

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-00567-REB-KLM

UNITED STATES OF AMERICA,

Plaintiff,

v.

1. \$62,232.97 SEIZED FROM VECTRA BANK ACCOUNT # 4038009447,
2. \$6,528.63 SEIZED FROM VECTRA BANK ACCOUNT # 4037230762,
3. \$702.37 SEIZED FROM U.S. BANK ACCOUNT # 151702524431,
4. \$24,242.52 SEIZED FROM COMPASS BANK ACCOUNT # 6700787573,
5. \$1,004,786.66 SEIZED FROM COMPASS BANK ACCOUNT # 6701454918,
6. \$831,786.86 SEIZED FROM COMPASS BANK ACCOUNT # 6700583218,
7. \$19,275.96 SEIZED FROM COMPASS BANK ACCOUNT # 6700666156,
8. \$15,249.67 SEIZED FROM COMPASS BANK ACCOUNT # 6701437681,
9. \$2,198.38 SEIZED FROM ELEVATIONS CREDIT UNION ACCOUNT # 259658,
10. \$600.00 SEIZED FROM COMPASS BANK ACCOUNT # 6700789509,
11. \$100.00 SEIZED FROM COMPASS BANK ACCOUNT # 6702116986,
12. \$490.15 SEIZED FROM COMPASS BANK ACCOUNT # 6702084189,
13. \$340.76 SEIZED FROM WELLS FARGO BANK ACCOUNT # 8992266356,
14. \$2,796.60 SEIZED FROM WELLS FARGO BANK ACCOUNT # 6249808806,
15. \$695.12 SEIZED FROM NATIONAL BANK OF ARIZONA ACCOUNT #  
50051578,
16. 2011 TOYOTA TACOMA, VIN 3TMLU4EN6BM078859,

17. 2013 TRIUMPH THUNDERBIRD ABS, VIN SMTB01TL3CJ521380,
18. 710 TENACITY DRIVE, UNIT 101, LONGMONT, COLORADO, and
19. 66.51 COUNTY ROAD 1917, LINDEN, TEXAS.

Defendants.

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**WRIT OF ENTRY**

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TO: INTERNAL REVENUE SERVICE AND/OR ANY OTHER DULY AUTHORIZED LAW ENFORCEMENT OFFICER - GREETINGS:

Based upon the Verified Complaint for Forfeiture *In Rem* filed herein, against the defendant real property described as follows:

a. 710 Tenacity Drive, Unit 101, Longmont, Colorado (defendant Tenacity), which is more fully described as follows:

Unit 101, 710 Tenacity Condominiums, Boulder County, Colorado, according to the Declaration of Covenants, Conditions and Restrictions for 710 Tenacity Condominiums, recorded under Reception No. 3002483 of the records of the Clerk and Recorder for Boulder County, Colorado and the Condominium Map recorded under Reception No. 3002484 of the records of the Clerk and Recorder for Boulder County, Colorado.

Upon information and belief, defendant Tenacity Drive is titled in the name of Oak Investments LLC and is unencumbered; and

b. 66.51 County Road 1917, Linden, Texas (defendant County Road 1917), which is more fully described as follows:

All that certain 66.51 acre tract of land situated in the Howard Reams Survey, A-878, Cass County, Texas, being a part of that tract recorded in Volume 549, Page 527 of the Deed Records of Cass, County, Texas, said 66.51 acre tract of land being more particularly described by metes and bounds as follows: (Bearing Basis: TXDOT R.O.W. Maps Farm Road #1841)

Beginning at a ½" iron rod set where the centerline of Cass County Road #1917 intersects the North right-of way line of Farm Road #1841 for the Southwest corner of this tract;

Thence: Along and with the centerline of said county road as follows:

N 07° 25' 59" W, 689.70 feet;

N 11° 14' 39" W, 318.64 feet;

N 10° 02' 22" W, 193.51 feet;

N 03° 01' 26" W, 191.91 feet;

