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SA 6 28 2004 No 14



RECORD AND RETURN TO:

U.S. Trust Mortgage Service Company
Congress Park North
190 Congress Park Drive
Delray Beach, Florida 33445
Attn: Stanley Matuszewski
President

Doc#: 0331742157
Eugene "Gene" Moore Fee: \$30.00
Cook County Recorder of Deeds
Date: 11/13/2003 09:52 AM Pg: 1 of 4

SUBORDINATION AGREEMENT (OF MORTGAGE)

UST MORTGAGE COMPANY F/K/A/ U.S. TRUST MORTGAGE SERVICE COMPANY
TO
UNITED STATES TRUST COMPANY OF NEW YORK

AGREEMENT made the 25 day of September in the year two thousand and three,

BETWEEN UST Mortgage Company F/K/A U.S. Trust Mortgage Service Company, a Florida State chartered Corporation, having its principal place of business at Congress Park North, 190 Congress Park Drive, Suite 100, Delray Beach, Florida 33445

party of the first part, and

United States Trust Company of New York, having its principal place of business at 114 West 47th Street, New York, New York 10036

party of the second part,

WITNESSETH:

WHEREAS, the said party of the first part now owns and holds the following mortgages and the bond or note secured thereby:

Mortgage dated the 3rd day of August in the year 2001 made by David Neithercut and Suzu Neithercut in favor of United States Trust Company of New York in the principal amount of \$400,000.00 and recorded on August 16, 2001 in the Cook County Land Records, Cook County, State of Illinois in Document Number 0010754579;

Which Mortgage was assigned by United States Trust Company of New York to U.S. Trust Mortgage Service Company by Assignment of Mortgage dated the 3rd day of August in the year 2001 and recorded in said Office on August 16, 2001 in Document Number 0010754580.

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00176674;1

BOX 333-CT

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covering premises hereinafter mentioned or a part thereof, and

WHEREAS, the present owner of the premises is about to execute and deliver to the party of the second part a Mortgage made by David Neithercut and Suzu Neithercut in favor of United States Trust Company of New York in the principal sum of \$1,000,000.00 dated September 25, 2003 and intended to be recorded in the Office of the Cook County Land Records, Cook County, State of Illinois, covering premises known as 670 Midfield Lane, Northbrook, Illinois 60062, more fully described in said Mortgage.

WHEREAS, said party of the second part has refused to accept said Mortgage unless said Mortgage, held by the party of the first part is subordinated in the manner hereinafter mentioned;

NOW THEREFORE, in consideration of the premises and to induce said party of the second part to accept said Mortgages, as consolidated, and also in consideration of one dollar paid to the party of the first part, the receipt whereof is hereby acknowledged, the said party of the first part hereby covenants and agrees with said party of the second part that said mortgage held by said party of the first part be and shall continue to be subject and subordinate in lien to the lien of said Mortgage in the principal amount of One Million Dollars and 00/100 (\$1,000,000.00) and interest about to be delivered to the party of the second part hereto and to all advances heretofore made or which hereafter may be made thereon (including but not limited to all sums advanced for the purpose of paying brokerage commissions, consideration paid for making the loan, mortgage recording tax, documentary stamps, fee for examination of title, surveys, and any other disbursements and charges in connection therewith) to the extent of the last mentioned amount and interest, and all such advances may be made without notice to the party of the first part, and to any extensions, renewals and modifications thereof.

This agreement may not be changed or terminated orally. This agreement shall bind and inure to the benefit of the parties hereto, their respective heirs, personal representatives, successors and assigns. The word "party" shall be construed as if it read "parties" whenever the sense of this agreement so requires.

IN WITNESS WHEREOF, the said party of the first part has duly executed this agreement the day and year first above written.

IN PRESENCE OF:

UST MORTGAGE COMPANY

By:  _____

President

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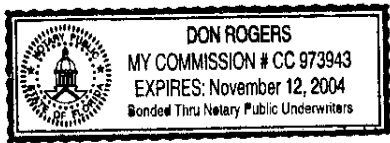
STATE OF FLORIDA)
)ss.:
COUNTY OF PALM BEACH)

On the 25 day of September, in the year 2003, before me, the undersigned, personally appeared STANLEY MATUSZAK, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument, and that such individual made such appearance before the undersigned in Palm Beach County, State of Florida.

(Signature and office of individual taking acknowledgment.)



NOTARY PUBLIC
My Commission Expires: 11/12/04



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SCHEDULE "A"

PARCEL 1:

LOT 5 IN DOROTHY STERLING ESTATES, A SUBDIVISION OF PART OF LOT 2 OF COUNTY CLERK'S DIVISION IN THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY WARRANTY DEED FROM DOROTHY STERLING RECORDED MAY 10, 1956 AS DOCUMENT 16576912

04-14-2009 069

Property of Cook County Clerk's Office