

STATE OF INDIANA
LAKE COUNTY
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION
99 OCT 20 PM 12:29

99086424
UNITED STATES OF AMERICA

MORRIS W. CARTER
RECORDER

No. 99 CR 735

Judge Sidney I. Schenkier

v.

STEPHEN WILBERT

FORFEITURE AGREEMENT

Pursuant to the Pretrial Release Order entered in the above-named case on October 4, 1999, ~~a copy of which is attached~~, and for and in consideration of bond being set by the Court for defendant STEPHEN WILBERT in the amount of \$10,000, being secured by real property, JAMES & CAROLYN ELMORE hereby warrant and agree:

1. JAMES & CAROLYN ELMORE warrant that they are the sole record owner and titleholder of certain real property located at 836 May Street, Hammond, Indiana 46320, described legally as follows:

Lots 1 and 2 and the East half of Lot 3, in Block 3, V.H. Messenger's Subdivision, in the City of Hammond, as per plat thereof, recorded in plat book 2, page 43, in the Office of the Recorder of Lake County, Indiana.

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JAMES & CAROLYN ELMORE warrant and agree that the total value of the property is in excess of \$80,000, and that the total value of their equity in the property is in excess of \$40,000.

2. JAMES & CAROLYN ELMORE agree that this property shall be forfeited to the United States of America, should the defendant STEPHEN WILBERT fail to appear as required by the Court or

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otherwise violate any condition of the Court's order of release. JAMES & CAROLYN ELMORE have received a copy of the Court's release order and understand its terms and conditions.

3. JAMES & CAROLYN ELMORE further understand and agree that the United States will file and record a copy of this Forfeiture Agreement with the Recorder of Deeds in the county wherein the property is located.

4. JAMES & CAROLYN ELMORE further agree to execute a quitclaim 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. STEPHEN WILBERT understands that should he fail to appear or otherwise violate any condition of the Court's order of release, the United States will obtain an order from the Court authorizing the United States to file and record the above-described deed, and to take whatever other action that may be necessary to perfect its interest in the above-described real property and satisfy the obligation arising from a breach of the bond.

5. JAMES & CAROLYN ELMORE further 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.

6. JAMES & CAROLYN ELMORE further understand that if they

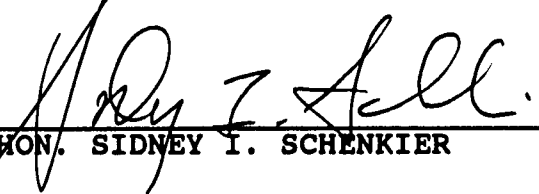
have knowingly made or submitted or caused to be made or submitted any false, fraudulent or misleading statement or document in connection with this Forfeiture Agreement, or in connection with the bond set, they are subject to a felony prosecution for making false statements and making a false declaration under penalty of perjury. JAMES & CAROLYN ELMORE agree that the United States shall file and record a copy of this Forfeiture Agreement with the Recorder of Deeds of Cook County, Illinois, as notice of encumbrance in the amount of the bond.

7. JAMES & CAROLYN ELMORE 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. Failure to comply with any term or condition of this agreement will be considered a violation of the release order authorizing the United States to request that the bond posted for the release of the defendant be revoked.

Date: October 4, 1999


Carolyn Elmore
James Elmore
JAMES & CAROLYN ELMORE
Surety

SUBSCRIBED and SWORN to before me
this 4th day of October, 1999


HON. SIDNEY I. SCHENKIER

RETURN TO:
UNITED STATES ATTORNEYS OFFICE
219 SOUTH DEARBORN STREET
ROOM 500
CHICAGO, ILLINOIS 60604
ATTN: CATHERINE MANAHAN

