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After recording return to:

Baytree National Bank & Trust Company
664 N. Western Avenue
Lake Forest, IL 60045

Doc#: 1226355014 Fee: \$44.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 09/19/2012 11:58 AM Pg: 1 of 4

202
PTC 11831
BAYTREE NATIONAL
BANK & TRUST CO

SUBORDINATION AGREEMENT –LENON # 44007885

This agreement is entered into this 8TH day of AUGUST, 2012 by BAYTREE NATIONAL BANK & TRUST COMPANY, a national banking corporation, whose office is located at 664 N. Western Avenue, Lake Forest, Illinois.

WITNESSETH

WHEREAS, *JUSTITO F. LENON, JR. AND MARIETTA G. LENON* holds title to real estate located at *5340 W. WRIGHT TERRACE, SKOKIE, IL 60077* (the "Property"); and

WHEREAS, on **APRIL 7, 2008**, *JUSTITO F. LENON, JR. AND MARIETTA G. LENON* executed a PROMISSORY NOTE (the "Loan") in favor of ST. FRANCIS MORTGAGE CORPORATION DBA: BAYTREE NATIONAL BANK & TRUST COMPANY including any and all extensions or renewals thereof; and

WHEREAS, on **APRIL 7, 2008** pledged a mortgage in the original principal amount of **\$85,000.00**, dated **APRIL 7, 2008** and recorded on **APRIL 10, 2008** in the Recorder's Office of **COOK** County as Document Number **0810155079** to secure the Loan including any and all modifications; and

WHEREAS, *JUSTITO F. LENON, JR. AND MARIETTA G. LENON* have entered into negotiations with *FIFTH THIRD MORTGAGE COMPANY , ITS SUCCESSORS AND/OR ASSIGNS AS THEIR RESPECTIVE INTERSTS MAY APPEAR*, pursuant to which they now desire to obtain a first mortgage; and

WHEREAS, BAYTREE NATIONAL BANK & TRUST COMPANY acknowledges that it will be second and subordinate to the new first mortgage with *FIFTH THIRD MORTGAGE COMPANY , ITS SUCCESSORS AND/OR ASSIGNS AS THEIR*

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RESPECTIVE INTERESTS MAY APPEAR, provided however, that the amount of the first mortgage does not exceed \$ 275,000.00.

NOW, THEREFORE, for Ten and No/100 Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged,

BAYTREE NATIONAL BANK & TRUST COMPANY hereby expressly agrees as follows:

1. The first mortgage granted to **FIFTH THIRD MORTGAGE COMPANY, ITS SUCCESSORS AND/OR ASSIGNS AS THEIR INTERESTS MAY APPEAR**, by **JUSTITO F. LENON, JR. AND MARIETTA G. LENON**, is the first and primary interest in the Property up to the amount of **\$275,000.00**.
2. This Agreement shall inure to the benefit of the assignees or transferees of **FIFTH THIRD MORTGAGE COMPANY, ITS SUCCESSORS AND/OR ASSIGNS AS THEIR RESPECTIVE INTERESTS MAY APPEAR**, and to the successors in interest of the respective parties.
3. This Agreement shall be binding upon and inure to the benefit of BAYTREE NATIONAL BANK & TRUST COMPANY and **FIFTH THIRD MORTGAGE COMPANY, ITS SUCCESSORS AND/OR ASSIGNS AS THEIR RESPECTIVE INTERESTS MAY APPEAR**, and their respective successors, assigns, trustees, receivers, administrators and agents.
4. If any provision of this Agreement violates the law or is unenforceable, the rest of the Agreement shall remain valid.
5. This Agreement shall be governed by the laws of the state in which the property is located. The parties shall submit all disputes which arise under this Agreement to state or federal courts located in Cook County or Lake County, State of Illinois for resolution. Each party consents to the jurisdiction of such courts (and of the appropriate appellate courts) in any such action or proceeding and waives any objection to venue had therein. Process in any action or proceeding referred to herein may be served on any of the parties anywhere in the world.
6. This Agreement constitutes the complete understanding between the parties and supersedes any prior understandings, written agreements or oral agreements between the parties respecting the subject matter of this agreement. No alteration or modification of any provisions of this agreement shall be valid unless made in writing and signed by duly authorized officers of each party.

[Remainder of page intentionally left blank. Signature page to follow.]

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LEGAL DESCRIPTION

EXHIBIT "A"

File Number: PTC11831

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF COOK, STATE OF ILLINOIS, AND IS DESCRIBED AS FOLLOWS:

PERMANENT INDEX NO.: 10-21-120-038

LOT 29 (EXCEPT THE EAST 20 FEET THEREOF) AND ALL OF LOT 30 IN LINCOLN AVENUE HIGHLANDS "L" SUBDIVISION FIRST ADDITION, BEING A SUBDIVISION OF THE NORTH 20 RODS OF THE SOUTH 30 RODS OF THE NORTH $\frac{3}{4}$ OF THE EAST $\frac{1}{2}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 21, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

5340 W. WRIGHT TERRACE,
SKOKIE IL 60077

Property of Cook County Clerk's Office