

UNOFFICIAL COPY

Bernardo Hernandez and Elvia Fernandez Have provided proof of their ownership interest in this property by presenting an affidavit of title dated September 23, 1994. Bernardo Hernandez and Elvia Fernandez warrant that their equitable interest in the real property approximately equals \$110,000. **00950440**

2. Bernardo Hernandez and Elvia Fernandez agree \$100,000 of their equitable interest in the above-described real property, shall be forfeited to the United States of America, should the defendant BERNARDO HERNANDEZ fail to appear as required by the Court or otherwise violate any specified condition of the Court's order of release. Bernardo Hernandez and Elvia Fernandez 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. Bernardo Hernandez and Elvia Fernandez 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. Bernardo Hernandez and Elvia Fernandez understand that should defendant BERNARDO HERNANDEZ 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

UNOFFICIAL COPY

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. Bernardo Hernandez and Elvia Fernandez 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, Bernardo Hernandez and Elvia Fernandez 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.

00950440

5. Bernardo Hernandez and Elvia Fernandez 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 BERNARDO HERNANDEZ, they are subject to a felony prosecution for making false statements and making a false declaration under penalty of perjury. Bernardo Hernandez and Elvia Fernandez 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. Bernardo Hernandez and Elvia Fernandez hereby declare

UNOFFICIAL COPY

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: 12/1/00

Bernardo Hernandez
BERNARDO HERNANDEZ
Surety

00950440

Elvia E. Fernandez
ELVIA FERNANDEZ
Surety

[Signature]
Witness

Return to:

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