

UNOFFICIAL COPY

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DECLARATION OF FORFEITURE AND EXTINGUISHMENT OF ALL RIGHTS OF PURCHASER UNDER ARTICLES OF AGREEMENT FOR WARRANTY DEED

WHEREAS, on the 16th day of January, 1997 CARLTON THOMAS and FAYRAY THOMAS, as Seller under articles dated the 12th day of March, 1993, concerning the herein legally described property with THEODORE WALKER and JOAN WALKER, as Purchaser (Contract), served a copy of the attached NOTICE OF INTENTION TO DECLARE FORFEITURE OF ALL RIGHTS UNDER ARTICLES OF AGREEMENT FOR WARRANTY DEED AND NOTICE OF INTENTION TO FILE FORCIBLE DETAINER SUIT PURSUANT TO 735 ILCS 5/9-104.1, such Notice being served by posting at the property address and to each Purchaser by certified mail, return receipt requested at their last known address; and

WHEREAS, said Notice stated that Purchaser was in default under the provisions of the Contract as follows:

Purchaser ceased making payments on the 1st day of November, 1995 and has failed to pay any installments due thereafter, and there is now due and owing Seller the sum of \$4,153.44 for the period November 1, 1995 to April 1, 1996; and

Purchaser failed to pay the City of Chicago for water and sewer service causing bills in the amount of \$1,341.09 which are due and owing to the City of Chicago; and

Purchaser failed to pay to Cook County for real estate taxes causing the Seller to pay real estate taxes in the amount of \$8,269.54, which is due and owing to the Seller.

WHEREAS, THEODORE WALKER and JOAN WALKER, the Purchaser under said Contract, has failed to cure the default set forth in said Notice and more than thirty (30) days have elapsed from the date of service.

NOW, THEREFORE, CARLTON THOMAS and FAYRAY THOMAS, as Seller, under that certain Contract, dated the 12th day of March, 1993, with THEODORE WALKER and JOAN WALKER, as Purchaser, concerning the following described property:

Lots 25, 26 and 27 (Except the North 27 feet) and the East 1 1/2 feet of lot 28 (Except the North 27 feet) in Block 7 in the subdivision made by the Calumet and Chicago Canal Dock Company of the part of the Southeast 1/2 of Section 2, Township 37 North, Range 14, East of the Third Principal Meridian lying East of the New York Central and St. Louis Railroad and North of the Chicago and Western Indiana Railroad Company in Cook County, Illinois.

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MEDARD M. NARKO & ASSOCIATES
ATTORNEY AT LAW
15000 SOUTH CICERO
OAK FOREST, ILLINOIS 60452
(708) 687-5500

UNOFFICIAL COPY

Commonly known as: 1556 E. 93rd Street, Chicago, Illinois (60619)
Tax Numbers 25-02-412-032, 25-02-412-033 and 25-02-412-046,

HEREBY DECLARES that all of the rights of THEODORE WALKER and JOAN WALKER, as Purchaser, under said Contract are hereby forfeited and extinguished, and that all payments made by THEODORE WALKER and JOAN WALKER, as Purchaser under said Contract, will be retained by Seller pursuant to Seller's rights under said Contract and that all of the rights of THEODORE WALKER and JOAN WALKER, as Purchaser thereunder, are hereby forfeited.

IN WITNESS WHEREOF, CARLTON THOMAS and FAYRAY THOMAS, have hereunto set their hands and seals at CHICAGO, Illinois, this 31st day of JANUARY, 1997.

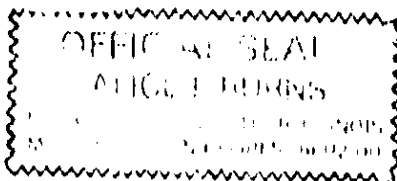
[Signature]
CARLTON THOMAS
[Signature]
FAYRAY THOMAS

STATE OF ILLINOIS)
)SS
COUNTY OF C O O K)

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT CARLTON THOMAS and FAYRAY THOMAS, personally known to me to be the same persons whose name 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.

