

# UNOFFICIAL COPY

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT COUNTY DIVISION

IN THE MATTER OF THE PEOPLE  
OF THE STATE OF ILLINOIS, ex.rel.,  
Anita Alvarez  
States Attorney of Cook County, Illinois

Plaintiff,

v.

Real property located at:

486 Sheridan Rd. #3,  
Evanston Illinois, Cook, County, Illinois 60202

Legally described as:

UNIT 486-3 IN 470-98 SHERIDAN ROAD  
CONDOMINIUM AS DELINEATED ON  
SURVEY OF LOTS 6 TO 10 BOTH INCLUSIVE,  
IN BLOCK 6 IN ARNOLD AND WARREN'S  
ADDITION TO EVANSTON, SAID ADDITION  
BEING A SUBDIVISION OF THE SOUTH WEST  
FRACTIONAL QUARTER OF SECTION 20,  
TOWNSHIP 41 NORTH, RANGE 14 EAST OF  
THE THIRD PRINCIPAL MERIDIAN IN  
COOK COUNTY, ILLINOIS  
(HEREINAFTER REFERRED TO AS PARCEL)  
WHICH SURVEY IS ATTACHED AS  
EXHIBIT "A" TO DECLARATION OF  
CONDOMINIUM MADE BY FIRST NATIONAL BANK  
AND TRUST COMPANY OF EVANSTON,  
A NATIONAL BANKING ASSOCIATION AS  
TRUSTEE UNDER TRUST AGREEMENT  
DATED OCTOBER 10, 1973 AND KNOWN AS  
TRUST NO. 1661 AND RECORDED IN THE  
OFFICE OF THE RECORDER OF DEEDS OF  
COOK COUNTY, ILLINOIS, AS DOCUMENT  
NO. 22760513 TOGETHER WITH AN  
UNDIVIDED PERCENT INTEREST IN SAID  
PARCEL (EXCEPTING FROM SAID PARCEL  
ALL THE PROPERTY AND SPACE COMPRISING ALL  
THE UNITS THEREOF AS DEFINED AND SET FORTH IN  
SAID DECLARATION AND SURVEY) IN COOK COUNTY, ILLINOIS.

PIN#11-20-105-009-1027

Defendant,

**LIS PENDENS NOTICE**

2011COF0000724  
CALENDAR/ROOM 9  
TIME 00:00  
Civil Ast Forfeiture

Date : 1/30/12

Case No.

DOROTHY BROWN  
CLERK

2011 NOV 16 AM 11:13

FILED  
CLERK OF CIRCUIT COURT  
COOK COUNTY ILLINOIS



Doc#: 1132244092 Fee: \$54.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 11/18/2011 12:17 PM Pg: 1 of 10

Anita Alvarez, State's Attorney of Cook County, attorney of record for the

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plaintiff in the above cause does hereby give notice pursuant to the provisions of 735 ILCS 5/2-1901 of the Illinois Code of Civil Procedure, and 720 ILCS 550/12 of the Illinois Criminal Code, pertaining to the Cannabis Control Act, and certifies that the above entitled cause of action was filed on **November 18, 2011**, ~~2011~~, and is now pending in the Circuit Court of Cook County, Illinois, which action seeks to forfeit to the State of Illinois for violating 720 ILCS 550/12(a) (6) of the Criminal Code pertaining to the Cannabis Control Act, the above captioned **Real property located at 486 Sheridan Rd. #3, Evanston Illinois, Cook, County, Illinois 60202**,

Legally described as:

UNIT 486-3 IN 470-98 SHERIDAN ROAD CONDOMINIUM AS DELINEATED ON SURVEY OF LOTS 6 TO 10 BOTH INCLUSIVE, IN BLOCK 6 IN ARNOLD AND WARREN'S ADDITION TO EVANSTON, SAID ADDITION BEING A SUBDIVISION OF THE SOUTH WEST FRACTIONAL QUARTER OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS (HEREINAFTER REFERRED TO AS PARCEL) WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO DECLARATION OF CONDOMINIUM MADE BY FIRST NATIONAL BANK AND TRUST COMPANY OF EVANSTON, A NATIONAL BANKING ASSOCIATION AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 10, 1973 AND KNOWN AS TRUST NO. 1661 AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS, AS DOCUMENT NO. 22760513 TOGETHER WITH AN UNDIVIDED PERCENT INTEREST IN SAID PARCEL (EXCEPTING FROM SAID PARCEL ALL THE PROPERTY AND SPACE COMPRISING ALL THE UNITS THEREOF AS DEFINED AND SET FORTH IN SAID DECLARATION AND SURVEY) IN COOK COUNTY, ILLINOIS.  
PIN#11-20-105-009-1027

That the owner(s) of record of the above captioned property is:

**Noah Seidenberg**

**NOTICE IS HEREBY GIVEN** that the object of this cause of action is the forfeiture of the above captioned property for violating the provisions of 720 ILCS 550/12(a)(1)(6) pertaining to the Cannabis Control Act.

