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8 IN THE UNITED STATES DISTRICT COURT FOR THE
 9 EASTERN DISTRICT OF CALIFORNIA
 10

11 UNITED STATES OF AMERICA,)	2:08-CV-01107-JAM-KJM
)	
12 Plaintiff,)	
)	FINAL JUDGMENT OF FORFEITURE
13 v.)	
)	
14 REAL PROPERTY LOCATED AT 70)	
CENTENNIAL AVENUE, CHICO,)	
15 CALIFORNIA, BUTTE COUNTY,)	
APN: 018-010-049-000 (FORMERLY)	
16 APN: 011-010-049), INCLUDING)	
ALL APPURTENANCES AND)	
17 IMPROVEMENTS THERETO,)	
)	
18 Defendant.)	
)	

19
 20 Pursuant to the Stipulation for Final Judgment of
 21 Forfeiture, the Court finds:

22 1. This is a civil forfeiture action against certain real
 23 property located at 70 Centennial Avenue, Chico, California,
 24 Butte County, APN: 018-010-049-000 (formerly APN: 011-010-049)
 25 (hereafter "defendant real property"), and more fully described in
 26 Exhibit A, attached hereto and incorporated herein by reference.

27 2. A Verified Complaint for Forfeiture *In Rem* (hereafter
 28 "Complaint") was filed on May 20, 2008, seeking the forfeiture of

1 the defendant real property, alleging that said property is
2 subject to forfeiture to the United States of America pursuant to
3 21 U.S.C. § 881(a) (7).

4 3. On May 28, 2008, the defendant real property was posted
5 with a copy of the Complaint and Notice of Complaint.

6 4. On June 5, 12, 19, and 26, 2008, a Public Notice of
7 Posting of the defendant real property appeared by publication in
8 The Oroville Mercury-Register, a newspaper of general circulation
9 in the county in which the defendant real property is located
10 (Butte County).

11 5. In addition to the Public Notice of Posting having been
12 completed, the United States gave or attempted to give actual
13 notice to the following individuals and entities:

- 14 a. Elaine I. Meiri
- 15 b. GreenPoint Mortgage Funding, Inc.
- 16 c. MERS
- 17 d. J. Scott Beyers and Stephanie L. Beyers

18 6. Claimant Meiri filed a verified statement of interest
19 and answer alleging an interest in the defendant real property.
20 GreenPoint also filed a verified claim and answer alleging an
21 interest in the defendant real property.

22 7. No other parties have filed claims or answers in this
23 matter and the time for which any person or entity may file a
24 claim and answer has expired.

25 8. Based on the above findings, and the files and records
26 of this Court, it is hereby ORDERED AND ADJUDGED as follows:

27 9. The Court adopts the Stipulation for Final Judgment of
28 Forfeiture entered into by and between the parties to this

1 action.

2 10. Judgment is hereby entered against Elaine I. Meiri,
3 GreenPoint Mortgage Funding, Inc., and all other potential
4 claimants who have not filed claims in this action.

5 11. Within thirty (30) days from the date this stipulation
6 is signed, Claimant Meiri shall pay to the United States the sum
7 of \$17,000.00 (the "settlement amount") as the substitute res in
8 lieu of the forfeiture of the defendant real property.

9 12. Claimant Meiri shall send a cashier's check for the
10 settlement amount, made payable to the U.S. Marshals Service, to
11 the U.S. Attorney's Office, Attn: Asset Forfeiture Unit, 501 I
12 Street, Suite 10-100, Sacramento, CA 95814. All right, title,
13 and interest in said funds shall be forfeited to the United
14 States pursuant to 21 U.S.C. § 881(a)(7), to be disposed of
15 according to law.

16 13. Within thirty (30) days of full payment of the
17 settlement amount, the United States shall record a withdrawal of
18 the lis pendens against the defendant real property.

19 14. Plaintiff United States of America and its servants,
20 agents, and employees are hereby released from any and all
21 liability arising out of or in any way connected with the filing
22 of the Complaint and the posting of the defendant real property
23 with the Complaint and Notice of Complaint. This is a full and
24 final release applying to all unknown and unanticipated injuries,
25 and/or damages arising out of or in any way connected with the
26 filing of the Complaint and the posting of the defendant real
27 property with the Complaint and Notice of Complaint, as well as
28 to those now known or disclosed. The parties to the stipulation

1 waive the provisions of California Civil Code § 1542.

2 15. There was reasonable cause for the posting of the
3 defendant real property and the commencement and prosecution of
4 this forfeiture action, and Certificate of Reasonable Cause
5 pursuant to 28 U.S.C. § 2465 shall be entered accordingly.

6 16. Nothing in the settlement shall be construed to impair
7 any rights claimant GreenPoint Mortgage Funding, Inc. has under
8 its note and deed of trust that is the basis for its claim in
9 this action.

10 17. All parties are to bear their own costs and attorneys'
11 fees.

12 SO ORDERED THIS 21st day of October, 2010.

13
14
15 /s/ John A. Mendez _____
16 JOHN A. MENDEZ
United States District Judge

17 CERTIFICATE OF REASONABLE CAUSE

18 Pursuant to the Stipulation for Final Judgment of Forfeiture
19 filed herein, and the allegations set forth in the Complaint
20 filed May 20, 2008, the Court enters this Certificate of
21 Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was
22 reasonable cause for the posting of the defendant real property
23 with the notice of forfeiture and for the commencement and
24 prosecution of this action.

25 Dated: October 21, 2010

26 /s/ John A. Mendez _____
27 JOHN A. MENDEZ
United States District Judge

1 **Exhibit A**
2 **70 Centennial Avenue, Chico, CA**

3 ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY
4 OF CHICO, COUNTY OF BUTTE, STATE OF CALIFORNIA,
5 DESCRIBED AS FOLLOWS:

6 BEING A PORTION OF LOT 5, ACCORDING TO THAT CERTAIN
7 MAP ENTITLED, "MAP OF THE TWENTY-FIRST SUBDIVISION
8 OF THE BIDWELL RANCHO", WHICH MAP WAS RECORDED IN THE
9 OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE
10 OF CALIFORNIA, NOVEMBER 11, 1912, IN MAP BOOK 7, AT
11 PAGE 49, DESCRIBED AS FOLLOWS:

12 BEGINNING AT A POINT OF THE LINE DIVIDING LOTS 3 AND
13 5 OF SAID SUBDIVISION DISTANT THEREON SOUTH 56 56'
14 EAST 752.4 FEET FROM THE POINT OF INTERSECTION OF THE
15 LINE DIVIDING LOT 4 AND 5, SAID SUBDIVISION WITH THE
16 SOUTHERLY LINE OF BIDWELL PARK; RUNNING SOUTH 56 56'
17 EAST ALONG SAID LINE DIVIDING SAID LOTS 3 AND 5, A
18 DISTANCE OF 80 FEET TO A POINT; THENCE NORTH 33 04'
19 EAST 300 FEET THROUGH SAID LOT 5 TO A POINT ON THE
20 LINE BETWEEN LOTS 5 AND 6 OF SAID SUBDIVISION; THENCE
21 NORTH 56 56' WEST ALONG LAST MENTIONED LINE 80 FEET
22 TO A POINT; THENCE SOUTH 33 04' WEST THROUGH SAID
23 LOT 5, A DISTANCE OF 300 FEET TO THE POINT OF BEGINNING.

24 AP NO. 011-010-049
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