



200412290047
Skagit County Auditor

12/29/2004 Page 1 of 6 9:30AM

Cover Sheet

Richard E. Cohen
Assistant United States Attorney
Western District of Washington
700 Stewart Street, Suite 5220
Seattle, Washington 98101-1271

Document Title: Judgment of Forfeiture

Reference Number: 9804030023

Grantor: Michael L. Johnson

Grantee: United States of America

Legal Description:

THAT PORTION OF GOVERNMENT LOT 8, SECTION
21, TOWNSHIP 35 NORTH, RANGE 6 EAST, W.M.
LYING SOUTHERLY OF THE SOUTH SKAGIT
HIGHWAY, AS IT NOW EXISTS, EXCEPT ANY
PORTION THEREOF CONVEYED TO SKAGIT
COUNTY FOR ROAD PURPOSES, BY DEED DATED
MARCH 6, 1962 AND RECORDED MARCH 6, 1962,
UNDER AUDITOR'S FILE NO. 618750.

Situate in the County of Skagit, State of Washington

Assessors's Property Tax Parcel Number: 350621-4-016-0000

ORIGINAL

Judge Leighton

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

REAL PROPERTY LOCATED AT
3034 G SOUTH SKAGIT HIGHWAY,
SEDRO WOOLLEY, WASHINGTON, its
Buildings, Improvements, Appurtenances,
Fixtures, Attachments, and Easements,

Defendant.

NO. C98-0422RBL

JUDGMENT OF FORFEITURE

CERTIFIED TRUE COPY
ATTEST: BRUCE RIFKIN
Clerk, U.S. District Court
Western District of Washington
By [Signature]
Deputy Clerk

On April 2, 1998, the United States of America filed a Verified Complaint for Forfeiture against the defendant real property located at 32690 South Skagit Highway, Sedro Woolley, Washington, previously known as 3034 G South Skagit Highway, Sedro Woolley, Washington, together with its buildings, improvements, appurtenances, fixtures, attachments and easements, as more particularly described in Attachment A, pursuant to Title 21, United States Code, Section 881(a)(7) for violation of Title 21, United States Code, Sections 841(a)(1), 856(a)(1) and (a)(2).

On April 3, 1998, a Lis Pendens regarding the real property was recorded in the Skagit County Recorder's Office.



1 On April 13, 1998, Key Bank, successor to Goldome Realty, assignee of the
2 original first Deed of Trust beneficiary, Rainier Financial Services Company, was
3 served with the Verified Complaint for Forfeiture in rem, the Affidavit of Julieann M.
4 Olson, Notice of Action in rem, Warrant of Arrest in rem, and Lis Pendens. No claim
5 or answer was ever filed in this action by Key Bank.

6 On April 16, 1998, a copy of the Complaint for Forfeiture in rem, the Affidavit
7 of Julieann M. Olson, Notice of Action in rem, Warrant of Arrest in rem, and Lis
8 Pendens was served on Sonny Rylant, Associates Home Equity Services. No claim or
9 answer was ever filed in this action by Associates Home Equity Services.

10 On April 30, Michael L. Johnson and his Federal Public Defender were each
11 served with a copy of the Complaint for Forfeiture in rem, the Affidavit of Julieann M.
12 Olson, Notice of Action in rem, Warrant of Arrest in rem, and Lis Pendens.

13 On May 19, 1998, Myong Ae Johnson was served with a copy of the Complaint
14 for Forfeiture in rem, the Affidavit of Julieann M. Olson, Notice of Action in rem,
15 Warrant of Arrest in rem, and Lis Pendens.

16 On May 29, 1998, the Court entered an Order Staying Proceeding pending
17 Disposition of the Criminal Charges, *United States v. Michael Johnson*, Case No.
18 CR98-273R.

19 On August 28, 1998, a copy of the Complaint for Forfeiture in rem, the
20 Affidavit of Julieann M. Olson, Notice of Action in rem, Warrant of Arrest in rem, and
21 Lis Pendens was sent to Attorney Karen Gibbon, successor trustee and attorney
22 representing Ford Consumer Finance Company, Inc. assignee of the original Deed of
23 Trust beneficiary, American Mortgage Corporation. No claim or answer was ever
24 filed in this action by Ford Consumer Finance Company, Inc.

25 Notice of this forfeiture action was published in the Daily Journal of Commerce,
26 last publication date, February 20, 2004, and in the Skagit Valley Herald, last
27 publication date, February 20, 2004.

