

UNOFFICIAL COPY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
) **Plaintiff,**)
)
 vs.)
)
) **CELSO RODRIGUEZ,**)
)
) **Defendant.**)



Doc#: 0508934129
Eugene "Gene" Moore Fee: \$30.50
Cook County Recorder of Deeds
Date: 03/30/2005 03:08 PM Pg: 1 of 4

) No.: 05 CR 228
) Magistrate Judge Sidney Schenkier

FORFEITURE AGREEMENT

Pursuant to the order entered by Magistrate Judge Schenkier in Case No. 05 CR 228, on March 25, 2005, for and in consideration of bail being set for the defendant, **CELSO RODRIGUEZ**, in the above captioned case, **HECTOR RODRIGUEZ**, hereby warrants and agrees that:

1. That **HECTOR RODRIGUEZ** holds legal fee simple title to certain real property commonly known as 5220 S. Whipple, Chicago, Illinois, legally described as follows:

LOT 9 IN BLOCK 2 IN ARTHUR R. MCINTOSH'S SUBDIVISION OF THAT PART OF THE EAST 10 ACRES OF THE SOUTH 19 ACRES OF THE NORTH 37 1/2 ACRES OF THE WEST 1/2 OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE 1/2 OF THE WEST 1/2 OF SAID SOUTHWEST QUARTER, IN COOK COUNTY, ILLINOS.

PIN: 19 12 310 028 0000

2. That he has evidenced his interest in said property by presenting the following: Warranty Deed, Mortgage Statement.

3. **HECTOR RODRIGUEZ** warrants that he purchased 5220 S. Whipple, Chicago, Illinois, in December 2002 for \$141,643.00; that the fair market value of the property is now \$230,000.00; the balance due on the mortgage is approximately

SERPICO, NOVELLE,
PETROSINO & RASCIA, LTD.

ATTORNEYS AT LAW
61 W. SUPERIOR STREET
CHICAGO, IL 60610
(312) 787-1600

UNOFFICIAL COPY

\$127,645.58; that the balance due on the Home Equity Loan is approximately \$44,428.17; that his equity in the property is approximately \$57,926.25.

4. **HECTOR RODRIGUEZ**, further warrants that he is the sole owner and title holder of the property commonly known as 5220 S. Whipple, Chicago, Illinois.

HECTOR RODRIGUEZ warrants that the only outstanding mortgage and/or lien against the subject real property is a first mortgage in favor of Chase Bank, Loan #1293809227, in the approximate amount of \$127,645.58 and a Home Equity Loan in favor of Countrywide Home Loans, Loan #063006182, in the amount of \$44,428.17.

5. That the bail secured by the subject real property for the defendant **CELSO RODRIGUEZ** has been set at \$ 250,000. **HECTOR RODRIGUEZ** agrees that up to \$ 57,926.25 of his 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. **HECTOR RODRIGUEZ** 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. **HECTOR RODRIGUEZ** understands that should the defendant, **CELSO RODRIGUEZ**, 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 America to file and record the above described Quit Claim Deed and to take whatever further steps may be necessary to perfect his interest in the above described property.

SERPICO, NOVELLE,
PETROSINO & RASCIA, LTD.

ATTORNEYS AT LAW
61 W. SUPERIOR STREET
CHICAGO, IL 60610
(312) 787-1600

UNOFFICIAL COPY

7. **HECTOR RODRIGUEZ** further agrees that he 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 his interest therein, including any effort to sell or otherwise convey the property, without leave of this Court.

8. **HECTOR RODRIGUEZ** further understands that if he has 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, **CELSO RODRIGUEZ**, then he is subject to felony prosecution which could result in the imposition of severe penalties, including a period of incarceration.

9. **HECTOR RODRIGUEZ** further agrees that the United States shall file and record a copy of this Forfeiture Agreement with the County Recorder of Cook County, Illinois, as notice of encumbrance in the amount of the bond.

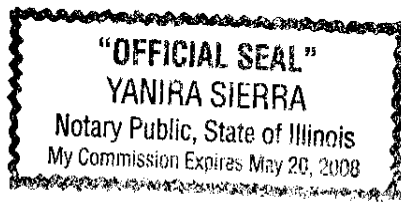
10. **HECTOR RODRIGUEZ** hereby declares under penalty of perjury that he has read this Forfeiture Agreement in its entirety, and the information contained herein is true and correct. He further agrees that his failure to comply with any terms or conditions of this agreement will be considered a violation of the release order authorizing the United States to request that the bond posted for the release of the defendant be revoked.

Hector Rodriguez
HECTOR RODRIGUEZ

03 25 05
DATE

SUBSCRIBED and SWORN to
me this 25th day of
March, 2005.

Yanira Sierra
NOTARY PUBLIC



SERPICO, NOVELLE,
PETROSINO & RASCIA, LTD.
ATTORNEYS AT LAW
61 W. SUPERIOR STREET
CHICAGO, IL 60610
(312) 787-1600

UNOFFICIAL COPY

VERIFICATION

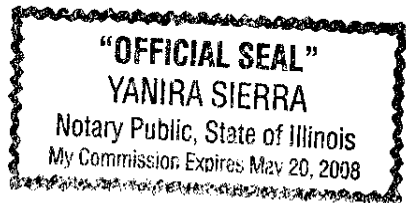
I, **YANIRA SIERRA** did translate this three-page Forfeiture Agreement into Spanish for **HECTOR RODRIGUEZ** before he signed his name hereto.

Yanira Sierra
NAME OF INTERPRETER

3/25/05
DATE

SUBSCRIBED and SWORN
to before me this 25th
day of March, 2005.

Yanira Sierra
NOTARY PUBLIC



Property of Cook County Clerk's Office

SERPICO, NOVELLE,
PETROSINO & RASCIA, LTD.

ATTORNEYS AT LAW
61 W. SUPERIOR STREET
CHICAGO, IL 60610
(312) 787-1600