

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Action No.08-cv-02514-REB-MJW

UNITED STATES OF AMERICA,

Plaintiff,

v.

762 HORIZON DRIVE, GRAND JUNCTION, COLORADO,

3154 LAKESIDE DRIVE #206, GRAND JUNCTION, COLORADO,

2330 MARSTON HEIGHTS DRIVE, COLORADO SPRINGS, COLORADO,

ALL MONIES IN WELLS FARGO BANK ACCOUNT 2502428143
FOR THE BENEFIT OF NAN O'REILLY AND SPRINGS, INC.,

ALL MONIES IN WELLS FARGO BANK ACCOUNT 9612468596
FOR THE BENEFIT OF NAN O'REILLY AND SPRINGS, INC.,

320 LONGHORN CATTLE DRIVE, CALHAN, COLORADO,

SLOCUM ROAD, PEYTON, COLORADO, AND

2003 MERCEDES-BENZ VIN WDBSK75F93F011085

Defendants.

FINAL ORDER OF FORFEITURE

Blackburn, J.

The matter comes before the Court on the United States' **Unopposed Motion for Final Order of Forfeiture** [#91] filed June 16, 2010, the Court having reviewed said Motion FINDS:

THAT the United States commenced this action in rem pursuant to 18 U.S.C. § 981;

THAT all known parties have been provided with an opportunity to respond and that publication has been effected as required by Supplemental Rule G(4);

THAT the United States and the sole claimant Nan O'Reilly have reached a settlement in this case, and have filed a Settlement Agreement with the Court resolving all issues in dispute;

THAT no other claims to defendant property have been filed;

THAT upon agreement of the parties:

a. Claimant Nan O'Reilly agrees to forfeit to the United States all right, title, and interest of 762 Horizon Drive, Grand Junction, Colorado (defendant "Fuji Massage"), more fully described as:

Lot 103 Tech Del Sol Replat Lots 2, 3, 4, 5, 6
Block 1 of the Grand Junction Technological Center Subdivision
Sec 31 1N 1E & that PTN of VAC 40 Ft Row as Desc in B-1572 P-953
Mesa CO Recds

b. Claimant Nan O'Reilly agrees to forfeit to the United States all right, title, and interest of 3154 Lakeside Drive #206, Grand Junction, Colorado (defendant "Lakeside"), more fully described as:

Unit No. 206, Eldorado Building, LAKE VIEW TERRACE
CONDOMINIUMS, According to the condominium map appearing in the records of the Clerk and Recorder of Mesa County, Colorado at Reception No., 1063542, and as defined and described in that Condominium Declaration for Lake View Terrace Condominiums appearing in such records in Book 1011 at Page 848, Mesa County, Colorado.

The property is listed in the records of the clerk and recorder as encumbered by a Deed of Trust held by "Tiger Lily, Inc." "Tiger Lily, Inc." is a now defunct shell company created and run solely by Nan O'Reilly, and thus the United States does not recognize the validity of the Deed of Trust or any other encumbrance on defendant Lakeside.

c. Claimant Nan O'Reilly agrees to forfeit to the United States all right, title, and interest of 320 Longhorn Cattle Drive, Calhan, Colorado (defendant "Longhorn"), more fully described as:

Lot 6 in Western Horizons
County of El Paso, State of Colorado

d. Claimant Nan O'Reilly agrees to forfeit to the United States all right, title, and interest of Slocum Road, Peyton, Colorado (defendant "Slocum"), more fully described as:

Map Ref: MP: 2223 Abbreviated Description: SUBD: Colorado Springs
Addition No 5 SEC/TWN/RNG/MER: SEC 23 TWN 13S RNG 64W
W2S2NEf SEC 23-13-64 MAP REF: MP:2223
County of El Paso, State of Colorado

e. Claimant Nan O'Reilly agrees to forfeit all right, title, and interest to the \$74,000.00 paid in lieu of forfeiting defendant Marston, which is more fully described as follows:

Lot 32 in Cypress Ridge Filing No1-C
in the City of Colorado Springs,
El Paso County, Colorado

f. Claimant Nan O'Reilly agrees to forfeit all right, title, and interest to the \$6,937.34 in United States Currency seized from defendant WELLS FARGO BANK ACCOUNT 2502428143.

g. Claimant Nan O'Reilly agrees to forfeit all right, title, and interest to the \$1,575.04 in United States Currency seized from defendant WELLS FARGO BANK ACCOUNT 9612468596.

h. Claimant Nan O'Reilly agrees to forfeit all right, title, and interest to defendant 2003 MERCEDES-BENZ VIN WDBSK75F93F011085.

i. The United States agrees to record a Release of Lis Pendens for defendant Marston upon entry of Final Order of Forfeiture.

THAT it further appears there is cause to issue a forfeiture order under 18 U.S.C. § 981.

NOW, THEREFORE, IT IS ORDERED, DECREED AND ADJUDGED:

1. That the United States' **Unopposed Motion for Final Order of Forfeiture** [#91] filed June 16, 2010, is **GRANTED**;

2. That forfeiture of defendant property shall enter in favor of the United States; the United States shall have full and legal title to the defendant property, and may dispose of it in accordance with law and in accordance with the terms and provisions of the parties' Settlement Agreement;

3. That the Clerk of Court is directed to enter Judgment; and

4. That a Certificate of Reasonable Cause, which this Order constitutes, is granted as to all defendant property pursuant to 28 U.S.C. § 2465.

Dated June 17, 2010, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge