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CERTIFIED COPY (Rev. 6/85)

United States District Court
Northern District of Illinois
Eastern Division

I, H. Stuart Cunningham, Clerk of the United States District Court for the Northern District of Illinois, do hereby attest and certify that the ~~document is~~ documents are a full, true, and correct copy of the original(s) on file in my office and in my legal custody.

CLERK OF RECORDING
11-22-11 11:01:37 AM 03/16/35
4531 11-22-11
COOK COUNTY RECORDER

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at Chicago, Ill. on 1-12-93.

H. STUART CUNNINGHAM

CLERK

By:

Deputy Clerk

Burton

3300

Property of Cook County Clerk's Office

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RECEIVED
MAY 15 1992

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

1357 NORTH WALLER, CHICAGO,)
ILLINOIS, et al.)

Defendants.)

No. 91 C 6642

Judge Zagel

CONSENT DECREE OF FORFEITURE

This cause coming before the court on the agreement of the parties, due notice having been given and the court being fully advised in the premises, **FINDS** as follows:

1. This in rem, drug related and money laundering civil forfeiture case was commenced on October 17, 1991, by the filing of a verified complaint.

2. Process was duly served and notice was published by the United States Marshal as required by Rule C, Supplemental Rules for certain Admiralty and Maritime Claims.

3. The following parties have asserted an interest in the defendant property located at 144 S. 9th Ave., Maywood, Illinois (Count 9):

- A. Mr. Richard Davis;
- B. Reliable Mortgage Corporation;
- C. Second Federal Savings and Loan Association;

4. The following parties have asserted an interest in the defendant property located at 2308 S. 20th St., Broadview, Illinois

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(Count 13):

- A. Mr. Richard Davis;
- B. Lomas Mortgage USA, Inc.;

5. The following parties have asserted an interest in the defendant property located at 3328 W. Chicago, Chicago, Illinois (Count 15):

- A. Mr. Richard Davis;
- B. Mr. Rufus Davis;

6. The following parties have asserted an interest in the defendant property located at 38 S. Orchard, Hillside, Illinois (Count 19):

- A. Mr. Richard Davis
- B. Mr. Kent Perkins
- C. First Federal Savings of Proviso Township

7. On January 17, 1992 Richard Davis, Rufus Davis and Kent Perkins filed their answers to the complaint. On July 24, 1992, Richard Davis and Kent Perkins filed amended verified answers.

8. Pursuant to an agreement between the United States and claimants Richard Davis, Rufus Davis and Kent Perkins, the United States shall voluntarily dismiss count 9 of the verified complaint, with prejudice, relating to the real estate located at 144 S. 9th Avenue, Maywood, Illinois and claimants will not contest the forfeiture of the property in counts 13, 15 and 19 of the verified complaint.

9. Based on the verified complaint, the United States has established that the defendant real properties referred to in

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counts 11 and 19 were purchased with the proceeds traceable to exchanges for controlled substances in violation of Title II of the Controlled Substances Act, 21 U.S.C. § 801 *et seq.*, and therefore are forfeitable to the United States pursuant to 21 U.S.C. § 881 (a)(6).

10. Based on the verified complaint, the United States has established that the defendant real property referred to in count 15 was used or intended to be used to facilitate the commission of a felony narcotics offense in violation of Title II of the Controlled Substance Act, 21 U.S.C. § 801 *et seq.*, and therefore is forfeitable to the United States pursuant to 21 U.S.C. § 881 (a)(7).

11. Further, as to count 19 of the complaint, the United States has established that the defendant real property was not only purchased with proceeds acquired from illegal narcotics transactions, in violation of 21 U.S.C. § 881(a)(6) but was also involved in a financial transaction which was structured to evade the cash transaction reporting requirements of 31 U.S.C. § 5313 (a) in violation of 31 U.S.C. § 5324. In addition, the property in count 19 was involved in a money laundering transaction in violation of 18 U.S.C. § 1956. Accordingly, the defendant property is forfeited to the United States pursuant to 18 U.S.C. § 981 (a)(1)(A).

12. Lomas Mortgage USA, Inc. has a valid interest in the defendant property commonly known as 2308 S. 20th Ave., Broadview, Illinois, in the amount of \$46,767.29 as of September 28, 1992 and interest accruing at the rate of \$417.23 per month thereafter.

