

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)
)
PLAINTIFF,)
)
vs.) CRIMINAL NO. 01-CR-30172-WDS
)
SCOTT A. VILMER,)
BILLY L. CORBITT,)
FRANK S. VILMER, SR.;)
MIDWEST PIGEONS, INC.,)
MIDWEST MOTORS, L.L.C., and)
BRYAN GARRETT,)
)
DEFENDANTS.)

ORDER OF FINDING OF THIRD PARTY INTERESTS IN FORFEITED PROPERTY

On January 17, 2003, the Court entered Orders of Forfeiture against defendants Scott A. Vilmer, Billy L. Corbitt, Frank S. Vilmer, Sr., Midwest Pigeons, Inc., and Midwest Motors, L.L.C. [Doc. Nos. 539, 540 and 541], and on February 10, 2003, the Court entered a Judgment of Forfeiture against defendant Bryan Garrett.

Notice of said Forfeiture was published on May 21, 2003, May 28, 2003, and June 4, 2003, in the Edwardsville Intelligencer newspaper. Petitions by third parties to certain forfeited assets were filed by Peoples Community Bank [Doc. No. 689] and by the Bank of Edwardsville [Doc. No. 683]. No other petitions were filed by any other claimant.

This Court had previously resolved the claim of Peoples Community Bank, and as a result, the sum of _____ has been provided to the United States as the equity of the United States in said subject-matter property. The Court hereby finds that no person or entity other than the United States has any right, title, or interest in said sum of _____ turned over by Peoples Community Bank, and

I hereby certify and attest that this document, filed on 5/11/04, is a true and correct copy of the electronically filed original.

Date: 5/11/04
Norbert G. Jowicki, Clerk
U.S. District Court
Southern District of Illinois

By: Christine L. Bitter

said sum shall be distributed by the United States Marshal pursuant to law.

The Court notes that the following sums have been forfeited in lieu of real property, namely:

- A. lieu of real property located at 5100 Stacey Drive, Mitchell,
 Illinois,
-
- B. lieu of real property located at 3823 Pontoon Road, Pontoon
 Beach, Illinois, and
- C. n lieu of real property located at 1924 Choteau, Granite City,
 Illinois.

The Court finds that no right, title, or interest exists in these funds other than that of the United States and that the United States Marshal shall dispose of these funds as forfeited property pursuant to law.

The Court finds and the United States concedes that the Bank of Edwardsville has an interest in the real estate located at:

Lots 55 and 59 in Mitchell Lake No. 2, a subdivision in the Northeast Quarter of Section 33, Township 4 North, Range 9 West of the Third Principal Meridian, according to the plat thereof recorded in Plat Cabinet 57 Page 91, commonly known as 5125 Stacey Drive, Granite City, Madison County, Illinois.
PIN: 18-2-14-33-02-201-088 and PIN: 18-2-14-33-02-201-092.

The Bank of Edwardsville stands as a *bona fide* purchaser of said interest in said real estate without knowledge that said property was subject to forfeiture, and said interest survives forfeiture by the United States. Said interests consists of a mortgage lien in the amount of lus per diem interest after March 5, 2004 of:

The Court further finds that said real estate is subject to any real estate taxes imposed for liability existing prior to January 17, 2003; after January 17, 2003, said real estate is exempt from taxation as property of the United States.

With respect to the foregoing real estate, the United States Marshal is hereby authorized to sell same by any means he deems appropriate. Of the proceeds of said sale, the United States Marshal shall distribute them as follows in the priority indicated:

1. Reimbursement for all expenses and costs incurred with the maintenance of said real estate and from the sale of said real estate;
2. All tax liability incurred prior to January 17, 2003;
3. Mortgage lien of the Bank of Edwardsville in the amount of _____ us per diem interest from March 5, 2004 of _____. Attorneys fees for the Bank of Edwardsville shall not be paid from the proceeds of said sale.
4. The remainder of said proceeds shall be distributed by the United States Marshal as forfeited property pursuant to law.

