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STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

2017 084980

2017 DEC 14 AM 9:25

MICHAEL S. BROWN  
RECORDER

First Financial Bank  
Borrower: 8845 Kennedy, LLC  
Loan Number: 820112915

### Mortgage Subordination Agreement

For good and valuable consideration **FIRST FINANCIAL BANK**, an Ohio state chartered bank ("Subordinate Lienholder"), hereby agrees that it shall postpone and make junior and subordinate in all respects that certain Mortgage executed by **8845 Kennedy, LLC**, an Indiana limited liability company ("Mortgagor"), to the benefit of Subordinate Lienholder in the face amount of \$300,000.00 recorded on March 21, 2017 as Instrument No. 2017 018246, as modified by the Modification of Mortgage recorded on August 31, 2017 as Instrument No. 2017 058968, in the office of the Lake County Indiana Recorder, in favor of the liens of the mortgage ("Lender's Mortgages") in the amount of \$734,000.00 executed by Mortgagor for the benefit of **Regional Development Company**, an Indiana nonprofit corporation, as assigned to **US Small Business Administration**, a United States Government Agency, whose address is 8500 Keystone Crossing, Suite 400, Indianapolis, IN 46240 ("Lender"). Recorded on October 3, 2017 as Instrument Number 2017 067025 in the office of the Lake County Indiana Recorder, which such Lender's Mortgage shall encumber the real estate described in Exhibit A attached hereto and made a part hereof (the "Property").

This Agreement shall continue in full force and effect until termination and release of Lender's Mortgage by Lender. This Agreement shall be binding upon and inure to the benefit of the respective heirs, executors, successors and assigns of the Subordinate Lienholder and Lender. In the event that there is more than one Subordinate Lienholder, then each and every reference to any and all representations, warranties, covenants, and undertakings of Subordinate Lienholder herein shall be deemed to apply to each of the undersigned, jointly and severally.

This Agreement is delivered in, is intended to be performed in, will be construed and enforceable in accordance with and governed by the internal laws of the State of Ohio, without regard to principles of conflicts of law except that the laws of the State where the Property is located shall govern the creation, perfection and foreclosure of the liens on the Property or any interest therein.

SUBORDINATE LIENHOLDER WAIVES THE RIGHT TO A TRIAL BY JURY OF ANY MATTERS ARISING OUT OF THIS AGREEMENT OR THE TRANSACTIONS CONTEMPLATED HEREBY. SUBORDINATE LIENHOLDER ACKNOWLEDGES THAT THE FOREGOING WAIVER IS KNOWING AND VOLUNTARY.

IN WITNESS WHEREOF, this instrument has been executed on this 7<sup>th</sup> day of December 2017.

SUBORDINATE LIENHOLDER:

FIRST FINANCIAL BANK


By:   
Eric Evans, Vice President

\$55<sup>00</sup>  
E 254583  
AB

State of Indiana )  
County of Lake )

ss:

Before me, the undersigned, a Notary Public, personally appeared \_\_\_\_\_, the Eric Evans, Vice President of First Financial Bank, an Ohio state chartered bank and acknowledged execution of the foregoing instrument on behalf of First Financial Bank this 7<sup>th</sup> day of December 2017.

  
Notary Public

My Commission Expires:

4-12-2024

My County of Residence is:

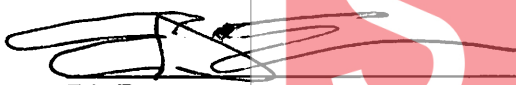
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**This Document is the property of the Lake County Recorder!**

  
CAROL PETERSEN  
Seal  
Notary Public - State of Indiana  
Lake County  
My Commission Expires Apr 12, 2024

This instrument drafted by and when recorded return to the person/entity specified below.

This instrument was prepared by Eric Evans. I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.



Eric Evans  
450 West Lincoln Highway  
Scherville, IN, 46375



**EXHIBIT A**

**Legal Description**

**Parcel 1:**

All that part of Block 16, in the Town of Highland, as per plat thereof, recorded in Plat Book 1, page 86, in the Office of the Recorder of Lake County, Indiana, lying Southwesterly of the Southwesterly right of way line and depot grounds of the Chesapeake and Ohio Railroad Company, and lying North of the North line of Clough Street, and East of the East line of Kennedy Avenue, all in the Town of Highland, Lake County, Indiana.

**Parcel 2:**

Part of the Southwest 1/4 of the Southeast 1/4 of Section 21, Township 36 North, Range 9 West of the 2nd Principal Meridian described as follows: Commencing at the Northwest corner of Block 17 of the Original Town of Highland, thence Easterly along the North line of said Block 17, to the intersection of said North line with the Southwesterly line of the right of way of the Chicago and Erie Railroad Station grounds, thence Northwesterly along said right of way to its intersection with the South line of Block 16 of the Original Town of Highland, thence West 241.42 feet along the South line of said Block 16, to the Southwest corner of said Block 16, thence South 60 feet to the place of beginning, in the Town of Highland, Indiana.

Property Address: 8835 Kennedy Avenue, Highland, IN 46322  
Parcel Number: 45-07-21-453-001.000-026

Property Address: 8845 Kennedy Avenue, Highland, IN 46322  
Parcel Number: 45-07-21-453-002.000-026

