

6 0 0 7 2 4 8 7 MAY 0 8 '06
SEAVER TITLE

LI-44633 Pa-1750
206258181 5/08/2006 09:00AM
Bernard J. Youngblood
Wayne Co. Register of Deeds

SUBORDINATION OF LEASEHOLD MORTGAGE

^{04. No. 2006}
This Subordination of Leasehold Mortgage is made by DETROIT ECONOMIC GROWTH CORPORATION, a Michigan Non-Profit Corporation, of 500 Griswold, Suite 2200, Detroit, Michigan 48226 (hereinafter referred to as "DEGC");

WITNESSETH:

WHEREAS, THE FIELDHOUSE LLC, a Michigan Limited Liability Company, of 1120 W. State Fair, Detroit, Michigan 48203 (hereinafter called "Mortgagor") is the Lessee/Tenant of certain real property situated in the City of Detroit, County of Wayne, and State of Michigan, which is described as follows:

SEE ATTACHED LEGAL DESCRIPTION
MORE COMMONLY KNOWN AS: 1120 W. STATE FAIR, DETROIT, MICHIGAN 48203
TAX ITEM NO. PART OF 009845, WARD 1

WHEREAS, said real property is owned by the State of Michigan, which is the Lessor under the terms of a Lease dated February 1, 2004 in which the Lessee/Tenant is THE FIELDHOUSE LLC;

WHEREAS, DEGC is the holder under a certain Leasehold Mortgage in the sum of \$200,000.00 executed by THE FIELDHOUSE LLC, a Michigan Limited Liability Company to DETROIT ECONOMIC GROWTH CORPORATION, said Leasehold Mortgage being dated July 28, 2004, and recorded August 20, 2004, in Liber 41188, Page 383, Wayne County Records; and

WHEREAS, METROPOLITAN GROWTH AND DEVELOPMENT CORPORATION, of 323 Wayne County Building, 600 Randolph, Detroit, Michigan 48226, (hereinafter referred to as "Lender"), is about to loan or has loaned to the Mortgagor a Leasehold Mortgage in the amount of \$372,000.00 (with all extensions, renewals, modifications, and replacements, "the Loan") and desires the Loan to be covered as a Second Leasehold Mortgage on the premises above described subject only to a First Leasehold Mortgage held by FIFTH THIRD BANK (EASTERN MICHIGAN) dated July 28, 2004 and recorded August 20, 2004 in Liber 41188, Page 359, Wayne County Records; and

WHEREAS, to induce Lender to make the Loan to Mortgagor, DEGC hereby agrees and consents to subordinate the Leasehold Mortgage interest held by DEGC, as aforesaid on the property described above, to a Mortgage made or to be made by the Lender in an amount never to exceed \$372,000.00, plus interest, protective advances to preserve collateral and reasonable costs of collection, to secure the Loan.

fieldhouseub.doc

- 1 -

356771 → 05/08/06

Ag 18 6/24/06 (A) 24

NOW, THEREFORE, DEGC does for itself, its successors and assigns, hereby covenants and agrees to and with Lender, its successors and assigns, that the said Leasehold Mortgage held by DEGC is and shall continue to be subordinated to the lien of the Lender and its successors and assigns, including, but not limited to, the Small Business Administration, in an amount never to exceed \$372,000.00, plus interest, protective advances to preserve the collateral and reasonable costs of collection. Lender covenants by acceptance of this Subordination to give DEGC actual notice in writing, by certified mail to the address of DEGC as set forth above, in the event that Lender commences foreclosure proceedings.

IN WITNESS THEREOF, DETROIT ECONOMIC GROWTH CORPORATION has caused this Subordination of Mortgage to be executed on the date set opposite its signature.

DETROIT ECONOMIC GROWTH CORPORATION,
A Michigan Non-Profit Corporation

DATED: APRIL 26th, 2006

By: *George W. Jackson Jr.*
Its: *President* *George W. Jackson Jr.*

STATE OF MICHIGAN)
) SS:
COUNTY OF WAYNE)

On this 26th day of April, 2006, before me, a Notary Public in said County and State, personally appeared *George W. Jackson Jr. - President* of DETROIT ECONOMIC GROWTH CORPORATION, a Michigan Non-Profit Corporation, who executed the foregoing instrument on behalf of said corporation as his/her free act and deed.

