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Doc#. 2218101327 Fee: \$98.00

Karen A. Yarbrough Cook County Clerk

Date: 06/30/2022 12:38 PM Pg: 1 of 4

PREPARED BY: Small Business Growth Corporation Shannon Crawford 2401 West White Oaks Dr. Springfield, IL 62704

WHEN RECORDED MAIL TO: Small Business Growth Corporation Shannon Crawford 2401 West White Oaks Dr. Springfield, IL 62704

SPACE ABOVE THIS LINE IS FOR RECORDERS USE ONLY MEMORANDUM OF INTER-CREDITOR AGREEMENT

CMC Realty LLC, (*Fereinafter referred to as "Grantor(s)"), has given a mortgage to secure a loan made by JPMorgan Chase Bank, N.A., (hereinafter referred to as "Bank"), who maintains an office at 100 East Higgins Road; Floor 2, Elk Grove Village, L. 20007. Grantor has also given a mortgage to secure a loan made by Small Business Growth Corporation, (hereinafter referred to as "SBGC"), who maintains an office at 2401 West White Oaks Drive, Springfield, IL 62704, assigned to the UNITED STATES SMALL BUSINESS ADMINISTRATION, (hereinafter referred to as "SBA"), of the same address, which creates a lien junior to Bank's on the Grantor's property. SBGC's mortgage recorded on Even Date in the arount of \$596,000.00 creates a lien on real estate in Cook County located at 312 N. May Street, Suite 110, Chicago, Illinois, and legally described as:

SEE ATTACHED EXHIBIT "A"

This Memorandum of Inter-Creditor Agreement, is made and recorded to provide notice of the inter-creditor agreement, titled the Third Party Lender Agreement, between the Bank and SBA and provides, among other things, certain limitations and restrictions upon Bank's rights and remedies set forth in its loan and mortgage and is binding upon its successors in interest.

IN TESTIMONY WHEREOF, the said <u>SMALL BUSINESS GROWTH CORPORATION</u> has caused these presents to be duly executed by its officers, attested, and affixed with its corporate seal.

I, <u>Shannon Crawford</u>, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY, that <u>Sara M. Vanhala</u>, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument appeared before me this day in person, and acknowledged that she signed and delivered the said Instrument as her own free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and seal this 28 day of June, 2022

SMALL BUSINESS GROWTY CORPORATION

OFFICIAL SEAL SHANNON CRAWFORD NOTARY PUBLIC, STATE OF ILLINOIS BANGAMON COUNTY MY COMMISSION EXPIRES 10/01/2024

NOTARY PUBLIC

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EXHIBIT "A"

PARCEL A1: (BASEMENT FLOOR)

THAT PART OF LOTS 1, 4, 5, 8, 9, 12, 13 AND 16 IN THE SUBDIVISION OF BLOCK 11 IN CARPENTER'S ADDITION TO CHICAGO, IN THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 16, THENCE NORTH 00 DEGREES 18 MINUTES 05 SECONDS EAST ALONG THE WEST LINE OF LOTS 16, 13, 12 AND 9 AFORESAID (BEING ALSO THE EAST LINE OF A NORTH-SOUTH 10.5 FOOT PUBLIC ALLEY) 69.69 FEET TO A POINT ON THE WEST LINE OF SAID LOT 9, SAID POINT BEING 120.45 FEET (AS MEASURED ALONG THE WEST LINE OF HE AFORESAID LOTS) SOUTH OF THE NORTHWEST CORNER OF LOT 1 AFORESAID; THENCE SOUTH 89 DEGREES 32 MINUTES 08 SECONDS EAST 16.25 FEET; THENCE SOUTH 00 DEGREES 27 MINUTES 52 SECONDS WEST PERPENDICULAR TO THE LAST DESCRIBED LINE, 69.72 FEET TO A POINT ON THE SOUTH LINE OF LOT 16 AFORESAID; THENCE NORTH 89 DEGREES 24 MINUTES 29 SECONDS WEST ALONG SAID SOUTH LINE (BEING ALSO THE NORTH LINE OF AN EAST-WEST 10 FOOT PUBLIC ALLEY) 16.05 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING; SAID PARCEL HAVING AS A LOWER LUMIT A HORIZONTAL PLANE OF ELEVATION 7.23 FEET ABOVE THE CHICAGO CITY DATUM AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION 17.58 FEET ABOVE THE CHICAGO CITY DATUM, ALL IN COOK COUNTY, ILLINOIS.

