 21a. ORGANIZATION'S NAME |                           |                     |                               |         |
|                          |                           |                     |                               |         |
| OR                       | 21b. INDIVIDUAL'S SURNAME | FIRST PERSONAL NAME | ADDITIONAL NAME(S)/INITIAL(S) | SUFFIX  |
|                          |                           |                     |                               |         |
| 21c. MAILING ADDRESS     | CITY                      | STATE               | POSTAL CODE                   | COUNTRY |
|                          |                           |                     |                               |         |

22. ADDITIONAL DEBTOR'S NAME: Provide only one Debtor name (22a or 22b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name)

|                          |                           |                     |                               |         |
|--------------------------|---------------------------|---------------------|-------------------------------|---------|
| 22a. ORGANIZATION'S NAME |                           |                     |                               |         |
|                          |                           |                     |                               |         |
| OR                       | 22b. INDIVIDUAL'S SURNAME | FIRST PERSONAL NAME | ADDITIONAL NAME(S)/INITIAL(S) | SUFFIX  |
|                          |                           |                     |                               |         |
| 22c. MAILING ADDRESS     | CITY                      | STATE               | POSTAL CODE                   | COUNTRY |
|                          |                           |                     |                               |         |

23. ADDITIONAL DEBTOR'S NAME: Provide only one Debtor name (23a or 23b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name)

|                          |                           |                     |                               |         |
|--------------------------|---------------------------|---------------------|-------------------------------|---------|
| 23a. ORGANIZATION'S NAME |                           |                     |                               |         |
|                          |                           |                     |                               |         |
| OR                       | 23b. INDIVIDUAL'S SURNAME | FIRST PERSONAL NAME | ADDITIONAL NAME(S)/INITIAL(S) | SUFFIX  |
|                          |                           |                     |                               |         |
| 23c. MAILING ADDRESS     | CITY                      | STATE               | POSTAL CODE                   | COUNTRY |
|                          |                           |                     |                               |         |

24.  ADDITIONAL SECURED PARTY'S NAME or  ASSIGNOR SECURED PARTY'S NAME: Provide only one name (24a or 24b)

|                          |                           |                     |                               |         |
|--------------------------|---------------------------|---------------------|-------------------------------|---------|
| 24a. ORGANIZATION'S NAME |                           |                     |                               |         |
|                          |                           |                     |                               |         |
| OR                       | 24b. INDIVIDUAL'S SURNAME | FIRST PERSONAL NAME | ADDITIONAL NAME(S)/INITIAL(S) | SUFFIX  |
|                          |                           |                     |                               |         |
| 24c. MAILING ADDRESS     | CITY                      | STATE               | POSTAL CODE                   | COUNTRY |
|                          |                           |                     |                               |         |

25.  ADDITIONAL SECURED PARTY'S NAME or  ASSIGNOR SECURED PARTY'S NAME: Provide only one name (25a or 25b)

|                          |                           |                     |                               |         |
|--------------------------|---------------------------|---------------------|-------------------------------|---------|
| 25a. ORGANIZATION'S NAME |                           |                     |                               |         |
|                          |                           |                     |                               |         |
| OR                       | 25b. INDIVIDUAL'S SURNAME | FIRST PERSONAL NAME | ADDITIONAL NAME(S)/INITIAL(S) | SUFFIX  |
|                          |                           |                     |                               |         |
| 25c. MAILING ADDRESS     | CITY                      | STATE               | POSTAL CODE                   | COUNTRY |
|                          |                           |                     |                               |         |

26. MISCELLANEOUS:

## Instructions for UCC Financing Statement Amendment Additional Party (Form UCC3AP)

Please type or laser-print this form. Be sure it is completely legible. Read and follow all Instructions; use of the correct name for the Debtor is crucial. Fill in form very carefully; mistakes may have important legal consequences. If you have questions, consult your attorney. The filing office cannot give legal advice.