Anita Alvarez  
State's Attorney of Cook County

By: Lewis Hu  
Lewis Hu  
Assistant State's Attorney

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Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief, and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true and correct.

Anita Alvarez  
State's Attorney of Cook County

By: *Lewis Hu*  
Lewis Hu  
Assistant State's Attorney

Anita Alvarez  
State's Attorney of Cook County  
Forfeiture Unit  
50 W. Washington, Suite 303  
Chicago, Illinois 60602  
312-603-6462

*xcomplet attached as Exhibit # A*

Property of Cook County Clerk's Office

\* Exhibit A

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COUNTY DEPARTMENT COUNTY DIVISION

IN THE MATTER OF THE PEOPLE  
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PIN#11-20-105-009-1027

Defendant,

2011CDF0000724  
CALENDAR/ROOM 9  
TIME 00:00  
Civil Ast Forfeiture

Date 1-30-12

Case No.

Property of Cook County Clerk's Office

2011 NOV 16 AM 11:14  
DOROTHY BROWN CLERK  
COURT

## COMPLAINT FOR FORFEITURE

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**NOW COMES** the Plaintiff, the People of the State of Illinois, by and through their Attorney, Anita Alvarez, State's Attorney, of Cook County, through her Assistant, Lewis Hu, and states, upon information and belief, as follows:

1. That this cause of action arises under the provisions of 725 Illinois Compiled Statutes 150 and the provisions of Chapter 720 of the Illinois Compiled Statutes, Section 570/505(a)5, 570/505(a)6, 550/12(a)5, and 550/12(a)6 pertaining to violation or violations of the Controlled Substance Act and/or the Cannabis Control Act. and/or the Methamphetamine Control and Community Protections Act.

2. That there is within the jurisdiction of this Court, the following real property, located at 486 Sheridan Rd. #3, Evanston, Illinois, Cook, County, Illinois 60202

Legally described as.

UNIT 486-3 IN 470-98 SHERIDAN ROAD CONDOMINIUM AS DELINEATED ON SURVEY OF LOTS 6 TO 10 BOTH INCLUSIVE, IN BLOCK 6 IN ARNOLD AND WARREN'S ADDITION TO EVANSTON, SAID ADDITION BEING A SUBDIVISION OF THE SOUTH WEST FRACTIONAL QUARTER OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS (HEREINAFTER REFERRED TO AS PARCEL) WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO DECLARATION OF CONDOMINIUM MADE BY FIRST NATIONAL BANK AND TRUST COMPANY OF EVANSTON, A NATIONAL BANKING ASSOCIATION AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 10, 1973 AND KNOWN AS TRUST NO. 1661 AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS, AS DOCUMENT NO. 22760513 TOGETHER WITH AN UNDIVIDED PERCENT INTEREST IN SAID PARCEL (EXCEPTING FROM SAID PARCEL ALL THE PROPERTY AND SPACE COMPRISING ALL THE UNITS THEREOF AS DEFINED AND SET FORTH IN SAID DECLARATION AND SURVEY) IN COOK COUNTY, ILLINOIS.

PIN#11-20-105-009-1027

3. That the owner(s) of record of the above captioned property is Noah Seidenberg

4. That prior to October 19, 2011, Chicago Police were engaged in the investigation of cannabis trafficking by Noah Seidenberg

5. That on or about October 19, 2011, Chicago Police Officers from the Organized Crime Division, Narcotics Section, gathered intelligence from a John Doe citizen that quantities of Cannabis were being sold out of a 3rd floor residence located at 486 Sheridan Road #3, Evanston, IL, by an individual named Noah Seidenberg (hereafter "Seidenberg"). John Doe indicated he has known Seidenberg for one year and that during that time period Seidenberg has always lived in the same residence at 486 Sheridan Road, #3, Evanston, IL 60602.

6. John Doe informed the police that on October 18, 2011, John Doe was in the residence of Seidenberg at 486 Sheridan Road #3, Evanston, IL in the front room area. At that time, John Doe stated that he saw Seidenberg in possession of a least five (5) pounds of Cannabis in which Seidenberg was bagging up at a table within the residence. John Doe further indicated that Seidenberg was cutting up a large quantity of Cannabis and placing the smaller quantity into plastic bags for individual sales.

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7. John Doe further explained that the Cannabis that Seidenberg had in his residence was used to sale and distribute in the Chicago area. John Doe related that he has been in the presence of Seidenberg on numerous occasions when Seidenberg has talked about the illegal sales to other individuals. John Doe relates that while John Doe was in Seidenberg's residence, John Doe wanted to purchase an amount of Cannabis from Seidenberg.

