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7-26-93

93 CR 505

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UNITED STATES ATTORNEY  
NORTHERN DISTRICT  
CHICAGO, ILLINOIS

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

REC'D. BY W.H.  
CONTENTS NOT VERIFIED

UNITED STATES OF AMERICA )

v. )

KEVIN M. GORDAN )

No. 93 CR 505

Hon. W. Thomas Rosemond

DEPT-04 U.S. ATTY \$27.00  
T#1111 TRAM 1114 08/05/93 15:17:00  
43151 # \*-93-615559  
COOK COUNTY RECORDER

FORFEITURE AGREEMENT

Pursuant to an Order entered by Magistrate Judge W. Thomas Rosemond in case number 93 CR 505 on July 23, 1993, and for and in consideration of bond being set for defendant Kevin M. Gordan in the above-captioned cause, Lucille Rielly and Paulette Carter, hereby warrant and agree that:

1. They have title to certain property commonly known as 5818 S. Justine, Chicago, Illinois.  
They evidenced their interest in this property by presenting the following: a deed for the property.
2. They further warrant and agree that they have had this property appraised and that the appraised value is approximately \$35,000. Their equity in said property is approximately \$ 35,000.
3. They further agree that this property shall be forfeited to the United States of America should the defendant Kevin M. Gordan fail to appear as required by this Court or otherwise violate any condition of this Court's Pretrial Release Order;
4. They further understand and agree that the United States will file and record a copy of this Agreement with the Recorder of Deeds in the county wherein the property is located;
5. They will execute a quit claim deed in favor of the United States, which instrument will be held by the Clerk of the United States District Court, Northern District of Illinois, for safe-keeping until further order of the Court. They understand that should defendant Kevin M. Gordan fail to appear or otherwise violate any condition of the above-described Pretrial Release Order, the United

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States will seek an order from the court authorizing the United States to file and record the above-described deed and to take whatever other steps may be necessary to perfect its interest in the above-described property;

6. They further agree that they will maintain the property in good repair, pay all the taxes and obligations thereon when due, and will take no action which will encumber the property or diminish their interest therein, including any effort to sell or otherwise convey the property without leave of this court; and
7. They 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 agreement, or in connection with bail being set for defendant Kevin M. Gordan, then they are subject to a felony prosecution which could result in the imposition of severe penalties, including a substantial period of incarceration.

Lucille Rielly  
LUCILLE RIELLY

July 26, 1993  
DATE

Paulette Carter  
Paulette Carter

July 26, 1993  
DATE

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 26th DAY OF July, 1993

Michael Czepil  
NOTARY PUBLIC

" OFFICIAL SEAL "  
MICHAEL CZEPIL  
NOTARY PUBLIC STATE OF ILLINOIS  
MY COMMISSION EXPIRES 10/2/93

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THIS INDENTURE WITNESSETH, That the Grantor, HENRY F. KAUSCH and PATRICIA M. KAUSCH, his wife,

of the County of COOK and State of Illinois, for and in consideration of the sum of Ten and No/100 Dollars (\$ 10.00), in hand paid, and of other good and valuable considerations, receipt of which is hereby duly acknowledged, Convey and Warrant unto BEVERLY BANK, a banking corporation duly organized and existing under the laws of the State of Illinois, and duly authorized to accept and execute trusts within the State of Illinois, as Trustee under the provisions of a certain Trust Agreement, dated the 28 day of Sept. 73 and known as Trust Number 8-4529, the following described real estate in the County of COOK and State of Illinois, to-wit:

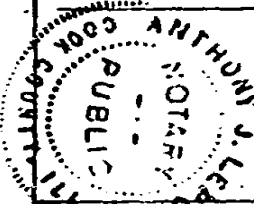
The South 1/2 of Lot 4 in Block 5 in Snowdons Sub-division of the South West 1/4 of the North West 1/4 of Section 17, Township 38 North, Range 14 East of the Third Principal Meridian in Cook County, Illinois.