Use this form (multiple copies if needed) to continue adding additional Debtor or Secured Party names as needed when filing a UCC Financing Statement Amendment (Form UCC3).

### ITEM INSTRUCTIONS

19. **File Number.** Enter file number of initial financing statement as shown in item 1a of Amendment (Form UCC3) to which this Amendment Addendum relates.
20. **Name of Authorizing Party.** Enter information exactly as shown in item 9 on Amendment (Form UCC3).
- 21-23. **Additional Debtor's name.** If this Amendment Additional Party adds additional Debtors, complete items 21, 22, and 23 in accordance with Instruction 1 of Financing Statement (Form UCC1).
- 24-25. **Additional Secured Party's name or Assignor Secured Party's name.** If this Amendment Additional Party adds additional Secured Parties, complete items 24 and 25 in accordance with Instruction 3 of Financing Statement (Form UCC1). In the case of an assignment of the Secured Party's interest, filer may enter Secured Party and/or Assignor Secured Party's name and mailing address information in items 24 and 25.
26. **Miscellaneous.** Under certain circumstances, additional information not provided on the Financing Statement Amendment (Form UCC3) may be required. Also, some states have non-uniform requirements. Use this space or attach additional page(s) and incorporate by reference in item 26 (e.g., See Exhibit A) to provide such additional information or to comply with such requirements; otherwise, leave blank. Do not include social security numbers or other personally identifiable information.



**CAUTION:**  
This is not an amendment.

**INFORMATION STATEMENT**

FOLLOW INSTRUCTIONS

|  |
|--|
| A. NAME & PHONE OF CONTACT AT FILER (optional) |
| B. E-MAIL CONTACT AT FILER (optional)          |
| C. SEND ACKNOWLEDGMENT TO: (Name and Address)  |
|  |
|  |
|  |
|  |
|  |
|  |

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. Identification of the RECORD to which this INFORMATION STATEMENT relates

|   |  |
|---|--|
| 1a. INITIAL FINANCING STATEMENT FILE NUMBER | 1b. RECORD INFORMATION TO WHICH THIS INFORMATION STATEMENT RELATES |
|---|--|

2. Check one of these three boxes to indicate the claim made by this INFORMATION STATEMENT

- 2a.  RECORD IS INACCURATE. Enter in item 3 the basis for the belief by the Debtor of Record identified in item 5 that the RECORD identified in item 1 is inaccurate and indicate the manner in which the person believes the RECORD should be amended to cure the inaccuracy
- 2b.  RECORD WAS WRONGFULLY FILED. Enter in item 3 the basis for the belief by the Debtor of Record identified in item 5 that the RECORD identified in item 1 was wrongfully filed
- 2c.  RECORD FILED BY PERSON NOT ENTITLED TO DO SO. Enter in item 3 the basis for the belief by the Secured Party of Record that the person that filed the RECORD identified in item 1 was not entitled to do so under UCC Section 9-509

3. Basis for claim of box checked in item 2

4. If this INFORMATION STATEMENT relates to a RECORD filed [or recorded] in a filing office described in Section 9-501(a)(1) and this INFORMATION STATEMENT is filed in such a filing office, provide the date [and time] on which the INITIAL FINANCING STATEMENT identified in item 1a above was filed [or recorded]

|          |          |
|----------|----------|
| 4a. DATE | 4b. TIME |
|----------|----------|

5. NAME of PERSON filing this INFORMATION STATEMENT

|                          |                     |                               |        |
|--------------------------|---------------------|-------------------------------|--------|
| 5a. ORGANIZATION'S NAME  |                     |                               |        |
| OR                       |                     |                               |        |
| 5b. INDIVIDUAL'S SURNAME | FIRST PERSONAL NAME | ADDITIONAL NAME(S)/INITIAL(S) | SUFFIX |

## Instructions for Information Statement (Form UCC5)

Please type or laser-print this form. Be sure it is completely legible. Read and follow all Instructions, especially Instructions 1a and 1b; correct identification of the initial record to which this Information Statement relates is crucial.