Given under my hand and official seal, this 31st day of JANUARY, 1997.

[Signature]
NOTARY PUBLIC



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**NOTICE OF INTENTION TO DECLARE FORFEITURE OF ALL
RIGHTS UNDER ARTICLES OF AGREEMENT FOR WARRANTY DEED
AND NOTICE OF INTENTION TO FILE FORCIBLE DETAINER
SUIT PURSUANT TO 735 ILCS 5/9-104.1**

To: Theodore Walker
2757 W. 86th Street
Chicago, Illinois 60652

Joan Walker
2757 W. 86th Street
Chicago, Illinois 60652

You are hereby notified that:

Whereas, on the 12th day of March, 1993 THEODORE WALKER and JOAN WALKER (Purchaser) did enter into a certain Contract with CARLTON THOMAS and FAYRAY THOMAS (Seller) which Contract was recorded on March 25, 1993 as Document # 93222897, concerning the following legally described real estate:

Lots 25, 26 and 27 (Except the North 27 feet) and the East 1 1/2 feet of Lot 28 (Except the North 27 feet) in Block 7 in the subdivision made by the Calumet and Chicago Canal Dock Company of the part of the Southeast 1/2 of Section 2, Township 37 North, Range 14, East of the Third Principal Meridian lying East of the New York Central and St. Louis Railroad and North of the Chicago and Western Indiana Railroad Company in Cook County, Illinois.

Commonly known as: 1556 E. 93rd Street, Chicago, Illinois (60619)
Tax Numbers 25-02-412-032, 25-02-412-033 and 25-02-412-046,
(Property); and

WHEREAS, Purchaser in the Contract agreed to pay the sum of \$65,000.00 for the Property in monthly installments of \$659.28 until paid;

WHEREAS, the Contract provides in part that time is of the essence, and that in the event of Purchaser's default in any payment of principal and/or interest when due, or if Purchaser should fail to perform any of the other covenants of the Contract, then the Contract shall at the option of the Seller be forfeited and determined, and any and all payments theretofore made by Purchaser shall be retained by Seller; and

WHEREAS, Purchaser ceased making payments on the 1st day of November, 1995 and has failed to pay any installments due thereafter, and there is now due and owing Seller the sum of \$4,153.44 for the period November 1, 1995 to April 1, 1996; and

WHEREAS, Purchaser failed to pay the City of Chicago for water and sewer service causing bills in the amount of \$1,341.09 which are due and owing to the City of Chicago; and

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WHEREAS, Purchaser failed to pay to Cook County for real estate taxes causing the Seller to pay real estate taxes in the amount of \$8,269.54, which is due and owing to the Seller,

NOW, THEREFORE, Purchaser, you are hereby notified:

1. Unless all defaults under the Contract are cured on or before the 1st day of June, 1996, that it is the intention of Seller to declare all your rights under the Contract to be forfeited, and all payments made by you will be retained by Seller.

2. That it is the intention of Seller to institute proceedings to evict you from possession of the property under the statutes relating to forcible entry and detainer, unless you remedy the aforesaid defaults on or before the 1st day of June, 1996.

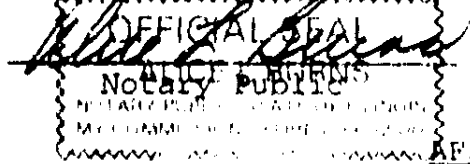
3. Demand is hereby made of you for possession of the Property.

IN WITNESS WHEREFORE, Carol L. Felsenthal of the firm of Medard M. Narko and Associates, 15000 S. Cicero Avenue, Oak Forest, Illinois (60452), as agent and attorney for THEODORE WALKER and JOAN WALKER, has hereunto set her hand and seal this 8th day of January, 1997.

Carol L. Felsenthal

Carol L. Felsenthal

Subscribed and Sworn to
by CAROL L. FELSENTHAL
before me this 16th day
of January, 1997.



