

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-01288-WYD-MJW

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$8,158.13 IN WELLS FARGO BANK ACCOUNT 5817047854;
\$367.71 SEIZED FROM ALPINE BANK ACCOUNT 3350016756;
\$24,972.98 SEIZED FROM ALPINE BANK ACCOUNT 3350126520;
\$48,141.42 SEIZED FROM TD AMERITRADE ACCOUNT 788-788655;
\$5,601.39 SEIZED FROM ING DIRECT ACCOUNT 153819292;
REAL PROPERTY LOCATED AT 86 COOPER LAKE ROAD SE,
MABLETON, GEORGIA;
REAL PROPERTY LOCATED AT 700 PTARMIGAN RANCH ROAD,
SILVERTHORNE, COLORADO;
\$12,182.38 SEIZED FROM EQUITY TRUST ROTH IRA ACCOUNT Z129559;
\$92,770.59 SEIZED FROM FIRSTBANK ACCOUNT 406-455-3225; and
2010 HONDA CROSSTOUR VIN 5J6TF2H57AL007593;

Defendants.

DEFAULT OF LAUREN LEIBOLD SCHWARTZ

THIS MATTER comes before the Court on the United States' Motion for Default of Lauren Leibold Schwartz (ECF No. 58), formerly known as Lauren Leibold, as to all defendant property, the Court having reviewed said Motion FINDS:

THAT the United States commenced this action *in rem* pursuant to 18 U.S.C. § 981 and 21 U.S.C. § 881;

THAT Lauren Leibold filed a Fourth Lien Deed of Trust on defendant 700 Ptarmigan Ranch Road at Reception No. 891922 in Summit County, Colorado, recorded on July 7, 2008.

THAT notice of this action was made via first class U.S. Mail and Certified Mail Return Receipt Requested to Lauren Leibold Schwartz, as evidenced by the Certificate of Service filed with the Court on May 23, 2014. (ECF No. 12). Personal Service to Lauren Leibold Schwartz was also made on June 16, 2014.

THAT Lauren Leibold Schwartz is not a minor or incompetent person.

THAT it appears that there is cause to issue a default order under Fed. R. Civ. P. 55.

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

THAT the Motion for Default of Lauren Leibold Schwartz (ECF No. 58) is **GRANTED** and default judgment shall be entered against Lauren Leibold Schwartz' interest as to all defendant property, as well as to her lienholder interest of defendant 700 Ptarmigan Ranch Road.

THAT Lauren Leibold Schwartz' right, title, and interest as to all defendant property, is hereby entered in favor of the United States pursuant to 18 U.S.C. § 981 and 21 U.S.C. § 881. Defendant property is more fully described as:

- a. \$8,158.13 in Wells Fargo Bank Account 5817047854;
- b. \$367.71 seized from Alpine Bank Account 3350016756;
- c. \$24,972.98 seized from Alpine Bank Account 3350126520;
- d. \$48,141.42 seized from TD Ameritrade Account 788-788655;

- e. \$5,601.39 seized from ING Direct Account 153819292;
- f. \$12,182.38 seized from Equity Trust Roth IRA Account Z129559;
- g. \$92,770.59 seized from Firstbank Account 406-455-3225; and
- h. 2010 Honda Crosstour VIN 5J6TF2H57AL007593;
- i. Real Property Located at 86 Cooper Lake Road SE, Mableton, Georgia;

more fully described as:

All that tract or parcel of land lying and being in Land Lot 250 of the 17th District, 2nd Section, Cobb County, Georgia, and being more particularly described as follows:

Beginning at point to the southeasterly side of Cooper Lake Road, which point is located 1,390 feet northeasterly from the intersection of the southeasterly side of Cooper Lake Road with the south line of Land Lot 183, as measured along the southeasterly side of Cooper Lake Road; running thence in a southeasterly direction, forming an interior angle of 90 degrees with the southeasterly side of Cooper Lake Road, a distance of 400 feet; running thence in a northeasterly direction, forming an interior angle of 90 degrees with the last given line, a distance of 100 feet; running thence in a northwesterly direction, forming an interior angle of 90 degrees with the last given line, a distance of 400 feet to the southeasterly side of Cooper Lake Road; running thence in a southwesterly direction along the southeasterly side of Cooper Lake Road a distance of 100 feet to the point of beginning.

- j. Real Property Located at 700 Ptarmigan Ranch Road, Silverthorne, Colorado;

more fully described as:

A tract of land located in the South one-half of Section 5 and in the East one-half of the Southeast one-quarter of Section 6 and in the Government Lot 3, Section 7 Township 5 South Range 77 West of the 6th Principal Meridian, Summit County, Colorado, said tract being more particularly described as follows: Beginning at a point of the North line of said Southeast 1/4 Section 6 whence the East 1/4 corner of said Section 6 bears North 89 degrees 55 minutes 59 seconds East 448.15 feet distant; Thence South 00 degrees 07 minutes 28 seconds West a distance of 941.92 feet to the end point of a sixty foot wide access and