Pending the sale of the subject-matter real estate by the United States, the Bank of Edwardsville may, if it so desires, proceed with a foreclosure in state court to foreclose its interests in said property. However, the Bank of Edwardsville shall not conduct a foreclosure sale of the property until after six months of the date of entry of this Order. The purpose of the six-month period of time is to give the United States Marshal an opportunity to market the property. If the United States Marshal has sold said real estate within the six-month period of time, the Bank of Edwardsville shall dismiss any and all foreclosure proceedings and execute any and all necessary documents to release its interests in the subject-matter property so that it may be sold by the United States Marshal.

If the proceeds of this sale are not enough to satisfy the mortgage lien of the Bank of Edwardsville in full, the United States Marshal shall not be liable for any deficiencies; however, prior to the United States Marshal engaging in any sale which would result in a price to be paid which would result in less than the above mortgage principal and interest owed to the Bank of

Edwardsville being paid in full, the United States Marshal shall provide the Bank of Edwardsville a period of seven days to exercise a right of first refusal and to match the price paid for said real estate. If the Bank of Edwardsville has not exercised said right of first refusal within seven days after the mailing to the United States Marshal of the proposed price to be paid for the property, the United States Marshal shall proceed with the sale to the other buyer. Said mailing to the Bank of Edwardsville shall be sent in care of its attorney, Irvin C. Slate, Jr., 3600 Nameoki Road, Suite 205, Granite City, Illinois 62040.

The Court finds and the United States concedes that the Bank of Edwardsville has an interest in the real estate located at:

Lots 58 in Mitchell Lake No. 2, a subdivision in the Northeast Quarter of Section 33, Township 4 North, Range 9 West of the Third Principal Meridian, according to the plat thereof recorded in Plat Cabinet 57 Page 91, commonly known as 5111 Stacey Drive, Granite City, Madison County, Illinois.
PIN: 18-2-14-33-02-201-091.

The Bank of Edwardsville stands as a *bona fide* purchaser of said interest in said real estate without knowledge that said property was subject to forfeiture, and said interest survives forfeiture by the United States. Said interest consists of a mortgage lien in the amount of _____ plus per diem interest after March 5, 2004 of:

The Court further finds that said real estate is subject to any real estate taxes imposed for liability existing prior to January 17, 2003; after January 17, 2003, said real estate is exempt from taxation as property of the United States.

With respect to the foregoing real estate, the United States Marshal is hereby authorized to sell same by any means he deems appropriate. Of the proceeds of said sale, the United States Marshal shall distribute them as follows in the priority indicated:

1. Reimbursement for all expenses and costs incurred with the maintenance of said real estate and from the sale of said real estate;
2. All tax liability incurred prior to January 17, 2003;
3. Mortgage lien of the Bank of Edwardsville in the amount of _____ plus per diem interest from March 5, 2004 of _____ Attorneys fees for the Bank of Edwardsville shall not be paid from the proceeds of said sale.
4. The remainder of said proceeds shall be distributed by the United States Marshal as forfeited property pursuant to law.

Pending the sale of the subject-matter real estate by the United States, the Bank of Edwardsville may, if it so desires, proceed with a foreclosure in state court to foreclose its interests in said property. However, the Bank of Edwardsville shall not conduct a foreclosure sale of the property until after six months of the date of entry of this Order. The purpose of the six-month period of time is to give the United States Marshal an opportunity to market the property. If the United States Marshal has sold said real estate within the six-month period of time, the Bank of Edwardsville shall dismiss any and all foreclosure proceedings and execute any and all necessary documents to release its interests in the subject-matter property so that it may be sold by the United States Marshal.

If the proceeds of this sale are not enough to satisfy the mortgage lien of the Bank of Edwardsville in full, the United States Marshal shall not be liable for any deficiencies; however, prior to the United States Marshal engaging in any sale which would result in a price to be paid which would result in less than the above mortgage principal and interest of the Bank of Edwardsville being paid in full, the United States Marshal shall provide the Bank of Edwardsville a period of seven days to exercise a right of first refusal and to match the price paid for said real estate. If the Bank of Edwardsville has not exercised said right of first refusal within seven days

after the mailing to the United States Marshal of the proposed price to be paid for the property, the United States Marshal shall proceed with the sale to the other buyer. Said mailing to the Bank of Edwardsville shall be sent in care of its attorney, Irvin C. Slate, Jr., 3600 Nameoki Road, Suite 205, Granite City, Illinois 62040.