Fill in form very carefully; mistakes may have important legal consequences. If you have questions, consult your attorney. The filing office cannot give legal advice.

Send completed form and any attachments to the filing office, with the required fee.

*Note:* A person may file an Information Statement with respect to a record indexed under that person's name if the person believes the record was inaccurate or wrongfully filed, or a person may file an Information Statement with respect to a record if the person is a Secured Party of Record with respect to the financing statement to which the record relates and believes that the person that filed the record was not entitled to do so.

### ITEM INSTRUCTIONS

A and B. To assist filing offices that might wish to communicate with filer, filer may provide information in item A and item B. These items are optional.  
C. Complete item C if filer desires an acknowledgment sent to them. If filing in a filing office that returns an acknowledgment copy furnished by filer, present simultaneously with this form the Acknowledgment Copy or a carbon or other copy of this form for use as an acknowledgment copy.

Always complete items 1 and 5 and either 2a or 2b or 2c. Always complete item 3 with the basis for the box marked in item 2. You may also be required to complete item 4.

- 1a. **File number:** Enter file number of initial financing statement to which the record that is the object of this Information Statement relates. Enter only one file number.
- 1b. Enter record information to which this Information Statement relates. Indicate the type of record to which this Information Statement relates (e.g., Financing Statement or Amendment) or you may also insert additional information that you believe will assist in identifying the record (e.g., the record file number or the filing date of the record).
- 2a. **Record is inaccurate.** If this Information Statement is filed based upon the belief of the Debtor of Record that the record identified in item 1 is inaccurate, check box in item 2a, provide the basis for that belief in item 3, and indicate the manner in which the record should be amended to cure the inaccuracy.
- 2b. **Record was wrongfully filed.** If this Information Statement is filed based upon the belief of the Debtor of Record that the record identified in item 1 was wrongfully filed, check box in item 2b and provide the basis for that belief in item 3.
- 2c. **Record filed by person not entitled to do so.** If this Information Statement is filed based upon the belief of the Secured Party of Record that the person that filed the record identified in item 1b was not entitled to do so under Section 9-509, check box in item 2c and provide the basis for that belief in item 3.
3. **Basis.** Use this item to provide the basis for the box checked in item 2.
4. **Filing office date and time.** If this Information Statement relates to a record filed [or recorded] in a filing office described in Section 9-501(a)(1) and this Information Statement is filed in such a filing office, provide the date [and time] on which the initial financing statement identified in item 1a above was filed [or recorded].
5. **Name of Authorizing Party.** Enter name of the person filing this Information Statement. This name must be the same name as a Secured Party of Record or the name under which the record is indexed.

**INFORMATION REQUEST**

FOLLOW INSTRUCTIONS

|  |                      |
|--|----------------------|
| A. NAME & PHONE OF CONTACT AT FILER (optional)   | FILING OFFICE ACCT # |
| B. E-MAIL CONTACT AT FILER (optional)  |                      |
| C. RETURN TO: (Name and Address)   |                      |
| <div style="border: 1px solid black; width: 100%; height: 100%; position: relative;"> <span style="position: absolute; top: 0; left: 0; border-top: 1px solid black; border-left: 1px solid black;"> </span> <span style="position: absolute; top: 0; right: 0; border-top: 1px solid black; border-right: 1px solid black;"> </span> <span style="position: absolute; bottom: 0; left: 0; border-bottom: 1px solid black; border-left: 1px solid black;"> </span> <span style="position: absolute; bottom: 0; right: 0; border-bottom: 1px solid black; border-right: 1px solid black;"> </span> </div> |                      |

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. DEBTOR'S NAME to be searched: 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)

OR

|  |  |        |
|--|--|--------|
| 1a. ORGANIZATION'S NAME                    |  |        |
| 1b. INDIVIDUAL'S SURNAME                   |  |        |
| INDIVIDUAL'S FIRST PERSONAL NAME           |  |        |
| INDIVIDUAL'S ADDITIONAL NAME(S)/INITIAL(S) |  | SUFFIX |

