

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA, :  
 :  
 Plaintiff, : Case No.: 3:06CR129  
 : Judge Thomas M. Rose  
 v. :  
 :  
 ROBERT ROTH, :  
 :  
 Defendant. :

**AMENDED FINAL ORDER OF FORFEITURE.**  
**RP 3776 INDIAN RIPPLE ROAD, BEAVERCREEK, OHIO**

Upon Motion of the United States of America to amend the Agreed Final Order of Forfeiture entered October 28, 2009, (Doc. 69), to correct a clerical error, and:

WHEREAS, on March 19, 2007, this Court entered an Preliminary Order of Forfeiture, ordering the forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A) and (C) and 28 U.S.C. § 2461(c) of the following property:

3776 Indian Ripple Road, Beavercreek, Ohio and being more fully described as follows: Situate in the City of Beavercreek, County of Greene and State of Ohio and being Lot Numbered Six (6) as known and designated in the recorded Plat of Ethel Rosell Farm as recorded in Plat Book "3", Page 17 of the Plat Records of Greene County, Ohio, now known as Plat Cabinet 31, Page 366A and recorded in Official Records Volume 1013, Page 241. Excepting therefrom the most west 260 feet taken by parallel lines off the west line of said Lot Numbered Six (6). Parcel ID B42-3-19-57.

Parcel I: Situate in the City of Beavercreek, County of Greene and State of Ohio, being in the Northwest quarter of Section 5, Town 2, Range 6 and being all of that tract known as the Church Lot conveyed by Jacob W. Darst to the Trustees of the Christian Church, November 20, 1850, as recorded in Deed Book 26, Page 674, in the Deed Records of Greene County, described as follows: Beginning at an iron pin at the Southeast corner of said Church Lot at the intersection of the center line of Indian Ripple Road with the East line of the Northwest Quarter of Section 5; thence North 87 degrees 30' West with the centerline of Indian Ripple Road for a

distance of 108.90 feet to a corner of Lot 8 Ethel Rossell Farms as recorded in Plat Book 3, Page 17, in the Plat Records of Greene County, Ohio; thence North 2 degrees 30' East with a line of said Lot 8 for a distance of 118.80 feet to a corner of said Lot 8; thence South 87 degrees 30' East of said Lot 8 in the East line of the Northwest Quarter of said Section 5 for a distance of 118.80 feet to the place of beginning, containing 0.297 acres, more or less and being recorded in Official Records Volume 1050, Page 643. Parcel ID B42-3-19-87.

Parcel II: Situate in the State of Ohio, County of Greene, City of Beavercreek and being all of Lot Numbered Eight (8) as known, designated and numbered on the recorded Plat of Ethel Rosell Farms, said Plat recorded in Plat Record Book 3, Page 17 now known as Plat Cabinet 31, Page 366A and being recorded in Official Records Volume 1050, Page 643. Parcel ID B42-3-19-58.

WHEREAS, the United States published notice of this forfeiture action and the intent of the United States to dispose of the property in accordance with law, and further notified all parties of their right to petition the Court for a hearing to adjudicate the validity of their alleged interest in the property, beginning on December 17, 2007 and continuing for three consecutive weeks, in compliance with the Preliminary Order of Forfeiture; and

WHEREAS, the United States sent direct written notice, to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture of the property in an ancillary proceeding, in compliance with the Preliminary Order of Forfeiture; and

WHEREAS, Claimant, AMANDA ALDRIDGE did file a timely claim; and

WHEREAS, Claimant AMANDA ALDRIDGE has agreed to withdraw her claim to the RP known as 3776 Indian Ripple Road filed in this criminal action as well as her claim to the RP known as 3776 Indian Ripple Road filed in the civil action, United States v. 3973 Rockfield Drive (aka Roth Claimants) Case NO. 3:03CV064WHR; and

WHEREAS, the United States and Claimant AMANDA ALDRIDGE agree that AMANDA ALDRIDGE'S agreement to withdraw her claim to the RP known as 3776 Indian Ripple Road filed in this criminal action as well as her claim to the RP known as 3776 Indian Ripple Road filed in the civil action, United States v. 3973 Rockfield Drive (aka Roth Claimants) Case NO. 3:03CV064WHR shall in no way constitute an admission that AMANDA ALDRIDGE was involved in or aware of any wrongdoing; and

WHEREAS, the Court found in the Preliminary Order of Forfeiture that defendant ROBERT ROTH had an interest in the RP known as 3776 Indian Ripple Road; the United States has established the requisite nexus between the property and the offense to which he plead guilty; and the United States has established that the property is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A) and (C) and 28 U.S.C. § 2461(c);

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Preliminary Order of Forfeiture entered in this action on March 19, 2007, ordering the forfeiture of the following property pursuant to 21 U.S.C. § 981(a)(1)(A) and (C) and 28 U.S.C. § 2461(c) is final, and all right, title and interest to the following property is hereby condemned, forfeited and vested in the United States of America, and the custodian of the property is hereby authorized to dispose of the following property in accordance with the law:

3776 Indian Ripple Road, Beavercreek, Ohio and being more fully described as follows: Situate in the City of Beavercreek, County of Greene and State of Ohio and being Lot Numbered Six (6) as known and designated in the recorded Plat of Ethel Rosell Farm as recorded in Plat Book "3", Page 17 of the Plat Records of Greene County, Ohio, now known as Plat Cabinet 31, Page 366A and recorded in Official Records Volume 1013, Page 241. Excepting therefrom the most west 260 feet taken by parallel lines off the west side of said Lot Numbered Six (6). Parcel ID B42-3-19-57.

Parcel I: Situate in the City of Beavercreek, County of Greene and State of Ohio, being in the Northwest quarter of Section 5, Town 2, Range 6 and being all of that tract known as the Church Lot conveyed by Jacob W. Darst to the Trustees of the Christian Church, November 20, 1850, as recorded in Deed Book 26, Page 674, in the Deed Records of Greene County, described as follows: Beginning at an iron pin at the Southeast corner of said Church Lot at the intersection of the centerline of Indian Ripple Road with the East line of the Northwest Quarter of Section 5; thence North 87° 30' West with the centerline of Indian Ripple Road for a distance of 108.90 feet to a corner of Lot 8 Ethel Rossell Farms as recorded in Plat Book 3, Page 17, in the Plat Records of Greene County, Ohio; thence North 2° 30' East with a line of said Lot 8 for a distance of 118.80 feet to a corner of said Lot 8; Thence South 87° 30' East with a Line of said Lot 8 for a distance of 108.90 feet to a stone at a corner of said Lot 8 in the East Line of the Northwest Quarter of said Section 5; Thence South 2° 30' West with the East Line of the Northwest Quarter of Said Section 5 for a distance of 118.80 feet to the place of beginning, containing 0.297 acres, more or less and being recorded in Official Records Volume 1050, Page 643. Parcel ID B42-3-19-87.

Parcel II: Situate in the State of Ohio, County of Greene, City of Beavercreek and being all of Lot Numbered Eight (8) as known, designated and numbered on the recorded Plat of Ethel Rosell Farms, said Plat recorded in Plat Record Book 3, Page 17 now known as Plat Cabinet 31, Page 366A and being recorded in Official Records Volume 1050, Page 643. Parcel ID B42-3-19-58.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States has clear title to the property described above; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order.

SO ORDERED:

Dated: February 8, 2010

*\*s/THOMAS M. ROSE*

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HONORABLE THOMAS M. ROSE  
UNITED STATES DISTRICT COURT JUDGE