

Disclaimer: The Federal Food Security Act may require EFS filings in state(s) other than Colorado. The proper state to file UCC records may be different than the state where EFS filings are required. In general, the FFSA requires EFS filings to be made in the state where the farm products are produced.

### **Instructions for UCC1 Financing Statement/Effective Financing Statement (Form UCC1/EFS)**

Please type or laser-print this form. Be sure it is completely legible. Read all instructions, especially instruction 1; correct Debtor name is crucial. Follow instructions completely.

Fill in form carefully; mistakes may have important legal consequences. If you have questions, consult an attorney. The filing office is not permitted to provide legal advice.

Do not insert anything in the open space in the upper-right portion of this form; it is reserved for filing office use.

When properly completed, send with the required fee to filing office. If you want an acknowledgment copy furnished by filer, you may also send Acknowledgment Copy.

If you need to use attachments, use 8-1/2 x 11 inch sheets and put at the top of each sheet the name of the first Debtor, formatted exactly as it appears in item 1 of this form; you are encouraged to use an Addendum (Form UCC1Ad-EFSAd).

A. To assist filing offices that might wish to communicate with filer, filer may provide information in item A. This item is optional.

B. Complete item B if you want an acknowledgment sent to you. Present two copies of this form in order to have the filing office return an acknowledgment copy.

1. Debtor name: Enter only one Debtor name in item 1, an organization's name (1a) or an individual's name (1b). Enter Debtor's exact full legal name.

1a. Organization Debtor: Organization Debtor: "Organization" means an entity having a legal identity separate from its owner. A partnership is an organization; a sole proprietorship is not an organization, even if it 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 organizing documents to determine Debtor's correct name, organization type, and jurisdiction of organization.

1b. Individual Debtor: "Individual" means a natural person; this includes a sole proprietorship, whether or not operating under a trade name. Don't use prefixes (Mr., Mrs., Ms.). Use suffix box only for titles of lineage (Jr., Sr., III) and not for other suffixes or titles (e.g., M.D.). Use married woman's personal name (Mary Smith, not Mrs. John Smith). Enter individual Debtor's family name (surname) in Last Name box, first given name in First Name box, and all additional given names in Middle Name box.

For both organization and individual Debtors: Don't use Debtor's trade name, DBA, AKA, FKA, Division name, etc. in place of or combined with Debtor's legal name; you may add such other names as additional Debtors if you wish (but this is neither required nor recommended).

1c. An address is always required for the Debtor named in 1a or 1b.

1d. Debtor's taxpayer identification number (tax ID # - social security number or federal employer identification number – this is required for EFS filings).

1e,f,g. "Additional information re organization Debtor" is always required. Type of organization and jurisdiction of organization as well as Debtor's exact legal name can be determined from Debtor's current filed organizing documents. Organization ID #, if any, is assigned by the agency where the organizing

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document was filed; this is different from tax ID #; if agency does not assign organizational ID #, check box in item 1g indicating "none."

*Note:* If Debtor is a trust or a trustee acting with respect to property held in trust, enter Debtor's name in item 1 and attach Addendum (Form UCC1Ad-EFSAd) and check appropriate box in item 17. If Debtor is a decedent's estate, enter name of deceased individual in item 1b and attach Addendum (Form UCC1Ad-EFSAd) and check appropriate box in item 17. If Debtor is a transmitting utility or this Effective Financing Statement is filed in connection with a Manufactured-Home Transaction or a Public-Finance Transaction as defined in applicable Commercial Code, attach Addendum (Form UCC1Ad-EFSAd) and check appropriate box in item 18.

2. If an additional Debtor is included, complete item 2, determined and formatted per instruction 1. To include further additional Debtors, or one or more additional Secured Parties, attach either Addendum (Form UCC1Ad-EFSAd) or other additional page(s), using correct name format. Follow Instruction 1 for determining and formatting additional names.
3. Enter information for Secured Party or Total Assignee, determined and formatted per instruction 1. If there is more than one Secured Party, see instruction 2. If there has been a total assignment of the Secured Party's interest prior to filing this form, you may either (1) enter Assignor S/P's name and address in item 3 and file an Amendment (Form UCC3-EFS3) [see item 5 of that form]; or (2) enter Total Assignee's name and address in item 3 and, if you wish, also attaching Addendum (Form UCC1Ad-EFSAd) giving Assignor S/P's name and address in item 12.
4. Use item 4 to indicate the farm product(s) covered by this Effective Financing Statement. If space in item 4 is insufficient, put the entire collateral description or continuation of the collateral description on either Addendum (UCC1Ad-EFSAd) or other attached additional page(s).
5. If filer desires (at filer's option) to use titles of lessee and lessor, or consignee and consignor, or buyer and seller (in the case of accounts or chattel paper), or bailee and bailor instead of Debtor and Secured Party, check the appropriate box in item 5. If this is an agricultural lien (as defined in applicable Commercial Code) filing or is otherwise not a UCC security interest filing (e.g., a tax lien, judgment lien, etc.), check the appropriate box in item 5, complete items 1-7 as applicable and attach any other items required under other law.
6. If this Effective Financing Statement is filed as a fixture filing or if the collateral consists of timber to be cut or as extracted collateral, complete items 1-5, check the box in item 6, and complete the required information (items 13, 14 and/or 15) on Addendum (Form UCC1Ad-EFSAd).
7. The search request option has been removed. In order to obtain a search report, a UCC11 - Information Request must be submitted. To have the Effective Financing Statement being completed included in the search report, indicated such additional information on the UCC11.
8. 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 (e.g., Secured Party's loan number, law firm file number, Debtor's name or other identification, state in which form is being filed, etc.) that filer may find useful.

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The Effective Financing Statement is required to be signed, authorized, or otherwise authenticated by the debtor. A physical signature is not required.