SUBJECT TO

TO HAVE AND TO HOLD the said real estate with the appurtenances, upon the trusts, and for the uses and purposes herein and in said Trust Agreement, to-wit: Full power and authority is hereby granted to said Trustee to improve, manage, protect and subdivide said real estate or any part thereof, to execute leases, mortgages, highways or alleys and to execute any substitution or part thereof, and to re-convey said real estate, to contract to sell, to contract to lease, to contract to purchase, to contract to convey, to contract to convey either with or without consideration, to convey said real estate or any part thereof to a successor or successors in trust and to grant to such successor or successors in trust all of the title, estate, powers and authority vested in said Trustee, to donate, to dedicate, to mortgage, to lease or otherwise encumber said real estate, or any part thereof, or lease said real estate, or any part thereof, from time to time, in possession or reversion, to lease to any person in the present or in future, and upon any terms and for any period or periods of time, not exceeding in the case of any single lease the term of 99 years, and to renew or extend leases upon any terms and for any period or periods of time, and to amend, change or modify leases and the terms and provisions thereof, at any time or times hereafter, to contract to lease to lease and to grant options to lease and options to renew leases, to purchase the whole or any part of the reversion and to contract regarding the manner of using the amount of present or future rentals, to partition or to exchange said real estate, or any part thereof, for other real or personal property, to grant easements or charges of any kind, to receive, convey or assign any right, title or interest in or about or connected with said real estate or any part thereof, and to deal with said real estate and every part thereof in all other ways and for such other considerations as it would be lawful for any person owning the same to deal with the same, whether similar to or different from the ways above specified, at any time or times hereafter. In no case shall any party dealing with said Trustee, or any successor in trust, in relation to said real estate, or any part thereof, or whom said real estate or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said Trustee, or any successor in trust, be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the validity or expediency of any act of said Trustee, or any successor in trust, or be obliged to inquire into the validity or expediency of any act of said Trustee, or any successor in trust, in relation to said real estate shall be considered a breach of any person, including any Registrar of Titles of said county, acting in good faith and without negligence, under the provisions of this indenture and of said Trust Agreement, and every such deed, trust deed, lease, mortgage or other instrument and (b) if the conveyance is made to a successor or successors, or in trust, that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this Indenture and in said Trust Agreement or in all amendments thereto, if any, and binding upon all beneficiaries hereunder, in that said Trustee, or any successor in trust, was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument and (c) if the conveyance is made to a successor or successors, or in trust, that such successor or successors in trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of the, his or their office or office in trust. For this purpose, the Trustee, or any successor in trust, shall incur any personal liability or be subjected to any claim, judgment or decree for anything he or they do in the execution or otherwise of this deed, or in or about the said real estate, or for the provisions of this Deed or said Trust Agreement or any amendment thereto, or for any act or omission of the Trustee, or any successor in trust, or any and all such liability being hereby expressly waived and released. Any contract, obligation or indebtedness incurred or entered into by the Trustee in connection with said real estate may be entered into by the name of the then Beneficiary under said Trust Agreement as their attorney-in-fact, or by the name of the Trustee, or any successor in trust, or at the election of the Trustee, in its own name, as Trustee of an express trust and the Trustee shall have no obligation whatsoever with respect to any such contract, obligation or indebtedness except only so far as the trust property and funds in the actual possession of the Trustee shall be applicable to the payment and discharge thereof. All persons and corporations whatsoever and whatsoever shall be charged with notice of this condition from the date of the filing of record of this Deed. The interest of each and every beneficiary hereunder and under said Trust Agreement and of all persons claiming under them or any of them shall be only in the earnings, profits and proceeds arising from the sale or use of the real estate of said real estate, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, in or to said real estate, as such, but only an interest in the earnings, profits and proceeds thereof as aforesaid, the intention hereof being to vest in said Beverly Bank the entire legal and equitable title in fee simple, in and to all of the real estate above described. If the title to any of the above real estate is now or hereafter registered, the Registrar of Titles is hereby authorized to register or act in the certificate of title or duplicate thereof, or memorial, the words "in trust," or "upon a trust," or "with limitations," or words of similar import, in accordance with the statute in such case made and provided, and said Trustee shall not be required to produce the said Agreement or a copy thereof, or any statute therefrom, as evidence that any transfer, charge or other dealing involving the registered lands is in accordance with the true intent and meaning of the trust. And the said grantor hereby expressly waive and release any and all right of homestead under and by virtue of any and all statutes of the State of Illinois, providing for the exemption of homesteads from sale on execution or otherwise.

