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UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
EASTERN DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

VACANT LAND LOCATED IN ONTARIO,  
CALIFORNIA,  
Defendant.

THE HARRIS GROUP II, LP,  
Titleholder.

) NO. EDCV 17-1030-MWF (RAOx)

) CONSENT JUDGMENT OF FORFEITURE

1 Plaintiff and claimant KVG Group, Inc. and potential  
2 claimant The Harris Group II, LP have made a stipulated request  
3 for the entry of this Consent Judgment, resolving this action in  
4 its entirety.

5 The Court, having considered the stipulation of the  
6 parties, and good cause appearing therefor, **HEREBY ORDERS**  
7 **ADJUDGES AND DECREES:**

8 1. The government has given and published notice of this  
9 action as required by law, including Rule G of the Supplemental  
10 Rules for Admiralty or Maritime Claims and Asset Forfeiture  
11 Actions, Federal Rules of Civil Procedure, and the Local Rules  
12 of this Court. KVG Group, Inc. has filed a claim and answer.  
13 Potential claimant The Harris Group II, LP claims an interest in  
14 the defendant property, but has not filed a claim in this case  
15 or answered the complaint. However, The Harris Group II, LP  
16 would have filed a claim and answer in this case absent this  
17 agreement. No other statements of interest or answers have been  
18 filed, and the time for filing such statements of interest and  
19 answers has expired. This Court has jurisdiction over the  
20 parties to this judgment and the defendant property. Any  
21 potential claimants to the defendant property other than KVG  
22 Group, Inc. and The Harris Group II, LP are deemed to have  
23 admitted the allegations of the complaint with respect to the  
24 defendant property.

25 2. The United States of America shall have judgment as to  
26 the defendant property, and, other than those interests  
27 recognized herein, no other person or entity shall have any  
28

1 right, title or interest therein. The legal description of the  
2 defendant property, which property has Assessor Parcel Numbers  
3 0238-041-22 and 0238-041-28 (the "defendant property") and is  
4 more fully described as follows:

5 Parcel 1:

6 Parcel 4 of parcel map No. 14738-1, in the City of  
7 Ontario, County of San Bernardino, State of  
8 California, as per map on file in Book 186, pages 34  
9 through 37 of parcel maps, in the office of the county  
10 recorder of said county, excepting the following  
11 described portion of said parcel 4;

12 Beginning at a point on the westerly boundary of said  
13 parcel 4 that bears south 00 degrees 25'52' west,  
14 83.00 feet from the northwesterly corner of said  
15 parcel 4:

16 Thence south 89'34'08' east, parallel with the  
17 northerly boundary of said parcel 4, a distance of  
18 7.22 feet;

19 Thence south 21'56'52' east 171.23 feet to an  
20 intersection with said westerly boundary;

21 Thence north 36'14'14' west along westerly boundary,  
22 46.67 feet to an angle point therein;

23 Thence continuing along said westerly boundary, north  
24 22'11'28' west, 115.80 feet to an angle point therein:

25 Thence continuing along said westerly boundary, north  
26 00'25'52' east, 14.01 feet to the point of beginning;

27 Together with the east 10.50 feet of the north 83.00  
28 feet of parcel 3 of said parcel map No. 14738-1.

Said land is described above pursuant to lot line  
adjustment No. LL-99-22 recorded November 19, 1999 as  
instrument No. 478585, of official records.

3. The United States is hereby authorized to remove any  
occupants and/or personal property remaining on the defendant  
property thirty days after the giving of written notice to any  
occupants of the defendant property without further order of

1 this Court. The United States shall thereafter sell the  
2 property. The proceeds of the sale shall be distributed in the  
3 following priority, to the extent proceeds are available:

- 4 a. To the United States for its actual and  
5 reasonable costs and expenses of the sale;
- 6 b. To the San Bernardino County Assessor and Tax  
7 Collector of all unpaid real property taxes  
8 assessed against the defendant property to the  
9 date of entry of the Judgment of Forfeiture;
- 10 c. To KVG Group, Inc. as follows:
  - 11 i. All unpaid principal and interest due under  
12 the Note which is secured by the Deed of  
13 Trust recorded as Instrument No. 2016-  
14 0370818 against the defendant property  
15 identifying KVG Group as beneficiary, as of  
16 the date of the closing with respect to  
17 Plaintiff's sale of the defendant property;  
18 and
  - 19 ii. All other fees, costs and advances as  
20 provided under the terms of the Note and  
21 Deed of Trust, as of the date of the closing  
22 with respect to Plaintiff's sale of the  
23 Subject Property. These fees, costs and  
24 advances include, but are not limited to,  
25 fees, advances or costs for property taxes,  
26 insurance (including for hazard insurance),  
27 reasonable attorney fees and costs and fees

1 and costs incurred in protecting

2 KVG Group, Inc.'s security interest; and

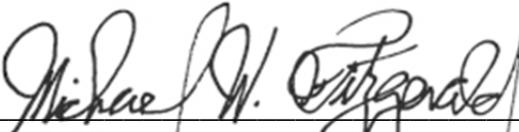
3 d. The balance shall be paid and forfeited to the  
4 United States of America, and such funds shall be  
5 disposed of according to law.

6 4. KVG Group, Inc. and The Harris Group II, LP have agreed  
7 to release the United States of America, its agencies, agents,  
8 and officers, including employees and agents of the Federal  
9 Bureau of Investigation, from any and all claims, actions or  
10 liabilities arising out of or related to this action, including,  
11 without limitation, any claim for attorneys' fees, costs or  
12 interest which may be asserted on behalf of KVG Group, Inc. or  
13 The Harris Group II, LP against the United States, whether  
14 pursuant to 28 U.S.C. § 2465 or otherwise. KVG Group, Inc. and  
15 The Harris Group II, LP have also waived any rights they may  
16 have to seek remission or mitigation of the forfeiture. Nothing  
17 in this Consent Judgment is intended as, nor should anything in  
18 this Consent Judgment be interpreted as an admission by KVG  
19 Group, Inc. or The Harris Group II, LP of any liability or  
20 wrongdoing.  
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1           5. The court finds that there was reasonable cause for the  
2 institution of these proceedings pursuant to 28 U.S.C.  
3 § 2465. This judgment constitutes a certificate of reasonable  
4 cause pursuant to 28 U.S.C. § 2465.

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6 DATED: August 31, 2017

  
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THE HONORABLE MICHAEL W. FITZGERALD  
UNITED STATES DISTRICT JUDGE

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9 Prepared by:

10 SANDRA R. BROWN  
11 Acting United States Attorney  
12 LAWRENCE S. MIDDLETON  
13 Assistant United States Attorney  
14 Chief, Criminal Division  
15 STEVEN R. WELK  
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18 /s/ Jonathan Galatzan  
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