

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Civil Action No. 3:12-cv-0404-FDW-DSC

CENTER CAPITAL CORPORATION, n/k/a	:
WEBSTER CAPITAL FINANCE, INC.,	:
Plaintiff,	:
	:
v.	:
	:
APEX HOMES, INC. and	:
LEONARD R. WATTS,	:
	:
Defendants.	:

**ORDER OF SEIZURE GRANTING
MOTION FOR CLAIM AND DELIVERY OF PROPERTY**

The Court having considered Plaintiff's Motion for Claim and Delivery of Property dated June 29, 2012 [Doc. No. 2], the Forbearance Agreement entered into between the parties on August 3, 2012, as well as Plaintiff's Status Report and accompanying Affidavit both dated August 31, 2012 [Doc Nos. 32 and 33] and Defendants' Status Report and accompanying Affidavit of Leonard Watts dated September 5, 2012 [Doc. No. 34], and it appearing that Plaintiff's Motion for Claim and Delivery of Property should be **GRANTED**;

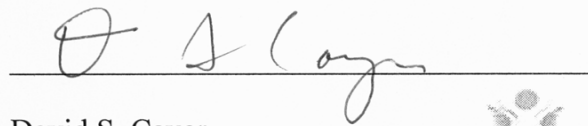
IT IS HEREBY ORDERED that:

1. The Plaintiff's Motion for Claim and Delivery of Property dated June 29, 2012 [Doc. No. 2] is hereby **GRANTED** as probable cause exists for the issuance of this Order of Seizure;
2. The Plaintiff shall post a bond in the amount of \$2,800,000.00 in compliance with N.C. Gen. Stat. § 1-475;

3. The Plaintiff Center Capital Corporation n/k/a Webster Capital Finance, Inc. (“Webster Capital” or “Plaintiff”) shall be entitled to immediate possession and control of the Equipment as that term is defined within Paragraph 2 of Plaintiff’s Motion for Claim and Delivery [Doc. No. 2], said Equipment, including, without limitation, a 2003 Cessna Model 208B airplane, its engines and attachments, and the related documents and records associated with the aircraft;
4. The Defendants Apex Homes, Inc. and Leonard R. Watts as well as their respective agents or employees or any other entity in possession of the Equipment are hereby directed to immediately release the Equipment to the possession of Webster Capital;
5. If possession is not immediately granted to Plaintiff by Defendants or any other entity in possession, the United States Marshal is hereby authorized to undertake all lawful means to recover the Equipment and release the Equipment to the possession of Webster Capital.

SO ORDERED.

Signed: September 11, 2012

A handwritten signature in black ink, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

