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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2004 093736

2004 NOV -3 AM 10:04

MORRIS W. CARTER
RECORDER

STATE OF INDIANA)
)
COUNTY OF LAKE)

RE: WILLIE L. JOYNER
1805 WEST 4th AVENUE
GARY, INDIANA 46404

CITY OF GARY, INDIANA
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
CONSENT TO SUBORDINATION OF
FIRST-TIME HOME BUYERS DOWN PAYMENT ASSISTANCE AGREEMENT
HOME PROGRAM LIEN

This CONSENT TO SUBORDINATION of First-Time Home Buyers Down Payment Assistance Agreement HOME Program Lien ("HOME Program Lien") is effective this 22nd day of October, 2004, by the CITY OF GARY, INDIANA, a Municipal Corporation (the "City"), acting through its designated agent, the City of Gary, Indiana Department of Community Development, 201 East 5th Avenue, Suite E, Gary, Indiana 46402.

2004-093735

NOT OFFICIAL!

WITNESSETH:

This Document is the property of

WHEREAS, WILLIE L. JOYNER (hereinafter called "Owner") has received First-Time Home Buyers Down Payment Assistance Home Investment Partnership (HOME) Program Funds through the City's Department of Planning and Community Development First-Time Home Buyers Down Payment Assistance Program, and is the record title holder of certain property ("Property"), located in Gary, Lake County, Indiana, more particularly described as follows:

All Lot 10, Block 27, Gary Land Company's 4th Subdivision, as per plat thereof, recorded in the Office of the Recorder of Lake County, Indiana Address: 1805 West 4th Avenue, Gary, Indiana 46404 Key No. 44-181-11; and

WHEREAS, pursuant to the First-Time Home Buyers Down Payment Assistance Program, the Owner must meet specified qualifications for eligibility for the Program, one of which is to comply with certain conditions and terms under the HOME Program Lien Agreement, required under the Program; and

WHEREAS, under said Lien Agreement, the Owner has agreed and consented to the creation and imposition of a lien in the amount of Three Thousand Ninety Seven and No/100 Dollars (\$3,097.00) upon the Property for the benefit of the City; and any subordination of this lien to additional liens or encumbrances shall only be made upon the written consent of the City, which consent shall not be unreasonably withheld; and

Retta
THE GUARANTEE TITLE & TRUST COMPANY

7895 BROADWAY • SUITE A
MERRILLVILLE, IN 46410

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WHEREAS, Owner has requested re-financing from Freemont Investment & Loan, P.O. Box 658, Amelia, OH 45102 (the "Lender"), and Lender desires to be in a superior position as to the Lender's interest in the Property over that of the City's interest, pursuant to the HOME Program Lien,

NOW, THEREFORE, the City does hereby consent to the **SUBORDINATION** of its HOME PROGRAM LIEN to the lien of Freemont Investment & Loan, its successors and/or assigns, and agrees and acknowledges that any lien, encumbrance or interest in the Property which the City may now have pursuant to the HOME Program Lien, dated December 11, 2000, and recorded as Document No. 017305 on March 9, 2001, in the Office of the Recorder of Lake County, Indiana, shall be **JUNIOR AND SUBORDINATED** to a security interest in the amount of Seventy Six Thousand and No/100 Dollars (\$76,000.00), plus interest, cost of collection and/or attorney's fees, which the Lender, Freemont Investment & Loan, now has or may hereafter acquire in the Property.

CITY OF GARY, INDIANA
DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: October 22, 2004

BY: *Letty Almodovar*
Letty Almodovar, Its Director

State of Indiana, County of Lake, ss:

Before me, the undersigned, a Notary Public in and for said County and State, this 22nd day of October, 2004, appeared Letty Almodovar, Director of City of Gary, Indiana Community Development Department, and acknowledged the execution of the above and foregoing Consent to Subordination of a HOME Program Lien.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.

NOTARY PUBLIC

My Commission Expires: *April 16, 2010*

Signature: *Adrian Taylor*

Resident: Lake County

Printed: *Adrian Taylor*

This instrument prepared by Gary Law Department, 401 Broadway, Gary, IN 46402.

RETURN TO:
CITY OF GARY, DEPARTMENT OF COMMUNITY DEVELOPMENT
ATTENTION: JOHNNIE RAGLAND, 201 East 5th Av., Suite E, Gary, Indiana 46402