In Witness Whereof, the grantors aforesaid have hereunto set their hands and seals this 15<sup>th</sup> day of October, 1973. Henry F. Kausch (SEAL) Patricia M. Kausch (SEAL) Henry F. Kausch Patricia M. Kausch

State of Illinois, I, Anthony J. Lepore, a Notary Public in and for said County, County of COOK in the state aforesaid, do hereby certify that Henry F. Kausch and Patricia M. Kausch, his wife,



personally known to me to be the same person whose name s are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead. Given under my hand and notary seal of this 15<sup>th</sup> day of October, 1973.

Matt 30 -> Beverly Bank Box No. 90 1357 W. 103rd Evergreen Park,

For information only in part street address of above described property.

1441015 KAWI JKR E DOS-65-50-89 38-1-188

STATE OF ILLINOIS REAL ESTATE TRANSFER TAX 1700 93065009

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22 519 570 Document Number

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6/10/2010

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FMC #: 020020-2  
NAME: RIELLY, W P & L & CARTER, P  
P/O DATE: April 1, 1993

93506425

PREPARED BY:

FLEET MORTGAGE CORP.  
P.O. Box 303  
Milwaukee, WI 53201

AFTER RECORDING, FORWARD TO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

. DEPT-01 RECORDING \$23.50  
. T#3333 TRAN 7416 07/01/93 09:51:00  
. #3831 # \*-93-506425  
. COOK COUNTY RECORDER

SATISFACTION/DISCHARGE OF MORTGAGE

The undersigned certified that it is the present owner of a mortgage executed by BEVERLY BANK AS TRUST UNDER TRUST NUMBER 8-4529 PER TRUST AGREEMENT DATED SEPTEMBER 28, 1973 to MORTGAGE ASSOCIATES, INC. on October 15, 1973 and recorded on October 22, 1973 in the office of the Registrar of Titles/Recorder of COOK County, ILLINOIS, in Book/Vol./Reel N/A, Page/Image N/A, as Document 22519571.

The above described mortgage is, with the note accompanying it, fully paid, satisfied, and discharged. The Registrar of Titles/Recorder of said county is authorized to enter this satisfaction/discharge of record.

Property Legally Described As:

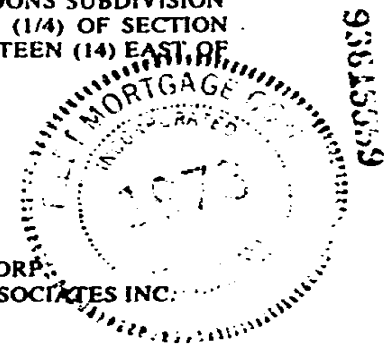
THE SOUTH HALF (1/2) OF LOT FOUR (4) IN BLOCK FIVE (5) IN SNOWDONS SUBDIVISION OF THE SOUTHWEST QUARTER (1/4) OF THE NORTHWEST QUARTER (1/4) OF SECTION SEVENTEEN (17), TOWNSHIP THIRTY EIGHT (38) NORTH, RANGE FOURTEEN (14) EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN NO: 20171240240000

Property Address: 5818 S JUSTINE, CHICAGO, IL 60636

Dated: June 1, 1993

FLEET MORTGAGE CORP.  
F/K/A MORTGAGE ASSOCIATES INC.



WITNESS Peggy Casey  
PEGGY CASEY

BY: William R. Buege  
WILLIAM R. BUEGE, Asst. Vice President

WITNESS Melinda Green  
MELINDA GREEN

BY: Nancy E. Anuszewski  
NANCY E. ANUSZEWSKI, Assistant Secretary

STATE OF WISCONSIN  
COUNTY OF MILWAUKEE

The foregoing instrument was acknowledged before me on June 1, 1993, by WILLIAM R. BULGE, Asst. Vice President and NANCY E. ANUSZEWSKI, Assistant Secretary of Fleet Mortgage Corp. f/k/a Mortgage Associates Inc., a RHODE ISLAND CORP., on behalf of said CORPORATION.

My Commission Expires: June 6, 1993  
Commissioned in Milwaukee County, Wisconsin

Judith A. Barry  
Judith A. Barry NOTARY PUBLIC

ILFMC (995)MTG  
SR55B, 3/93  
Batch: May 11, 1993

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