The Court finds and the United States concedes that the Bank of Edwardsville has an interest in the real estate located at:

Lots 38 in Mitchell Lake subdivision according to the plat thereof recorded in Plat Cabinet 56 Page 19 in the records of the Recorder of Madison County, Illinois, commonly known as 5172 Stephanie Drive, Granite City, Madison County, Illinois. PIN: 18-2-14-33-02-201-071.

The Bank of Edwardsville stands as a bonafide purchaser of said interest in said real estate without knowledge that said property was subject to forfeiture, and said interest survives forfeiture by the United States. Said interest consists of a mortgage lien in the amount of \$ _____ plus per diem interest after March 5, 2004 of _____

The Court further finds that said real estate is subject to any real estate taxes imposed for liability existing prior to January 17, 2003; after January 17, 2003, said real estate is exempt from taxation as property of the United States.

With respect to the foregoing real estate, the United States Marshals is hereby authorized to sell same by any means he deems appropriate. Of the proceeds of said sale, the United States Marshal shall distribute them as follows in the priority indicated:

1. Reimbursement for all expenses and costs incurred with the maintenance of said real estate and from the sale of said real estate;
2. All tax liability incurred prior to January 17, 2003;
3. Mortgage lien of the Bank of Edwardsville in the amount of \$ _____ plus per diem interest from March 5, 2004 of _____ attorneys fees for the

Bank of Edwardsville shall not be paid from the proceeds of said sale.

4. The remainder of said proceeds shall be distributed by the United States Marshal as forfeited property pursuant to law.

Pending the sale of the subject-matter real estate by the United States, the Bank of Edwardsville may, if it so desires, proceed with a foreclosure in state court to foreclose its interests in said property. However, the Bank of Edwardsville shall not conduct a foreclosure sale of the property until after six months of the date of entry of this Order. The purpose of the six-month period of time is to give the United States Marshal an opportunity to market the property. If the United States Marshal has sold said real estate within the six-month period of time, the Bank of Edwardsville shall dismiss any and all foreclosure proceedings and execute any and all necessary documents to release its interests in the subject-matter property so that it may be sold by the United States Marshal.

If the proceeds of this sale are not enough to satisfy the mortgage lien of the Bank of Edwardsville in full, the United States Marshal shall not be liable for any deficiencies; however, prior to the United States Marshal engaging in any sale which would result in a price to be paid which would result in less than the above mortgage principal and interest of the Bank of Edwardsville being paid in full, the United States Marshal shall provide the Bank of Edwardsville a period of seven days to exercise a right of first refusal and to match the price paid for said real estate. If the Bank of Edwardsville has not exercised said right of first refusal within seven days after the mailing to the United States Marshal of the proposed price to be paid for the property, the United States Marshal shall proceed with the sale to the other buyer. Said mailing to the Bank of Edwardsville shall be sent in care of its attorney, Irvin C. Slate, Jr., 3600 Nameoki Road, Suite 205, Granite City, Illinois 62040.

The Court finds and the United States concedes that the Bank of Edwardsville has an interest in the Deed of Trust for the property commonly known as 1976 Madison 445, Madison County, Annapolis, Missouri and described as:

Beginning at a corner on the North line of Survey 869 where said line crosses the Big St. Francis River, said corner being on the East bank of said river in the Southwest Quarter of Section 14, Township 31, Range 5 East, said beginning corner is marked by a stake from which a cedar 9 inches in diameter bears South 77 degrees West 12 feet and a pine 10 inches in diameter bears North 48 degrees East 8 feet; thence follow Survey line at South 82 degrees East 500 feet to a corner, an iron stake, from which a white oak 10 inches in diameter bears North 40 degrees East 6 feet and a hickory 5 inches in diameter bears South 36 degrees West 6 feet; thence South 59 degrees East 1735 feet to a corner on West side of road, an iron stake from which an elm tree 8 inches in diameter bears North 30 degrees West 6 ½ feet and a hickory 6 inches in diameter bears North 77 degrees West 9 feet 4 inches; thence following the West side of said road at South 65 degrees West 23 feet; thence South 80 degrees West 1085 feet; thence South 59 degrees West 369 feet; thence South 34 degrees West 897 feet; thence South 26 degrees West 1230 feet; thence South 27 degrees West 1178 feet to center of St. Francis Rive, known as the "Shelton Ford" where the above-described road crosses the river; thence up the St. Francis River following the center of the main channel of said river a distance of approximately one and one-half (1 ½) miles to the place of beginning and being all that part of Survey 869 South of the Big St. Francis River and West of the Road previously described in this description and also being that part of the South Fractional Half of Section 15, Township 31, Range 5, South and East of the St. Francis River, also all that part of the Northwest Fractional Quarter of Section 22, Township 31, Range 5 East, on the St. Francis River, also all that part of Fractional Section 22, Township 31, Range 5 North and East of the St. Francis River and West of the previously described road.

