

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

v.

CASE NO. 4:09cv00064 BSM

**Real Property Located at 3735 ED ALLEN ROAD,
BENTON, ARKANSAS 72019**

DEFENDANT

**REGIONS MORTGAGE and
REGIONS BANK**

CLAIMANTS

JUDGMENT

The parties have agreed and consented to the judgment set forth herein. Regions Mortgage and Regions Bank, the sole claimants of the real property specifically described as follows:

3735 ED ALLEN ROAD, BENTON, ARKANSAS 72019

(“defendant property”), have consented to the terms of this order and have waived any defenses and the formal service of further process in this action.

Therefore, it is ordered, adjudged, and decreed as follows:

1. Judgment is entered for the United States and the property is condemned as forfeited to the United States. Defendant property shall be turned over to the United States Secret Service and disposed of according to law.
2. The amended claims of Regions Mortgage and Regions Bank (collectively referred to as the “Regions claim”) are hereby recognized:

A. Regions Mortgage has the first lien on defendant property by virtue of a mortgage filed for record with the Circuit Clerk and Ex-Officio Recorder of Saline County, Arkansas, on February 17, 2005 as Document No. 05-16504. As of January 29, 2010, the amount owed to Regions Mortgage is \$190,144.86. Interest continues to accrue on this amount after January 29, 2010 at the daily rate of \$26.22. Regions Mortgage is also entitled to receive the attorneys' fees and costs it incurred in the amount of \$8,500.00.

B. Regions Bank has the second lien on defendant property by virtue of a mortgage filed for record with the Circuit Clerk and Ex-Officio Recorder of Saline County, Arkansas, on March 8, 2005 as Document No. 05-23585. As of February 20, 2010 the amount owed to Regions Bank is \$34,360.56. Interest continues to accrue on this amount after February 20, 2010 at the daily rate of \$3.0189.

3. Upon sale of defendant property, Regions Mortgage and Regions Bank will be paid the amount of the Regions claim, together with any accrued interest.

4. The payment in full of the Regions claim shall be in full settlement and satisfaction of all claims by Regions Mortgage and Regions Bank arising from and resulting from the seizure, detention, and forfeiture of defendant property.

5. Regions Mortgage and Regions Bank will not be required to release their liens

or otherwise assign and convey their security interest to the United States until the Regions claim has been paid in full. Once the Regions claim has been paid in full, Regions Mortgage and Regions Bank will release their liens or otherwise convey their security interests to the United States and will release and hold harmless the United States, and any agents, servants, and employees of the United States (and any involved state or local law enforcement agencies and their agents, servants, or employees), in their individual or official capacities, from any and all claims by Regions Mortgage and Regions Bank and their agents that currently exist or that may arise as a result of the government's actions against and relating to defendant property.

6. Upon payment in full of the Regions claim, Regions Mortgage and Regions Bank agree not to pursue any other rights they may have under the mortgage instruments, including but not limited to the right to foreclose upon and sell the property and any right to assess additional interest or penalties.

7. Regions Mortgage and Regions Bank agree to waive all attorneys' fees under 28 U.S.C. § 2465.

8. Upon payment in full of the Regions claim, Regions Mortgage and Regions Bank agree to execute further documents, to the extent necessary, to convey clear title to the property to the United States and to implement further the terms of this settlement.

9. Except to the extent set forth in paragraph 2A above, Regions Mortgage, Regions Bank, and the United States each agree to bear their own costs and attorneys' fees as they relate to this forfeiture action.

10. As no claim was filed by any other parties including but not limited to James

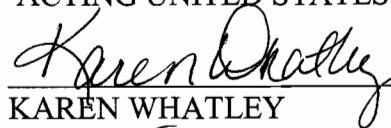
and Tracy Neighbors, all such parties have waived their right to any ownership interest in said property.

11. That within thirty (30) days of the decree of forfeiture, James and Tracy Neighbors shall vacate the property and take all personal items with them.

IT IS SO ORDERED this 3rd day of February, 2010.

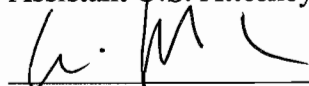

UNITED STATES DISTRICT JUDGE

CONSENTED TO:
PATRICK C. HARRIS
ACTING UNITED STATES ATTORNEY



KAREN WHATLEY
Assistant U.S. Attorney

Date 1/26/10



W. MICHAEL REIF
Attorney for Claimant

Date 1/26/10