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2003-01-03 09:16:21
Cook County Recorder 26.00



0030006367

WAIVER OF PRIORITY OF MORTGAGE

KNOWN ALL MEN BY THESE PRESENTS THAT, Charter One Bank, N.A. a bank organized and existing under the laws of the United States of America, the owner and holder of the hereinafter described mortgage and note secured by it, for One Dollar (\$1.00), and other valuable considerations, the receipt of which is hereby acknowledged, does hereby WAIVE THE PRIORITY OF LIEN and operation of said certain mortgage executed by, GREGORY A SMITH to Charter One Bank, N.A. and recorded in DOCUMENT # _____, of COOK County Records, (the "Existing Mortgage"), which existing Mortgage encumbers the following described property:

378 WALNUT STREET
Situating in the City of WINNETKA, County of COOK, in the State of Illinois, and described as follows: PPN 05-21-129-014-0000* (see attached legal description rider)

In favor of a mortgage in the amount of THREE HUNDRED AND NINETY THOUSAND AND NO/100 (\$ 390,000.00) to be executed by the said GREGORY A SMITH & NANCY J REMAR to Charter One Bank, N.A., which shall be a first lien on the aforementioned property without otherwise affecting the lien of Existing Mortgage.

In witness whereof, said bank by its duly authorized officers has caused its name to be hereunto subscribed and its seal hereto affixed this 19th day of DECEMBER A.D. 2002.
* and 05-21-129-015-0000

Signed in the presence of

[Signature]

30006366

CHARTER ONE BANK, N.A.

[Signature]
Joseph Fusco V.P.

[Signature]
Mark Thorpe V.P.

The State of Illinois

Before me, a Notary Public in and for said County and State, personally appeared the above named

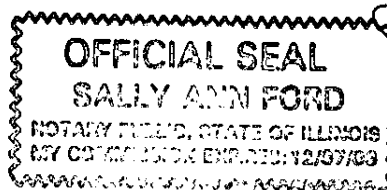
Du Page County

Who respectively, acknowledge that they did sign the foregoing instrument and as its duly authorized officers, and by authority of its Board of Directors, and that the same is the free act and deed of said bank, and the free act and deed of each of them personally and as such officers.

In testimony whereof, I have hereunto set my and official seal at Naperville Illinois this 19TH day of DECEMBER 2002.

THIS INSTRUMENT PREPARED BY:

CHARTER ONE BANK, N.A.
1804 N. NAPER BLVD. SUITE 200
NAPERVILLE IL 60563



[Signature]
Sally Ann Ford
Notary Public

BOX 333-CP

Selina - Donada

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PARCEL 1: THE NORTH 60.0 FEET OF THE SOUTH EAST 1/4 OF BLOCK 65 IN "WINNETKA", (EXCEPT STREETS) AND THE WEST 130.0 FEET THEREOF

PARCEL 2: THE NORTH 60.0 FEET OF THE EAST 30.0 FEET OF THE WEST 130.0 FEET OF THE EAST 1/2 OF THE SOUTH 1/2 OF SAID BLOCK 65 IN "WINNETKA" (EXCLUSIVE OF STREETS)

PARCEL 3: THE NORTH 46 FEET OF THE EAST 45.0 FEET OF THE WEST 100.0 FEET OF THE EAST 1/2 OF THE SOUTH 1/2 OF SAID BLOCK 65 IN "WINNETKA" (EXCLUSIVE OF STREETS)

PARCEL 4: THE NORTH 12.0 FEET OF THE EAST 1/2 OF THE SOUTH 1/2 OF BLOCK 65 (EXCEPT STREETS AND EXCEPT THE WEST 110 FEET AND EXCEPT THE NORTH 60 FEET)

PARCEL 5:

THE SOUTH 5.0 FEET (EXCEPT THE WEST 87 FEET THEREOF) OF THE NORTHEAST 1/4 OF SAID BLOCK 65 IN "WINNETKA"

ALL OF PARCELS 1 THROUGH 5 BOTH INCLUSIVE, BEING IN BLOCK 65 IN "WINNETKA" BEING CHARLES H. PECK'S SUBDIVISION OF PARTS OF SECTIONS 20 AND 21, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

Property of Cook County Clerk's Office 30006367