

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION



UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

JORGE BARRAGAN,)

Defendant.)

) No.: 01 CR 817
) Magistrate Martin Ashman

FORFEITURE AGREEMENT

Pursuant to the order entered by Magistrate Judge Martin Ashman in Case No. 01 CR 817, on October 1, 2001, for and in consideration of bail being set for the defendant, **JORGE BARRAGAN**, in the above captioned case, **JORGE BARRAGAN AND MONICA BARRAGAN**, hereby warrant and agree that:

1. That **JORGE BARRAGAN AND MONICA BARRAGAN** hold legal fee simple title to certain real property commonly known as 3526 S. 61st Avenue, Cicero, Illinois, legally described as follows:

LOT 34 (EXCEPT THE SOUTH 5 FEET) AND THE SOUTH 9 FEET OF LOT 35 IN BLOCK 1 IN BOULEVARD MANOR, A SUBDIVISION OF BLOCK 77 IN CIRCUIT COURT PARTITION OF PART OF SECTIONS 31 AND 32, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND SECTION 1, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THIRD PRINCIPAL MERIDIAN, AND PART OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

2. That they have evidenced their interest in said properties by presenting the following: Warranty Deed, Mortgage Statement.

3. **JORGE BARRAGAN AND MONICA BARRAGAN** warrant that they purchased 3526 S. 61st Avenue, Cicero, Illinois, in 1999 for \$98,000.00; that the fair market value of the property is now \$115,000.00; the balance due on the mortgage is approximately \$96,000.00; that their equity in the property is approximately \$19,000.00.

4. **JORGE BARRAGAN AND MONICA BARRAGAN**, further warrant that they are the sole owners and title holders of the property commonly known as 3526 S. 61st Avenue, Cicero, Illinois. They warrant that the only outstanding mortgage and/or lien against the subject real property is a first mortgage in favor of Columbia National Mortgage the approximate amount of \$96,000.00.

5. That the bail secured by the subject real property for the defendant **JORGE BARRAGAN** has been set at \$ 50,000.00 ^{only} **JORGE BARRAGAN AND MONICA BARRAGAN**, agree that up to \$ 50,000.00 ^{only} of their equitable interest in the subject property shall be forfeited to the United States of America, should the defendant fail to appear in court as required or otherwise violate any condition of the court's release order.

6. All parties further agree and understand that the United States of America may file and record a copy of this agreement with the Recorder of Deeds in the County where the property is located.

7. The parties shall execute a Quit Claim Deed in favor of the United States of America, and said instrument shall be held by the Clerk of the United States District Court, Northern District of Illinois, Eastern Division, for safekeeping until further order of the Court. All parties understand that should the defendant, **JORGE BARRAGAN**, fail to appear for Court, or otherwise violate any condition of the above described release the United States of America will seek an order from the Court authorizing the United States of

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America to file and record the above described Quit Claim Deed and to take whatever further steps may be necessary to perfect their interest in the above described property.

8. The parties further agree that they will maintain the property in good repair, pay all taxes and obligation therein 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 this Court.

c. **JORGE BARRAGAN AND MONICA BARRAGAN** further understand that if they have knowingly made or submitted or caused to be made or submitted any false, fraudulent or misleading statements or documents in connection with this agreement or in connection with bail being set for the defendant, **JORGE BARRAGAN**, then they are subject to felony prosecution which could result in the imposition of severe penalties, including a period of incarceration.

[Signature]
JORGE BARRAGAN

10/1/01
DATE

[Signature]
MONICA BARRAGAN

10/1/01
DATE

SUBSCRIBED and SWORN to
me this 1st day of
October, 2001

[Signature]
NOTARY PUBLIC

