

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
SOUTHERN DIVISION
LONDON

Eastern District of Kentucky
FILED

JUN 16 2015

AT FRANKFORT
ROBERT R. CARR
CLERK U.S. DISTRICT COURT

CRIMINAL NO. 13-37-GFVT

UNITED STATES OF AMERICA

PLAINTIFF

V. PARTIAL FINAL DECREE AND ORDER OF FORFEITURE

DONALD LEE KING
SHERRILL WAYNE KING

DEFENDANTS

* * * * *

WHEREAS, on January 29, 2015, this Court entered an order of forfeiture pursuant to the provisions of 21 U.S.C. § 853;

AND WHEREAS, notice of the United States' intention to dispose of the seized currency in accordance with the law and further notifying all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the property was published on an official government internet website for 30 consecutive days beginning February 3, 2015;

AND WHEREAS, receipt of notice was acknowledged by Brandy Fee King on February 17, 2015, and notice was delivered to Otis Hobbs via certified mail on February 9, 2015; and no claim having been made,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That the United States Marshals Service shall forthwith seize the following forfeited property and dispose of it in accordance with the law:

REAL PROPERTY:

- a. 4836 Hwy. 90, Claiborne County, Tennessee

Situated in District No. Nine (9) of Claiborne County, Tennessee, and described as follows:

Situated on the waters of Clear Fork, BEGINNING at a Beech, running thence East up said creek 13 poles; thence North up the mountain 12 poles to a stake; thence West 13 poles to a stake; thence South to the BEGINNING. Containing one (1) acre.

THERE IS EXCEPTED herein and not made a part hereof, a RIGHT-OF-WAY 100 feet in width and which has heretofore been conveyed to L & N Railroad Company, being the same land conveyed by John A. Williams, et al and recorded in Deed Book 14, Vol. 3, Page 456, and also being the same property conveyed by deed dated June 17, 1960, from Clifford Garrett, et ux to Marshall Forman, et ux, and recorded in Book of Deeds 92, Page 157.

For reference see Warranty Deed dated May 10, 2000, from A. C. Hamlin to Kenneth Wayne Rosenbalm, duly recorded in Book 1039, Page 252-255, Register's Office, Claiborne County, Tennessee.

MAP 22, PARCEL 43.0

Being the same property conveyed to Sherrill King by Warranty Deed dated January 7, 2008, recorded in Book 1255, Page 52, in the records of the Claiborne County Register of Deeds.

- b. 91, 121, 165 Lone Jack School Road, Four Mile, Bell County, Kentucky, PVA Map #049-30-00-014.00

PARCEL 3:

A parcel of land lying on the waters of [the Cumberland River in Bell County, Kentucky, and being more particularly described as follows:

BEGINNING at an iron rod (set) on the east side of a 28' street and the south side of a 30' street; thence with the 28' street S 33 degrees 15 minutes E, 170.00 feet to an iron rod (set) on the north side of a 30' street; thence with said street N 56 degrees 45 minutes E, 200.00 feet to an iron rod (set) on the west side of a 20' street; thence with said street N 33 degrees 15 minutes W, 170.00 feet to an iron rod (set) on the south side of a 30' street; thence with said street 56 degrees 45 minutes W, 200.00 feet to the beginning, containing 0.78 acres, more or less. This description was prepared from a physical survey conducted in June, 1995, by J.D. Dean, Kentucky Registered Surveyor # 1 850.

Being a portion of lots 3 and 12 and allof lots 4, 5, 6, 7, 8, 9, 13, 14, 15, 16, 17, and 18 in Block "I" of the Lone Jack Addition to Fourmile, Bell County, Kentucky, and being of record in Deed Book 167, Page 238, Deed Book 208, Pages 107 and 109 and Deed Book 286, at Page 147, all in the office of the Bell County Court Clerk.

PARCEI 4:

A parcel of land lying on the waters of the Cumberland River in Bell County, Kentucky, and being more particularly described as follows:

BEGINNING at an iron rod (set) on the east side of a 20' street and the south side of a 30' street; thence with the 20' street and S 33 degrees 15 minutes E, 170.00 feet to an iron rod (set) on the north side of a 30' street; thence with said street N 56 degrees 45 minutes E, 99.06 feet to an iron rod (set) on top of the bank of the Cumberland River; thence with said bank N 31 degrees 35 minutes 57 seconds W, 80.08 feet; N 32 degrees 59 minutes 15 seconds W, 89.96 feet to an iron rod (set) on the south side of a 30' street; thence with said street S 56 degrees 45 minutes W. 101.78 feet to the beginning, containing 0.39 acres, more or less. This description was prepared from a physical survey conducted in June, 1995, by J.D. Dean, Kentucky Registered Surveyor #1850.

Being a portion of lot 3 and all of lots 4, 5, 6, 7, 8 and 9 in Block "J" of the Lone Jack Addition to Fourmile, Bell County, Kentucky. and being of record in Deed Book 208, Page 107, in the office of the Bell County Court Clerk.