EXCEPT: All that part lying in the Northeast 1/4 of the Southwest 1/4 and in the East half of the Southwest 1/4 of the Southwest 1/4 of Section 15, and in the Northwest 1/4 of the Northwest 1/4 of Section 22; all in Township 31 North, Range 5 East.

EXCEPT: Any party lying below the present or any former high water line of St. Francis River.

The Bank of Edwardsville stands as a *bona fide* purchaser of said interest in said Deed of Trust without knowledge that said property was subject to forfeiture, and said interest survives forfeiture by the United States. Said interests consists of a Deed of Trust recorded in Deed of Trust

Book 286, Page 251, with a balance as of June 5, 2003, in the amount of _____ plus per diem
interest after March 5, 2004 of _____ of a Deed of Trust recorded in Deed of Trust Book
764, Page 175, with a balance as of June 5, 2003 in the amount of _____ is per diem interest
after March 5, 2004 of _____

Pending the sale of the subject-matter real estate by the United States, the Bank of Edwardsville may, if it so desires, proceed with a foreclosure under state law to foreclose its interests in said property. However, the Bank of Edwardsville shall not conduct a foreclosure sale of the property until after six months of the date of entry of this Order. The purpose of the six-month period of time is to give the United States Marshal an opportunity to market the property. If the United States Marshal has sold said real estate within the six-month period of time, the Bank of Edwardsville shall dismiss any and all foreclosure proceedings and execute any and all necessary documents to release its interests in the subject-matter property so that it may be sold by the United States Marshal.

If the proceeds of this sale are not enough to satisfy the mortgage lien of the Bank of Edwardsville in full, the United States Marshal shall not be liable for any deficiencies; however, prior to the United States Marshal engaging in any sale which would result in a price to be paid which would result in less than the above mortgage principal and interest of the Bank of Edwardsville being paid in full, the United States Marshal shall provide the Bank of Edwardsville a period of seven days to exercise a right of first refusal and to match the price paid for said real estate. If the Bank of Edwardsville has not exercised said right of first refusal within seven days after the mailing to the United States Marshal of the proposed price to be paid for the property, the United States Marshal shall proceed with the sale to the other buyer. Said mailing to the Bank of

Edwardsville shall be sent in care of its attorney, Irvin C. Slate, Jr., 3600 Nameoki Road, Suite 205, Granite City, Illinois 62040.

The Court further finds that said real estate is subject to any real estate taxes imposed for liability existing prior to January 17, 2003; after January 17, 2003, said real estate is exempt from taxation as property of the United States.

The Bank of Edwardsville by consenting to this Order hereby waives any and all claims and causes of action against the United States and any of its officers and agents with respect to the subject-matter properties or of the forfeiture thereof, subject only to the right to receive from the sale of the properties those amounts specifically set forth in this Order. Unless specifically set forth in this Order or within a signed written agreement between the Bank of Edwardsville and the United States Marshals Service, no sums shall be recovered by the Bank of Edwardsville from the sale of the property or directly from the United States or its agents for any costs related to the preservation, sale, or foreclosure of any of said property, including but not limited to attorney's fees.

The Court finds that no petitions were filed against the remaining properties described as follows:

A. Real estate located at 5101 Stacey Drive, Madison County, Mitchell, Illinois, more fully described as follows:

Lot 61 in Mitchell Lake No. 2, a subdivision in the Northeast Quarter of Section 33, Township 4 North, Range 9 West of the Third Principal Meridian, according to the plat thereof recorded in Plat Cabinet 57 Page 91 and corrected in Plat Cabinet 57 Page 106, in Madison County, Illinois.
PIN: 18-2-14-33-02-201-094.

