

STATE OF NEBRASKA } ss
YORK COUNTY

This Instrument was filed for record
on October 19, 2017

at 03:29 PM, and duly
recorded in Vol. 48 of GEN

Page 8

Instrument No. 2017-02275

Kelly Turner

WSJ

Fee \$ 28.00

County Clerk

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

SUBORDINATION AGREEMENT

That **Jost Materials, Inc.**, hereafter referred to as "Lender", for valuable consideration, receipt of which is hereby acknowledged, does hereby subordinate its mortgage, recorded on June 28, 2017, as Instrument No. 2017-01439 of the records of the York County, Nebraska Recorder's Office, in the principal amount of \$300,000.00 ("Second Mortgage"), to the mortgage and other security documents among **Batis Development Company**, as "Grantor", and **Enterprise Bank**, as "Enterprise", and hereby declares said Second Mortgage to be subject, junior, and inferior to the mortgage with Enterprise Bank in the amount of \$766,880.00 filed of record in the York County, Nebraska Recorder's Office, on October 19, 2017, as Instrument No. 2017-02270, as well as any all extensions, renewals, modifications or replacements thereof.

Lender does hereby acknowledge and declare that any mortgage or other security interest it may have or claim upon the real estate located in York County, Nebraska, described as:

See attached Exhibit A incorporated herein by reference, and more commonly known as
3450 South Cornhusker Drive, York, Nebraska.

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

Executed this 12th day of October, 2017.

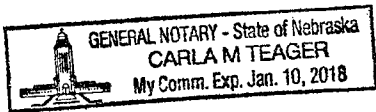
Enterprise Bank

By: Andrew Antonio Andrew Antonio
Its: Assistant Vice President

STATE OF Nebraska)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 12th day of October, 2017, by Andrew Antonio, Asst. Vice President of Enterprise Bank, and acknowledged the same to be its voluntary act and deed.

Carla M. Teager
Notary Public
Exp 1-10-2018



Executed this 17th day of October, 2017.

Jost Materials, Inc.

By: [Signature]
Joe Marney, Shareholder

STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

On October 12, 2017, before me, Joe 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.



Notary Public - State of Kansas
TARA ANN NICHOLAS
Commission Expires 7/10/19

[Signature]
Notary Public

ACKNOWLEDGED AND APPROVED:

Batis Development Company,
a Kansas corporation

By: [Signature]
J. Mark Wittenburg, President

STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

On October 16, 2017, before me, J. Mark Wittenburg, 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.



Notary Public - State of Kansas
TARA ANN NICHOLAS
Commission Expires 7/10/19

[Signature]
Notary Public

EXHIBIT A

Lot Two (2), Holthus Subdivision 3rd Addition, City of York, York County, Nebraska.