2. INFORMATION OPTIONS relating to UCC filings and other notices on file in the filing office that include the Debtor name identified in item 1:

2a. SEARCH RESPONSE  CERTIFIED (Optional)  
 Select one of the following two options:  ALL (Check this box to request a response that is complete, including filings that have lapsed.)  UNLAPSED

2b. COPY REQUEST CERTIFIED (Optional)  
 Select one of the following two options:  ALL  UNLAPSED

2c. SPECIFIED COPIES ONLY  CERTIFIED (Optional)

| Record Number | Date Record Filed (if required) | Type of Record and Additional Identifying Information (if required) |
|---------------|---------------------------------|---|
|               |                                 |   |
|               |                                 |   |
|               |                                 |   |
|               |                                 |   |
|               |                                 |   |
|               |                                 |   |

3. ADDITIONAL SERVICES:

3a.  EFS (Farm Product Filings)  
 Please furnish a report listing all presently active EFS Filings, related subsequent filings, and other notices showing the date and time of filing and the name and address of each Secured Party named therein.

4. DELIVERY INSTRUCTIONS (request will be completed and mailed to the address shown in item C unless otherwise instructed here):

4a.  Pick Up  
 4b.  Other

Specify desired method here (if available from this office); provide delivery information (e.g., delivery service's name, addressee's account # with delivery service, addressee's phone #, etc.)

## Instructions for Information Request (Form UCC11)

Please type or laser-print this form. Be sure it is completely legible. Read and follow all Instructions, especially Instruction 1; use of the correct name for the Debtor is crucial.

Fill in form very carefully; mistakes may have important legal consequences. If you have questions, consult your attorney. The filing office cannot give legal advice.

Send completed form parts 1 and 2 (labeled Filing Office Copy (1) and (2)) to the filing office, with the required fee.

Filing office may offer additional information options. Contact filing office or use form specially designed by filing office to obtain additional information options.

### ITEM INSTRUCTIONS

A and B. To assist filing offices that might wish to communicate with filer, filer may provide information in item A and item B. These items are optional.

C. Provide name and address of requestor in item C. This item is NOT optional.

1. **Debtor's name.** Enter only one Debtor name in item 1 -- either an organization's name (1a) or an individual's name (1b). Enter Debtor's correct name. Do not abbreviate words that are not already abbreviated in the Debtor's name.

1a. **Organization Debtor Name.** "Organization Name" means the name of an entity that is not a natural person. A sole proprietorship is not an organization, even if the individual proprietor does business under a trade name. If Debtor is a registered organization (e.g., corporation, limited partnership, limited liability company), it is advisable to examine Debtor's current filed public organic records to determine Debtor's correct name. Trade name is insufficient. If a corporate ending (e.g., corporation, limited partnership, limited liability company) is part of the Debtor's name, it must be included. Do not use words that are not part of the Debtor's name.

1b. **Individual Debtor Name.** "Individual Name" means the name of a natural person; this includes the name of an individual doing business as a sole proprietorship, whether or not operating under a trade name. The term includes the name of a decedent where collateral is being administered by a personal representative of the decedent. The term does not include the name of an entity, even if it contains, as part of the entity's name, the name of an individual. Prefixes (e.g., Mr., Mrs., Ms.) and titles (e.g., M.D.) are generally not part of an individual name. Indications of lineage (e.g., Jr., Sr., III) generally are not part of the individual's name, but may be entered in the Suffix box. Enter individual Debtor's surname (family name) in Individual's Surname box, first personal name in First Personal Name box, and all additional names in Additional Name(s)/Initial(s) box.

If a Debtor's name consists of only a single word, enter that word in Individual's Surname box and leave other boxes blank.

