

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
NO. 4:11-CV-102-BO

UNITED STATES OF AMERICA :
 :
 :
 Plaintiff, :
 :
 v. :

**ORDER APPROVING
SETTLEMENT AGREEMENT**

\$32,154.38 IN U. S. CURRENCY :
SEIZED FROM CYNTHIA L. MARQUEZ:
RENTALS; :
\$113,887.90 IN U. S. CURRENCY :
SEIZED FROM JOYERIA PEREZ :
JEWELRY, INC.; :
MARQUEZ AND PEREZ REAL :
PROPERTIES DESCRIBED AS :
FOLLOWS, WITH ALL :
APPURTENANCES AND IMPROVEMENTS:
THEREON: :
PARCEL ONE - REAL PROPERTY AS :
DESCRIBED IN DEED BOOK 1419, :
PAGES 461-466 OF THE BEAUFORT :
COUNTY REGISTRY, NORTH :
CAROLINA, AND BEING TITLED IN :
THE NAME OF CYNTHIA PEREZ; :
PARCEL TWO - REAL PROPERTY AS :
DESCRIBED IN DEED BOOK 2355, :
PAGES 152-154 OF THE PITT :
COUNTY REGISTRY, NORTH :
CAROLINA, AND BEING TITLED IN :
THE NAME OF CYNTHIA PEREZ; :
PARCEL THREE - REAL PROPERTY :
AS DESCRIBED IN DEED BOOK :
1770, PAGES 198-200 OF THE :
PITT COUNTY REGISTRY, NORTH :
CAROLINA, AND BEING TITLED IN :
THE NAME OF CYNTHIA PEREZ; :
PARCEL FOUR - REAL PROPERTY :
AS DESCRIBED IN DEED BOOK :
1344, PAGES 228-230 OF THE :
PITT COUNTY REGISTRY, NORTH :
CAROLINA, AND BEING TITLED IN :
THE NAME OF CYNTHIA LEE PEREZ;:

PARCEL FIVE - REAL PROPERTY :
AS DESCRIBED IN DEED BOOK :
2289, PAGES 369-370 OF THE :
PITT COUNTY REGISTRY, NORTH :
CAROLINA, AND BEING TITLED IN :
THE NAME OF CYNTHIA L. PEREZ; :
PARCEL SIX - REAL PROPERTY :
AS DESCRIBED IN DEED BOOK :
2240, PAGES 493-494 OF THE :
PITT COUNTY REGISTRY, NORTH :
CAROLINA, AND BEING TITLED IN :
THE NAME OF CYNTHIA L. PEREZ; :
PARCEL SEVEN - REAL PROPERTY :
AS DESCRIBED IN DEED BOOK :
2322, PAGES 863-865 OF THE :
PITT COUNTY REGISTRY, NORTH :
CAROLINA, AND BEING TITLED IN :
THE NAME OF CYNTHIA L. PEREZ; :
PARCEL EIGHT - REAL PROPERTY :
AS DESCRIBED IN DEED BOOK :
2034, PAGES 1-2 OF THE PITT :
COUNTY REGISTRY, NORTH :
CAROLINA, AND BEING TITLED IN :
THE NAME OF CYNTHIA L. PEREZ; :
PARCEL NINE - REAL PROPERTY :
AS DESCRIBED IN DEED BOOK :
1810, PAGES 308-309 OF THE :
PITT COUNTY REGISTRY, NORTH :
CAROLINA, AND BEING TITLED IN :
THE NAME OF CYNTHIA L. PEREZ; :
PARCEL TEN - REAL PROPERTY :
AS DESCRIBED IN DEED BOOK :
2385, PAGES 578-579 OF THE :
PITT COUNTY REGISTRY, NORTH :
CAROLINA, AND BEING TITLED IN :
THE NAME OF CYNTHIA L. PEREZ; :
PARCEL ELEVEN - REAL PROPERTY :
AS DESCRIBED IN DEED BOOK :
2210, PAGES 434-439 OF THE :
PITT COUNTY REGISTRY, NORTH :
CAROLINA, AND BEING TITLED IN :
THE NAME OF CYNTHIA L. PEREZ; :
PARCEL TWELVE - REAL PROPERTY :
AS DESCRIBED IN DEED BOOK :
2394, PAGES 575-576 OF THE :
PITT COUNTY REGISTRY, NORTH :
CAROLINA, AND BEING TITLED IN :

