

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION Doc#: Eugene Cook C

Doc#: 0413432025
Eugene "Gene" Moore Fee: \$28.50
Cook County Recorder of Deeds
Date: 05/13/2004 10:50 AM Pg: 1 of 3

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) No. 04 CR 423-3) Magistrate Judge Sidney I. Schenki	er
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FORFEITURE AGREEMENT

Pursuant to the Pretrial Release Order entered in the above-named case on May 12, 2004, and for and in consideration of bond being set by the Court for defendant DEANGELO MCMAHAN, in the amount of \$30,000 secured by real property, Judith Everly hereby warrants and agrees:

1. Judith Everly warrants that she is the owner and titleholder of certain real property located at 110 W. 126th Place, Chicago, Illinois, described legally as follows:

LOT 19 IN BEEMSTERBOERS RESUBDIVISION OF LOT 8 IN SUBDIVISION OF LOTS 10 AND 11, IN ANDREWS SUBDIVISION OF THE EAST OF ½ OF THE SOUTHWEST 1/4 AND THE SOUTHEAST FRACTIONAL 1/4 OF SECTION 28, TOWNSHIP 37 NORTH, RANGE 14, NORTH OF THE INDIAN BOUNDARY LINE AND LOT 5 IN WARREN'S ADDITION TO WILDWOOD, A SUBDIVISION OF PART OF THE EAST FRACTIONAL ½ OF SECTION 28, TOWN 37 NORTH, RANGE 14, NORTH OF THE INDIAN BOUNDARY LINE, IN COOK COUNTY, ILLINOIS.

PIN: 25-28-431-033-0000.

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- 2. Judith Everly has provided proof of her ownership interest in the above-described real property by presenting a Trustee's Deed dated May 10, 2004. Judith Everly warrants that her equitable interest in the real property approximately equals \$51,000.
- Judith Everly agrees that \$30,000 of her equitable interest in the above-described real property shall be forfeited to the United States of America should defendant DEANGELO MCMAHA. Vail to appear as required by the Court or otherwise violate any specified condition of the Court's order of release. Judith Everly has received a copy of the Court's release order and understands its terms and conditions. Further, Judith Everly understands that the only notice she will receive is notice of court proceedings.
- 4. Judith Everly further agrees to execute a quitclaim deed, waiving any homestead exemption, in favor of the United States of America, which deed shall be held in the custody of the Clerk of the United States District Court, Northern District of Illinois, until further order of the Court. Judith Everly understands that should defendant DEANGELO MCMAHAN 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 obligation arising from a breach of the bond.
- 5. Judith Everly further agrees that she will maintain the subject property it good repair, pay all taxes and obligations thereon when due, and will take no action which could encumber the real property or diminish her interest therein, including any effort to sell or otherwise convey the property without leave of Court. Further, Judith Everly has executed a release in favor of the United States so it can be verified that all obligations relating to the property are paid currently.

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6. Judith Everly further understands that if she has 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 him, she is subject to a felony prosecution for making false statements and making a false declaration under penalty of perjury. Judith Everly agrees that the United States shall file and record a copy of this Forfeiture Agreement vi h the Cook County Recorder of Deeds as notice of encumbrance in the amount of the bond.

7. Judith Everly hereby declares under penalty of perjury that she has read this 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 request that the bond posted for said release be revoked.

Judith Everly

Surety

Witness

CH'S OFFICE

Return to:

United States Attorney's Office

Attn: Dorothy Flores

219 S. Dearborn, 5th Floor Chicago, Illinois 60604

(312) 886-2445