Carla R. Hudson
Notary Public

CARLA R. HUDSON
Notary Public, State of Michigan
County of Macomb
My Commission Expires Aug. 6, 2010
Acting in the County of *Wayne*

DRAFTED BY AND AFTER RECORDING
RETURN TO:
JOSEPH R. KRAMER
BELLANCA, BEATTIE AND DE LISLE, P.C.
20480 Vernier Road
Harper Woods, Michigan 48225
(313) 882-1100

EXHIBIT "A"

LEGAL DESCRIPTION

Real property located in the City of Detroit, Wayne County, Michigan, described as:

A parcel of land in the northwest $\frac{1}{4}$ of section 2, town 1 south, range 11 east, City of Detroit, Wayne County, Michigan and being more particularly described as commencing at the northwest corner of said section 2; thence south 01 degree 59 minutes 26 seconds east 33.00 feet to the north line of Germans Montrose Park Subdivision and the south right of way of Eight Mile Road; thence north 88 degrees 00 minutes 34 seconds east 1323.68 feet, on the north line of Germans Montrose Subdivision to the east line of said subdivision; thence south 01 degree 41 minutes 24 seconds east 1008.30 feet on the east lines of Germans Montrose Subdivision and State Fair Subdivision No. 2 to the south line of said State Fair Subdivision No. 2; thence south 88 degrees 21 minutes 23 seconds west 26.86 feet on said south line to a point on the northerly extension of the east wall line of the Agriculture Building; thence south 01 degree 34 minutes 55 seconds east 48.37 feet along said extension to the northeast corner of said building, said point also being the point of beginning; thence along the exterior wall line of said Agriculture Building for the following twelve (12) courses: 1) south 01 degree 34 minutes 55 seconds east 92.35 feet; 2) north 88 degrees 25 minutes 05 seconds east 10.50 feet; 3) south 01 degree 34 minutes 55 seconds east 59.00 feet; 4) south 88 degrees 25 minutes 05 seconds west 10.50 feet; 5) south 01 degree 34 minutes 55 seconds east 92.37 feet; 6) south 88 degrees 25 minutes 05 seconds west 11.95 feet; 7) south 01 degree 43 minutes 31 seconds east 11.00 feet; 8) south 88 degrees 16 minutes 29 seconds west 95.89 feet; 9) north 01 degree 43 minutes 31 seconds west 11.00 feet; (10) south 88 degrees 16 minutes 29 seconds west 12.00 feet; 11) north 01 degree 38 minutes 51 seconds west 243.74 feet; 12) north 88 degrees 17 minutes 55 seconds east 120.13 feet to the point of beginning.

TOGETHER WITH THE FOLLOWING NON-EXCLUSIVE EASEMENT FOR ACCESS / PARKING:

An Easement for Access and Parking, located in the northwest $\frac{1}{4}$ of section 2, town 1 south, range 11 east, City of Detroit, Wayne County, Michigan and more particularly described as commencing at the northwest corner of said Section 2; thence south 01 degree 59 minutes 26 seconds east 33.00 feet to the north line of Germans Montrose Park Subdivision and the south right of way of Eight Mile Road; thence north 88 degrees 00 minutes 34 seconds east 1323.68 feet, on the north line of Germans Montrose Subdivision to the east line of said Subdivision and the point of beginning; thence south 01 degree 41 minutes 24 seconds east 1008.30 feet on the east lines of Germans Montrose Subdivision and State Fair Subdivision No. 2 to the south line of State Fair Subdivision No. 2; thence south 88 degrees 21 minutes 23 seconds west 1382.91 feet on said south line to the easterly right of way of Woodward Avenue; thence south 26 degrees 34 minutes 10 seconds east 72.78 feet on said right of way; thence north 88 degrees 21 minutes 23 seconds east 914.77 feet; thence north 01 degree 30 minutes 57 seconds west 16.22 feet;

Li-44633

Pa-1753

thence north 88 degrees 09 minutes 55 seconds east 410.49 feet to the northeast corner of the Agriculture Building; thence along the east wall line of the Agriculture Building and its south extension for the next five (5) courses: 1) south 01 degree 34 minutes 55 seconds east 92.35 feet; 2) north 88 degrees 25 minutes 05 seconds east 10.50 feet; 3) south 01 degree 34 minutes 55 seconds east 59.00 feet; 4) south 88 degrees 25 minutes 05 seconds west 10.50 feet; 5) south 01 degree 34 minutes 55 seconds east 103.34 feet; thence north 88 degrees 16 minutes 29 seconds east 95.05 feet to the south extension of the west wall line of the Coliseum Building; thence along said extension and wall line for the next nine courses: 1) north 01 degree 39 minutes 22 seconds west 55.69 feet; 2) south 88 degrees 20 minutes 38 seconds west 1.71 feet; 3) north 01 degree 38 minutes 44 seconds west 27.96 feet; 4) north 86 degrees 33 minutes 27 seconds east 1.81 feet; 5) north 01 degree 41 minutes 23 seconds west 95.78 feet; 6) south 89 degrees 14 minutes 23 seconds west 9.56 feet; 7) north 01 degree 30 minutes 15 seconds west 55.32 feet; 8) north 88 degrees 29 minutes 45 seconds east 9.09 feet; 9) north 01 degree 30 minutes 15 seconds west 19.88 feet; thence south 88 degrees 29 minutes 45 seconds west 17.56 feet; thence north 01 degree 41 minutes 24 seconds west 1056.67 feet to the south right of way of Eight Mile Road; thence south 88 degrees 00 minutes 34 seconds west 50.00 feet along said south right of way to the point of beginning.

Part of:
Ward 01, Tax Item No. 9845

COMMONLY KNOWN AS: 1120 W. STATE FAIR, DETROIT, MICHIGAN 48203