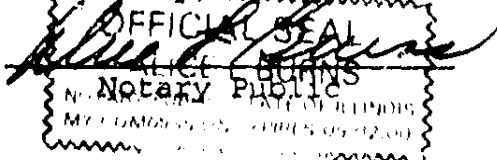
AFFIDAVIT OF SERVICE

Carol L. Felsenthal, being duly sworn on oath, deposes and says that on the 16th day of January, 1997, she served a copy of the NOTICE OF INTENTION TO DECLARE FORFEITURE OF ALL RIGHTS UNDER ARTICLES OF AGREEMENT FOR WARRANTY DEED AND NOTICE OF INTENTION TO FILE FORCIBLE DETAINER SUIT PURSUANT TO 735 ILCS 5/9-104.1 on Theodore and Joan Walker by sending a copy thereof to the last known address of the said Theodore and Joan Walker by certified mail with request for return receipt from the addressee.

Carol L. Felsenthal

Carol L. Felsenthal

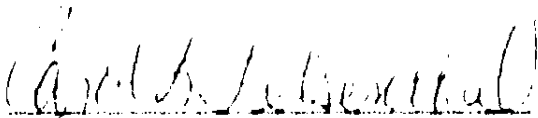
Subscribed and Sworn to
by CAROL L. FELSENTHAL
before me this 16th day
of January, 1997.



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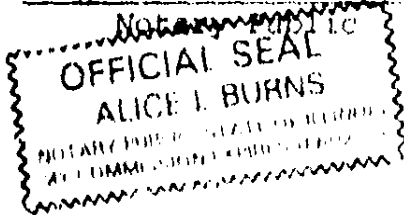
STATE OF ILLINOIS)
)SS
COUNTY OF C O O K)

CAROL L. FELSENTHAL, being first duly sworn on oath, deposes and states that she served the attached DECLARATION OF FORFEITURE AND EXTINGUISHMENT OF ALL RIGHTS OF PURCHASER UNDER ARTICLES OF AGREEMENT FOR WARRANTY DEED on JOAN WALKER at 2757 W. 86th Street, Chicago, Illinois (60652) by certified mail, return receipt requested, by depositing said declaration in the U.S. Mail at 15005 S. Cicero Avenue, Oak Forest, Illinois, with proper postage prepaid before 5:00 p.m. on February 19, 1997.



Carol L. Felsenthal
Attorney

Subscribed and Sworn to
by Carol L. Felsenthal
before me this 19th day
of February, 1997.

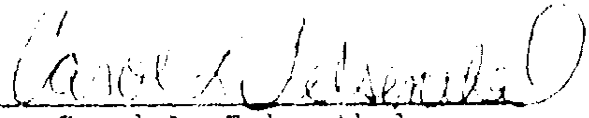


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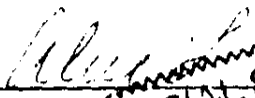
STATE OF ILLINOIS)
)SS
COUNTY OF C O O K)

CAROL L. FELSENTHAL, being first duly sworn on oath, deposes and states that she served the attached DECLARATION OF FORFEITURE AND EXTINGUISHMENT OF ALL RIGHTS OF PURCHASER UNDER ARTICLES OF AGREEMENT FOR WARRANTY DEED on THEODORE WALKER at 2757 W. 86th Street, Chicago, Illinois (60652) by certified mail, return receipt requested, by depositing said declaration in the U.S. Mail at 15000 S. Cicero Avenue, Oak Forest, Illinois, with proper postage prepaid before 5:00 p.m. on February 19, 1997.



Carol L. Felsenthal
Attorney

Subscribed and Sworn to
by Carol L. Felsenthal
before me this 19th day
of Feb, 1997.



Notary Public
OFFICIAL SEAL
ALICE L. BURNS
NOTARY PUBLIC - STATE OF ILLINOIS
COMM. NO. 123456789

Property of Cook County Clerk's Office

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