PARCEL 5:

A parcel of land lying on the waters of Cumberland River in Bell County, Kentucky, and being more particularly described as follows:

BEGINNING at an iron rod (set) on the east side of a 28' street and the north side of a 30' street; thence with the' 30' street N 56 degrees 45 minutes E, 319.49 feet to an iron rod (set) on top of the bank of the Cumberland River; thence with said bank N 37 degrees 19 minutes 20 seconds W, 101.63 feet; thence N 38 degrees 32 minutes 39 seconds W, 160.51 feet; N 43 degrees 52 minutes 01 seconds W, 156.87 feet; N 41 degrees 05 minutes 18 seconds W, 254.54 feet to an iron rod (set) in the south right-of-way of

Kentucky 2014; thence leaving the river and with said right-of-way S 46 degrees 15 minutes 04 seconds W, 151.21 feet to an iron rod (set) near a concrete monument; thence S 11 degrees 32 minutes 38 seconds E, 230.29 feet to an iron rod (set) on the east side of a 28' street; thence with said street S 33 degrees 15 minutes E, 426.03 feet to the beginning, containing 4.00 acres, more or less. This description was prepared from a physical survey conducted in June, 1995, by J.D. Dean, Kentucky Registered Land Surveyor # 1850.

Being all of lots 1 and 10 in Block "I" and all of lot 1 in Block "J" of the Lone Jack Addition to Fourmile, Bell County, Kentucky, and being of record in Deed Book 286 at Page 147, in the office of the Bell County Court Clerk. Also all of the property of record in Deed Book 96, Page 59 in the, office of the Bell County Court Clerk.

Being the same property conveyed by Donald King and Tammy King to King of Hearts, Inc. by deed dated June 18, 2009, of record in Deed Book 345, Page 808, in the records of the Bell County Clerk.

- c. 161 Lone Jack School Road, Four Mile, Bell County, Kentucky, PVA Map # 049-30-00-082.00

A parcel of land lying on the waters of Cumberland River in Block "I" of the Lone Jack Addition to Fourmile, Bell County, Kentucky. and being more particularly described as follows:

Unless stated otherwise, any monument referred to herein as a "rod and cap" is a set 5/8" x 18" rebar, with a yellow plastic cap stamped PLS 1850. All bearings are referred to the meridian of record from Deed Book 284, page 831.

Beginning at a rod and cap set at the northeast corner of parcel 3 as described in Deed Book 284, Page 831, said corner being the intersection of a 30' street with a 20' street; thence with the south right-of-way of the 30' street S 56 degrees 45 minutes 00 seconds W, 109.50 feet to a railroad spike set in asphalt; thence leaving the street S 33 degrees 15 minutes 00 seconds E, 115.00 feet to a railroad spike set in asphalt; thence N 56 degrees 45 minutes 00 seconds E, 109.50 feet to a rod and cap; thence N 33 degrees 15 minutes 00 seconds W, 115.00 feet to the beginning, containing 0.29 acres, more or less, according to a survey by J.D. Dean PLS #1850 on May 12,2004.

Two easements at the locations of two existing roads through the above described parcel are to be retained by the grantor. The first easement is an 8' wide strip of land that is adjacent to the west line of the above described parcel and extends from the south line of said parcel to the north line of said parcel. The second easement is a 15' wide strip of land extending from the south line of the above described parcel to the north line of said parcel and the centerline of said easement is described as follows: Beginning at a point on an existing road, said point being S 56 degrees 45 minutes 00 seconds W, 37.91 feet from the southeast corner of the above described parcel, thence N 28 degrees 04 minutes 54 seconds W, 58.38 feet; N 40 degrees 32 minutes 04 seconds W, 29.53 feet; N 62 degrees 38 minutes 25 seconds W, 31.64 feet to a point which is S 56 degrees 45 minutes 00 seconds W, 51.92 feet from the northeast corner of the above described parcel.

Being a portion of parcel 3 of the property conveyed to Donald King and wife, Tammy King, from Donna Brooks, by deed of conveyance dated May 19, 2004, of record in Deed Book 321, Page 401, of record in the Office of the Bell County Court Clerk.

Being all of the same property conveyed by Donald King and Tammy King to King of Hearts, Inc. by deed dated June 18, 2009, of record in Deed Book 345, Page 812, in the records of the Bell County Clerk.

VEHICLE:

1998 Harley-Davidson FLHR Road King Motorcycle, VIN:
1HD1FDL14WY601161.

2. That the above-listed property be forfeited to the United States of America and no right, title or interest in the property shall exist in any other party.
3. That any and all forfeited funds, and the proceeds of sale from any forfeited property, after payment of costs and expenses incurred in connection with the forfeiture,

sale, or other disposition of the forfeited property, shall be deposited forthwith by the United States Marshal into the Department of Justice Asset Forfeiture Fund in accordance with Title 28 U.S.C. §524(c) and Title 21 U.S.C. §881(e).



Signed By: *GFV*
Gregory F. Van Tatenhove
United States District Judge