

: DEPT-01 RECORDING \$31.50
: T#0003 TRAN 8117 04/30/97 12:56:00
: #1157 # DN #-97-301846
: COOK COUNTY RECORDER

Prepared by:
Harris & Harris Ltd
100 S. Wacker Dr #225
Chicago, IL 60606

Property of Cook County Clerk's Office

Declaration of Forfeiture

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



Whereas, on the 4TH day of November, 1996, Bankers Trust Company, as Seller under Articles of Agreement for Deed dated the 18th day of May, 1993 concerning the herein legally described property with Roy Sommer, as Purchaser, (hereinafter "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 personal service; and

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

Whereas, Purchaser ceased making payments on the 1st day of April, 1996, and

Whereas, Roy Sommer, Purchaser under said Contract has failed to cure the defaults set forth in said Notice and more than thirty (30) days have elapsed from the date of service.

Now, Therefore, Bankers Trust Company, as Seller under that certain Articles of Agreement for Warranty Deed dated the 18 day of May, 1993 with Roy Sommer, as Purchaser, concerning the following described property;

LEGAL DESCRIPTION

97001846

THE NORTH 2/3 OF LOT 2 IN BLOCK 95 IN WASHINGTON HEIGHTS IN THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO A PLAT THEREOF RECORDED JUNE 27, 1872, IN COOK COUNTY, ILLINOIS

Commonly known as 11509 S. Hale, Chicago, IL 60643

PIN # 25-19-307-015

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DUC

UNOFFICIAL COPY

HEREBY DECLARES that all of the rights of the said Roy Sommer as Purchaser, under said Articles of Agreement for Deed are hereby forfeited and extinguished, and that all payments made by Roy Sommer as Purchaser under said Contract, will be retained by Seller pursuant to their rights under said Contract and that all of the rights of Roy Sommer, as Purchaser thereunder, are hereby forfeited.

In Witness Whereof, Bankers Trust Company, not in its individual capacity, but solely as Trustee on behalf of vendee mortgage trust 1993-3 have set their hands and seals at Chicago, Illinois this 13 day of December, 1996.

Bankers Trust Company

BY:

Laura Carey
Laura Carey
Attorney

STATE OF ILLINOIS)

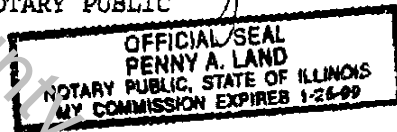
) SS.

COUNTY OF COOK)

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT Laura Carey personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as a 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 official seal, this 13 day of December, 1996.

Penny A. Land
NOTARY PUBLIC



"THE SIGNATURES OF THE PARTIES EXECUTING THIS DOCUMENT ARE COPIES AND ARE NOT ORIGINAL SIGNATURES."

97001346

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AFFIDAVIT OF SERVICE

JEFF MILLS being duly sworn on oath deposes and says that on the 27th day of FEBRUARY, 1997, I served a copy of DECLARATION OF FORFEITURE AND EXTINGUISHMENT OF ALL RIGHTS OF PURCHASER UNDER ARTICLES OF AGREEMENT FOR DEED PURSUANT TO Ill.Rev.Stat., c.110, Paragraph 9-104.1, upon ROY SOMMER by personally delivering a copy thereof to his daughter at 6:55 p.m. @ 11509 S. HALK

CHICAGO, ILL.

Jeff Mills

Subscribed and sworn to before me this 27th day of February, 1997.

Kelley Tomczak
NOTARY PUBLIC



Property of Cook County Clerk's Office

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WARNING NOTICE/DEMAND FOR POSSESSION

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: 1) ROY SOMMER
2) OTHER UNKNOWN OCCUPANTS

You are hereby notified that:

Whereas on the 18th day of May, 1993, Roy Sommer (hereinafter "Purchaser") did enter into a certain Installment Agreement for Deed (hereinafter "Contract") with Bankers Trust Company, not in its individual capacity, but solely as trustee on behalf of vendee mortgage trust 1993-3 (hereinafter "Seller"), which Contract was recorded, concerning the following legally described real estate:

LEGAL DESCRIPTION

THE NORTH 2/3 OF LOT 2 IN BLOCK 95 IN WASHINGTON HEIGHTS IN THE SOUTHWEST ¼ OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO A PLAT THEREOF RECORDED JUNE 27, 1872, IN COOK COUNTY, ILLINOIS (hereinafter "Property"), commonly known as 11509 S. Hale, Chicago, IL 60643; and

Whereas, Purchaser in the Contract agreed to pay the sum of \$52,500.00 for the Property in monthly installments of \$480.41 until paid; and, the whole of the existing balance by June 1, 2023.

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;

Whereas, Purchaser ceased making payments on the 1 day of April, 1996 and has failed to pay any installments due thereafter, and there is now due and owing Seller the sum of \$3,362.87 for the period from April 1, 1996 to October 1, 1996; and

Whereas, pursuant to the provisions of 735 ILCS 5/9-104.1, demand for possession is hereby made upon you for possession if you fail to cure the defaults herein set forth by the time herein set forth.

Now, Therefore, Purchaser, you are hereby notified:

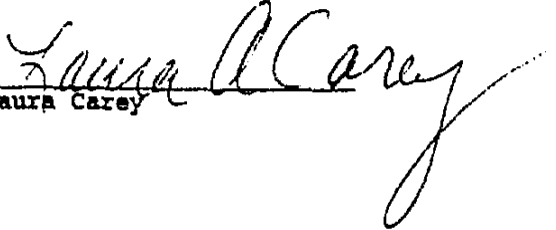
- 1) Unless all defaults under the Contract are cured on or before the 10th day December, 1996, that it is the intention of Seller to declare all your rights under the Contract to be forfeited, and all payments made by you will be retained by Seller.
- 2) That it is the intention of Seller to institute proceedings to evict you from possession of the Property under the act relating to forcible entry and detainer unless you remedy the aforesaid defaults on or before the 10th day of December, 1996.

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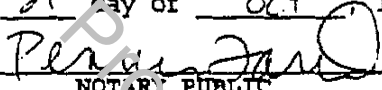
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3) Demand is hereby made of you for possession of the Property.

In Witness Whereof, Laura Carey of the firm of Harris & Harris, Ltd., 100 S. Wacker Dr., Ste. 225, Chicago, Illinois, as agent and attorney for Bankers Trust Company, not in its individual capacity, but solely as trustee, on behalf of vendee mortgage trust 1993-3 has hereunto set his hand and seal this 21st day of October, 1996.


Laura Carey

Subscribed and Sworn to before me
this 21 day of Oct, 1996


NOTARY PUBLIC

OFFICIAL SEAL
PENNY ISLAND
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 1-1-99

of Cook County Clerk's Office

97504346

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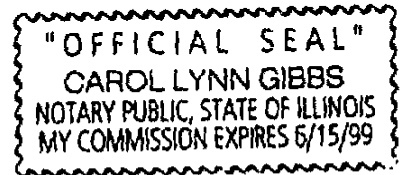
AFFIDAVIT OF SERVICE

Alfred T. Imgrund being duly sworn on oath deposes and says that on the 27th day of Nov, 1996, I served a copy of 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 Ill.Rev.Stat., c.110, Paragraph 9-104.1, upon Kay Sommer by personally delivering a copy thereof to Ellie Johnson, age 45, wife, at 6336 S. Main St., Downers Grove, Ill.

Alfred Imgrund

Subscribed and sworn to before me
this 27th day of November 1996.

Carol Lynn Gibbs
NOTARY PUBLIC



Property of Cook County Clerk's Office

6/15/99

6/15/99