

## **RESOLUTION**

### **A RESOLUTION AUTHORIZING THE SUBORDINATION OF A LIEN FOR THE PROPERTY LOCATED AT 146-154 NORTH HUMPHREY AVENUE**

**WHEREAS**, the Village of Oak Park's ("Village") Multi-Family Housing Incentives Program authorizes the Village to make matching grants to owners of multi-family apartment buildings for the purpose of rehabilitating property, and in return, grant recipients are required to enter into a Marketing Services Agreement which requires that the units be marketed through the Oak Park Regional Housing Center to encourage racial diversity among residents; and

**WHEREAS**, Multi-Family Housing Incentives Program grants are supported by an Installment Note and a forgivable Mortgage which is recorded against a property to insure that the terms of the Marketing Services Agreement are followed; and

**WHEREAS**, the Village awarded a Multi-Family Housing Incentives Program grant in the amount of ten thousand dollars (\$10,000.00) to the Owner, The Humphrey Apartments, LLC, Dated July 18, 2016, for a 31 unit multifamily building located at 146-154 North Humphrey Avenue ("Subject Property"); and

**WHEREAS**, the Owner ("Owner"), entered into an Installment Note for ten thousand dollars (\$10,000.00) dated July 18, 2016; and

**WHEREAS**, the Owner entered into Marketing Services Agreement (MSA-1613-G) with the Village, which expires on July 18, 2019; and

**WHEREAS**, the Mortgage supporting the Village's Multi-Family Housing Incentives Program grant was recorded against the Subject Property with the Cook County Recorder of Deeds as Document Number 1627818054; and

**WHEREAS**, the Village's Mortgage was a junior mortgage against the Subject Property at the time it was recorded; and

**WHEREAS**, the Owner desires to refinance the first mortgage for the Subject Property; and

**WHEREAS**, the Owner has applied for and been conditionally approved for a mortgage by JP Morgan Chase Bank, N.A., conditioned on the mortgage being the senior lien on the Subject Property; and

**WHEREAS**, it is in the best interests of the Village to enter into a Subordination of Lien for the purpose of allowing JP Morgan Chase Bank N.A.'s new mortgage to be the senior lien on the property, provided the Owner continues to rehabilitate the Subject Property in

accordance with the terms of the original Grant, Installment Note and Marketing Services Agreement.

**NOW THEREFORE, BE IT RESOLVED** by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

**Section 1. Findings.** The foregoing recitals are adopted as findings of fact and are incorporated herein as though fully set forth ("Findings").

**Section 2. Authorization.** The Village Manager is authorized and directed to execute the attached Subordination of Lien for the purposes set forth in the Findings. Said Subordination shall conform substantially to the Subordination attached hereto.

**Section 3. Endorsement.** The Village Manager is authorized and directed to endorse the Village's Installment Note for the Subject Property with the following recital: "This Note in the amount of \$10,000.00 is secured by a Mortgage with is junior and subordinate to the lien of that certain Mortgage document dated \_\_\_\_\_ from JP Morgan Chase Bank, N.A."

**Section 4. Effective Date.** This Resolution shall be in full force and effect from and after its passage and adoption as provided by law.

**ADOPTED** this 2<sup>nd</sup> day of October, 2017 pursuant to a roll call vote as follows:

	Aye	Nay	Absent	Abstain
President Abu-Taleb				
Trustee Andrew				
Trustee Boutet				
Trustee Button				
Trustee Moroney				
Trustee Taglia				
Trustee Tucker				

**APPROVED** this 2<sup>nd</sup> day of October, 2017.

\_\_\_\_\_  
Anan Abu-Taleb, Village President

**ATTEST**

\_\_\_\_\_  
Vicki Scaman, Village Clerk