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11. First Federal Savings Bank of Province Township has a valid interest in the defendant property commonly known as 38 South Orchard, Hillside, Illinois, in the amount of \$108,653.43 as of September 1, 1992 and interest accruing at the rate of \$27.44 per day thereafter. Accordingly, it is hereby

ORDERED, ADJUDGED, AND DECREED that:

1. A judgement in favor of the United States and against claimants Richard Davis, Rufus Davis and Kent Perkins is hereby entered against the defendant pieces of real estate located at 2308 S. 20th St., Broadview, Illinois (Count 13); 3328 W. Chicago, Chicago, Illinois (Count 15); and 38 South Orchard, Hillside, Illinois (Count 19).

2. All persons or entities, other than those provided for in paragraphs 12 - 13, above, claiming right, title or interest in the defendant properties listed in counts 13, 15, 19 are held in default.

3. Count 9, relating to the defendant property located at 144 S. 9th Ave., Maywood, Illinois is hereby dismissed with prejudice.

4. The defendant property legally described as:

THE NORTH 50 FEET OF THE SOUTH 200 FEET OF LOT 71 IN BROADVIEW, A SUBDIVISION IN SECTION 22, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. (Count 13)

Permanent Real Estate Tax Number 15-22-112-019

commonly known as 2308 S. 20th St., Broadview, Illinois,

is hereby forfeited to the United States of America pursuant to 21

USC 881 (a) (6) and that said property shall be disposed of by the

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United States Marshal's Service, the net proceeds (after satisfaction of the Marshal's expenses) shall be distributed in the following order:

(A) Lomas Mortgage USA, Inc. shall receive a sum not to exceed \$46,767.29 plus \$417.23 per month from September 28, 1992 until the date of closing on the property which payment shall be in the full satisfaction of any and all claims arising from or relating to this action and:

(B) the remaining proceeds to the United States of America, and

5. The defendant property legally described as:

LOT 43 IN CHRISTIANIA, BEING A SUBDIVISION OF THE EAST 1/2 OF LOT 3 IN THE SUPERIOR COURT PARTITION OF THE EAST 1/2 OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.
(Count 15)

The permanent real estate tax number is 16-02-427-014-0000 commonly known as 3328 W. Chicago Avenue, Chicago, Illinois, is hereby forfeited to the United States of America pursuant to 21 U.S.C. § 881(a)(7) and that said property shall be disposed of by the United States Marshal according to law;

6. The defendant property legally described as:

PARCEL 1: LOT 7 IN BLOCK 4 IN BOEGER'S SUBDIVISION OF THAT PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 LYING NORTH OF THE RIGHT OF WAY OF THE CHICAGO, MADISON AND NORTHERN RAILROAD COMPANY (EXCEPT THE EAST 5 CHAINS OF THE NORTH 10 CHAINS AND EXCEPT THE WEST 166.5 FEET THEREOF) IN SECTION 17, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2: ALL THAT PART OF THE NORTHERLY AND SOUTHERLY 8 FEET WIDE PUBLIC ALLEY LYING WESTERLY OF AND ADJOINING LOT 7 IN SUBDIVISION AFORESAID, IN COOK COUNTY, ILLINOIS.
(Count 19)

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Permanent Real Estate Tax Number 15-17-400-008,
commonly known as 38 S. Orchard, Hillside, Illinois, is
hereby forfeited to the United States of America pursuant to 21 USC
881(a)(6) and 18 USC 981 (a)(1)(A) and that said property shall be
disposed of by the United States Marshal's Service, the net
proceeds (after satisfaction of the Marshal's expenses) shall be
distributed in the following order:

(A) Federal Savings of Proviso Township shall receive a sum
not to exceed \$108,653.43 plus \$27.44 per day from September 1,
1992 until the date of closing on the property which payment shall
be in full satisfaction of any and all claims arising from or
relating to this action; and

(B) the remaining proceeds to the United States of America
and it is further

ORDERED that there being no just reason to delay entry of the
judgment, final judgment of forfeiture shall be and is hereby
entered as to the defendant real properties commonly known as 2308
S. 20th St., Broadview, Illinois; 3328 W. Chicago, Chicago,
Illinois; and 38 S. Orchard, Hillside, Illinois, pursuant to Rule
54(b) of the Federal Rules of Civil Procedure and the clerk shall
immediately enter judgment as directed by the court.

ENTER:

James B. Zagel

JAMES B. ZAGEL
United States District Judge

Dated: 11-17-92

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