For both organization and individual Debtors. Do not use Debtor's trade name, DBA, AKA, FKA, division name, etc. in place of or combined with Debtor's correct name; filer may add such other names as additional Debtors if desired (but this is neither required nor recommended).

2. **Information Options.** Information options relating to UCC filings and other notices on file in the filing office that include as a Debtor name the name identified in item 1. Please note that it is permissible to select an option in 2a and also check an option in 2b. Check the "CERTIFIED (Optional)" box appropriately in items 2a, 2b, or 2c.

2a. Check appropriate box in item 2a; the box "ALL" if you are requesting a search of all active records, including lapsed filings, or the box "UNLAPSED" if you are requesting a search of only active records that have not lapsed.

2b. Check appropriate box in item 2b to request copies of records appearing on the search response; the box "ALL" if you are requesting copies of all active records, including lapsed filings, or the box "UNLAPSED" if you are requesting copies of only active records that have not lapsed.

2c. Complete item 2c if you are ordering copies of specific records by record number.

3. **Additional Services.** Some filing offices offer service options in addition to those offered in item 2. These may be shown on the face of this form or may otherwise be publicized by the particular filing office. Caution: if any of these additional service options introduces a search criterion (e.g., limiting search to named Debtor at an address in a specified city and state) that narrows the scope of the search, this may result in an incomplete search (that fails to list all filings against the named Debtor) and you may fail to learn information that might be of value to you.

3.a. In Nebraska, the UCC 11 Information Request form may be used to search EFS filings under Neb. Rev. Stat. Sec. 52-1301 et. seq. The cost for an EFS filings search is \$4.50

4. **Delivery Instructions.** Unless otherwise instructed, filing office will mail information to the name and address in item C. Contact filing office concerning availability of other delivery options. Check appropriate box (4a or 4b) if optional services are available from the filing office and are being requested.

4a. If information is to be picked up from the filing office, check the "Pick Up" box.

4b. For other than mail or pick up, check the "Other" box and specify the other delivery method that is being requested. If requesting delivery service, provide delivery service's name and requestor's account number to bill for delivery charge. Filing office will not deliver by delivery service unless prepaid waybill or account number for billing is provided.



# Attachment to UCC Financing Statement for Statutory Agricultural Liens

Print or Type Debtor's Name \_\_\_\_\_

## Check type of Lien claimed (check one box only):

- |                                    |  |                                     |   |
|------------------------------------|--|-------------------------------------|---|
| <input type="checkbox"/> Agister's | <input type="checkbox"/> Feed                        | <input type="checkbox"/> Artisan's  | <input type="checkbox"/> Fertilizer/Ag Chemical |
| <input type="checkbox"/> Petroleum | <input type="checkbox"/> Seed, Electrical/<br>Energy | <input type="checkbox"/> Thresher's | <input type="checkbox"/> Veterinarian's         |

**Instructions:** Please read each of the following sections carefully to see if it is applicable to your lien claim. If a section is pertinent, provide the necessary information on the blanks provided. If the section doesn't apply, then leave blank.

- 1) The amount due for: **(Agister's)** feeding & keeping livestock; **(Feed)** amount due or reasonable value for feed or feed ingredients and related costs; **(Artisan's)** **(Thresher's)** for work done or material furnished; **(Fertilizer/Ag Chemical)** product, machinery or equipment furnished or work or labor done; **(Petroleum)** fuel or lubricant & application of such fuel/lubricant; **(Seed, Electrical/Energy)** contract price or reasonable value of the seed or electrical power or energy; **(Veterinarian's)** amount of services or medicines or biologics used:
  
- 2) A description of the livestock and the place where such livestock are located **(Agister's)** **(Feed)** **(Veterinarian's)**:
  
- 3) Legal Description of the land upon which crops are to be planted, growing, or grown or place where grain, seed, or corn is located (optional on all except thresher's liens) **(Fertilizer/Ag Chemical)** **(Seed, Electrical/Energy)** **(Petroleum)** **(Thresher's)**:
  
