

**PREPARED BY/MAIL TO: Farrior & Associates, 400 W. Fisher Avenue, Greensboro, NC 27401
NORTH CAROLINA**

SUBORDINATION AGREEMENT

GUILFORD COUNTY

THIS SUBORDINATION AGREEMENT made and entered into this the _____ day of _____, 2021, by and between CITY OF GREENSBORO, hereinafter called "Lender", and EAST MARKET STREET DEVELOPMENT CORPORATION, hereinafter called "Borrower".

This designation Lender and Borrower as used herein shall include said parties, their heirs, successors, assigns and substitutes, and shall include singular, plural, masculine, feminine or neuter as required by the context.

WITNESSETH:

(1) WHEREAS, the Borrower executed to the Trustee a certain Deed of Trust dated JUNE 22, 2011 in the maximum loan amount of \$500,000.00 recorded in Book 7249, Page 1693, to secure a Note payable to the Lender who remains the holder of the Note.

(2) WHEREAS, the Borrower has requested the Lender to Subordinate the Deed of Trust referred to in Paragraphs (1) to a Deed of Trust and Assignment of Leases and Rents from the Borrower to _____, Trustee, securing a note payable to MECHANICS AND FARMERS BANK, the face amount of SIX HUNDRED THOUSAND AND 00/100 Dollars (\$600,000.00). This Deed of Trust is recorded in the Office of the Register of Deeds of Guilford County, North Carolina in Book _____, Page _____; and the Assignment of Leases and Rents is recorded in the Office of the Register of Deeds of Guilford County, North Carolina in Book _____, Page _____.

NOW, THEREFORE, the Lender for a valuable consideration hereby contract and agree with the Borrower that the Deed of Trust and Assignment of Leases and Rents referred to in Paragraph (1) shall be a lien upon the hereinafter described land superior to the Deed of Trust referred to in Paragraph (1); and to carry out the said purpose, the Lender do hereby release, remise and forever quitclaim unto the Borrower their title to and lien upon the hereinafter described property to the extent that the Deed of Trust and Assignment of Leases and Rents referred to in Paragraph (2) shall be superior to the Deed of Trust to the referred to in Paragraph (1).

But it is expressly understood and agreed that except for such subordination, the Deed of Trust referred to in Paragraph (1) and the terms and conditions and any modification thereof shall remain in full force and effect.

The land hereinbefore referred to is in GUILFORD County, North Carolina and is described as follows:

FOR DESCRIPTION, SEE EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

IN TESTIMONY WHEREOF, the Noteholder have hereunto set their hands and seals, or if corporate, have caused this instrument to be signed in the corporate name by the duly authorized officers and the seal to be hereunder affixed by authority duly given.

CITY OF GREENSBORO

By: _____
Name: _____
Title: _____

Attest: [MUNICIPAL SEAL]

City Clerk

APPROVED TO LEGAL FORM:

City Attorney

Recommended by:

Department Head

Date

STATE OF _____
COUNTY OF _____

I, the undersigned Notary Public, certify that _____,
_____ of the CITY OF GREENSBORO and by authority duly
given and the act of Municipality, the foregoing document was signed in its name by its
_____ City Manager, sealed with its corporate seal and attested by its
_____ City Clerk.

Witness my hand and Notarial stamp of seal this _____ day of _____, 20____.

My Commission Expires: _____

EXHIBIT "A"

Morehead Township, Guilford County, North Carolina:

103 N. Raleigh Street, Greensboro, NC

BEGINNING at an iron stake on the west margin of Raleigh Street, said stake being 78 feet from the intersection of East Market Street and Raleigh Street; thence along the west margin of Raleigh Street North 02 deg. 45 min. East 76.5 feet to an iron stake, corner with Lot 83; thence with the line of Lot 83, South 71 deg. West 11.5 feet to corner of line of Lot 83 and a corner with Lot 86; thence with Lot 86, South 17 deg. 15 min. East 45 feet to a corner and iron stake; thence a new division line North 87 $\frac{3}{4}$ deg. East 84 $\frac{3}{4}$ feet to the BEGINNING and being the northern portion of Lot 85 in the College Heights Subdivision of J.E. Latham Company, recorded in Plat Book 4, Page 142, Office of the Register of Deeds of Guilford County, North Carolina.

107 N. Raleigh Street, Greensboro, NC

BEGINNING at a stake in the southwest corner of Charlotte Street (formerly known as Atlanta Street) and Raleigh Streets, running thence southwardly with the western margin of Raleigh Street 54.8 feet to a stake; thence in a southwestern direction 169.5 feet to a stake; thence in a northwestern direction 101.15 feet to a stake in the southern margin of Charlotte Street (formerly known as Atlanta Street); thence with the southern margin of Charlotte Street (formerly known as Atlanta Street) eastwardly 199.48 feet to the point of BEGINNING. Being all of Lot 83 of the J.E. Latham Company's College Heights Subdivision, as per plat recorded in Plat Book 4, Page 142 in the Office of the Register of Deeds of Guilford County, North Carolina.