WAIVER OF PRIORITY OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS THAT, CHARTER ONE BANK, F.S.B., a federally chartered savings bank (herein "Bank") the owner and holder of the hereinafter described mortgage (herein "Mortgage") and note secured by it, for Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, does hereby waive the priority of the Mortgage executed by BENJAMIN ROSENTHAL ("Borrower") to Bank on the 2ND day of JANUARY 2001, and recorded in DOCUMENT #0010002358, Page of COOK County, ILLINOIS Records, which Mortgage encumbers the following described property (the "Property"): PPN 14-33-132-045-1132

a mortgage in the amount of TWO HUNDRED TWENTY-FOUR THOUSAND AND 00/100 Dollars (\$224,000.00) to be executed by Borrower to and in favor of First Union Mortgage Corporation, which shall be a prior lien on the Property without otherwise affecting the lien of the Mortságe.

IN WITNESS WHEREOF. Bank has caused this waiver to be executed this 11TH day of MAY, 2561.

WITNESSED BY:

ILOIIGOZZ LANORKELD

CHARTER ONE BANK,

Alex

DODARD,

AUTHORIZED SIGNER

STATE OF OHIO COUNTY OF CUYAHOGA) SS:

Before me, a Notary Public in and for said County and State, personally appeared the above named CHARTER ONE BLUK, F.S.B. by JAMES W. WOODARD its V.P., and CALIE NOVOTNY its AUTHORIZED SIGNER, who acknowledged that they did sign the foregoing instrumer; on behalf of said bank.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at Cuyahoga, Ohio, this 11TH day of MAY, 2001.

> REX W. SHIF Notary Public for the State of Ohio
> My Commission Expires Nov. 22, 2002
>
> Notary

This Instrument Prepared by and Return to:

CHARTER ONE BANK, F.S.B.

1215 Superior Ave.

Cleveland, Ohio 44114

Attn: Consumer Loan Servicing

Account No. 9920380643

BOX 393-CTI

STREET ADDRESS: 2040 N INCOL AVEFICIAL CONFIY
CITY: CHICAGO COUNTY: COOK

CITY: CHICAGO TAX NUMBER:

LEGAL DESCRIPTION:

UNIT C-134 IN THE POINTE AT LINCOLN PARK CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

PARTS OF BLOCKS 29 AND 30 IN CANAL TRUSTEES' SUBDIVISION IN THE NORTHWEST 1/4 OF SECTION ORTH,
SIT "B"

ANDED FROM .
LEMENTS IN CO.

10453872 33, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN; WHICH SURVEY IS ATTACHED AS EXHIBIT "E" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 94849915, AS AMENDED FROM TIME TO TIME, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN COOK COUNTY, ILLINOIS.