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DECLARATION OF FORFEITURE



Doc#: 0911354003 Fee: \$42.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 04/23/2009 10:06 AM Pg: 1 of 4

To Dale VanLeeuwen, of 40 W. 037 Red Hawk Court, St. Charles, in the County of Kane, State of Illinois.

This Declaration, made this 16th day of March 2009, WITNESSETH:

Whereas, by a contract in writing made and entered into on the 25th day of February 2006, BY AND BETWEEN Irene M. Calek, of 7112 Cermak Road, 2nd Floor, Berwyn, in the County of Cook, and State of Illinois, (hereinafter called Seller), and Dale VanLeeuwen, of 40 W. 037 Red Hawk Court, St. Charles in the County of Kane and State of Illinois, (hereinafter called Purchaser) which contract, or a memorandum thereof, was duly recorded in the recorder's office of Cook County, Illinois, on the 20th day of March, 2006, as Document No. 06 07947049, Purchaser, in consideration that Seller would convey to Purchaser the following described premises, situated in the County of Cook, State of Illinois,:

LEGAL DESCRIPTION:

LOT 23 IN BLOCK 12 IN H.O. STONE AND COMPANY'S BER-ELM ADDITION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST FRACTIONAL $\frac{1}{4}$ OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 1, 1927 AS DOCUMENT NUMBER 9538701, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 1131 Richard Avenue, Berkeley, Illinois, 60163.

P.I.N. #: 15-06-305-015

Covenanted and agreed to pay to Seller the sum of (\$227,500.00) Two-Hundred Twenty-Seven Thousand Five-Hundred Dollars, as follows: \$1,000.00 upon signing the contract \$24,000.00 at initial closing, interest only payments monthly for six months and the balance on October 10, 2006.

And further covenanted to pay all taxes, assessments or impositions that should be legally levied upon said land subsequent to the initial closing.

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AND WHEREAS, Purchaser further covenanted in said contract that in case of a failure on his part to make any of the payments, or any part thereof, or to perform any of the covenants by him agreed therein to be made or performed, then in such case the said contract should, at the option of Seller, be forfeited and determined, all payments made thereon should be forfeited to Seller, and Seller should have the right to possession of said land; and it was also agreed that the time of payment should be of the essence of said contract.

AND WHEREAS, Purchaser has made default in the payment of: the balance when due, interest on the unpaid balance and real estate taxes.

AND WHEREAS, after notice of default in accordance with the aforesaid contract having been duly served, and the Purchaser having failed to cure the default.

NOW, THEREFORE, The Estate of Irene M. Calek, by Richard A. Rock, Independent Executor as Successor in interest to the Seller, by virtue of the power in said contract mentioned, and by reason of the failure of Purchaser to perform as above stated, has elected to declare the aforesaid contract, and all payments made thereon, forfeited and determined, and by these presents does declare his election to consider the aforementioned contract forfeited and determined; and said Successor of Seller hereby declares its right to retain all payments made on said contract, and its right of possession of said land.

IN WITNESS WHEREOF, Seller has hereunto set his hand and seal, the day and year first above written.

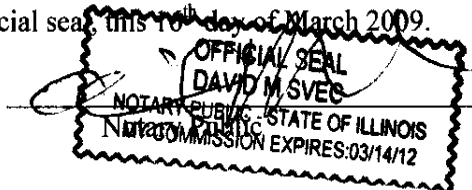
ESTATE OF IRENE M. CALEK

BY: Richard A. Rock (SEAL)
Richard A. Rock, Independent Executor

STATE OF ILLINOIS }
 } SS:
COUNTY OF COOK }

I, David M. Svec, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Richard A. Rock, as Independent Executor of the Estate of Irene M. Calek, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument, as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 10th day of March 2009.



PREPARED BY AND MAIL TO:
Richard A. Rock
7112 Cermak Road, 2nd Floor
Berwyn, Illinois 60402

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DEMAND FOR POSSESSION

TO: Dale VanLeeuwen

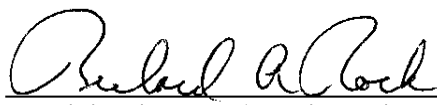
NOW COMES, Richard A. Rock, as Independent Executor of the Estate of Irene M. Calek, and as Successor in interest to Irene M. Calek. DOES HEREBY DEMAND POSSESSION of the premises commonly known as: 1131 RICHARD AVENUE, BERKELEY, ILLINOIS, 60163 and legally described as follows:

LOT 23 IN BLOCK 12 IN H.O. STONE AND COMPANY'S BER-ELM ADDITION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST FRACTIONAL ¼ OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE NORTHWEST ¼ OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 1, 1927 AS DOCUMENT NUMBER 9538701, IN COOK COUNTY, ILLINOIS.

P.I.N. #: 15-06-305-015

The aforesaid demand is based upon your failure to make payments and otherwise fulfill your obligations under Articles of Agreement for Deed entered into February 25, 2006 by and between Irene M. Calek as Seller and Dale VanLeeuwen as Purchaser, and your failure to cure defaults after notice thereof duly served in accordance with the terms of the said Articles of Agreement for Deed, and after Declaration of Forfeiture on behalf of the Seller.

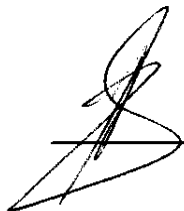
Dated: March 16, 2009

 (SEAL)
Richard A. Rock, Independent Executor
of the Estate of Irene M. Calek

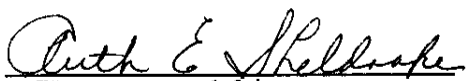
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I, Derek Shipman, being duly sworn on oath, deposes and states as follows:

On April 13, 2009 at approximately 6:11 a.m. I handed the attached Declaration of Forfeiture and Demand for Possession to: Dale J. VanLeeuwen, personally, at 40 W 037 Red Hawk Ct. in St. Charles, IL. Male While approximately 46 years old.



Subscribed and sworn to before me this 14th day of April, 2009.



Property of Cook County Clerk's Office