N 04° 42' 54" E, 558.72 feet to a ½" iron rod set in the North line of Volume 549, Page 427, also the South line of Volume 672, Page 51 for the Northwest corner of this tract;

Thence: N 88° 49' 08" E, 1663.24 feet with common boundary of Volume 672, Page 51 to a 2" iron pipe found for the Northeast corner of this tract, also the Northwest corner of a tract in Volume 338, Page 412;

Thence: S 00° 38' 31" E, 647.87 feet with common boundary of Volume 338, Page 412 to a concrete monument found for an angle corner of this tract;

Thence: S 00° 46' 12" E, 571.78 feet with common boundary of Volume 338, Page 412 to a ½" iron rod found for the most Easterly Southeast corner of this tract;

Thence: N 89° 50' 47" W, 415.24 feet along common boundary of Volume 893, Page 727 to a ½" iron rod found for an angle corner of the tract and the Northwest corner of Volume 893, Page 727;

Thence: S 00° 02' 37" W, 550.08 feet along a common boundary of Volume 893, Page 727 to a 1/2" iron rod found for sri angle corner of this tract;

Thence: N 89° 54' 36" W, 455.67 feet to a ¾" iron rod found for an angle corner of this tract;

Thence: S 00° 03' 27" W, 394.24 feet to a ½" iron rod found in the North right-of-way line of Farm Road #1841 for the Southeast corner of this tract;

Thence: Along said North righty-of-way as follows:

N 82° 05' 00" W, 548.67 feet to a ½" iron rod set for an angle corner

N 37° 43' 43" W, 143.28 feet to a Type I right-of-way monument found for an angle corner;

N 82° 25' 32" W, 25.93 feet to the Point of Beginning, containing 66.51 acres of land, more or less

and the Application for Writ of Entry filed by the United States, and the Court being satisfied that it has jurisdiction over the defendant property, and that there is probable cause to believe the defendant real property are subject to forfeiture to the United States pursuant to 21 U.S.C. § 981;

The United States having requested that the Court issue a Writ of Entry as provided in 18 U.S.C. § 983(j) and 18 U.S.C. § 985(b)(2), and Supplemental Rule for Certain Admiralty and Maritime Claims E(4) and G(3)(c)(1), authorizing it to enter the defendant real property, including any structures, for the purpose of conducting an inspection and inventory of the property and, as provided in 19 U.S.C. § 1606, to conduct appraisals; and

The United States having not requested authority to seize the defendant real property at this time but having stated in its Application for Writ of Entry that it will post notice of the Complaint for Forfeiture *In Rem* in a conspicuous place on defendant real property and serve notice of this action and a copy of the Complaint on the owner(s) of the defendant real property under 18 U.S.C. § 985(c)(1) and (3), and Supplemental Rule for Certain Admiralty and Maritime Claims E(4);

IT IS ORDERED that the Internal Revenue Service or its designee, is hereby authorized to:

1. enter the defendant real property, including any structures, on one or more occasions during the pendency of this forfeiture action against the defendant real property, for the purpose of conducting an inspection, inventory, and appraisal of the defendant real property; and
2. be accompanied on any such occasion by any appraiser(s) selected by it for the purpose of appraising the condition and value of the defendant real property

pursuant to 19 U.S.C. § 1606, which appraisals may include, among other means, still and video photography; and

3. be accompanied on any such occasion by any government and contract personnel selected by it for the purpose of conducting an inspection and inventory of the defendant real property, which inspection and inventory may include, among other means, still and video photography; and

4. be accompanied on any such occasion by any federal, state, and local law enforcement officers selected by it to ensure the safety of personnel acting under this Writ of Entry.

Any interference with anyone acting under the authority of this Writ of Entry shall be deemed a violation of a Court order and may be punished as a contempt, as a violation of 18 U.S.C. § 2232 prohibiting the impairment of in rem jurisdiction, or otherwise as provided by law.

DONE at Denver, Colorado, this 15 day of April, 2013.

BY THE COURT:

  
United States Magistrate Judge