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Skagit County Auditor \$77.00  
12/28/2015 Page 1 of 5 9:25AM

## COVER SHEET

**DOCUMENT TITLE:** *Amended Final Order of Forfeiture*

**REFERENCE NUMBER:**

**GRANTOR:** United States of America

**GRANTEE:** C. Marvin Wilbur

**LEGAL DESCRIPTION:** Real Property known as Skagit County Parcel No. P69900, more particularly described as the Southwest 1/4 of the Southeast 1/4 of Section 27, Township 24 North, Range 2 East, W.M., except the South 264 feet thereof (now known as the plat of ASunny Slope@, as per plat recorded in Volume 9 of Plats, page 41, records of Skagit County, Washington), Also excepting from the remainder the South 200 feet of the West 210 feet thereof, situate in the County of Skagit, State of Washington.

Skagit County Parcel No. P69900.

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Chief Judge Marsha J. Pechman

WESTERN DISTRICT  
OF WASHINGTON (86)  
SEATTLE, WASHINGTON

CERTIFIED TRUE COPY  
ATTEST: WILLIAM M. McCOOL,  
Clerk, U.S. District Court  
Western District of Washington

By Sherry Gauthier  
Deputy Clerk

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

UNITED STATES OF AMERICA

Plaintiff

NO. CR09-0191MJP

v.

AMENDED FINAL ORDER OF  
FORFEITURE AS TO TWO PARCELS  
OF PROPERTY

C. MARVIN WILBUR,  
a/k/a MARVIN WILBUR SR.,  
JOAN C. WILBUR,  
APRIL M. WILBUR, and  
BRENDA R. WILBUR,

Defendants.

THIS MATTER comes before the Court on motion of the United States for entry of an Amended Final Order of Forfeiture with respect to the following assets:

Real Properties in satisfaction of the money judgment in the amount of \$603,299.87:

1. Real property known as Skagit County Parcel No. P20806, more particularly described as a portion of the Southeast 1/4 of the Southeast 1/4 of Section 27, Township 34 North, Range 2 East, situated in Skagit County, known as Tract A of "Sunny Slope", as per plat recorded in Volume 9 of Plats, page 41 records of Skagit County, Washington, also, together with a non-exclusive easement for utilities over the following described tract: East 30 feet of Lot 9, "Sunny Slope", as per plat recorded in Volume 9 of Plats, Page 41,

1 records of Skagit County, Washington, situate in the County of  
2 Skagit, State of Washington; and  
3 7. Real Property known as Skagit County Parcel No. P69900, more  
4 particularly described as the Southwest 1/4 of the Southeast 1/4 of  
5 Section 27, Township 34 North, Range 2 East, W.M., except the  
6 South 264 feet thereof (now known as the plat of "Sunny Slope", as  
7 per plat recorded in Volume 9 of Plats, page 41, records of Skagit  
8 County, Washington), Also excepting from the remainder the South  
9 200 feet of the West 210 feet thereof, situate in the County of Skagit,  
10 State of Washington.<sup>1</sup>

11 On June 16, 2010, this Court entered Preliminary Orders of Forfeiture in the  
12 above-captioned case forfeiting defendants C. Marvin Wilbur, Joan C. Wilbur, April  
13 Wilbur, and Brenda Wilbur's interest in the above-listed property.

14 The above-referenced property was subject to forfeiture pursuant to Title 18,  
15 United States Code, Section 2344(c), and Title 28, United States Code, Section 2461(c),  
16 based on the guilty pleas of defendants Conspiracy to Traffic in Contraband Cigarettes, as  
17 charged in Count One of the Second Superseding Indictment, in violation of Title 18,  
18 United States Code, Sections 2342 and 371, and Conspiracy to Launder Monetary  
19 Instruments, as charged in Count 19 of the Second Superseding Indictment, in violation  
20 of Title 18, United States Code, Section 1956(h), and the Court's finding that the above  
21 described property is subject to forfeiture.

