

UNOFFICIAL COPY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION



Doc#: 0629334074 Fee: \$30.50
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 10/20/2006 02:02 PM Pg: 1 of 4

UNITED STATES OF AMERICA,)

v.)

ANTOIN REZKO)

No. 05 CR 621
Judge Amy St. Eve

FORFEITURE AGREEMENT

Pursuant to the Pretrial Release Order entered in the above-named case on October 19, 2006, and for and in consideration of bond being set by the Court for defendant ANTOIN REZKO in the amount of \$2,000,000 being partially secured by real property, **ROGER MALKI (GRANTOR)** hereby warrants and agrees:

1. ROGER MALKI warrants that he is the sole record owner and titleholder of the real property located at 1910 South State Street, Unit 407 and G-35, Chicago, Illinois, and described legally as follows:

**UNIT NO. 407 AND G-35 IN POINTE 1900 ON STATE
CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE
FOLLOWING DESCRIBED TRACT OF LAND:**

**A PORTION OF LOTS 1 TO 5, BOTH INCLUSIVE,
TOGETHER WITH A PART OF THE VACATED 30 FOOT**

UNOFFICIAL COPY

ALLEY, LYING WEST OF AND ADJOINING THE WEST LINE OF SAID LOTS 2 TO 5 IN BLOCK 32 IN CANAL TRUSTEES NEW SUBDIVISION OF BLOCKS IN EAST FRACTIONAL SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT "E" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 0421739021; TOGETHER WITH THEIR UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 17-21-414-006-0000.

ROGER MALKI warrants that there is one outstanding mortgage against the subject property and that his equitable interest in the real property is approximately \$125,000.

2. ROGER MALKI agrees \$125,000 of his equitable interest in the above-described real property may be forfeited to the United States of America, should the defendant ANTOIN REZKO fail to appear as required by the Court or otherwise violate any condition of the Court's order of release. ROGER MALKI further understands and agrees that, if the defendant ANTOIN REZKO should violate any condition of the Court's release order, and his equity in the property is less than \$125,000, he will be liable to pay any negative difference between the bond amount of \$2,000,000 and his equitable interest in the property, and ROGER MALKI hereby agrees to the entry of a default judgment against him for the amount of any such difference. ROGER MALKI 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. ROGER MALKI 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. ROGER MALKI understands that should defendant ANTOIN REZKO fail to appear or otherwise violate any condition of the

UNOFFICIAL COPY

Court's order of release, the United States may 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. ROGER MALKI 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, ROGER MALKI 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. ROGER MALKI 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 ANTOIN REZKO, he is subject to a felony prosecution for making false statements and making a false declaration under penalty of perjury. ROGER MALKI 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. ROGER MALKI 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

UNOFFICIAL COPY


release of the defendant be revoked.

Date: 10/19/06



ROGER S. MALKI
Surety/Grantor

Date: 10-19-06



Witness

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

Property of Cook County Clerk's Office