

Return to Res. Title Services  
233 E. 84th Drive STE 205  
Merrillville, IN. 46416

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**CONSENT TO SUBORDINATION OF HOME PROGRAM LIEN  
(FAÇADE PROGRAM)**

This Consent to Subordination of HOME Program Lien is effective this 7th day of June 2005 by the CITY OF GARY, INDIANA, a Municipal Corporation, acting through its designated agent, the Department of Planning and Community Development, HOME Program ("City").

**WITNESSETH:**

**WHEREAS**, Jon Upshaw (hereinafter called "Owner") are successful Façade Program (HOME Program) applicants and are record title holders of certain property ("Property"), located in Gary, Lake County, Indiana, more particularly described as follows:

G. Henke's Addition west 70 feet of lot 1, Gary, Indiana  
Commonly known as 2339 W. 15<sup>th</sup> Ave.

and

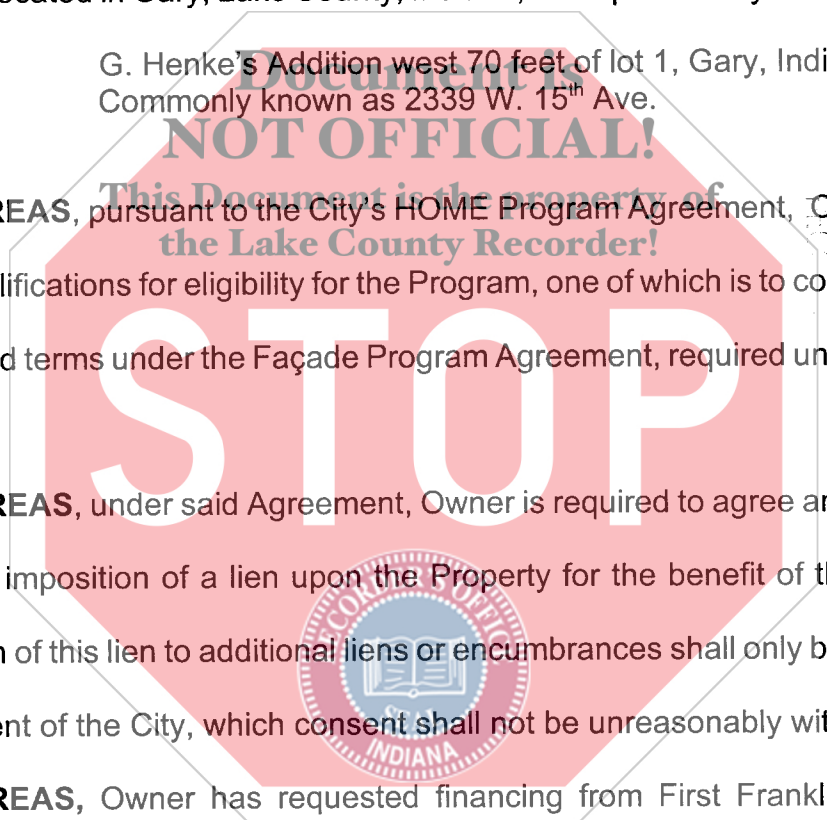
**WHEREAS**, pursuant to the City's HOME Program Agreement, Owner must meet specified qualifications for eligibility for the Program, one of which is to comply with certain conditions and terms under the Façade Program Agreement, required under the Program;

and

**WHEREAS**, under said Agreement, Owner is required to agree and consent to the creation and imposition of a lien 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

**WHEREAS**, Owner has requested financing from First Franklin Inc. of Illinois ("Lender"), and Lender desires to be in a superior position as to the Lender's interest in the

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STATE OF INDIANA  
COUNTY OF LAKE  
FILED OR RECORDED  
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NICHOLSON

Chk # 5767  
18.00

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 FIRST FRANKLIN <sup>+</sup> Inc. of Illinois 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 (Façade Program), dated November 30 2002 and recorded December 12, 2002 as Document No. 2002115347, shall be junior and subordinated to a security interest in the amount of \$62,400.00, which the Lender now has or may hereafter acquire in the property, plus any interest, cost of collection or attorney's fees.

CITY OF GARY  
DEPARTMENT OF PLANNING  
AND COMMUNITY DEVELOPMENT

DATED: 7/7/05 BY: [Signature]  
Letty Almodovar, Director

State of Indiana, County of Lake ). ss

Before me, the undersigned, a Notary Public in and for said County and State, this day of June 7, 2005, appeared Letty Almodovar, director of Department of Planning and Community Development, and acknowledged the execution of the above and foregoing Consent to Subordination of HOME Program Lien.

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

My Commission Expires: April 16, 2010 Signature: [Signature]  
Resident: Lake County Printed: Adrian Taylor  
(Notary Public)

→ This instrument prepared by Law Department, City of Gary, 401 Broadway, Gary, IN 6402.  
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# Residential Title Services, Inc.



## Legal Description

**THE WEST 70 FEET OF LOT 1 IN GUSTAVE HENKE'S ADD. TO GARY, AS PER PLAT THEREOF, RECORDED JULY 27, 1912 IN PLAT BOOK 10 PAGE 18, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.**

Parcel ID Number: **25-45-0028-0001**

Commonly known as: **2339 WEST 15TH AVENUE  
GARY, IN 46404**

