

# UNOFFICIAL COPY

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Cook County Recorder

17, 97

## SUBORDINATION OF LIEN

WHEREAS DONALD E. MERZ AND SUZANNE K. MERZ, by Mortgage ("Prior Mortgage") dated OCTOBER 19, 1989 and recorded NOVEMBER 30, 1989 as Document 89570556 with the Recorder's Office of Cook County, Illinois, did mortgage unto HARRIS TRUST AND SAVINGS BANK, an Illinois Banking Corporation, certain premises in Cook County, Illinois, described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART THEREOF.

Permanent Index Number: 05-18-403-012

Common Address: 1360 HACKBERRY LANE, WINNETKA, ILLINOIS 60093

to secure a note for \$150,000 with interest payable as therein provided; and

Whereas HARRIS TRUST AND SAVINGS BANK has agreed to make a loan to DONALD E. MERZ AND SUZANNE K. MERZ and the said DONALD E. MERZ AND SUZANNE K. MERZ have agreed to execute and deliver to HARRIS TRUST AND SAVINGS BANK a note in the principal amount not to exceed FOUR HUNDRED THIRTEEN THOUSAND and 00/100 Dollars (\$413,000.00) with interest, payable as therein provided, and a Mortgage (the "Superior Mortgage") Recorded as document \_\_\_\_\_ mortgaging said premises to HARRIS TRUST AND SAVINGS BANK as security for the payment of said note; and

WHEREAS HARRIS TRUST AND SAVINGS BANK has requested and HARRIS TRUST AND SAVINGS BANK has agreed, to subordinate the lien of the Prior Mortgage to the Lien of the Superior Mortgage on the terms and conditions set forth herein.

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NOW THEREFORE, in consideration of the premises and of the sum of TEN DOLLARS (\$10.00) in hand paid, the said HARRIS TRUST AND SAVINGS BANK does hereby covenant and agree with the said HARRIS TRUST AND SAVINGS BANK that the lien of the Prior Mortgage shall be and remain at all times subordinate to the lien of the Superior Mortgage securing principal indebtedness not to exceed \$413,000, together with interest thereon. Provided, however, that if the principal indebtedness secured by the Superior Mortgage is ever increased above \$413,000.00, this subordination shall be null and void and of no further force and effect with respect to any principal amounts secured by the Superior Mortgage in excess of \$413,000.00.

WITNESS the hand and seal of said Harris Trust and Savings Bank this 5<sup>th</sup> day of November, 1997.

HARRIS TRUST AND SAVINGS BANK

By: [Signature]

Its: Assistant vice President

This instrument Prepared by and should be returned to Joan Goewey, Harris Trust and Savings Bank, 111 West Monroe Street, 23/W, Chicago, Illinois 60603

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STATE OF Illinois )  
COUNTY OF Cook )

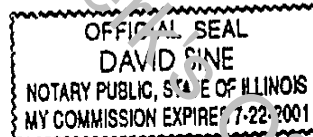
I, David Sine, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT KATE KLYOP, personally known to me to be the ASSISTANT VICE PRESIDENT of the HARRIS TRUST AND SAVINGS BANK, a corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such ASSISTANT VICE PRESIDENT he/she signed and delivered the said instrument as ASSISTANT VICE PRESIDENT of said corporation, and caused the corporate seal to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation, for the uses and purposes therein set forth.

GIVEN UNDER MY HAND AND NOTARIAL SEAL, THIS 5<sup>th</sup> OF November, 1997.

  
NOTARY PUBLIC

(SEAL)

Commission Expires:



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## LEGAL DESCRIPTION

THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN THE VILLAGE OF WINNETKA DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 583 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHEAST 1/4 OF SAID SOUTHEAST 1/4 (AS MEASURED ALONG A LINE PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST 1/4 OF SAID SOUTHEAST 1/4) AND 1076 FEET WEST OF THE EAST LINE OF SAID SOUTHEAST 1/4 OF SAID SOUTHEAST 1/4 (AS MEASURED ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST 1/4 OF SAID SOUTHEAST 1/4); THENCE WEST ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST 1/4 OF SAID SOUTHEAST 1/4, 239.73 FEET TO THE WEST LINE OF SAID SOUTHEAST 1/4 OF SAID SOUTHEAST 1/4; THENCE SOUTH ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 OF SAID SOUTHEAST 1/4, 233 FEET, THENCE EAST ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST 1/4 OF SAID SOUTHEAST 1/4, 189.5 FEET TO A LINE 1126 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST 1/4 OF SAID SOUTHEAST 1/4; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST 1/4 OF SAID SOUTHEAST 1/4, 193 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST 1/4 OF SAID SOUTHEAST 1/4, 50 FEET TO THE SOUTHWEST CORNER OF HACKBERRY LANE, AS DEDICATED BY PLAT RECORDED NOVEMBER 10, 1936 AS DOCUMENT 11907213; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST 1/4 OF SAID SOUTHEAST 1/4 (BEING ALONG THE WEST LINE OF HACKBERRY LANE AS SO DEDICATED) 40 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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