8. John Doe and Seidenberg agreed on the price and Seidenberg removed a large clear plastic bag containing a green leafy substance from the table and handed it to John Doe. John Doe then took the plastic bag from Noah Seidenberg and opened the clear plastic bag and smelled the substance. John Doe stated the substance smelled like Cannabis. John Doe stated he left the residence and drove a short distance and parked his vehicle.

9. John Doe stated that he took some of the contents out of the plastic bag that John Doe had purchased from Seidenberg and placed the contents into a cigar wrapper and smoked the contents. John Doe stated that a short time later John Doe experienced the same high sensation that John Doe had received in the past from smoking Cannabis.

10. John Doe stated that before he left Seidenberg's residence, he still observed at least four (4) pounds of Cannabis on the table within Seidenberg's residence.

11. John Doe stated that John Doe has been using Cannabis for the past five years and had been purchasing Cannabis from Seidenberg for approximately one year. John Doe stated that whether it was day or night, Seidenberg has always satisfied John Doe with Cannabis.

12. The police and John Doe relocated to 486 Sheridan Road, Evanston, IL at which time John Doe pointed to the third floor of a multi unit condo building. John Doe further related that the building and unit he had pointed out was the same building that John Doe was in when John Doe purchased the Cannabis from Seidenberg.

13. On October, 19, 2011, based upon the above facts, officers obtained search warrant #11SW8107, which was issued by a Judge of the Circuit Court of Cook County. The warrant was for Noah Seidenberg, and his residence at 486 Sheridan Road, Unit #3, a multi unit condo building, Evanston, Cook County, Illinois.

14. On October 19, 2011, at approximately 9:26 p.m., Chicago Police officers executed Search Warrant 11SW8107 at 486 Sheridan Road, Unit #3, Evanston, IL, 60202.

15. Upon executing the warrant, the team encountered the named target, Seidenberg and detained him. A systematic search of the condo revealed one (1) large bundle of a green leafy substance (suspect Cannabis) wrapped in a clear plastic garbage bag, twenty-one (21) large clear vacuum sealed bags each



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containing a green leafy substance (suspect Cannabis), one (1) clear plastic ziploc bag containing a green crushed plant substance (suspect Cannabis), along with one (1) bundle of United States Currency totaling \$74,000.00 (pending official bank count) (the currency will be the subject matter of a separate forfeiture complaint).

16. The total amount of Cannabis recovered was 45,359 grams with an estimated street value of \$272,154.00.

17. The officers also recovered a Mead Five Star spiral notebook with name, dates, and numbers.

18. Seidenberg was placed into custody and read his Miranda rights. After being read his Miranda rights and waiving said rights, Mr. Seidenberg stated to officers that the United States Currency recovered from his condo was profits from the sale of Cannabis.

19. Officers asked Seidenberg what was the nature of the spiral notebook with all the names and numbers in it. Seidenberg indicated that it was his customers for "weed".

20. Officers then questioned Seidenberg about the location of his vehicle at which time Seidenberg indicated that his vehicle was located in his garage.

21. Once in the Homan Square police station, officers again read Seidenberg his Miranda rights at 11:59.p.m. After reading Seidenberg his Miranda rights and after Seidenberg waived said rights, Seidenberg voluntarily talked to the officers.

22. Seidenberg related that he sells "weed" to supplement his income.

23. Officers asked Seidenberg what kind of work did he do, Seidenberg indicated he was a real estate agent for Caldwell Banker.

24. Officers asked Seidenberg if he was having a difficult time selling real estate in today's difficult market. Seidenberg indicated that he has barely made any money in 2011 because people can't get financing or they back out of the deal at the last minute.

25. Seidenberg indicated that he made \$46,000 in 2010 and that the \$46,000 was the most money he had made in any of the eight (8) years that he has been selling real estate.

26. Officers asked Noah Seidenberg how long has he been dealing with his current supplier. Seidenberg indicated he has been using "Doug" for over ten (10) years.

27. Officers asked Seidenberg if he's been selling out of his current residence those ten (10) years. Noah Seidenberg indicated yes.

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28. Officers asked Noah Seidenberg if his supplier delivers narcotics to his home or if he (Seidenberg) goes to his supplier's house to pick up his supply.

29. Seidenberg indicated that he did not want his neighbors to know his business, so he drive's to "Doug's" house to pick up his stuff.

30. Officers asked Noah Seidenberg if he picks up the narcotics from "Doug's" house and puts it in his 2007 Acura 4 door, V.I.N. 19UUA765X7A035158, license Plate: 6018781 IL, and then transports the narcotics to his residence at 486 Sheridan Road, Unit #3, Evanston, IL, 60202. Mr. Seidenberg responded, "yea".