B. Real estate located at 2406 W. 24th Street, Madison County, Granite City, Illinois, more fully described as follows:

The West 80 feet of Lot 1 and 2 and the West 80 feet of the North 10 feet of Lot 3 in Block 11 in Granite Heights Addition to Granite City, according to the plat thereof recorded in Plat Book 7 Page 33, in Madison County, Illinois.
PIN: 22-2-19-13-10-101-043.

~~C. Real estate located at 2714 Denver, Lot 14, Madison County, Granite City, Illinois,~~

more fully described as follows:

Lot 14 in Block 27 in McCasland and Youree's 4th Subdivision of the Wulfemeyer Tract, according to the plat thereof recorded in Plat Book 6 Page 33 in the Recorder's Office of Madison County, Illinois.
PIN: 22-2-19-13-304-044.

D. Real estate located at 2814 E. 24th Street, Lot 31, Madison County, Granite City,

Illinois, more fully described as follows:

Lot 31, excepting therefrom the East 38 ½ feet thereof and excepting therefrom the West 38 feet thereof, in Block 2 in the revised plat of Rohm Gardens Subdivision according to the plat thereof recorded in Plat Book 11 Page 54 in the Recorder's Office of Madison County, Illinois.
PIN: 22-2-20-17-19-402-005.

E. Real estate located at 118 N. Main, Wayne County, Piedmont, Missouri, more fully

described as follows:

The South 24 feet and 6 inches of Lot Eleven (11) in Block Thirteen (13) in the City of Piedmont, Wayne County, Missouri.

Also: The rear eighty-six feet of Lot Number Ten and the North Half of Lot Number nine in Block Thirteen in the City of Piedmont, Missouri, particularly described as follows: Beginning at the Northwest corner of said Lot 10; thence in an Easterly direction along North line of said Lot a distance of 54 feet to Beginning for particular described of property herein described; thence in an Easterly direction along North line of said Lot Ten a distance of eighty-six feet to an alley; thence in a Southerly direction along alley line and along end of said Lot Ten 50 feet and 25 feet along end of Lot Nine; thence in a Westerly direction and parallel to said North line of said Lot Ten a distance of eighty-six feet to Southeast corner of Home Oil Company property (now Cities Service Oil Company); and thence in a Northerly direction along Eastern of said Home Oil Company property a distance of 75 feet to Place of Beginning.

F. Real estate located at Peach Tree Road, Wayne County, Piedmont, Missouri, more fully described as follows:

Parcel #1 - 41.68 acres in Wayne County, Missouri described as follows: North $\frac{1}{2}$ of lot number 2 of Northwest $\frac{1}{4}$ Section 31 Township 30 Range 4 east.

Parcel #2 - W $\frac{1}{2}$ NE $\frac{1}{2}$ & N $\frac{1}{2}$ Lot 1 NW $\frac{1}{4}$ Section 31, Township 30; Range 4. Containing 120 acres more or less.

Parcel #3 - All of the Northeast Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$) of Section Thirty-One (31) North, Township Thirty (30) North, Range Four (4) East. Containing Forty (40) acres, more or less.

G. Real estate located at R.R. 3, Wayne County, Piedmont, Missouri, more fully described as follows:

The South Half of Lot One (1) of the Northwest Quarter of Section Thirty-One (31), Township Thirty (30) North, Range Four (4) West, Wayne County, Missouri.

H. Real estate located at 2332 Illinois Avenue, Lot 19, Madison County, Granite City, Illinois, more fully described as follows:

McCasland and Yources Subdivision of Wulfmeyer Tr. 5 $\frac{1}{2}$ Lot 19 25+125
PIN: 22-2-19-13-15-405-004.

