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Eugene "Gene" Moore Fee: \$26.00
Cook County Recorder of Deeds
Date: 02/10/2005 08:40 AM Pg: 1 of 2

DECLARATION OF FORFEITURE

To: ST. PAUL BAPTIST CHURCH, an Ill. Not-for-profit corp., AND JAMES FRAZIER AND BERTHA FRAZIER, Individually, of Chicago, in the County of Cook, State of Illinois.

This Declaration, made this 21st day of January, 2005, WITNESSETH:

Whereas, by a contract in writing made and entered into on the 19th day of February, 2003, BY AND BETWEEN JOSEPH MAENZA and KATHLEEN MAENZA, his wife, of Hinsdale, in the County of DuPage and State of Illinois, (hereinafter called Sellers), and ST. PAUL BAPTIST CHURCH, an Ill. Not-for-profit corp., AND JAMES FRAZIER AND BERTHA FRAZIER, individually, of Chicago, in the County of Cook and State of Illinois, (hereinafter called Purchasers) which contract is referenced in paragraph 8 of Schedule B in the Owner's Policy of Title Insurance No. 1410 008099826 with Chicago Title Insurance Company, Purchasers, in consideration that Sellers would convey to Purchasers the following described land, situated in the County of Cook, State of Illinois, viz:

LOT 41 AND THE EAST 18 FEET OF LOT 42 IN THE SUBDIVISION OF BLOCKS 1, 2, 3 AND 4 IN BALESTIER'S DOUGLAS PARK ADDITION TO CHICAGO IN THE NORTHWEST ¼ OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS
Commonly known as: 3115 W. Roosevelt Rd., Chicago, Illinois
PIN: 16-24-101-003 and 16-24-101-004

covenanted and agreed to pay to Sellers the sum of One Hundred and Fifty Thousand Dollars (\$150,000) as follows:

\$70,000 down and the balance of \$80,000 payable in equal monthly installments of \$1149.60 commencing on July 1, 2003 with a final payment on June 1, 2010, including interest at the rate of 5.5% per annum,

and further covenanted to pay all taxes, assessments or impositions that should be legally levied upon said land subsequent to the year 2002; said land being improved with a commercial building and is not residential;

And Whereas, Purchasers further covenanted in said contract that in case of a failure on his part to make any of the payments, or any part thereof, or to perform any of the covenants by him agreed therein to be made or performed, then in such case the said contract should, at the option of Sellers, be forfeited and determined, all payments made thereon should be forfeited to Sellers, and Sellers should have the right to re-enter and take possession of said land; and it was also agreed that the time of payment should be of the essence of said contract.

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And Whereas Purchasers have not made any payments under the contract since July 8, 2004 and are now in default thereon and there is a balance due under the contract in the amount of **\$79,733.90** as of November 30, 2004, due notice and demand therefor having been given pursuant to the terms of the aforesaid contract on November 10, 2004;

Now, Therefore, Sellers, by virtue of the power in said contract mentioned, and by reason of the failure of Purchasers to perform as above stated, have elected to declare the aforesaid contract, and all payments made thereon, forfeited and determined, and by these presents do declare their election to consider the aforementioned contract forfeited and determined; and Sellers hereby declare their right to retain all payments made on said contract, and their right of re-entry upon and possession of said land.

In Witness Whereof, Sellers have hereunto set their hands and seals, the day and year first above written.

Joseph Maenza

 JOSEPH MAENZA

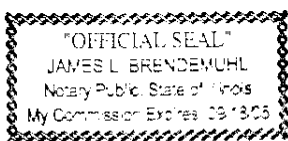
Kathleen Maenza

 KATHLEEN MAENZA

STATE OF ILLINOIS)
) SS
 COUNTY OF COOK)

I, JAMES L. BRENDEMUEHL, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that JOSEPH MAENZA and KATHLEEN MAENZA, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument, as their free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this day of 25th day of January, 2005.



James L. Brendemuehl

 Notary Public