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RECORDED IN BAD CONDITION



Doc#: 0908233082 Fee: \$40.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 03/23/2009 11:39 AM Pg: 1 of 3

8009040015

8460257-OP.

WHEN RECORDED MAIL TO:

GMAC Mortgage, LLC
1100 Virginia Dr.
Fort Washington, PA 19034
Prepared by: Marnessa Birckett

SUBORDINATION AGREEMENT

THIS SUBORDINATION AGREEMENT, made March 4, 2009, present owner and holder of the Mortgage and Note first hereinafter described and hereinafter referred to as **Mortgage Electronic Registration Systems, Inc.**

WITNESSETH:

THAT WHEREAS Leroy Martiniak and Laura K. Ritter-Martiniak, husband and wife, residing at 13542 Carefree Ave., Orland Park IL 60467, did execute a Mortgage dated 4/30/04 to **Mortgage Electronic Registration Systems, Inc.** covering:

SEE ATTACHED

To Secure a Note in the sum of \$ 84,000.00 dated 4/30/04 in favor of **Mortgage Electronic Registration Systems, Inc.**, which Mortgage was recorded 7/16/04 as Document No. 0419811040.

WHEREAS, Owner has executed, or is about to execute a Mortgage and Note in the sum of \$ 358,000.00 dated 3/9/09 in favor of **Wintrust Mortgage Corporation**, here in after referred to as "Lender", payable with interest and upon the terms and conditions described therein, which mortgage is to be recorded concurrently herewith; and

WHEREAS, it is a condition precedent to obtaining said loan that Lender's mortgage last above mentioned shall unconditionally be and remain at all times a lien or charge upon the land here in before described, prior and superior to the lien or charge of **Mortgage Electronic Registration Systems, Inc.** mortgage first above mentioned.

NOW THEREFORE, in consideration of the mutual benefits accruing to the parties hereto, and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and in order to induce Lender to make the loan above referred to, it is hereby declared, understood and agreed as follows:

BOX 334 CT

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(1) That said mortgage securing said note in favor of Lender, shall unconditionally be and remain at all times a lien or charge on the property therein described, prior and superior to the lien or charge of **Mortgage Electronic Registration Systems, Inc.** mortgage first above mentioned, including any and all advances made or to be made under the note secured by **Mortgage Electronic Registration Systems, Inc.** mortgage first above mentioned.

(2) Nothing herein contained shall affect the validity or enforceability of **Mortgage Electronic Registration Systems, Inc.** mortgage and lien except for the subordination as aforesaid.

WITNESSED BY:

By: *Christine Kendra*
Christine Kendra

By: *Kim Johnson*
Kim Johnson

By: *Christine Kendra*
Christine Kendra

By: *Kim Johnson*
Kim Johnson

Mortgage Electronic Registration Systems, Inc.

By: *James Callan*
James Callan

Title: Vice President

Attest: *Marnessa Birckett*
Marnessa Birckett

Title: Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA :
: ss
COUNTY OF MONTGOMERY :



On 3-4-09, before me Tamika Scott, the undersigned, a Notary Public in and for said County and State, personally appeared James Callan personally known to me (or proved to me on the basis of satisfactory evidence) to be the Vice President, and Marnessa Birckett personally known to me (or proved to me on the basis of satisfactory evidence) to be the Assistant Secretary of the Corporation that executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same, pursuant to its bylaws, or a resolution of its Board of Directors.

WITNESS my hand and official seal.

Tamika Scott
Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Tamika Scott, Notary Public
Horsham Twp., Montgomery County
My Commission Expires Nov. 27, 2010
Member, Pennsylvania Association of Notaries

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CHICAGO TITLE INSURANCE COMPANY

ORDER NUMBER: 1410 008460257 OF
STREET ADDRESS: 13542 CAREFREE AVENUE
CITY: Orland Park **COUNTY:** COOK
TAX NUMBER: 27-03-224-008-0000

LEGAL DESCRIPTION:

LOT 17 IN WINDHAVEN WEST OF ORLAND PARK, A SUBDIVISION OF THE EAST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 27, 2002 AS DOCUMENT NO. 0021315681, IN COOK COUNTY, ILLINOIS.

Property of Cook County Clerk's Office