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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION



Doc#: 1605745018 Fee: \$46.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 02/26/2016 10:45 AM Pg: 1 of 5

UNITED STATES OF AMERICA,)
)
)
v.)
)
OCTAVIO ALEJANDRE, JR.)
)
)
)

No. 16 CR 53-3
Magistrate Judge Susan E. Cox

FORFEITURE AGREEMENT

Pursuant to the Order Setting Conditions of Release entered in the above-named case on February 25, 2016 for and in consideration of bond being set by the Court for defendant OCTAVIO ALEJANDRE, JR. (the "defendant") in the amount of \$ 30,000 being partially secured by real property, M. E. A. O A OCTAVIO ALEJANDRE AND MARIA E. ALEJANDRE.

GRANTOR(S) hereby understand, warrant and agree:

1. OCTAVIO ALEJANDRE AND MARIA E. ALEJANDRE warrant that they are the sole record owners and titleholders of the real property located at 1507 West Fry Street, Chicago, Illinois, described legally as follows:

LOT 26 IN HAHN'S SUBDIVISION OF 1 ACRE IN THE SOUTHEAST CORNER OF BLOCK 29 (SAID 1 ACRE BEING ALSO KNOWN AS LOT 2 IN THE ASSESSOR'S SUBDIVISION OF SAID BLOCK) IN CANAL TRUSTEES' SUBDIVISION IN THE WEST HALF OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N: 17-05-325-022-0000
(the "subject property")

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2. **OCTAVIO ALEJANDRE AND MARIA E. ALEJANDRE** warrant that there is one outstanding mortgage against the subject property and that their equitable interest in the real property equals at least \$100,000.

3. **OCTAVIO ALEJANDRE AND MARIA E. ALEJANDRE** have received a copy of the Court's Order Setting Conditions of Release and understand its terms and conditions.

4. **OCTAVIO ALEJANDRE AND MARIA E. ALEJANDRE** understand and agree that the defendant will be subject to the terms and conditions of the Order Setting Conditions of Release until any of the following events: (a) defendant surrenders to serve his sentence; (b) defendant is taken into custody by order of the court in the above-captioned matter; (c) the above-captioned matter is dismissed against defendant in its entirety; or (d) judgment is entered in defendant's favor.

5. **OCTAVIO ALEJANDRE AND MARIA E. ALEJANDRE** agree that public docket entries and filings in the above-captioned matter constitute adequate notice to the surety of all judicial proceedings in the case. **OCTAVIO ALEJANDRE AND MARIA E. ALEJANDRE** understand that modifications to the Court's Order Setting Conditions of Release may occur, and may materially change the conditions of release. In exchange for the entry of the Order Setting Conditions of Release, **OCTAVIO ALEJANDRE AND MARIA E. ALEJANDRE** waive any right to receive notice of judicial proceedings from the United States or the Court.

6. **OCTAVIO ALEJANDRE AND MARIA E. ALEJANDRE** understand and agree that this forfeiture agreement applies to any modified Order Setting Conditions of Release entered by the Court in the above-captioned matter.

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7. **OCTAVIO ALEJANDRE AND MARIA E. ALEJANDRE** agree that their equitable interest in the above-described real property shall be forfeited to the United States of America should the defendant fail to appear as required by the Court or otherwise violate any condition of the Court's Order Setting Conditions of Release, during the pendency of the order.

8. **OCTAVIO ALEJANDRE AND MARIA E. ALEJANDRE** agree to execute a quit claim 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.

9. **OCTAVIO ALEJANDRE AND MARIA E. ALEJANDRE** understand that the United States of America will seek an order from the Court authorizing the United States of America to file and record the above-described deed, and will take whatever other action that may be necessary to perfect its interest in the above-described real property, should the defendant fail to appear as required by the Court or otherwise violate any condition of the Court's Order Setting Conditions of Release, during the pendency of the order.

10. **OCTAVIO ALEJANDRE AND MARIA E. ALEJANDRE** understand and agree that, should the defendant fail to appear as required by the Court or otherwise violate any condition of the Court's Order Setting Conditions of Release, **OCTAVIO ALEJANDRE AND MARIA E. ALEJANDRE** will be liable to pay the difference between the bond amount of \$ ^{M.E.A. DA} 30,000 and their equitable interest in the subject property, and **OCTAVIO ALEJANDRE AND MARIA E. ALEJANDRE** hereby agree to the entry of a default judgment against them for the amount of any such difference.

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11. **OCTAVIO ALEJANDRE AND MARIA E. ALEJANDRE** 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.

12. **OCTAVIO ALEJANDRE AND MARIA E. ALEJANDRE** 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, they are subject to a felony prosecution for making false statements and making a false declaration under penalty of perjury.

13. **OCTAVIO ALEJANDRE AND MARIA E. ALEJANDRE** agree that the United States shall file and record a copy of this Forfeiture Agreement with the Cook County Recorder's Office as notice of encumbrance in the amount of the bond.

14. **OCTAVIO ALEJANDRE AND MARIA E. ALEJANDRE** 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.

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15. OCTAVIO ALEJANDRE AND MARIA E. ALEJANDRE understand and agree that failure to comply with any term or condition of this Forfeiture Agreement will constitute grounds for the United States of America to request that the bond posted for the release of the defendant be revoked.

Date: 2-25-16

Octavio Alejandre

OCTAVIO ALEJANDRE

Surety/Grantor

Date: 2-25-16

Maria E. Alejandre

MARIA E. ALEJANDRE

Surety/Grantor

Date: 2/25/16

Monica Louise Newman
WITNESS

Prepared by and Return to:
Bissell, US Attorney's Office
219 S. Dearborn Street, 5th Floor
Chicago, Illinois 60604

Property of Cook County Clerk's Office