I. Real estate located at 5118 Stacey Drive, Madison County, Mitchell, Illinois, and 5122 Stacey Drive, Madison County, Illinois, more fully described as follows:

Lots 67 and 68 in Mitchell Lake No. 2, a subdivision in the Northeast Quarter of Section 33, Township 4 North, Range 9 West of the Third Principal Meridian, according to the plat thereof recorded in Plat Cabinet 57 Page 91 and corrected in Plat Cabinet 57 Page 106, (except coal, oil, gas and other minerals underlying said premises with the right to mine and remove same), in Madison County, Illinois.
PIN: 18-2-14-33-02-201-100 (Lot 67) and PIN: 18-2-14-33-02-201-101 (Lot 68).

J. Real estate located at Stacey Drive, Madison County, Mitchell, Illinois, more fully described as follows:

Lot 60 in Mitchell Lake No. 2, a subdivision in the Northeast Quarter of Section 33, Township 4 North, Range 9 West of the Third Principal Meridian, according to the plat thereof recorded in Plat Cabinet 57 Page 91 and corrected in Plat Cabinet 57 Page 106, (except coal, oil, gas and other minerals underlying said premises with the right to mine and remove same, in Madison County, Illinois.
PIN: 18-2-14-33-02-201-093.

K. Real estate located at 5173 Stacey Drive, Madison County, Mitchell, Illinois, more fully described as follows:

Lot 43 in Mitchell Lake No. 2, a subdivision in the Northeast Quarter of Section 33, Township 4 North, Range 9 West of the Third Principal Meridian, according to the plat thereof recorded in Plat Cabinet 57 Page 91, (except coal and other minerals underlying said premises with the right to mine and remove same), in Madison County, Illinois.
PIN: 18-2-14-33-02-201-076.

L. Real estate located at 9262 Pin Oak Road, Edwardsville, Illinois, more fully described as follows:

The Southeast Quarter of the Northeast Quarter of the Southeast Quarter of Section 15, Township 4 North, Range 7 West of the Third Principal Meridian, (except coal, oil, and other minerals underlying said premises with the right to mine and remove same and except the South 210 feet conveyed to Marvin D. Furry and Robyn G. Furry in Warranty Deed recorded in Book 3482 Page 2118) and

The North half of the East Half of Northeast Quarter of the Southeast Quarter of Section 15, Township 4 North, Range 7 West of the Third Principal Meridian, (except coal, gas and other mineral rights with the right to mine and remove same), in Madison County, Illinois.
PIN: 10-1-16-15-00-000-017 and PIN: 10-1-16-15-00-000-016.

- M. Vehicle: 2001 Chevrolet Pickup Truck,
- N. Vehicle: 1964 Chevrolet Impala,
- O. Vehicle: 1981 Pontiac Firebird,
- P. Vehicle: 1991 GMC Jimmy (Jeep),
- Q. Vehicle: 1995 GMC Sierra Pickup,

- R. Vehicle: 1996 Yamaha Kodiak motorcycle,
- S. Vehicle: 1997 Yamaha Big Bear motorcycle,
- T. Vehicle: 1998 Jeep Wrangler;
- U. Vehicle: 2000 GMC Yukon Denali,
- V. Vehicle: 1959 Chevy Impala;
- W. Vehicle: 1993 Harley Davidson, Titled in the name of
- X. Vehicle: 1966 Chevy Impala, Titled in the name of
- Y. Vehicle: 1997 Ford Expedition, led in the name of
- Z. Vehicle: 1951 Studebaker;
- AA. Vehicle: 1966 Pontiac Bonneville,
- BB. Vehicle: 1989 Chevrolet S-10 Blazer Tailgate,
- CC. Vehicle: 1989 Chevrolet Beretta,
- DD. Vehicle: 1995 Plymouth Voyager,
- EE. Vehicle: 1996 Mercury Cougar XR-7
- FF. Vehicle: 1995 Pontiac Firebird,
- GG. Vehicle: 1996 Pontiac Sunfire,
- HH. Vehicle: 1997 GMC Jimmy,
- II. Vehicle: 1997 Saturn 4-Cyl. Sedan,
- JJ. Vehicle: 1998 GMC Sonoma Pickup Truck,
- KK. Vehicle: 1998 Chevrolet Malibu,
- LL. Vehicle: 1998 Chevrolet Cavalier,

