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This instrument was prepared by:
Bank of America
ASAP Resolution Department
475 Crosspoint Parkway
Getzville, NY 14068

Doc#: 0921931150 Fee: \$40.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 08/07/2009 03:03 PM Pg: 1 of 3

Bank of America



Real Estate Subordination Agreement (Bank of America to Third Party)

This Real Estate Subordination Agreement ("Agreement") is executed as of **May 28, 2009**, by Bank of America, N.A., having an address of 475 Crosspoint Parkway, Getzville, New York 14068 ("Subordinator"), in favor of **Wintrust Mortgage**, ("Junior Lien Holder"), having an address for notice purposes of **2626 Warrenville Rd, Suite 200, Downers Grove, IL 60515**.

Whereas, Subordinator is the owner and holder of, or creditor under, the indebtedness described in and secured by a security instrument (deed of trust, deed to secure debt or mortgage) dated **September 12, 2008**, executed by **Michael Levy and Nichola Jackman** and which is recorded in Volume/Book n/a, Page n/a, and if applicable, Document Number **0826126044**, of the land records of Cook County, Illinois, as same may have been or is to be modified prior hereto or contemporaneously herewith (the "Senior Lien"), encumbering the land described therein (said land and such improvements, appurtenances and other rights and interests regarding said land, if any, as are described in the Senior Lien being called herein collectively, the "Property"); and

Whereas, Junior Lien Holder has been requested to make a loan, line of credit or other financial accommodation to **Michael Levy and Nichola Jackman** (jointly and severally, "Borrower"), to be secured by, without limitation, either a deed of trust, deed to secure debt or mortgage (the "Junior Lien") covering without limitation, the Property and securing the indebtedness described therein including the payment of a promissory note, line of credit agreement or other borrowing agreement made by Borrower and/or others payable to the order of **Wintrust Mortgage** in the maximum principal face amount of **\$ 417,000.00** (the "Principal Amount") [For North Carolina only - bearing interest and payable as therein provided at the maximum rate of n/a% for a period not to exceed n/a months], including provisions for acceleration and payment of collection costs (the "Obligation"), the Junior Lien and the Obligation to contain such other terms and provisions as the Junior Lien Holder and Borrower shall determine; and

Now, Therefore, for valuable consideration, Subordinator hereby subordinates the Senior Lien to Junior Lien, subject to the terms of this Agreement. The Subordinator's Senior Lien is subordinated to the Junior Lien only to the extent of the Principal Amount of the Obligation and any amounts advanced pursuant to the terms of the Obligation or the security instrument for the payment of insurance premiums, taxes, costs of collection, protection of the value of the property or Junior Lien Holder's rights in the Property or foreclosure. All other rights of Subordinator now or hereafter existing in or with respect to the Property (including but not limited to all rights and to proceeds of insurance and condemnation) are hereby subordinated, and are and shall remain completely and unconditionally subordinate, to the Junior Lien and the rights of Junior Lien Holder regardless of the frequency or manner of renewal, extension, consolidation or modification of the Junior Lien or the Obligation.

for use in AR, AZ, CO, CT, FL, GA, IA, IL, KS, KY, MD, MI, MN, MO, NC, NM, NJ, NV, NY, OK, SC, TN, TX, VA and VT)

00-12-3421NSBW 02-2005

TICOR TITLE 616128 202

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TICOR TITLE INSURANCE COMPANY

ORDER NUMBER: 2000 000616128 OC

STREET ADDRESS: 3020 N SHERIDAN RD.

UNIT 2N

CITY: CHICAGO

COUNTY: COOK COUNTY

TAX NUMBER: 14-28-109-035-1004

LEGAL DESCRIPTION:

UNIT NUMBER 2-N AS SAID UNIT IS DELINEATED ON THE SURVEY OF THE FOLLOWING DESCRIBED PREMISES:

THE SOUTH 1 1/2 INCHES OF LOT 2 AND ALL OF LOT 3 IN THE SUBDIVISION OF LOTS 27, 28, 29, AND 30 (EXCEPT THAT PART OF LOT 27 TAKEN FOR LAKE VIEW AVENUE), IN CULVER'S ADDITION TO CHICAGO, BEING A SUBDIVISION OF THE SOUTH 20 RODS OF THE NORTH 60 RODS AND THE SOUTH 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

WHICH SURVEY IS ATTACHED AS EXHIBIT 'A' TO AND A PART OF THE DECLARATION OF CONDOMINIUM OWNERSHIP MADE BY BANK OF RAVENSWOOD, AS TRUSTEE UNDER TRUST AGREEMENT DATED APRIL 15, 1975 AND KNOWN AS TRUST NUMBER 1392, RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS, ON MARCH 17, 1976 AS DOCUMENT NUMBER 23418883, AND AS AMENDED FROM TIME TO TIME, TOGETHER WITH ITS UNDIVDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, IN COOK COUNTY, ILLINOIS.