- 4) A description of the work done, material furnished & a description of the article so made, repaired, altered or enhanced in value of for which material was furnished or upon which such work was performed **(Artisan's)**:
  
- 5) The last date on which services or goods furnished **(Feed)** **(Fertilizer/Ag Chemical)** **(Seed, Electrical/Energy)** **(Thresher's)** **(Veterinarian's)**:

\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Month Day Year

## **GENERAL INFORMATION**

**For specific legal rights and obligations seek legal counsel.**

**Please note: This attachment cannot be used for Agricultural Production Input (API) Liens. Please use the Agricultural Production Input Lien Notification Statement (API form) as the attachment to the UCC Financing Statement for API filings.**

**A COPY OF THE FINANCING STATEMENT WITH THIS ATTACHMENT MUST BE SENT TO THE DEBTOR UPON FILING THE ORIGINAL WITH THE SECRETARY OF STATE**

### **FERTILIZER AND AGRICULTURAL CHEMICAL LIEN**

- \* A lien upon the crops produced within one (1) year where the fertilizer/ag chemical is applied and labor performed and upon proceeds from the sale of the crops.
  - **Time for Filing** – within sixty (60) days of the last date fertilizer/ag chemical furnished and/or labor performed.

### **SEED LIEN OR ELECTRICAL POWER/ENERGY LIEN**

- \* Lien upon all crops produced from the seed furnished.
  - **Time for Filing** – within sixty (60) days of the last date the seed was furnished.

### **PETROLEUM PRODUCTS LIEN**

- \* Lien upon the crops produced and owned by the person to whom fuel or lubricant is furnished.
  - **Time for Filing** – within six (6) months of furnishing fuel/lubricant.
  - **Foreclosure** – must be commenced within ninety (90) days after the filing of the lien.

### **FEED LIEN**

- \* Lien upon livestock for the feed or feed ingredients and related costs, such as delivery costs.
  - **Time for Filing** – filed while location of livestock consuming feed can be determined and livestock is in the possession of person who contracted to purchase feed or feed ingredients.

### **AGISTER'S LIEN**

- \* Lien upon livestock for the feed and care provided.
  - **Time for Filing** – prior to removal of the livestock from the premises of the person providing feed and care.

### **ARTISAN'S LIEN**

- \* Lien upon vehicle, machinery, farm implement or tool at the request or with consent of owner when taken to place of business for repair work or material furnished.
  - **Time for Filing** – within sixty (60) days of performing work or furnishing material.
  - **Foreclosure** – foreclosure within one (1) year of filing.

### **VETERINARIAN'S LIEN**

- \* Lien upon livestock by licensed veterinarian for any services, medicines, or biologics furnished.
  - **Time for Filing** – within ninety (90) days of furnishing services and any medicines/biologics.

### **THRESHER'S LIEN**

- \* Lien upon grain, seed, or corn for threshing, combining, hauling, picking, husking, or shelling by machine.
  - **Time for Filing** – within thirty (30) days after threshing, combining, hauling, picking, husking, or shelling.
  - **Foreclosure** – foreclosure within thirty (30) days of filing.

**TERMINATION OF FINANCING STATEMENT WITH ATTACHMENT** – when the lien is satisfied, a UCC **Financing Statement Amendment** with appropriate information and termination box checked must be filed within thirty (30) days with the Secretary of State.

# API

# NEBRASKA AGRICULTURAL PRODUCTION INPUT LIEN NOTIFICATION STATEMENT

For Filing Office Use Only

This Statement **must** be typed or printed. Illegible Statements will be returned without filing.  
This form to be filed with the NE Secretary of State beginning July 1, 1999.

