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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Doc#: 0909929066 Fee: \$42.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 04/09/2009 03:25 PM Pg: 1 of 4

UNITED STATES OF AMERICA,)

v.)

SHENIER J. MUNOZ)

) No. 09 CR 293-3

) Magistrate Judge Sidney I. Schenkier

FORFEITURE AGREEMENT

Pursuant to the Pretrial Release Order entered in the above-named case on March 27, 2009, and for and in consideration of bond being set by the Court for defendant SHENIER J. MUNOZ in the amount of \$50,000, being fully secured by real property, **MADELEINE SOLARTE AND CLAUDINETTE ROJAS, joint tenants and GRANTOR(S)** hereby warrant and agree:

1. **MADELEINE SOLARTE AND CLAUDINETTE ROJAS** warrant that they are the sole record owners and titleholders of the real property located at 6456 North Mozart Street, Chicago, Illinois, and described legally as follows:

UNIT 6456-2 IN BIANCA PLACE CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

LOT 1 IN BLOCK 5 IN DEVON AVENUE ADDITION TO ROGERS PARK,
BEING A SUBDIVISION OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4

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OF SECTION 36, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE WEST 15 ACRES THEREOF), IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT "D" TO THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR BIANCA PLACE CONDOMINIUM RECORDED AS DOCUMENT 96914324 AS AMENDED FROM TIME TO TIME TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN COOK COUNTY, ILLINOIS

PARCEL 2: THE EXCLUSIVE RIGHTS TO USE P-4, A LIMITED COMMON ELEMENT AS DELINEATED ON THE SURVEY ATTACHED AS EXHIBIT "D" TO THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR BIANCA PLACE CONDOMINIUM RECORDED AS DOCUMENT 969143254, AS AMENDED

P.I.N: 10-36-326-045-1011

MADELEINE SOLARTE AND CLAUDINETTE ROJAS warrant that there is one outstanding mortgage against the subject property and that their equitable interest in the real property equals at least \$50,000.

2. MADELEINE SOLARTE AND CLAUDINETTE ROJAS agree \$50,000 of their equitable interest in the above-described real property, may be forfeited to the United States of America, should the defendant SHENIER J. MUNOZ fail to appear as required by the Court or otherwise violate any condition of the Court's order of release. MADELEINE SOLARTE AND CLAUDINETTE ROJAS further understand and agree that, if the defendant SHENIER J. MUNOZ should violate any condition of the Court's release order, and their equity in the property is less than \$50,000 they will be liable to pay any negative difference between the bond amount of \$50,000 and their equitable interest in the property, and MADELEINE SOLARTE AND CLAUDINETTE ROJAS hereby agree to the entry of a default judgment against them for the amount of any such difference. MADELEINE SOLARTE AND CLAUDINETTE ROJAS have received a copy of the Court's release order and understand its terms and conditions. Further, the sureties understand that

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the only notice they will receive is notice of court proceedings.

3. MADELEINE SOLARTE AND CLAUDINETTE ROJAS further agree 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. MADELEINE SOLARTE AND CLAUDINETTE ROJAS understand that should defendant SHENIER J. MUNOZ fail to appear or otherwise violate any condition of the 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. MADELEINE SOLARTE AND CLAUDINETTE ROJAS further agree that they 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 their interest therein, including any effort to sell or otherwise convey the property without leave of Court. Further, MADELEINE SOLARTE AND CLAUDINETTE ROJAS have 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. MADELEINE SOLARTE AND CLAUDINETTE ROJAS further understand that if they have 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 SHENIER J. MUNOZ they are subject to a felony prosecution for making false statements and making a false declaration under penalty of perjury. MADELEINE SOLARTE AND CLAUDINETTE ROJAS agree that the United States shall file and record a copy

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of this Forfeiture Agreement with the Cook County Recorder of Deeds as notice of encumbrance in the amount of the bond.

6. MADELEINE SOLARTE AND CLAUDINETTE ROJAS hereby declare under penalty of perjury that they have 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: 03-April-2009

Madeleine Solarte
MADELEINE SOLARTE
Surety/Grantor

Date: 03-APRIL-2009

Claudnette Rojas
CLAUDINETTE ROJAS
Surety/Grantor

Date: April 3, 2009

[Signature]
Witness

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