PARCEL A2: (BASEMENT FLOOR)

THAT PART OF LOTS 1, 4, 5, 8, 9, 12, 13 AND 16 IN THE SUBDIVISION OF BLOCK 11 IN CARPENTER'S ADDITION TO CHICAGO, IN THE SOUTH AST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14. EAST OF THE THIRD PRINCIPAL MERIDIAN BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 16, THENCE NORTH 00 DEGREES 18 MINUTES 05 SECONDS EAST ALONG THE WEST LINE OF LOTS 16, 13, 12 AND 9 AFORESAID (BEING ALSO THE EAST LINE OF A NORTH-SOUTH 10.5 FOOT PUBLIC ALLEY) 69.69 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL, PARNCE NORTH 00 DEGREES 18 MINUTES 05 SECONDS EAST ALONG THE WEST LINE OF LOTS 9, 8 AND 5 AFORESAID, 47.87 FEET TO A POINT, SAID POINT BEING 72.58 FEET (AS MEASURED ALONG SAID WEST LINE) SOUTH OF THE NORTHWEST CORNER OF LOT 1 AFORESAID; THENCE SOUTH 89 DEGREES 32 M NUTES 08 SECONDS EAST 59.80 FEET; THENCE SOUTH 00 DEGREES 27 MINUTES 52 SECONDS WEST PERPENDICULAR TO THE LAST DESCRIBED LINE 29.31 FEET; THENCE NORTH 89 DEGREES 32 MINUTES 03 SECONDS WEST 0.19 FEET; THENCE SOUTH 00 DEGREES 27 MINUTES 52 SECONDS WEST 18.57 FEET; THENCE NORTH 89 DEGREES 32 MINUTES 08 SECONDS WEST 58.58 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING; SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION 7.23 FEET ABOVE THE CHICAGO CITY DATUM AND HAVING AS AN UPPER LIMIT A LIOR ZONTAL PLANE OF ELEVATION 18.70 FEET ABOVE THE CHICAGO CITY DATUM, ALL IN COOK COUNTY, ILLINOIS.

PARCEL A3: (BASEMENT FLOOR)

THAT PART OF LOTS 1, 4, 5, 8, 9, 12, 13 AND 16 IN THE SUBDIVISION OF BLOCK 11 IN CARPENTER'S ADDITION TO CHICAGO, IN THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 16, THENCE NORTH 00 DEGREES 18 MINUTES 05 SECONDS EAST ALONG THE WEST LINE OF LOTS 16, 13, 12 AND 9 AFORESAID (BEING ALSO THE EAST LINE OF A NORTH-SOUTH 10.5 FOOT PUBLIC ALLEY) 69.69 FEET TO A POINT, SAID POINT BEING 120.45 FEET (AS MEASURED ALONG THE WEST LINE OF THE AFORESAID LOTS) SOUTH OF THE NORTHWEST CORNER OF LOT 1 AFORESAID; THENCE SOUTH 89 DEGREES 32 MINUTES 08 SECONDS EAST 16.25 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE CONTINUING SOUTH 89 DEGREES 32 MINUTES 08 SECONDS EAST 34.90 FEET; THENCE SOUTH 00 DEGREES 27 MINUTES 52 SECONDS WEST PERPRNDICULAR TO THE LAST DESCRIBED LINE 8.52 FEET; THENCE NORTH 89 DEGREES 32 MINUTES 08 SECONDS WEST 9.98 FEET; THENCE SOUTH 00 DEGREES 27 MINUTES 52 SECONDS WEST 11.11 FEET; THENCE NORTH 89 DEGREES 32