28 On July 7, 2004, upon application of Plaintiff, the United States, pursuant to

1 Federal Rule of Civil Procedure 55(a) an Order of Default was granted against
2 Associates Home Equity Services (successor to Ford Consumer Finance Company) and
3 Key Bank (successor to Goldome Realty) and any other persons or entities who have
4 failed to file a claim as to the above captioned defendant property.

5 On September 16, 1998 Myong Ae Johnson filed a Notice of Claim. On or
6 about September 30, 2004, Plaintiff, the United States and Claimant Myong Ae
7 Johnson entered into a Stipulated Settlement where in upon entry of the Judgment of
8 Forfeiture, and the sale and disposal of the property, one half of the net proceeds from
9 the sale of the property after deduction of U.S. Marshals' costs and property taxes will
10 be paid to Claimant Myong Ae Johnson through her attorney. On October 4, 2004 the
11 Court entered an Order approving the Stipulated Settlement Agreement.

12 On December 28, 1998, Michael L. Johnson filed a Notice of Claim and Answer
13 to the Complaint. On September 16, 2004, Michael L. Johnson filed a Notice of
14 Withdrawal of Claim, withdrawing his claim to the real property commonly known as
15 32690 S. Skagit Highway, Sedro Woolley, Washington (previously known as 3034 G
16 South Skagit Highway, Sedro Woolley, Washington).

17 On or about October 1, 2004, Plaintiff, the United States, Claimant Myong Ae
18 Johnson, and Skagit County Office of the Treasurer entered into a Stipulated Expedited
19 Settlement Agreement wherein the delinquent property taxes for property identified as
20 tax parcel 350621-4-016-0000 will be paid upon entry of the Judgment of Forfeiture.
21 The Court entered an Order approving the Stipulated Expedited Settlement Agreement
22 on October 4, 2004.

23 No other claims have been made to he defendant real property and no other
24 parties have appeared in this action.

25 **IT IS HEREBY ORDERED, ADJUDGED and DECREED that:**

26 Pursuant to Title 21, United States Code, Section 881(a)(7) the defendant real
27 property is condemned and forfeited to the United States. No right, title or interest in
28 the defendant real property shall exist in any other person or entity, known or

1 unknown. The defendant real property shall be disposed of in accordance with law.

2 Pursuant to the terms of the Stipulated Expedited Settlement Agreement the
3 delinquent property taxes on tax parcel number 350621-4-016-0000 for tax years 1998,
4 1999, 2000, 2001, 2002, 2003, and 2004, including any additional amounts accrued to
5 date of payment shall be paid to Skagit County Office of the Treasurer upon entry of
6 this Judgment of Forfeiture.

7 The United States Marshals Service shall sell the defendant real property and
8 shall pay claimant Myong Ae Johnson, pursuant to the terms of the Stipulated
9 Settlement, one half of the remaining net proceeds after deduction of all U.S. Marshals
10 costs of selling the property and deduction of the total amount of outstanding property
11 taxes paid by the U.S. Marshals Service.

12 The remaining net proceeds shall be disposed of in accordance with law.

13 Each party is to bear its own costs and attorney's fees.

14 The Clerk of the Court shall serve a copy of this Judgment of Forfeiture on each
15 party of record and deliver three (3) certified ("raised seal") copies to the United States
16 Marshals Service, Seattle, Washington.

17 DATED this 18th day of November, 2004.

18
19 
20 RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE

21 Presented by:

22
23 s/Richard E. Cohen
24 RICHARD E. COHEN, WSBA # 91005
25 Assistant United States Attorney
26 700 Stewart Street, Suite 5220
27 Seattle, Washington 98101-1271
28 206-553-2242
206-553-6934 (fax)
Richard.E.Cohen@usdoj.gov



Attachment A

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

THAT PORTION OF GOVERNMENT LOT 8, SECTION 21, TOWNSHIP 35 NORTH, RANGE 6 EAST, W.M. LYING SOUTHERLY OF THE SOUTH SKAGIT HIGHWAY, AS IT NOW EXISTS, EXCEPT ANY PORTION THEREOF CONVEYED TO SKAGIT COUNTY FOR ROAD PURPOSES, BY DEED DATED MARCH 6, 1962 AND RECORDED MARCH 6, 1962, UNDER AUDITOR'S FILE NO. 618750.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON

TAX PARCEL NO.: 350621-4-016-0000

UNOFFICIAL DOCUMENT



200412290047

Skagit County Auditor