



Doc#: 1007833036 Fee: \$44.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 03/19/2010 08:53 AM Pg: 1 of 5

**TERMINATION OF  
INTRECREDITOR  
AGREEMENT**

(Illinois)

(The Above Space For Recorder's Use Only)

**TERMINATION OF INCREDITOR AGREEMENT**

This Termination of Intercreditor Agreement is made and entered into this 10<sup>th</sup> day of March, 2010, by and between CDCV 1340 Pratt, LLC, an Illinois limited liability company (herein, "Assignee") and BAYVIEW LOAN SERVICING, LLC, AS SERVICER FOR FIRST MIDWEST BANK AS SUCCESSOR IN INTEREST TO FIRST DUPAGE BANK (herein, "Junior Lender").

A. Village Bank and Trust, the predecessor in interest to Assignee, and First DuPage Bank, the predecessor in interest to Junior Lender, entered into a Subordination and Intercreditor Agreement with 1340 West Pratt, LLC, as the Borrower, that was recorded in the Office of the Recorder of Cook County, Illinois on April 12, 2007 as Document No. 0710247061 pertaining to the "Premises" as defined below.

B. The interest of 1340 West Pratt, LLC in the Premises has been transferred through various conveyances to 1340 Pratt LLC, an Illinois limited liability company (herein "Owner").

C. Contemporaneous with the recording of this instrument, Junior Lender is releasing the lien of its Mortgage and its Assignment of Rents and Leases.

D. Junior Lender, Assignee and Owner have agreed to terminate the Subordination and Intercreditor Agreement.

Now, therefore, for good and valuable consideration, the parties hereto agree that the Subordination and Intercreditor Agreement is hereby terminated and of no further force and effect. It is the intention of the parties hereto that upon recording of this instrument the Subordination and Intercreditor Agreement shall be released of record and of no further force and effect and shall no longer be an encumbrance against the property situated in the County of Cook, State of Illinois (the "Premises") to wit:

Box 400-CTCC

849791022K (3) all

Property of Cook County Clerk's Office

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# UNOFFICIAL COPY

LOT 7 IN BLOCK 4 IN L. E. INGALL'S SUBDIVISION OF BLOCKS 5 AND 6 IN CIRCUIT COURT PARTITION OF THE EAST ¼ OF THE NORTHWEST ¼ AND THE NORTHEAST FRACTIONAL ¼ OF SECTION 32, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART OF SAID LOT 7 CONVEYED TO THE CHICAGO MILWAUKEE AND ST. PAUL RAILROAD BY DEED DATED JULY 4, 1904 AND RECORDED AUGUST 17, 1904 AS DOCUMENT 3580383 AND EXCEPT PART CONVEYED TO BURTON HANSON BY DEED DATED SEPTEMBER 22, 1910 AND RECORDED NOVEMBER 29, 1910 AS DOCUMENT 4670041 AND EXCEPT THAT PART DEEDED FOR PUBLIC STREET AND USED BY CHICAGO MILWAUKEE AND ST. PAUL RAILROAD COMPANY UNDER DOCUMENT NUMBER 6093233, APRIL 20, 1917 AND RECORDED IN BOOK 150 PAGES 30 AND 31) ALL IN COOK COUNTY, ILLINOIS.

Permanent Real Estate Tax Index Number: 11-32-122-007-0000.

Address of Real Estate: 1340 West Pratt Boulevard a/k/a 6800 North Wayne Avenue,  
Chicago, Illinois 60626

The signing of this Termination of Intercreditor Agreement is not and shall not be deemed to be a waiver, release or satisfaction of any note, debt, liability, or obligation (the "Obligations") secured by the Junior Mortgage and Security Agreement or the Junior Assignment of Rents and Leases or of any guaranty which guarantees any of the Obligations (the "Guaranties").



First Midwest Bank as successor to First DuPage Bank reserves all rights to collect and enforce the Obligations and enforce the Guaranties or other loan documents related thereto.

In Witness whereof, the parties hereto have executed this Instrument the date and year first above written.

CDCV 1340 PRATT, LLC

By:   
Name: Andrew Ahitow  
Its: Manager

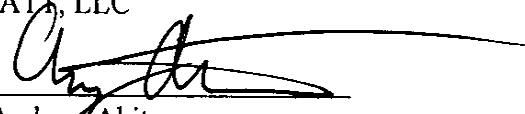
BAYVIEW LOAN SERVICING, LLC AS  
SERVICER FOR FIRST MIDWEST BANK AS  
SUCCESSOR IN INTEREST TO FIRST DUPAGE  
BANK.

By:   
Name:   
Its: **Peter E. LaPointe**  
**Senior Vice President**  
**Bayview Loan Servicing, LLC**

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1340 PRATT, LLC

By: \_\_\_\_\_



Name: Andrew Ahitow

Its: Manager

Property of  
COOK COUNTY  
RECORDER OF DEEDS  
SCANNED BY \_\_\_\_\_

County Clerk's Office  
COOK COUNTY  
RECORDER OF DEEDS  
SCANNED BY \_\_\_\_\_

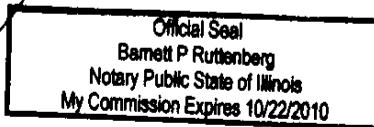
# UNOFFICIAL COPY

State of Illinois )  
 ) SS.  
County of Cook )

The undersigned, a notary public in and for the above county and state, certifies that Andrew Ahitow, known to me to be the same person whose name is subscribed as manager of CDCV 1340 Pratt, LLC to the foregoing Termination of Intercreditor Agreement, appeared before me and acknowledged signing and delivering the instrument as the free and voluntary act of the manager, for the uses and purposes therein set forth, and certified to the correctness of the signature(s) of the agent(s).

Dated: March 10, 2010 (SEAL)

\_\_\_\_\_. Notary Public  
My commission expires \_\_\_\_\_

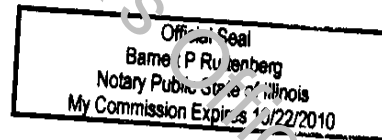


State of Illinois )  
 ) SS.  
County of Cook )

The undersigned, a notary public in and for the above county and state, certifies that Andrew Ahitow, known to me to be the same person whose name is subscribed as manager of 1340 Pratt, LLC to the foregoing Termination of Intercreditor Agreement, appeared before me and acknowledged signing and delivering the instrument as the free and voluntary act of the manager, for the uses and purposes therein set forth, and certified to the correctness of the signature(s) of the agent(s).

Dated: March 10, 2010 (SEAL)

\_\_\_\_\_. Notary Public  
My commission expires \_\_\_\_\_



# UNOFFICIAL COPY

State of Florida )  
 ) SS.  
 County of MIAMI-DADE )

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that Peter E. LaPointe personally known to me to be the Senior V.P. of Bayview Loan Servicing, LLC as servicer for First Midwest Bank as successor in interest to First DuPage Bank. and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Sr. V.P. he signed, sealed and delivered the said instrument as his free and voluntary act, and as the free and voluntary act and deed of said limited liability company, for the uses and purposes therein set forth.

Given under my hand and official seal, this 2nd day of March, 2010.

Maria M. Jimenez  
 \_\_\_\_\_  
 NOTARY PUBLIC

Commission Expires: \_\_\_\_\_



This Instrument Was Prepared By:

Barnett P. Ruttenberg, Esq.  
 Drinker Biddle & Reath LLP  
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 Chicago, Illinois 60606