- MM. Vehicle: 1999 Ford Mustang.
- NN. Jewelry: Watch - Gents 18 karat yellow gold Rolex watch with a diamond face (off market) containing eight round brilliant cut diamonds and two tapered baguettes on a yellow face. The serial number is The band has a bark bank center with a bark bezel. The watch weighs with movement 96.06dwt.
- OO. Jewelry: Necklace - Gents 14 karat yellow gold rope chain necklace measuring 9.5mm wide and 20" in length. The necklace weighs 123.83dwt.
- PP. Jewelry: Pendant - 14 karat yellow gold anchor/cross pendant weighing 31.90dwt.
- QQ. Jewelry: Bracelet - Gents 14 karat yellow gold woven link bracelet measuring 8mm wide, and 8" in length. The bracelet weighs 24.55dwt.
- RR. Jewelry: Bracelet - Gents 14 karat gold nugget bracelet measuring 11.7mm wide and weighing 24.33dwt.
- SS. Jewelry: Watch - Gents 14 karat yellow gold Seiko watch with a black face and a band measuring 22.5mm wide. The watch weighs 43.91dwt with movement.
- TT. Jewelry: Bracelet - Gents 14 karat yellow gold nugget bracelet with the name "SCOTT" on a separate plate containing twenty-five round brilliant cut diamonds measuring 18.5mm wide and weighing 36.22dwt.
- UU. Jewelry: Ring - Gents 14 karat yellow gold nugget ring measuring 16.3mm square top. The ring weighs 9.43dwt.
- VV. Jewelry: Ring - Ladies 14 karat yellow gold diamond nugget ring containing four rows of diamonds set into white gold. The are twelve round brilliant cut diamonds weighing 5.60dwt.
- WW. Jewelry: Ring - Gents 14 karat two-tone diamond cluster containing seven round brilliant cut diamonds weighing 1.05ctw. The ring weighs 5.71dwt.
- XX. Jewelry: Ring - Ladies 14 karat yellow gold diamond and sapphire ring containing one oval blue sapphire measuring 6x4mm and twelve round brilliant cut diamonds weighing 0.12 ctw. The ring weighs 1.85dwt.
- YY. Jewelry: Ring - Ladies 14 karat yellow gold emerald and diamond ring containing one oval cut emerald measuring 6x4mm and eight round brilliant cut diamonds weighing 1.00ctw. The ring weighs 2.52dwt.
- ZZ. Jewelry: Ring - Ladies 14 karat gold sapphire and diamond ring containing ten

marquise sapphires measuring 5x3mm each, and fifteen round brilliant cut diamonds weighing 0.22ctw. The ring weighs 3.78dwt.

- AAA. Jewelry: Ring - Ladies 14 karat yellow gold diamond cocktail ring containing a center round brilliant cut diamond weighing 0.25ctw. The ring also contains sixteen round brilliant cut diamonds weighing approximately 0.75ctw, and fourteen diamond baguettes weighing approximately 0.50ctw. The ring weighs 3.96dwt.
- BBB. Jewelry: Bracelet - Gents 14 karat two-tone open link bracelet measuring 8" long, and containing twenty-one round brilliant cut diamonds weighing approximately 1.00ctw. The bracelet weighs 26.95dwt.
- CCC. Jewelry: Necklace - Gents 14 karat yellow gold rope necklace measuring 4.55mm wide and 20" in length. The necklace weighs 28.97dwt.
- DDD. Jewelry: Pendant - 14 karat two-tone diamond cross containing fifty-six round brilliant cut diamonds weighing approximately 1.20ctw, and four diamond baguettes weighing approximately 0.16ctw. The pendant weighs 6.02dwt.
- EEE. Jewelry: Earring - 2 ½ karat diamond earring.
- FFF. Jewelry: Necklace - Gents 14 karat yellow gold 4mm rope necklace measuring 20" long, and weighs 22.84dwt.
- GGG. Jewelry: Bracelet - Gents 14 karat yellow gold nugget 8" bracelet with white gold letters spelling "FRANK" with twenty-five round brilliant cut diamonds. The bracelet measures 18.75mm wide, and weighs 31.74dwt.
- HHH. Jewelry: Ring - Gents 14 karat yellow gold diamond nugget containing sixteen round brilliant cut diamonds weighing approximately .50ctw. The ring weighs 5.96dwt.
- III. Jewelry: Ring - Gents 14 karat yellow gold diamond nugget ring containing twelve round brilliant diamonds weighing approximately 1.00ctw. The ring weighs 7.16dwt.
- JJJ. Jewelry: Ring - Ladies 14 karat yellow gold ruby and diamond ring containing a ruby measuring 6x4mm and four marquise weighing approximately 0.50ctw, and nine round brilliant cut diamonds weighing approximately 0.27ctw. The ring weighs 2.68dwt.
- KKK. Jewelry: Ring - Ladies 14 karat yellow gold diamond ballerina ring with a center ruby measuring 5.3mm. The side stones contain six diamond baguettes weighing approximately 0.20ctw, and ten round brilliant cut diamonds weighing approximately 0.18ctw. The ring weighs 2.08dwt.