THE NAME OF CYNTHIA L. PEREZ; :
PARCEL THIRTEEN - REAL :
 PROPERTY AS DESCRIBED IN DEED :
 BOOK 2099, PAGES 849-851 OF :
 THE PITT COUNTY REGISTRY, :
 NORTH CAROLINA, AND BEING :
 TITLED IN THE NAME OF CYNTHIA :
 L. PEREZ; :
PARCEL FOURTEEN - REAL :
 PROPERTY AS DESCRIBED IN DEED :
 BOOK 2244, PAGES 601-602 OF :
 THE PITT COUNTY REGISTRY, :
 NORTH CAROLINA, AND BEING :
 TITLED IN THE NAME OF CYNTHIA :
 LEE PEREZ; :
PARCEL FIFTEEN - REAL :
 PROPERTY AS DESCRIBED IN DEED :
 BOOK 2739, PAGES 161-162 OF :
 THE PITT COUNTY REGISTRY, :
 NORTH CAROLINA, AND BEING :
 TITLED IN THE NAME OF CYNTHIA :
 MARQUEZ; :
PARCEL SIXTEEN - REAL PROPERTY: :
 AS DESCRIBED IN DEED BOOK :
 2598, PAGES 536-537 OF THE :
 PITT COUNTY REGISTRY, NORTH :
 CAROLINA, AND BEING TITLED IN :
 THE NAME OF CYNTHIA L. :
 MARQUEZ; :
PARCEL SEVENTEEN - REAL :
 PROPERTY AS DESCRIBED IN DEED :
 BOOK 2590, PAGES 867-868 OF :
 THE PITT COUNTY REGISTRY, :
 NORTH CAROLINA, AND BEING :
 TITLED IN THE NAME OF CYNTHIA :
 L. MARQUEZ; :
PARCEL EIGHTEEN - REAL :
 PROPERTY AS DESCRIBED IN DEED :
 BOOK 2791, PAGES 626-627 OF :
 THE PITT COUNTY REGISTRY, :
 NORTH CAROLINA, AND BEING :
 TITLED IN THE NAME OF CYNTHIA :
 L. MARQUEZ; :
PARCEL NINETEEN - REAL :
 PROPERTY AS DESCRIBED IN DEED :
 BOOK 2470, PAGES 4-5 OF THE :

PITT COUNTY REGISTRY, NORTH :
 CAROLINA, AND BEING TITLED IN :
 THE NAME OF CYNTHIA L. :
 MARQUEZ; :
PARCEL TWENTY - REAL PROPERTY :
 AS DESCRIBED IN DEED BOOK :
 2401, PAGES 436-446 OF THE :
 PITT COUNTY REGISTRY, NORTH :
 CAROLINA, AND BEING TITLED IN :
 THE NAME OF CYNTHIA PEREZ :
 MARQUEZ; :
PARCEL TWENTY-ONE - REAL :
 PROPERTY AS DESCRIBED IN DEED :
 BOOK 2389, PAGES 761-763 OF :
 THE PITT COUNTY REGISTRY, :
 NORTH CAROLINA, AND BEING :
 TITLED IN THE NAME OF :
 ASSURANCE PROPERTY MANAGEMENT, :
 INC.; :
PARCEL TWENTY-TWO - REAL :
 PROPERTY AS DESCRIBED IN DEED :
 BOOK 2629, PAGES 394-396 OF :
 THE PITT COUNTY REGISTRY, :
 NORTH CAROLINA, AND BEING :
 TITLED IN THE NAME OF :
 ASSURANCE PROPERTY MANAGEMENT, :
 INC.; :
PARCEL TWENTY-THREE - REAL :
 PROPERTY AS DESCRIBED IN DEED :
 BOOK 1550, PAGES 686-688 OF :
 THE LENOIR COUNTY REGISTRY, :
 NORTH CAROLINA, AND BEING :
 TITLED IN THE NAME OF CYNTHIA :
 L. MARQUEZ; :
PARCEL TWENTY-FOUR - REAL :
 PROPERTY AS DESCRIBED IN DEED :
 BOOK 1520, PAGES 2-3 OF THE :
 LENOIR COUNTY REGISTRY, NORTH :
 CAROLINA, AND BEING TITLED IN :
 THE NAME OF ASSURANCE PROPERTY :
 MANAGEMENT, INC.; :
PARCEL TWENTY-FIVE - REAL :
 PROPERTY AS DESCRIBED IN DEED :
 BOOK 1581, PAGES 416-417 OF :
 THE LENOIR COUNTY REGISTRY, :
 NORTH CAROLINA, AND BEING :