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MINUTES 08 SECONDS WEST 1.03 FEET; THENCE SOUTH 00 DEGREES 27 MINUTES 52 SECONDS WEST PERPENDICULAR TO THE LAST DESCRIBED LINE 10.83 FEET; THENCE NORTH 89 DEGREES 32 MINUTES 08 SECONDS WEST 13.46 FEET; THENCE SOUTH 00 DEGREES 27 MINUTES 52 SECONDS WEST 39.29 FEET TO A POINT ON THE SOUTH LINE OF LOT 16 AFORESAID; THENCE NORTH 89 DEGREES 24 MINUTES 29 SECONDS WEST ALONG SAID SOUTH LINE (BEING ALSO THE NORTH LINE OF AN EASTWEST 10 FOOT PUBLIC ALLEY) 10.43 FEET TO A POINT ON SAID LINE SAID POINT BEING 16.05 (AS MEASURED ALONG SAID SOUTH LINE) EAST OF THE SOUTHWEST CORNER THEREOF; THENCE NORTH 00 DEGREES 27 MINUTES 52 SECONDS EAST 69.72 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING; SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION 6.54 FEET ABOVE THE CHICAGO CITY DATUM AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION 17.58 FEET ABOVE THE CHICAGO CITY DATUM, ALL IN COOK COUNTY, ILLINOIS.

PARCEL A4: (BASEMENT FLOOR)

THAT PART OF LOTS 1, 4, 5, 8, 9, 12, 13 AND 16 IN THE SUBDIVISION OF BLOCK 11 IN CARPENTER'S ADDITION TO CHICAGO, IN THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 16, THENCE NORTH 89 DEGREES 24 MINUTES 29 SECONDS WEST ALONG SAID SOUTH LINE (BEING ALSO THE NORTH LINE OF AN EAST-WEST 10 FOOT PUBLIC ALLEY) 38.99 FEET; THENCE NORTH 00 DEGREES 35 MINUTES 31 SECONDS EAST PERPENDICULAR TO THE LAST DESCRIBED LINE 37.25 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL, THENCE NORTH 89 DEGREES 32 MINUTES 08 SECONDS WEST 12.92 FEET TO A POINT BEING 37.13 FEET (AS MEASURED PERPENDICULARLY) NORTH OF THE SOUTH LINE OF LOT 16 AFORESAID; THENCE NORTH 00 DEGREES 27 MINUTES 52 SECONDS EAST, PERPENDICULAR TO THE LAST DESCRIBLE LINE 18.34 FEET; THENCE SOUTH 89 DEGREES 32 MINUTES 08 SECONDS EAST 12.92 FEET TO A POINT BEING 38.80 FEET (AS MEASURED PERPENDICULARLY) WEST OF THE EAST LINE OF LOT 12 AFORESAID; THENCE SOUTH 00 DEGREES 27 MINUTES 52 SECONDS WEST 18.34 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING; SAID PARCEL HAVING AS A LOWER LIM'! A HORIZONTAL PLANE OF ELEVATION 6.51 FEET ABOVE THE CHICAGO CITY DATUM AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION 18.09 FEET ABOVE THE CHICAGO CITY DATOM, ALL IN COOK COUNTY, ILLINOIS.

PARCEL A5: (BASEMENT FLOOR)

THAT PART OF LOTS 1, 4, 5, 8, 9, 12, 13 AND 16 IN THE SUBDIVISION OF BLOCK 11 IN CARPENTER'S ADDITION TO CHICAGO, IN THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 16 THENCE NORTH 00 DEGREES 21 MINUTES 25 SECONDS EAST ALONG THE EAST LINE OF LOTS 16, 13 AND 12 AFORESAID 53.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 12 SAID POINT BEING THE POINT OF SEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE NORTH 89 DEGREES 32 MINUTES 08 SECONDS WEST 31.99 FEET TO A POINT, SAID POINT BEING 52.99 FEET (AS MEASURED PERPENDICULARLY) NORTH OF THE SOUTH LINE OF LOT 16 AFORESAID; THENCE NORTH 00 DEGREES 27 MINUTES 52 SECONDS EAST, PERPENDICULAR TO THE LAST DESCRIBED LINE 9.58 FEET; THENCE SOUTH 89 DEGREES 32 MINUTES 08 SECONDS EAST 18.95 FEET; THENCE NORTH 00 DEGREES 27 MINUTES 52 SECONDS EAST 7.80 FEET; THENCE SOUTH 89 DEGREES 32 MINUTES 08 SECONDS EAST, 13.00 FEET TO A POINT ON THE EAST LINE OF LOT 9 AFORESAID; THENCE SOUTH 00 DEGREES 21 MINUTES 25 SECONDS WEST ALONG THE EAST LINE OF LOTS 9 AND 12 AFORESAID BEING ALSO THE WEST LINE OF NORTH MAY STREET 17.38 FEET TO THE

HEREINABOVE DESIGNATED POINT OF BEGINNING; SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION 6.37 FEET ABOVE THE CHICAGO CITY DATUM AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION 17.98 FEET ABOVE THE CHICAGO CITY DATUM, ALL IN COOK COUNTY, ILLINOIS.

