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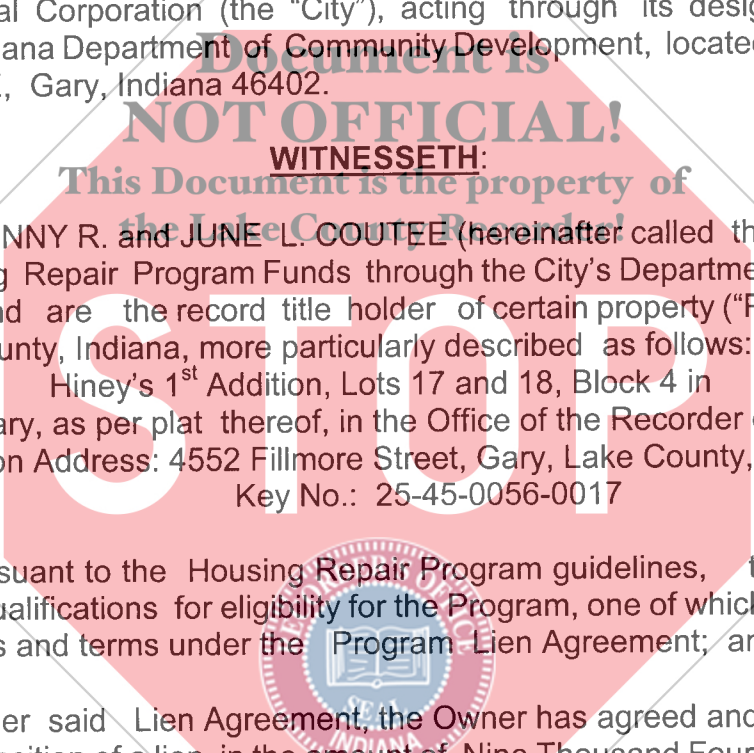
ST. JOSEPH COUNTY
2007 JUN 26 10:57 AM
REC'D

STATE OF INDIANA)
)
COUNTY OF LAKE)

RE: DONNY R. & JUNE L. COUTEE
4552 FILLMORE STREET
GARY, INDIANA 46408

CITY OF GARY, INDIANA
DEPARTMENT OF COMMUNITY DEVELOPMENT
**CONSENT TO SUBORDINATION OF
HOUSING REPAIR PROGRAM AGREEMENT (LIEN)**

This CONSENT TO SUBORDINATION of Housing Repair Program Agreement (the "Lien") is effective this 26th day of June, 2007 by the CITY OF GARY, INDIANA, an Indiana Municipal Corporation (the "City"), acting through its designated agent, the City of Gary, Indiana Department of Community Development, located at 201 East 5th Avenue, Suite E, Gary, Indiana 46402.



WITNESSETH:

WHEREAS, DONNY R. and JUNE L. COUTEE (hereinafter called the "Owner") have received Housing Repair Program Funds through the City's Department of Community Development, and are the record title holder of certain property ("Property"), located in Gary, Lake County, Indiana, more particularly described as follows:

Hiney's 1st Addition, Lots 17 and 18, Block 4 in
the City of Gary, as per plat thereof, in the Office of the Recorder of Lake County
Common Address: 4552 Fillmore Street, Gary, Lake County, Indiana
Key No.: 25-45-0056-0017

WHEREAS, pursuant to the Housing Repair Program guidelines, the Owner must meet specified qualifications for eligibility for the Program, one of which is to comply with certain conditions and terms under the Program Lien Agreement; and

WHEREAS, under said Lien Agreement, the Owner has agreed and consented to the creation and imposition of a lien in the amount of Nine Thousand Four Hundred Seventy Five Dollars (\$9,475.00) 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

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SLS
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WHEREAS, Owner has requested re-financing from UPSCALE MORTGAGE CORPORATION, 575 Broadway, Gary, Indiana 46402 (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 Housing Repair Program Lien,

NOW, THEREFORE, the City does hereby consent to the **SUBORDINATION** of its Housing Repair Program Lien to the lien of UPSCALE MORTGAGE CORPORATION, and Lender's successors and assigns; and agrees and acknowledges that any lien, encumbrance or interest in the Property which the City may now have pursuant to the Housing Repair Program Lien of the Department of Community Development in the principal amount of \$9,475.00, dated December 27, 2006, and recorded January 10, 2007 as Document No. 2007 002753, in the Recorder's Office of Lake County, shall be **JUNIOR AND SUBORDINATED** to the security interest, in the amount of \$58,125.00, which UPSCALE MORTGAGE CORPORATION, the Lender, and Lender's successors and assigns now have or may hereafter acquire in the Property.

CITY OF GARY, INDIANA
DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: June 25, 2007

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 26 day of June, 2007, personally appeared Letty Almodovar, Director of City of Gary, Indiana, Community Development Department, who is known to me, and who after being by me first duly sworn, deposes and says that she has the full binding authority to execute this Consent to Subordination and she subscribed her name thereto in certification thereof.

My Commission Expires: 3-14-08
Resident: Lake County

NOTARY PUBLIC
Signature: Maxine M. Wilson
Printed: MAXINE M. WILSON

This instrument prepared by Luci L. Horton, Attorney No. 7785-45

I affirm under the penalties for perjury that I have taken reasonable care to redact each Social Security Number in this document, unless required by law.

RETURN TO:
Department of Community Development
201 East 5th Avenue, Suite E
Gary, Indiana 46402
Attention: Brenda Halliburton, Housing Specialist

