

UNOFFICIAL COPY

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1999-04-15 09:28:54
Cook County Recorder 31.50

PREPARED BY AND AFTER RECORDING PLEASE RETURN TO:

The Money Store
Attn: Trevor Segelke
3464 El Camino Ave., Ste. 200
Sacramento, CA 95821

COOK COUNTY
RECORDER
EUGENE "GENE" MOORE
MAYWOOD OFFICE



98-7438-BTI CORPORATION ASSIGNMENT OF MORTGAGE

For Value Received, the undersigned Hereby grants, assigns and transfers to First Union National Bank, As Co-Trustee under the Pooling and Servicing Agreement dated as of August 31, 1997, Series #1997-CIV whose address is 230 S. Tyron St., 9th Floor, Charlotte, NC 28288, all beneficial interest under that certain Mortgage dated March 20, 1997, executed by, Mortgagor Davenport Construction Co., and Mortgagee Michael B. Lee, recorded as Document No. 97-560672, in Book xxx, Page xxx, on August 1, 1997, of the Official Records in the County Recorder's Office of Cook County, State of Illinois, describing land therein as:

SEE ATTACHMENT "A"

Together with the note or notes therein described or referred to, the money due and to become due thereon with interest, and all rights accrued or to accrue under said Mortgage

TMS Mortgage, Inc., DBA The Money Store

Rhonda Sieminski
Witness: Rhonda Sieminski

Sandra Austin
Sandra Austin, Vice President
HLS Default Administration

Dated: 7/27/98

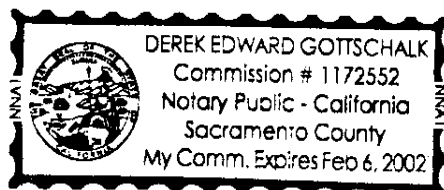
State of CALIFORNIA
County of SACRAMENTO

On 7/27/98 before me DEREK EDWARD GOTTSCHALK a notary public, personally appeared SANDRA AUSTIN personally known to me (or proved to me on the basis of satisfactory evidence) to be the person, whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

Derek Edward Gottschalk
Notary Public

Borr: Lee
Loan No: 73325250
Escrow No: 98-07438



UNOFFICIAL COPY**SUBORDINATION AGREEMENT**

THIS AGREEMENT, made as of this 7-27-98 by and between First Union National Bank, As Co-Trustee under the Pooling and Servicing Agreement dated as of August 31, 1997, Series #1997-CIV, "Lienholder" and Old Kent Mortgage.

WHEREAS, Michael B. Lee, "Borrower" executed and delivered to Davenport Construction Co. a mortgage dated March 20, 1997, in the amount of \$11,598.75 (Eleven Thousand Five Hundred Ninety Eight Dollars and Seventy Five Cents) and interest, which mortgage was recorded August 1, 1997 as Document No. 97-560672, in Book xxx, Page xxx in Cook County, State of Illinois, which mortgage was assigned to Lienholder, by assignment dated Concurrently, as Document No. xxx, in Assignment Book xxx, Page xxx, in Cook County, State of, Illinois, covering the following described property, located in the aforesaid county and state, the "Property":

See Attached Exhibit "A" Herewith.


WHEREAS, Borrowers executed and delivered to Old Kent Mortgage a mortgage on the above described Property dated 7-22-98 in the amount not to exceed \$117,076.00.

NOW THEREFORE, for good and valuable consideration, and in order to induce Old Kent Mortgage to advance funds upon its mortgage, Lienholder does hereby subordinate the lien of its mortgage to the lien of Old Kent Mortgage and all extensions, modifications and renewals thereof, and all advances and mandatory future advances thereunder, notwithstanding that the Lienholder's mortgage was executed and recorded prior to the execution and recording of Old Kent Mortgage, and agrees that all right, title, lien and interest acquired, either by foreclosure proceedings or otherwise, under its mortgage shall be prior and superior to any and all rights, title, lien and interest heretofore and hereafter acquired by Lienholder under the Lienholder's mortgage.

IN TESTIMONY WHEREOF, Lienholder has caused these presents to be executed the day and year first above written.