utility easement; Thence Southerly along the centerline of said easement for the following eleven courses: 1) 97.66 feet along the arc of a curve to the left, having a central angle of 50 degrees 52 minutes 06 seconds, a radius of 110.00 feet and a chord which bears South 73 degrees 43 minutes 39 seconds East 94.48 feet distant; 2) North 80 degrees 50 minutes 18 seconds East a distance of 80.01 feet; 3) 72.61 feet along the arc of a curve to the right, having a central angle of 29 degrees 43 minutes 46 seconds, a radius of 140.00 feet and a chord which bears South 84 degrees 17 minutes 49 seconds East 71.83 feet distant; 4) South 69 degrees 25 minutes 56 seconds East a distance of 221.03 feet; 5) 168.69 feet along the arc of a curve to the right having a central angle of 128 degrees 52 minutes 17 seconds, a radius of 75.00 feet and a chord which bears South 04 degrees 59 minutes 48 seconds East 135.32 feet distant; 6) South 59 degrees 26 minutes 21 seconds West a distance of 100.40 feet; 7) 117.07 feet along the arc of a curve to the left, having a central angle of 111 degrees 47 minutes 45 seconds, a radius of 60.00 feet and a chord which bears South 03 degrees 32 minutes 28 seconds West of 99.36 feet distant; 8) South 52 degrees 21 minutes 24 seconds East a distance of 224.84 feet; 9) 331.92 feet along the arc of a curve to the left, having a central angle of 55 degrees 56 minutes 02 seconds, a radius of 340.00 feet and a chord which bears South 80 degrees 19 minutes 25 seconds East 318.89 feet distant; 10) North 71 degrees 42 minutes 34 seconds East a distance of 157.06 feet; 11) 33.24 along the arc of a curve to the right, having a central angle of 21 degrees 09 minutes 51 seconds, a radius of 90.00 feet and a chord which bears North 82 degrees 17 minutes 30 seconds East 33.06 feet distant to a point on the Northerly right of way line of Interstate 70; Thence Southwesterly along said Northerly right of way line for the following six courses; 1) South 58 degrees 42 minutes 38 seconds West a distance of 940.06 feet; 2) South 66 degrees 05 minutes 38 seconds West a distance of 155.70 feet; 3) 1638.15 feet along the arc of a curve to the left, having a central angle of 15 degrees 54 minutes 30 seconds, a radius of 5900 feet and a chord which bears South 50 degrees 45 minutes 23 seconds West 1632.89 feet distant; 4) South 35 degrees 50 minutes 08 seconds West a distance of 164.81 feet; 5) South 42 degrees 48 minutes 08 seconds West a distance of 620.40 feet; 6) South 44 degrees 16 minutes 08 seconds West a distance of 134.41 feet to the Southeast corner of a tract of land recorded in Book 182 at Page 401 in the Office of the Summit County Clerk and Recorder; Thence North 00 degrees 06 minutes 15 seconds West along said East line a distance of 1075.23 feet to a point on the North line of said Government Lot 3; Thence North 89 degrees 05 minutes 45 seconds East along North line of Lot 3 a distance of 969.78 feet to the Southwest corner of said East 1/2 Southeast 1/4 Section 6; Thence North 01 degrees 12 minutes 56 seconds West along the West line of said East

1/2 Southeast 1/4 a distance of 739.30 feet; Thence North 88 degrees 52 minutes 12 seconds East a distance of 560.97 feet; Thence North 58 degrees 42 minutes 38 seconds East a distance of 863.77 feet to a point on the Westerly line of sixty foot wide easement for access and utilities; Thence Northerly along said Westerly easement line for the following eight courses: 1) North 52 degrees 21 minutes 24 seconds West a distance of 153.47 feet; 2) 175.61 feet along the arc of a curve to the right, having a central angle of 111 degrees 47 minutes 45 seconds, a radius of 90.00 feet and a chord which bears North 03 degrees 32 minutes 29 seconds East 149.05 feet distant; 3) North 59 degrees 26 minutes 21 seconds East a distance of 100.40 feet; 4) 101.22 feet along the arc of a curve to the left, having a central angle of 128 degrees 52 minutes 17 seconds, a radius of 45.00 feet and a chord which bears North 04 degrees 59 minutes 47 seconds West 81.19 feet distant; 5) North 69 degrees 25 minutes 56 seconds West a distance of 221.03 feet; 6) 57.08 feet along the arc of a curve to the left, having a central angle of 29 degrees 43 minutes 46 seconds, a radius of 110.00 feet and a chord which bears North 84 degrees 17 minutes 49 seconds West 56.44 feet distant; 7) South 80 degrees 50 minutes 18 seconds West a distance of 80.01 feet; 8) 148.35 feet along the arc of a curve to the right, having a central angle of 60 degrees 42 minutes 54 seconds, a radius of 140.00 feet and a chord which bears North 68 degrees 48 minutes 15 seconds West 141.51 feet distant; Thence North 38 degrees 26 minutes 59 seconds West a distance of 132.92 feet; Thence North 38 degrees 27 minutes 19 seconds West a distance of 464.30 feet; Thence North 00 degrees 25 minutes 34 seconds East a distance of 478.70 feet to a point on said North line of the Southeast 1/4 Section 6; Thence North 89 degrees 55 minutes 59 seconds East along said North line a distance of 406.35 feet to the point of beginning; Also known as Lot 2, Ptarmigan Ranch, County of Summit, State of Colorado.

SO ORDERED this 21st day of April, 2015.

BY THE COURT:

s/Wiley Y. Daniel

WILEY Y. DANIEL

Senior United States District Court Judge