

UNOFFICIAL COPY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,

v.

RAFAEL HARDY



Doc#: 0521703039
Eugene "Gene" Moore Fee: \$28.50
Cook County Recorder of Deeds
Date: 08/05/2005 11:20 AM Pg: 1 of 3

No. 05 CR 650-21
Magistrate Judge Arlander Keys

FORFEITURE AGREEMENT

Pursuant to the Pretrial Release Order entered in the above-named case on August 4, 2005, and for and in consideration of bond being set by the Court for defendant RAFAEL HARDY in the amount of \$150,000 being partially secured by real property, JUDGE F. HARDY (GRANTOR) hereby warrants and agrees:

1. JUDGE F. HARDY warrants that he is the sole record owner and titleholder of the real property located at 12505 South Yale Avenue, Chicago, Illinois, and described legally as follows:

LOT 2 IN BEEMSTERBOER'S RESUBDIVISION OF THE WEST 157 FEET OF LOT 12 AND THE EAST 1/2 OF LOT 13 IN ANDREW'S SUBDIVISION OF THE EAST 1/2 OF THE SOUTHWEST 1/4 AND THE SOUTHEAST FRACTIONAL 1/4 OF SECTION 28, NORTH OF THE INDIAN BOUNDARY LINE IN TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS ON JUNE 14, 1954 AS DOCUMENT LR 1529125 IN COOK COUNTY, ILLINOIS

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P.I.N: 25-28-435-014-0000

JUDGE F. HARDY warrants that there is one outstanding mortgage against the subject property and that his equitable interest in the real property approximately equals \$28,000.

2. JUDGE F. HARDY agrees \$28,000 of his equitable interest in the above-described real property, shall be forfeited to the United States of America, should the defendant RAFAEL HARDY fail to appear as required by the Court or otherwise violate any condition of the Court's order of release. JUDGE F. HARDY further understands and agrees that, if the defendant RAFAEL HARDY should violate any condition of the Court's release order, he will be liable to pay the difference between the bond amount of \$150,000 and his equitable interest in the property, and JUDGE F. HARDY hereby agrees to the entry of a default judgment against him for the amount of any such difference. JUDGE F. HARDY has received a copy of the Court's release order and understands its terms and conditions. Further, the surety understands that the only notice he will receive is notice of court proceedings.

3. JUDGE F. HARDY further agrees to execute a quitclaim deed 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. JUDGE F. HARDY understands that should defendant RAFAEL HARDY fail to appear or otherwise violates 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.

4. JUDGE F. HARDY further agrees that he will maintain the subject property in good

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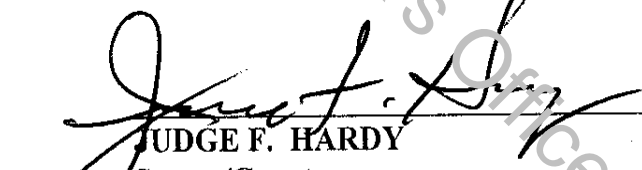
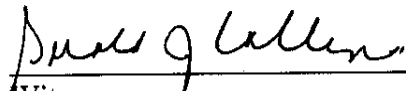
repair, pay all taxes and obligations thereon when due, and will take no action which could encumber the real property or diminish his interest therein, including any effort to sell or otherwise convey the property without leave of Court. Further, JUDGE F. HARDY has executed a release in favor of the United States so it can be verified that all obligations relating to the property are paid currently.

5. JUDGE F. HARDY further understands that if he 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 defendant RAFAEL HARDY he is subject to a felony prosecution for making false statements and making a false declaration under penalty of perjury. JUDGE F. HARDY agrees that the United States shall file and record a copy of this Forfeiture Agreement with the Cook County Recorder of Deeds as notice of encumbrance in the amount of the bond.

6. JUDGE F. HARDY hereby declares under penalty of perjury that he has 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 request that the bond posted for the release of the defendant be revoked.

Date: 4 AUG 05

Date: AUGUST 4, 2005


 JUDGE F. HARDY
 Surety/Grantor

 Witness

Return to:
 Ann Bissell, US Attorney's Office
 219 S. Dearborn Street, 5th Floor
 Chicago, Illinois 60604