First Union National Bank, As Co-Trustee under
the Pooling and Servicing Agreement dated as
of August 31, 1997, Series #1997-CIV


Witness: Rhonda Sieminski


Sandra Austin, Vice President
HLS Default Administration
As Attorney In-Fact, under a Limited
Power of Attorney dated

UNOFFICIAL COPY

Dated 7/27/98

State of CALIFORNIA

County of SACRAMENTO

On 7/27/98, before me, DEREK EDWARD GOTTSCHALK, a notary public, personally appeared SANDRA AUSTIN personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person(s), or the entity upon behalf of which the/they person(s) acted, executed the instrument.

Witness my hand and official seal.

Derek Edward Gottschalk
Notary Public

Loan No: 73325250
Borr: Lee
Escrow: 98-07438



This Document Prepared By:

Marilyn Dudkiewicz
Marilyn Dudkiewicz, for:
The Money Store
3464 El Camino Ave. Suite 200
Sacramento, CA 95821

Property of Cook County Clerk's Office

WHEN RECORDED, RETURN TO:
THE MONEY STORE
3464 EL CAMINO AVENUE
SUITE 200
SACRAMENTO, CA 95821

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

POWER OF ATTORNEY
LIMITED

KNOWN ALL PERSON BY THESE PRESENTS; THAT I, Robert Ashbaugh, being the duly elected Vice President of First Union National Bank, being duly empowered and authorized to do so, do hereby make, constitute and appoint the following officers of The Money Store:

Sandra Austin Vice President, HILS Default Administration

As the true and lawful Attorney in Fact for First Union National Bank, as Co-Trustee under the Pooling and Servicing Agreement dated as of August 31, 1997

Series #1997-CIV (the "Bank") in its name, place and stead, and for its use and benefit.

1. To sign on the behalf of the Bank any and all documents relating to the matters involving a Subordination of a Mortgage by The Money Store, Inc. in the amount of \$11,598.75

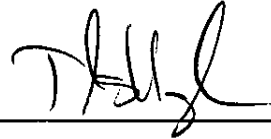
to a Mortgage held by Old Kent Mortgage in the amount of \$117,076.00 for property located at: 5434 S. Paulina, Chicago, IL 60609

2. This Power of Attorney shall be limited to the above-mentioned exercise of power.

3. This instrument is to be construed and interpreted as a limited power of attorney. The enumeration of specific items, rights, acts or powers herein is not intended to, nor does it give rise to, and it is not to be construed as a general power of attorney.

IN WITNESS WHEREOF, I have set my hand this ____ day of _____ 199__.

First Union National Bank

By: 

Robert Ashbaugh, Vice President
230 South Tyron St. 9th Floor
Charlotte, North Carolina 28288

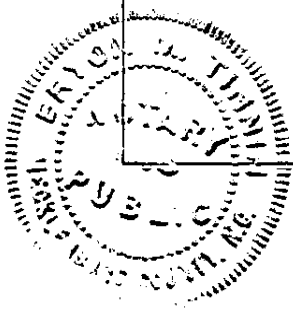
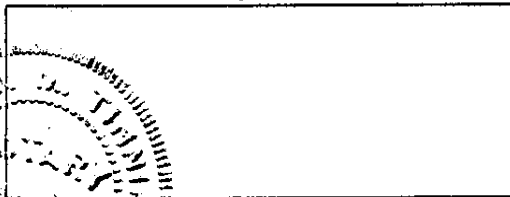
STATE OF North Carolina

COUNTY OF Mecklenburg

Before me, a notary public, in and for said county, personally appeared Robert Ashbaugh, Vice President, who resides at 230 South Tyron St. 9th Floor, Charlotte, North Carolina 28288 and who acknowledged that he/she did sign the foregoing instrument and that the same is his/her free act and deed and the free act and deed of First Union National Bank.

IN TESTIMONY WHEREOF, I have hereunto set my hand this ____ day of _____ 199__.

For Notary Seal or Stamp





Notary Public

BRYON M. TINNIN
My Commission Expires 3-15-2003

This instrument was prepared by The Money Store, 3464 El Camino Avenue, Suite 200, Sacramento, CA 95821.

PROPERTY DESCRIPTION

LOTS 12 AND 13 IN BLOCK 1 IN BRUMMEL AND HEILMANN'S GARFIELD BOULEVARD
SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST
QUARTER OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL
MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN #20-07-429-027-0000

#20-07-429-028-0000

CKA: 5434 SOUTH PAQUINA, CHICAGO, ILLINOIS 60609

*Brokers Title Ins. Co.
111 W. 22ND St., #C-10
Oak Brook, IL 60523*

Property of Cook County Clerk's Office