



MISC 2012086962



AUG 30 2012 14:26 P 2

Fee amount: 10.50  
FB: 01-60000  
COMP: SB

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
08/30/2012 14:26:17.00



2012086962

### SUBORDINATION AGREEMENT

KNOW ALL MEN BY THESE PRESENTS that the undersigned **B & B Trucking, Inc.**, a Nebraska corporation, tenant under a certain lease executed by and between **B & B Trucking, Inc.**, Tenant, and **MACM Leasing, L.L.C.**, a Nebraska limited liability company, as landlord, dated September 15, 2003 (the "Lease") for valuable consideration and for purpose of inducing **Great Western Bank** ("**Bank**") to consummate a loan secured by Deeds of Trusts, as hereinafter described, does hereby subordinate the Lease and does hereby declare the Lease and any interests of Tenant therein to be subject, junior, and inferior to the Deeds of Trusts granted by:

**MACM Leasing, L.L.C. to Great Western Bank** in the stated amount of \$715,000.00 recorded on 8/29/12 as Instrument No. 2012086291, Records of Douglas County, Nebraska

**MACM Leasing, L.L.C. to Great Western Bank** in the stated amount of \$185,000.00 recorded on 8/29/12 as Instrument No. 2012086293, Records of Douglas County, Nebraska

**MACM Leasing, L.L.C. to Great Western Bank** in the stated amount of \$400,000.00 recorded on 8/29/12 as Instrument No. 2012086294, Records of Douglas County, Nebraska

The undersigned does hereby acknowledge and declare that any right or interest that it may have or claim to have upon the real property described in Exhibit A under and by virtue of the subordinated lease shall be and remain at all times subject, junior and inferior to the Deeds of Trusts and that the Deeds of Trusts shall be at all times a prior, superior, and paramount liens upon the above-described real estate, over any interest of the undersigned **B & B Trucking, Inc.**

IN WITNESS WHEREOF the undersigned, **B & B Trucking, Inc.**, fully executed this Subordination Agreement on this 23 day of August, 2012.

**B & B Trucking, Inc.**

By: Earl D Berkey

President

EARL D BERKEY

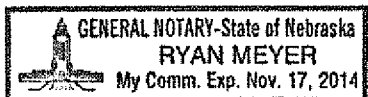
STATE OF NEBRASKA )

) ss.

COUNTY OF DOUGLAS )

Before me, a qualified Notary Public, personally appeared Earl D Berkey, President of B & B Trucking, Inc., known to me to be the identical personal who signed the foregoing instrument on behalf of the corporation, and acknowledged the execution thereof to be his voluntary act and deed.

Witness my hand and Notarial Seal this 23<sup>rd</sup> day of August, 2012.



Ryan Meyer  
Notary Public

-16- (12-115645)

EXHIBIT "A"

That part of the Southwest 1/4 of Section 4, Township 14 North, Range 13 East of the 6th P.M., in the City of Omaha, Douglas County, Nebraska, more fully described as follows: Commencing at the intersection of the East right of way of 36th Street with the South right of way of Babe Gomez Avenue; thence S87°31'26"E (assumed bearings) a distance of 244.51 feet along the South right of way of Babe Gomez Avenue; thence S02°55'45"W a distance of 640.12 feet, parallel to the East right of way of 36th Street; thence N87°00'45"W a distance of 244.50 feet; thence N02°55'45"E a distance of 638.26 feet along the East right of way line of 36th Street to the point of beginning.

NW SW  
SW SW