

SUBORDINATION OF MORTGAGE



In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned, Charter One Bank, N.A., formerly known as Charter One Bank, F.S.B., whose address is 1215 Superior Avenue, Cleveland, Ohio 44114, being the mortgagee under the following mortgage ("Subordinate Mortgage"):

Mortgage in the original amount of Twenty Thousand Nine Hundred and no/100 Dollars (\$20,900.00), dated October 13, 2001, executed by Ricky A. Podgorny and Annette Podgorny, recorded on October 26, 2001, in Document No. 0011005179, in the State of Illinois, upon the following described premises.

City of Chicago, Cook County, Lot 10, Block 5, Austin Garden's Subdivision of Section 20, Township 40 North, Range 13, East of the Third Principal Meridian, Parcel No. 13-20-408-010-0000

And commonly known as 5929 West Cornelia Avenue, Chicago, Illinois

Does hereby waive and subordinate the priority and operation of the Subordinate Mortgage upon the therein described premises to the following described mortgage ("New Mortgage"):

Mortgage to be executed by Ricky A. Podgorny and Annette Podgorny, as Borrowers, to U. S. Bank Home Mortgage, its successors and/or assigns, as Lender, securing a total indebtedness not to exceed Two Hundred One Thousand and no/100 Dollars (\$201,000.00), on the above-described property.

In order that the lien of the Subordinate Mortgage be taken as junior and inferior to the lien of the New Mortgage without otherwise affecting the lien of the Subordinate Mortgage.

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This Agreement shall be governed by and construed in accordance with the laws of the State of Illinois applicable to contracts made and to be performed in said State, shall not be modified, amended or terminated orally, and shall be binding upon and inure to the benefit of the parties hereto and their respective successors, designees and assigns.

~~IN WITNESS WHEREOF, Charter One Bank, N.A., formerly Charter One Bank, F.S.B., has hereunto caused this subordination to be executed this 7th day of November, 2002.~~

SIGNED IN THE PRESENCE OF:

CHARTER ONE BANK, N.A. FORMERLY CHARTER ONE BANK, F.S.B.

Juli Tomasello  
Juli Tomasello  
Laneta Shine  
Laneta Shine

By: Chester Kapinsky Vice President  
By: Michelle Waliszewski Authorized Signer

STATE OF OHIO )  
) SS.  
COUNTY OF CUYAHOGA )

SWORN TO BEFORE ME, a Notary Public, in and for said County and State, personally appeared Chester Kapinsky, Vice President, and Michelle Waliszewski, Authorized Signer, of Charter One Bank, N.A., formerly Charter One Bank, F.S.B., who acknowledged that they did sign the foregoing instrument as its duly-authorized officers, and that the same is the free act and deed of said corporation and the free act and deed of them personally and as said officers.

WITNESS my signature and notarial seal at Cleveland, Ohio this 7th day of November, 2002.

Patricia I. Trebec  
Notary Public

This Instrument Prepared by and Return to:  
CHARTER ONE BANK, N.A.  
Attn: Loan Servicing, EV950  
75 Erieview Plaza, 3<sup>rd</sup> Floor  
Cleveland, Ohio 44114-3279  
Prepared by: Juli Tomasello  
Account No. 9920804142

PATRICIA I. TREBEC  
Notary Public, State of Ohio  
My Commission Expires August 5, 2003



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## EXHIBIT "A"

LOT 10 IN BLOCK 5 IN AUSTIN GARDEN'S SUBDIVISION OF THE EAST 20 ACRES OF THE NORTH HALF OF THE SOUTHWEST QUARTER AND THE NORTH HALF OF THE WEST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PARCEL ID NUMBER: 13-20-408-010-0000

COMMONLY KNOWN AS: 5929 WEST CORNELIA AVENUE  
CHICAGO, IL 60644

21426677

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