22 Pursuant to Title 21, United States Code, Section 853(n), the United States  
23 published notice on an official internet government forfeiture website,  
24 [www.forfeiture.gov](http://www.forfeiture.gov), starting on February 7, 2014 and running consecutively for thirty  
25 days until its conclusion on March 8, 2014. In the publication, the United States  
26 published notice of the Preliminary Order of Forfeiture and the intent of the United States  
27 to dispose of the property in accordance with law. This notice further stated that any  
28 person other than the defendant having or claiming an interest in the property was

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<sup>1</sup> The Order is being amended to correct a typographical error in the legal descriptions of these properties. Previously these parcels were identified as property in Township 24 North, but these parcels are located in Township 34 North.

1 required to file a petition with the Court within sixty (60) days of the first date of  
2 publication of the notice, setting forth the nature of the petitioner's right, title, and  
3 interest in the property.

4 On March 11, 2104, and March 27, 2014, the United States sent notice of the  
5 Preliminary Order of Forfeiture filed against the Wilburs, via certified mail, to Laura B.  
6 Beard, Lenora F. Wilbur, Cook, Randall Cook, Fidalgo Bay Cigar Company, LLC, Salish  
7 Trust, Skagit Cigarette Sales Trust, Skagit State Bank.

8 On April 4, 2014, the Skagit State Bank filed a Motion to Adjudicate Its Interest in  
9 the property subject to forfeiture

10 On July 11, 2014, this Court approved the Stipulated Settlement Agreement  
11 between the United States and Skagit Bank, in which the United States recognized  
12 Petitioner Skagit's Bank's interest in a portion of the currency seized from the Wilburs,  
13 \$8,042.29, and the real property known as Skagit County Parcel No. P59700.

14 All persons and entities believed to have an interest in the property subject to  
15 forfeiture were given proper notice of the intended forfeiture.

16 No petitioners or claimants have come forth to assert an interest in the forfeited  
17 property, and the time for doing so has expired.

18 Accordingly,

19 IT IS ORDERED, ADJUDGED and DECREED that the following property is  
20 hereby fully and finally condemned and forfeited to the United States in its entirety:

21 Real Properties in satisfaction of the money judgment in the amount of  
22 \$603,299.87:

- 23 1. Real property known as Skagit County Parcel No. P20806, more  
24 particularly described as a portion of the Southeast 1/4 of the  
25 Southeast 1/4 of Section 27, Township 34 North, Range 2 East,  
26 situated in Skagit County, known as Tract A of "Sunny Slope", as  
27 per plat recorded in Volume 9 of Plats, page 41 records of Skagit  
28 County, Washington, also, together with a non-exclusive easement  
for utilities over the following described tract: East 30 feet of Lot 9,  
"Sunny Slope", as per plat recorded in Volume 9 of Plats, Page 41,  
records of Skagit County, Washington, situate in the County of  
Skagit, State of Washington; and

1 7. Real Property known as Skagit County Parcel No. P69900, more  
2 particularly described as the Southwest 1/4 of the Southeast 1/4 of  
3 Section 27, Township 34 North, Range 2 East, W.M., except the  
4 South 264 feet thereof (now known as the plat of "Sunny Slope", as  
5 per plat recorded in Volume 9 of Plats, page 41, records of Skagit  
6 County, Washington), Also excepting from the remainder the South  
7 200 feet of the West 210 feet thereof, situate in the County of Skagit,  
8 State of Washington.

9 The United States Marshals Service, and/or its agents and representatives, is  
10 authorized to dispose of the above-listed property in accordance with the law.

11 IT IS FURTHER ORDERED, ADJUDGED and DECREED that no right, title, or  
12 interest in the above-described property shall exist in any other party.

13 The Clerk of the Court is directed to send a copy of this Final Order of Forfeiture  
14 to all counsel of record.

15 DATED this 6<sup>th</sup> day of November, 2015.

16  
17 

18 Marsha J. Pechman  
19 United States District Judge

20  
21 Presented by:

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