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Cook County Recorder 30.00

SUBORDINATION



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AGREEMENT

Property of Cook County Clerk's Office

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Prepared by
and

Return to:

**BILTMORE FINANCIAL BANCORP, INC.,
1530 EAST DUNDEE ROAD, SUITE 230
PALATINE IL 60074**

AGTF, INC.

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SUBORDINATION AGREEMENT

The undersigned, BankFinancial, F.S.B, Successor and trustee of Success National Bank and Trust, hereinafter referred to as "Subordinator" agrees as follows:

1. Subordinator is the holder of a mortgage dated June 6, 1997 which is recorded as Document No. 97409372 in the records of Cook County.

2. *BankFinancial* referred to herein as "Lender," will be the holder of a conventional mortgage in the amount of \$ 195,000.00 dated 12-23-02 and executed by Scott Z Berman and Therese M Berman. Said mortgage will be recorded with the Cook County Recorder of Deeds after closing.

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3. Scott Z Berman and Therese M Berman referred to herein as "Owner," is the owner of all the real property described in the mortgage identified above in Paragraph 2.

4. In consideration of benefits to Subordinator from Owner, receipt and sufficiency of which is hereby acknowledged, and to induce Lender to advance funds under its mortgage set forth above and all agreements in connection therewith, the Subordinator does hereby unconditionally subordinate the lien of his mortgage identified in Paragraph 1 above to the lien of Lender's mortgage, identified in Paragraph 2 above, and all advances or charges made or accruing thereunder, including any extension or renewal thereof.

5. It is understood by the parties hereto that Lender would not make the loan secured by the mortgage in Paragraph 2 without this agreement. Further, Lender acknowledges and agrees that this Subordination Agreement shall immediately become null and void in the event the loan secured by the mortgage is not made by Lender.

6. This agreement shall be the whole and only agreement between the parties hereto with regard to the subordination of the lien or charge of the mortgage first above mentioned to the lien or charge of the mortgage in favor of Lender above referred to and shall supersede and cancel any prior agreements as to such, or any, subordination including, but not limited to, those provisions, if any, contained in the mortgage first above mentioned, which provide for the subordination of the lien or charge thereof to a mortgage or mortgages to be thereafter executed.

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7. The heirs, administrators, assigns and successors in interest of the Subordinator shall be bound by this agreement.

Executed this 24 day of DECEMBER, 2002.

BANKFINANCIAL, F.S.B.

BY: [Signature]
Its Vice President

STATE OF ILLINOIS)

) s:

COUNTY OF COOK)

Personally appeared before me, the undersigned, Stephan Fagan who is the VP of BankFinancial, F.S.B., and who acknowledged that he/she signed this Subordination Agreement as his/her free and voluntary act on this 24 day of December, 2002, after having been duly authorized to do so.

Jennifer M. Love
Notary Public



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3. Legal Description:

That part of the Southeast 1/4 of Section 10, Township 41 North, Range 13, East of the Third Principal Meridian, described as follows: Commencing at a point 19 chains and 90 links South of and 7 chains and 86 links East of the Northwest corner of the Southeast 1/4 of Section 10; thence North 44 degrees East, 543.0 feet; thence Southeasterly toward a point on the East line of the West 1/2 of the Southeast 1/4 of said Section 10, 286.0 feet North of the Southeast corner of the Northwest 1/4 of the Southeast 1/4 of said Section 10, a distance of 263.94 feet to a line 162.99 feet West of and measured at right angles to the East line of the West 1/2 of the Southeast 1/4 of said Section 10, thence South parallel with said East line, 122.88 feet to place of beginning of the tract of land herein described; thence continuing South parallel with the East line of the West 1/2 of said Southeast 1/4, 66.14 feet to a point 138.74 feet North of the South line of the Northwest 1/4 of the Southeast 1/4 of said Section 10, thence East 163.0 feet to a point on the East line of said Northwest 1/4 of the Southeast 1/4, 138.70 feet North of the Southeast corner thereof thence North along said East line 66.0 feet, thence West 163.0 feet to place of beginning, all in Cook County, Illinois.

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