

Return To:
Enterprise Bank
Attn. Mr. Drew Antonio
12800 W. Center Road
Omaha, NE 68144

SUBORDINATION AGREEMENT 6095647 NT

That the undersigned, on behalf of Larry D. Marney and Aurel L. Marney, Co-Trustees of the Larry D. Marney Trust under Trust Agreement dated December 30, 2003, and Aurel L. Marney and Larry D. Marney, Co-Trustees of the Aurel L. Marney Trust under Trust Agreement dated December 30, 2003 herein after referred to as "Lender"), for valuable consideration, receipt of which is hereby acknowledged, does hereby subordinate it's Deed of Trust, filed on December 20, 2016, at Instrument No. 2016053461 of the records of the Register of Deeds of Lancaster County, Nebraska, in the principal amount of \$1,005,000.00 (the "Second DOT") to the Deed of Trust and other security documents among Batis Development Company, as "Grantor", Enterprise Bank, as "Trustee", and **Enterprise Bank**, as "Beneficiary", and hereby declares said Second DOT to be subject, junior and inferior to the Deed of Trust with **Enterprise Bank**, as "Beneficiary", in the amount of \$1,767,212.00 filed of record in the office of the Register of Deeds of Lancaster County, Nebraska, on July 10, 2017, as Instrument. No. 2017028314, as well as any all extensions, renewals, modifications or replacements thereof.

The undersigned, on behalf of Larry D. Marney, Trustee of The Larry D. Marney Trust, under agreement dated December 30, 2003, and Aurel L. Marney, Trustee of the Aurel L. Marney Trust, under agreement dated December 30, 2003, does hereby acknowledge and declare that any deed of trust or other security interest it may have or claim upon the real estate located in Lancaster County, Nebraska, described as:

See attached Exhibit A incorporated herein by reference,

And more commonly known as 7020 O. Street, Lincoln, Nebraska,

by virtue of this Subordination Agreement shall be and remain at all times subject, junior and inferior to the Deed of Trust lien of **Enterprise Bank**. Lender acknowledges that Enterprise Bank, in extending or continuing to extend credit to Trustor above, including Lender, is doing so in material reliance on this Agreement.

Executed this 5th day of July, 2017.

Executed this 7th day of July, 2017.

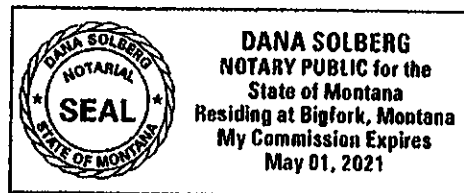
Larry D. Marney and Aurel L. Marney, Co-Trustees of the Larry D. Marney Trust under Trust Agreement dated December 30, 2003, and Aurel L. Marney and Larry D. Marney, Co-Trustees of the Aurel L. Marney Trust under Trust Agreement dated December 30, 2003

By: Aurel L. Marney
Aurel L. Marney, Co-Trustee

By: Andrew Antonio
Its: Assistant Vice President

By: Larry D. Marney
Larry D. Marney, Co-Trustee

STATE OF MT)
) ss.
COUNTY OF FLATHEAD



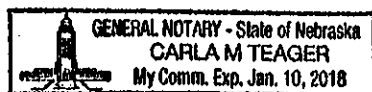
On JULY 5th, 2017, before me, the undersigned Notary Public, personally appeared Aurel L. Marney and Larry D. Marney, to me known to be the same persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

Dana Solberg
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas

The foregoing instrument was acknowledged before me this 7th day of July, 2017, by Andrew Antonio, Asst. Vice President Enterprise Bank, and acknowledged the same to be its voluntary act and deed.



Carla M. Teager
Notary Public
E/P 1-10-2018

EXHIBIT A

Parcel 1:

A tract of land situated in Lot Seventy-Three (73), Irregular Tracts in the Southwest Quarter (SW¼) of Section Twenty-Two (22), Township Ten (10) North, Range Seven (7) East of the 6th P.M., in Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Referring to the Southwest corner of said Section Twenty-Two (22); thence North 89 degrees 05 minutes East, along the South line of the Southwest Quarter (SW¼), a distance of 385 feet; thence due North, a distance of 55 feet, to the Point of Beginning, said point being the Southwest corner of Lot Seventy-Three (73); thence continuing due North, along the West line of Lot Seventy-Three (73), a distance of 383.32 feet, to a point on the Southwest right-of-way line of the Missouri Pacific Railroad; thence South 55 degrees 27 minutes East, along said right-of-way line, a distance of 118.72 feet; thence due South, on a line parallel to the West line of Lot Seventy-Three (73), a distance of 314.31 feet, to a point on the South line of Lot Seventy-Three (73) and the North line of "O" Street, said point being 97.79 feet East of the Southwest corner of Lot Seventy-Three (73); thence South 89 degrees 05 minutes West, along the South line of Lot Seventy-Three (73) and the North line of "O" Street, a distance of 97.79 feet, to the Point of Beginning, EXCEPT that part conveyed to the City of Lincoln, Nebraska, a municipal corporation in Warranty Deed recorded March 27, 2002 as Inst. No. 2002-20168, records of Lancaster County, Nebraska.

Parcel 2:

Indirect Access to public streets as set forth in the Easement Deed by Kaer P. Vanice III and Barbara A. Vanice, his wife, recorded November 24, 1969 in Book 118, Page 351, records of Lancaster County, Nebraska.

Parcel 3:

Access Easement to public streets as set forth in Grant of Easement by Nebraska CVS Pharmacy, L.L.C., a Nebraska limited liability company, recorded June 3, 2009 as Inst. No. 2009029719, records of Lancaster County, Nebraska.