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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,

v.

MARGARITA GARCIA



Doc#: 0923931049 Fee: \$42.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 08/27/2009 02:38 PM Pg: 1 of 4

No. 08 CR 36-9

Magistrate Judge Michael T. Mason

FORFEITURE AGREEMENT

Pursuant to the Pretrial Release Order entered in the above-named case on August 25, 2009, and for and in consideration of bond being set by the Court for defendant MARGARITA GARCIA in the amount of \$150,000, being partially secured by real property, **JUVENTINO GARCIA AND ESTEBAN ARGUETA, as JOINT TENANTS and GRANTOR(S)** hereby warrant and agree:

1. JUVENTINO GARCIA AND ESTEBAN ARGUETA warrant that they are the sole record owners and titleholders of the real property located at 5045 North Ridgeway Avenue, Chicago, Illinois, and described legally as follows:

THE NORTH 25 FEET OF LOT 11 AND THE SOUTH 5 FEET OF LOT 12 IN 1ST ADDITION OF RAVENSWOOD TERRACE, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT

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THEREOF RECORDED MARCH 12, 1920, AS DOCUMENT
NUMBER 6759890, ALL IN COOK COUNTY, ILLINOIS.

P.I.N: 13-11-310-005-0000

JUVENTINO GARCIA AND ESTEBAN ARGUETA warrant that there is one outstanding mortgage against the subject property and that their equitable interest in the real property approximately equals at least \$90,000.

2. JUVENTINO GARCIA AND ESTEBAN ARGUETA agree that \$90,000 of their equitable interest in the above-described real property, shall be forfeited to the United States of America, should the defendant MARGARITA GARCIA fail to appear as required by the Court or otherwise violate any condition of the Court's order of release. JUVENTINO GARCIA AND ESTEBAN ARGUETA further understand and agree that, if the defendant MARGARITA GARCIA should violate any condition of the Court's release order, and their equity in the property is less than \$90,000 they will be liable to pay any negative difference between the bond amount of \$150,000 and their equitable interest in the property, and JUVENTINO GARCIA AND ESTEBAN ARGUETA hereby agree to the entry of a default judgment against them for the amount of any such difference. JUVENTINO GARCIA AND ESTEBAN ARGUETA have received a copy of the Court's release order and understand its terms and conditions. Further, the sureties understand that the only notice they will receive is notice of court proceedings.

3. JUVENTINO GARCIA AND ESTEBAN ARGUETA 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. JUVENTINO GARCIA AND ESTEBAN ARGUETA understand that should defendant

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MARGARITA GARCIA 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. JUVENTINO GARCIA AND ESTEBAN ARGUETA 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, JUVENTINO GARCIA AND ESTEBAN ARGUETA 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. JUVENTINO GARCIA AND ESTEBAN ARGUETA 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 MARGARITA GARCIA they are subject to a felony prosecution for making false statements and making a false declaration under penalty of perjury. JUVENTINO GARCIA AND ESTEBAN ARGUETA agree 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.

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6. JUVENTINO GARCIA AND ESTEBAN ARGUETA 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:

8/25/09Juventino Garcia
JUVENTINO GARCIA

Surety/Grantor

Date:

8/25/09Esteban Argueta
ESTEBAN ARGUETA

Surety/Grantor

Date:

8/25/09[Signature]
Witness**Return to:**

Bissell

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