31. Officers asked Seidenberg why did he keep the \$74,000.00 in his home instead of keeping it in a bank. Noah Seidenberg indicated he didn't want to mix his real estate earnings with the drug money.

32. During the interview with officers , Seidenberg communicated on a number of occasions that he could provide officers with information on his supplier if the officers would release him .

33. On October 20, 2011, at approximately 12:50 a.m., officers ordered a Canine unit to conduct a money line up on the recovered currency and to conduct a sniff on the vehicle for the presence of narcotics.

34. Canine Officer Valentine with canine "Raymond" responded to Homan Square for the sniff.

35. Canine "Raymond's" exterior search of the 2007 Acura 4 door, V.I.N. 19UUA765X7A035158, license plate 6018781IL revealed a positive hit to the trunk area of the vehicle for the presence of narcotics scent.

36. With regard to the \$74,000 that was recovered, officers secured a conference room on the 2nd floor of Homan Square. Office Valentine and canine "Raymond" cleared the room of any narcotics scent prior to the currency being placed in the room. Once the room was clear, officers hid the currency in the conference room. Officer Valentine re-entered the room with canine "Raymond" and gave him the command to search for dope. After his search, canine "Raymond" sat in front of the area where the money had been hidden which is an indication of a positive hit for the presence of narcotics scent.

38. A check of the Police Records revealed that Seidenberg has been previously arrested on September 9, 1976, by the Topeka Kansas Police Department for Possession of Cannabis with the intent to sell.

39. Based upon the training and experience of Chicago Police investigators, the above stated facts, the sale of cannabis from the defendant property, Seidenberg's admission that he has been selling cannabis for over 10 years from his residence, Seidenber's admission that he uses his vehicle to pick up cannabis from his supplier to bring to his home, Seidenber's admission that he sells cannabis from his residence to



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supplement his income, the recovery from the residence of cannabis records and 45,359 grams of cannabis with an estimated street value of \$272,154.00, there is probable cause to believe that the real property, located at: 486 Sheridan Rd. #3, Evanston Illinois, Cook, County, Illinois 60202, legally described as:

UNIT 486-3 IN 470-98 SHERIDAN ROAD CONDOMINIUM AS DELINEATED ON SURVEY OF LOTS 6 TO 10 BOTH INCLUSIVE, IN BLOCK 6 IN ARNOLD AND WARREN'S ADDITION TO EVANSTON, SAID ADDITION BEING A SUBDIVISION OF THE SOUTH WEST FRACTIONAL QUARTER OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS (HEREINAFTER REFERRED TO AS PARCEL) WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO DECLARATION OF CONDOMINIUM MADE BY FIRST NATIONAL BANK AND TRUST COMPANY OF EVANSTON, A NATIONAL BANKING ASSOCIATION AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 10, 1973 AND KNOWN AS TRUST NO. 1661 AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS, AS DOCUMENT NO. 22760513 TOGETHER WITH AN UNDIVIDED PERCENT INTEREST IN SAID PARCEL (EXCEPTING FROM SAID PARCEL ALL THE PROPERTY AND SPACE COMPRISING ALL THE UNITS THEREOF AS DEFINED AND SET FORTH IN SAID DECLARATION AND SURVEY) IN COOK COUNTY, ILLINOIS. PIN#11-20-105-009-1027,

was used to facilitate a violation of the Cannabis Control Act and/or the defendant real property was used to store proceeds of cannabis trafficking, and/or the defendant real property was purchased and/or maintained with proceeds from transactions in violation of the Illinois Cannabis Control Act

40. That the above captioned real property, is now subject to forfeiture as provided by the aforementioned section of the Illinois Compiled Statutes.

**WHEREFORE**, Plaintiff prays as follows:

- (a.) That this Court adjudge the above captioned real property, with all its improvements and appurtenances thereto, to be forfeited to the State of Illinois and that the above captioned real property be properly disposed of according to law.
- (b.) That all rights and interests of each and every party claiming an interest in the above captioned real property be terminated.
- (c.) And for such other relief as the Court deems just and proper.

Respectfully Submitted:  
Anita Alvarez  
State's Attorney of Cook County

by: Lewis Hu  
Lewis Hu  
Assistant State's Attorney

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Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief, and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true and correct.

by: Lewis Hu  
Lewis Hu  
Assistant State's Attorney

Property of Cook County Clerk's Office

Attorney Code #10295  
Anita Alvarez  
State's Attorney of Cook County  
Forfeiture Unit  
50 W. Washington, Suite 303  
Chicago, Illinois 60602  
(312) 603-6462