|   |       |  |                                    |  |                                  |
|---|-------|--|------------------------------------|--|----------------------------------|
| <b>1. DEBTOR -- if Individual</b>   |       |  | <b>2. DEBTOR -- if Entity</b>      |  |                                  |
| Name (Last, First, Middle Initial)  |       |  | Name                               |  |                                  |
| Residential Address   |       |  | Address                            |  |                                  |
| City  | State | Zip Code                               | City                               | State  | Zip Code                         |
| Soc. Sec. No. or Fed. Tax I.D. No.  |       |  | Soc. Sec. No. or Fed. Tax I.D. No. |  |                                  |
| <b>3. ADDITIONAL DEBTOR</b>   |       | <b>4. SUPPLIER (Secured Party)</b>     |                                    | <b>5. LENDER (Attach additional)</b>                                 |                                  |
| Name  |       | Name                                   |                                    | Name   |                                  |
| Address   |       | Address                                |                                    | Address  |                                  |
| City  | State | Zip Code                               | City                               | State  | Zip Code                         |
| Soc. Sec. No. or Fed. Tax I.D. No.  |       | Soc. Sec. No. or Fed. Tax I.D. No.     |                                    | Soc. Sec. No. or Fed. Tax I.D. No.                                   |                                  |
| <b>6. This Notification Statement Covers the following described agricultural input and all products or proceeds of the crops or livestock covered by the lien.</b> |       |  |                                    |  | <b>7. Date(s) of Transaction</b> |
| _____   |       |  |                                    |  | _____                            |
| _____   |       |  |                                    |  | _____                            |
| _____   |       |  |                                    |  | _____                            |
| <b>9. Crop Lien</b>   |       | <b>10. Livestock Lien</b>              |                                    | <b>8. Retail Cost or Anticipated Costs of the Agricultural Input</b> |                                  |
| Owner (If individual, list LN, FN, MI)  |       | Owner (If individual, list LN, FN, MI) |                                    | \$ _____   |                                  |
| Owner (Residential) Address   |       | Owner (Residential) Address            |                                    | <b>11. Signature of Debtor(s) below</b>                              |                                  |
| City  | State | Zip Code                               | City                               | State  | Zip Code                         |
| Description of Real Estate for Crops  |       | Location and Description of Livestock  |                                    | <b>12. Signature of Supplier(s) below</b>                            |                                  |
| _____   |       | _____                                  |                                    | _____  |                                  |
| _____   |       | _____                                  |                                    | _____  |                                  |
| _____   |       | _____                                  |                                    | By _____   |                                  |

### NOTICE TO LENDER:

You are hereby notified of the above described Agricultural Production Input Lien. You have 15 calendar days from the date of receipt of this notice in which to respond with either a letter of commitment for part or all of the amount in this lien notification statement or a written refusal to issue a letter of commitment.

If the letter of commitment is for only part of the amount or a written refusal to issue a letter of commitment, then a copy of the partial commitment or written refusal shall be sent to the person to whom the ag production input was furnished or is to be furnished. If you respond in any manner described in said time, your rights under any prior perfected lien under the Uniform Commercial Code shall retain its priority. If you do not respond to the supplier within 15 calendar days, an Agricultural Production Input Lien corresponding to this lien notification statement has priority over any security interest statement you might have in livestock and in the crops or their proceeds for the lesser of (1) the amount stated in the lien notification statement; or (2) the unpaid retail cost of the agricultural production input identified in the lien notification statement.

### INSTRUCTIONS

If a response is not received from the lender within 15 calendar days, this statement is then to be filed with the Secretary of State within 3 months after the last date that the agricultural production input was furnished. If the space provided for any items on this form is inadequate, the item(s) may be continued on additional 8 1/2 inch by 11 inch sheets of paper.

When the form is completed and signed you should remove the second page and send it to the lender by certified mail or another verifiable method. If there are multiple lenders you should photocopy that page and mail it to all of them. Mark the envelope "IMPORTANT - LEGAL NOTICE".

In order to perfect the agricultural production input lien, the lien must attach and the supplier entitled to the lien must file the lien notification statement with the Secretary of State - UCC Division, P O Box 95104, Lincoln, NE 68509. Lienholder will receive an acknowledgment from the Secretary of State.