

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF ILLINOIS  
 EASTERN DIVISION



UNITED STATES OF AMERICA      )  
   )  
                   v.                            )  
   )  
 JUAN DE LA TORRE                    )  
   )  
   )  
   )  
   )  
   )  
   )  
   )  
   )  
   )  
   )

No. 00 CR 902-2

Magistrate Judge Keys

**FORFEITURE AGREEMENT**

Pursuant to the Pretrial Release Order entered in the above-named case on November 20, 2000, and for and in consideration of bond being set by the Court for defendant JUAN DE LA TORRE in the amount of \$ 50,000 (amount of bond), being ~~partially~~ secured by real property, Jose A. De La Torre and Charlotte C. De La Torre hereby warrant and agree:

1. Jose A. De La Torre and Charlotte C. De La Torre, warrant that they are the sole record owners and titleholders of certain real property located at 5010 West Montrose, Chicago, Illinois, described legally as follows:

LOT 6 IN BLOCK 1 IN DYMOND HOMESTEAD SUBDIVISION, A SUBDIVISION OF THE EAST 2/3 OF THE SOUTH ½ OF LOT 6 IN SCHOOL TRUSTEE'S SUBDIVISION OF SECTION 16 TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE RIGHT OF WAY OF THE CHICAGO TERMINAL TRANSFER RAILROAD) IN COOK COUNTY, ILLINOIS.

P.I.N. 13-16-226-023.

Jose A. De La Torre and Charlotte C. De La Torre warrant that their equitable interest in the real property approximately equals \$206,000.

2. Jose A. De La Torre and Charlotte C. De La Torre agree \$ 50,000 (amount of bond) of their equitable interest in the above-described real property, shall be forfeited to the United States of America, should the defendant JUAN DE LA TORRE fail to appear as required by the Court or otherwise violate any specified condition of the Court's order of release. ~~Jose A. De La Torre and Charlotte C. De La Torre further understand and agree that, if the defendant JUAN DE LA TORRE should violate any condition of the Court's release order, they will be liable to pay the difference between the bond amount of \$ \_\_\_\_\_ and their equitable interest in the property, and Jose A. De La Torre and Charlotte C. De La Torre hereby agree to the entry of a default judgment against them for the amount of any such difference.~~ Jose A. De La Torre and Charlotte C. De La Torre have received a copy of the Court's release order and understand its terms and conditions. Further, the sureties understand that the only notice they will receive is notice of court proceedings.

3. Jose A. De La Torre and Charlotte C. De La Torre further agree to execute a quitclaim deed, waiving any homestead exemption, in favor of the United States of America, which deed shall be held

by the Clerk of the United States District Court, Northern District of Illinois, Eastern Division, until further order of the Court. Jose A. De La Torre and Charlotte C. De La Torre understand that should defendant JUAN DE LA TORRE fail to appear or otherwise violate any condition of the Court's order of release, the United States will obtain an order from the Court authorizing the United States to file and record the above-described deed, and to take whatever other action that may be necessary to perfect its interest in the above-described real property and satisfy the obligations arising from a breach of the bond.

4. Jose A. De La Torre and Charlotte C. De La Torre further agree that they will maintain the subject property in good repair, pay all taxes and obligations thereon when due, and will take no action which will encumber the property or diminish their interest therein, including any effort to sell or otherwise convey the property, without leave of court. Further, Jose A. De La Torre and Charlotte C. De La Torre have executed a release in favor of the United States so it can be verified that all obligations relating to the property are paid currently.

5. Jose A. De La Torre and Charlotte C. De La Torre further understand that if they have knowingly made or submitted or caused to be made or submitted any false, fraudulent or misleading statement or document in connection with this Forfeiture Agreement, or in connection with the bond set for defendant JUAN DE LA TORRE,

they are subject to a felony prosecution for making false statements and making a false declaration under penalty of perjury. Jose A. De La Torre and Charlotte C. De La Torre agree that the United States shall file and record a copy of this Forfeiture Agreement with the Recorder of Deeds of Cook County, as notice of encumbrance in the amount of the bond.

6. Jose A. De La Torre and Charlotte C. De La Torre hereby declare under penalty of perjury that they have read the foregoing Forfeiture Agreement in its entirety, and the information contained herein is true and correct. Failure to comply with any term or condition of this agreement will be considered a violation of the release order authorizing the United states to requires that the bond posted for the release of the defendant be revoked.

Date: 11-21-00

Jose A. De La Torre  
JOSE A. DE LA TORRE  
Surety

Charlotte C. De La Torre  
CHARLOTTE C. DE LA TORRE  
Surety

RETURN TO:

Rachel C. Dixon  
United States Attorney's Office  
Asset Forfeiture  
219 S. Dearborn St., 5th Fl.  
Chicago, IL 60604

[Signature]  
Witness