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Cook County Recorder

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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 22nd day of December 2000 and recorded January 2, 2001, in Document No. 0010002358, of Cook County, Illinois Records. The Mortgage encumbers the following described property (the "Property Number"): Tax I. D. No. 14-33-132-045-1132

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in favor of a mortgage in the amount of Two Hundred Twenty ~~Four~~ Thousand and no/100 Dollars (\$224,000.00) to be executed by Borrower to and in favor of *Flagstar Bank,** which shall be a prior lien on the Property without otherwise affecting the lien of the Mortgage.

*PRISM MORTGAGE COMPANY AND ASSIGNED TO **RECORDED AS DOC. NO.

IN WITNESS WHEREOF, Bank has caused this waiver to be executed on the 28th day of November, 2001.

WITNESSED BY:

CHARTER ONE BANK, F.S.B.

Desire B. Phillips
Juli Tomasello

By: Chester Kapinski, Vice President

And By: Calie Novotny, 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 BANK, F.S.B. by Chester Kapinski its Vice President, and Calie Novotny its Authorized Signer, who acknowledged that they did sign the foregoing instrument on behalf of said bank.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at Cleveland, Ohio, this 28th day of November, 2001.

Phyllis Chisholm
Notary Public

PHYLLIS CHISHOLM
Notary Public, State of Ohio

This Instrument Prepared by and Return to: My Commission Expires April 13, 2005

CHARTER ONE BANK, F.S.B.
75 Erieview Plaza Code EV950
Cleveland, Ohio 44114
Prepared by Juli Tomasello
Attn: Consumer Loan Servicing

Account No. 9920380643



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ORDER NO.: 1301 - 004283956
ESCROW NO.: 1301 - 004283956

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STREET ADDRESS: 2040 NORTH LINCOLN AVENUE #D
CITY: CHICAGO **ZIP CODE:** 60614 **COUNTY:** COOK
TAX NUMBER: 14-33-132-045-1132

LEGAL DESCRIPTION:

UNIT C-134 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN THE POINTE AT LINCOLN PARK CONDOMINIUM AS DELINEATED AND DEFINED IN THE DECLARATION RECORDED AS DOCUMENT NO. 94349915, AS AMENDED, IN THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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