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PARCEL A7: (FIRST FLOOR)

THAT PART OF LOTS 1, 4, 5, 8, 9, 12, 13 AND 16 IN THE SUBDIVISION OF BLOCK 11 IN CARPENTER'S ADDITION TO CHICAGO, IN THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 16, THENCE NORTH 00 DEGREES 18 MINUTES 05 SECONDS EAST ALONG THE WEST LINE OF LOTS 16, 13, 12 AND 9 AFORESAID (BEING ALSO THE EAST LINE OF A NORTH-SOUTH 10.5 FOOT PUBLIC ALLEY) 68.80 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL, THENCE NORTH 00 DEGREES 18 MINUTES 05 SECONDS EAST ALONG THE WEST LINE OF LOTS 9 AND 8 AFORESAID 48.29 FEET TO A POINT, SAID POINT BEING 73.05 FEET (AS MEASURED ALONG SAID WEST LINE) SOUTH OF THE NORTHWEST CORNER OF LOT 1 AFORESAID; THENCE SOUTH 89 DEGREES 32 MINUTES 08 SECONDS EAST 48.17 FEET; THENCE SOUTH 00 DEGREES 27 MINUTES 52 SECONDS WEST PERPENDICULAR TO THE LAST DESCRIBED LINE 5.97 FEET; THENCE SOUTH 89 DEGREES 32 MINUTES 08 SECONDS EAST 5.46 FEET; THENCE SOUTH 60 DEGREES 27 MINUTES 52 SECONDS WEST, 30.14 FEET; THENCE SOUTHEASTERLY 6.65 FEET ALONG THE ARC OF A CIRCLE, CONVEX TO THE SOUTHWEST HAVING A RADIUS OF 4.23 FEET AND WHOSE CAORD BEARS SOUTH 44 DEGREES 32 MINUTES 08 SECONDS EAST 5.99 FEET; THENCE SOUTH 89 DEGPLES 32 MINUTES 08 SECONDS EAST 1.25 FEET; THENCE SOUTH 00 DEGREES 27 MINUTES 52 SECONDS WEST PERPENDICULAR TO THE LAST DESCRIBED LINE 7.94 FEET; THENCE NORTH 89 DEGREES 32 MINUTES 08 SECONDS WEST 59.00 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING; SAID PAPCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION 18.70 FEET ABOVE THE CHICAGO CITY DATUM AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION 30.04 FEET ABOVE THE CHICAGO CITY DATUM, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENTS FOR THE BENEFIT OF PARCELS A1, A2, A3, A4, A5 AND A7 AS CONTAINED IN ARTICLE 2 OF THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RECIPROCAL EASEMENTS FOR 312 NORTH MAY STREET, CHICAGO, WANDIS, RECORDED SEPTEMBER 19, 2000 AS DOCUMENT NUMBER 00730334, FOR THE FOLLOWING PUXPOSES: SUPPORT AND MAINTENANCE OF THE COMMERCIAL PROPERTY; ACCESS TO, USE AND MAINTENANCE OF ALL FACILITIES LOCATED IN THE RESIDENTIAL PROPERTY SERVING THE COMMERCIAL PROPERTY; PERMITTED ENCROACHMENTS; USE OF COMMON WALLS, FLOORS AND CEIVINGS; INGRESS AND EGRESS; ACCESS AND USE OF THE ELEVATORS; AND PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS IN EMERGENCY SITUATIONS TO AND FROM, OVER, ON, ACROSS AND IPROUGH THE RESIDENTIAL PROPERTY.

COMMONLY KNOWN AS: 312 N. MAY STREET, SUITE 110, CHICAGO, IL 60607-1200 PIN: 17-08-408-015-0000