

# UNOFFICIAL COPY

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA, )  
)  
)  
v. )  
)  
FAUST VILLAZAN )  
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Doc#: 0532234078 Fee: \$30.50  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 11/18/2005 01:25 PM Pg: 1 of 4

No. 05 CR 792-1  
Magistrate Judge Nan R. Nolan

## FORFEITURE AGREEMENT

Pursuant to the Pretrial Release Order entered in the above-named case on September 30, 2005, and for and in consideration of bond being set by the Court for defendant FAUST VILLAZAN in the amount of \$100,000 being partially secured by real property, **FAUST VILLAZAN (GRANTOR)** hereby warrants and agrees:

1. FAUST VILLAZAN warrants that he is the sole record owner and titleholder of the real property located at 5131 Creek Drive, Western Springs, Illinois, and described legally as follows:

### PARCEL 1:

UNIT 5131 CREEK DRIVE IN COMMONWEALTH IN THE VILLAGE, A CONDOMINIUM, AS DELINEATED ON THE SURVEY OF CERTAIN LOTS OF PARTS THEREOF IN COMMONWEALTH IN THE VILLAGE UNIT 1 AND UNIT 2. A RESIDENTIAL PLANNED UNIT DEVELOPMENT, BEING A RESUBDIVISION LOCATED IN PARTS OF THE EAST 1/2 OF THE NORTHWEST 1/4 AND THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION

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7, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM OWNERSHIP RECORDED OCTOBER 29, 1993 AS DOCUMENT 93877638, AS AMENDED FROM TIME TO TIME, IN COOK COUNTY, ILLINOIS, TOGETHER WITH AN UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS APPURTANANT TO SAID UNIT, AS SET FORTH IN SAID DECLARATION.

PARCEL 2:

NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 1 CREATED IN THE PLAT OF COMMONWEALTH IN THE VILLAGE UNIT 1 AND UNIT 2, A RESIDENTIAL PLANNED UNIT DEVELOPMENT, OVER, UPON AND ACROSS OUTLOT "A" THEREOF, RECORDED DECEMBER 29, 1992 AS DOCUMENT NUMBERS 92980475 AND 92980476 AND RE-RECORDED MARCH 3, 1995 AS DOCUMENT NUMBERS 95148097 AND 95145098.

P.I.N: 18-07-109-036-1087

FAUST VILLAZAN warrants that there are two mortgages against the subject property and that his equitable interest in the real property approximately equals \$112,000.

2. FAUST VILLAZAN agrees \$100,000 of his equitable interest in the above-described real property, shall be forfeited to the United States of America, should he fail to appear as required by the Court or otherwise violate any condition of the Court's order of release. FAUST VILLAZAN further understands and agrees that, if he should violate any condition of the Court's release order, he will be liable to pay the difference between the bond amount of \$100,000, if any, and his equitable interest in the property, and FAUST VILLAZAN hereby agrees to the entry of a default judgment against him for the amount of any such difference. FAUST VILLAZAN has received a copy of the Court's release order and understands its terms and conditions. Further, he understands that the only notice he will receive is notice of court proceedings.

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3. FAUST VILLAZAN 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. FAUST VILLAZAN understands that should he 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. FAUST VILLAZAN further agrees that he will maintain the subject property in good 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, FAUST VILLAZAN 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.

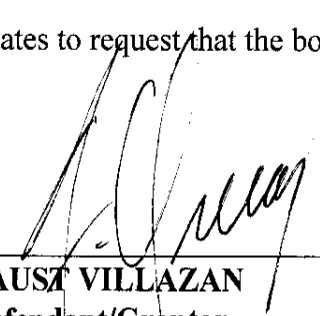
5. FAUST VILLAZAN further understands that if he has knowingly made or submitted or caused to be made or submitted any false, fraudulent or misleading statement or document in connection with this Forfeiture Agreement, or in connection with the bond set for his release he is subject to a felony prosecution for making false statements and making a false declaration under penalty of perjury. FAUST VILLAZAN 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. FAUST VILLAZAN 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


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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: Sept 30, 05

  
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**FAUST VILLAZAN**  
Defendant/Grantor

Date: Sept 30, 05

  
\_\_\_\_\_  
Witness

Return to:

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

Property of Cook County Clerk's Office