TITLED IN THE NAME OF :
ASSURANCE PROPERTY MANAGEMENT, :
INC.; :
PARCEL TWENTY-SIX - REAL :
PROPERTY AS DESCRIBED IN DEED :
BOOK 2259, PAGES 510-511 OF :
THE WILSON COUNTY REGISTRY, :
NORTH CAROLINA, BEING TITLED :
IN THE NAME OF CYNTHIA L. :
PEREZ; :
AND ANY AND ALL PROCEEDS FROM :
THE SALE OF SAID PROPERTY, :
:
Defendants. :

IT APPEARING to the Court that certain parties to this action, the United States of America and Cynthia Marquez, have agreed to a settlement of this action on the terms and conditions set forth in a Settlement Agreement filed with the Court on September 4, 2012, and that the parties recognize in full and do not contest the interest which lienholder First South Bank has in the forfeited properties, if any, and said terms and conditions of the Settlement Agreement being acceptable to this Court, it is

ORDERED that the Settlement Agreement is APPROVED, each party to bear its own attorneys' fees, costs, and expenses. It is further

ORDERED that all right, title and interest of Cynthia Marquez is forfeited to the United States of America as to the

subject defendant personal and real property, subject only to that priority interest of First South Bank, as follows:

CURRENCY

\$32,154.38 in U. S. Currency seized from Cynthia L. Marquez Rentals;

\$113,887.90 in U. S. Currency seized from Joyeria Perez Jewelry, Inc; and

REAL PROPERTY

a) A portion of **Parcel One**, as referenced in the Complaint filed herein, being Tracts Three and Four as designated in and more fully described in a deed recorded in Deed Book 1419, Pages 463-464 of the Beaufort County Registry;

b) **Parcel Two**, as referenced in the Complaint filed herein, and as more fully described in Deed Book 2355, Pages 152-154 of the Pitt County Registry, being titled in the name of Cynthia Perez;

c) **Parcel Eight**, as referenced in the Complaint filed herein, and as more fully described in Deed Book 2034, Pages 1-2 of the Pitt County Registry, being titled in the name of Cynthia L. Perez;

d) **Parcel Ten**, as referenced in the Complaint filed herein, and as more fully described in Deed Book 2385, Pages 578-579 of

the Pitt County Registry, being titled in the name of Cynthia Perez;

e) **Parcel Eleven**, as referenced in the Complaint filed herein, and as more fully described in Deed Book 2210, Pages 434-439 of the Pitt County Registry, being titled in the name of Cynthia Perez;

f) **Parcel Fifteen**, as referenced in the Complaint filed herein, and as more fully described in Deed Book 2739, Pages 161-162 of the Pitt County Registry, being titled in the name of Cynthia Marquez;

g) **Parcel Seventeen**, as referenced in the Complaint filed herein, and as more fully described in Deed Book 2590, Pages 867-868 of the Pitt County Registry, being titled in the name of Cynthia L. Marquez;

h) **Parcel Eighteen**, as referenced in the Complaint filed herein, and as more fully described in Deed Book 2791, Pages 626-627 of the Pitt County Registry, being titled in the name of Cynthia L. Marquez;

i) **Parcel Nineteen**, as referenced in the Complaint filed herein, and as more fully described in Deed Book 2470, Pages 4-5 of the Pitt County Registry, being titled in the name of Cynthia L. Marquez;

j) A portion of **Parcel Twenty-One**, as referenced in the Complaint filed herein, being Tracts One, Two Three and Five, as designated in and more fully described in Deed Book 2389, Pages 761-763 of the Pitt County Registry, being titled in the name of Assurance Property Management, Inc.;

k) **Parcel Twenty-Two**, as referenced in the Complaint filed herein, and as more fully described in Deed Book 2629, Pages 394-396 of the Pitt County Registry, being titled in the name of Assurance Property Management, Inc.;

l) **Parcel Twenty-Four**, as referenced in the Complaint filed herein, and as more fully described in Deed Book 1520, Pages 2-3 of the Lenoir County Registry, being titled in the name of Assurance Property Management, Inc.;

m) **Parcel Twenty-Five**, as referenced in the Complaint filed herein, and as more fully described in Deed Book 1581, Pages 416-417 of the Lenoir County Registry, being titled in the name of Assurance Property Management, Inc.

The interests forfeited to the United States includes the right to rental income currently due or in arrears, as well as payments due or in arrears on any land installment sales contracts, to be disposed of by the United States Department of Justice according to law, after the payment of any amounts due and owing for ad valorem taxes, the lien held by First South

Bank (where applicable), and other costs and expenses of sale;
and

IT IS ALSO ORDERED that the remaining real properties not
forfeited are released from this civil forfeiture action and any
lis pendens encumbering them shall be removed.

SO ORDERED this 6 day of September, 2012.



TERRENCE W. BOYLE
UNITED STATES DISTRICT COURT JUDGE