- LLL. Jewelry: Ring - Ladies 14 karat yellow gold diamond cocktail ring containing three round brilliant cut diamonds; one weighing approximately 1.15ct, with a clarity of S12 and K-L. The second weighing approximately 0.55ct, with a clarity of S12, and K-L in color, and the third 0.18ct, with a clarity of S13, and K-L.
- MMM. Jewelry: Ring - Ladies 14 karat yellow gold wedding ring containing one center round brilliant cut diamond weighing approximately 0.58ct, with a clarity of S13 and color H-I. The side stones contain sixteen diamond baguettes in the center row and thirty-two diamond baguettes on the curved sides weighing approximately 1.00ctw. The ring weighs 6.70dwt.
- NNN. Jewelry: Watch - Gents 18 karat yellow gold Rolex with a mahogany diamond face (off market) with eight round brilliant cut diamonds and two diamond baguettes. The watch also has an off market diamond bezel containing thirty-nine round brilliant cut diamonds weighing approximately 2.73ctw. The watch has a textured band and has a serial number 18038. The watch weighs with movement 89.37dwt.
- OOO. Bank Account: United States currency seized from the bank account number (formerly bank account number in the names of Scott A. Vilmer and Jennifer Vilmer at The Bank of Edwardsville.
- PPP. Bank Account: in United States currency seized from bank account number at The Bank of Edwardsville in the name of Bill Corbitt.
- QQQ. Bank Account: n United States currency seized from the bank account number at The Bank of Edwardsville in the name of Bill Corbitt.
- RRR. Bank Account: United States currency seized from the bank account number The Bank of Edwardsville in the name of Bill Corbitt.
- SSS. Bank Account: United States currency seized from the bank account number The Bank of Edwardsville in the names of Frank S. Vilmer and Sylvia L. Vilmer.
- TTT. Bank Account: United States currency seized from the bank account number he Bank of Edwardsville in the name of Midwest Motors.
- UUU. Bank Account: United States currency seized from the bank account number formerly account number) at The Bank of Edwardsville in the name of Midwest Pigeons, Inc.

With respect to the Parcels listed as Items B (2406 West 24th Street, Granite City, Illinois),

C (2714 Denver, Granite City, Illinois), and D (2814 East 24th Street, Granite City, Illinois), the United States advises the Court that it would not be economically viable for the United States to forfeit said properties and that the United States is therefore abandoning said forfeiture of said properties. Said properties are therefore dismissed from this Order of Forfeiture and the prior Orders of Forfeiture entered against them.

With respect to all of the proceeding properties except for the parcels listed at Items B, C, and D, the Court finds that no person or entity other than the United States has any right, title, or interest in said properties, and the United States owns all right, title, and interest in same. The United States Marshal shall dispose said properties (except for Items B, C, and D) pursuant to law. With respect to the real estate contained within these properties (except for Items B, C, and D), the Court finds that the properties are tax-exempt as of January 13, 2003; with the exception of the real estate located at 9262 Pin Oak Road, Edwardsville, Illinois, which the Court finds is tax-exempt as of February 10, 2003. All real estate tax liens which accrued prior to the date that the properties became tax-exempt shall remain valid against said property.

The United States Marshal shall forthwith take custody of all of the subject property if he has not already done so. Should any of the subject-matter real estate be occupied, the occupants shall have thirty days from the date of service of a copy of this order to vacate said premises and to transfer custody of same to the U. S. Marshal. Should any occupants of the property remain on the premises past said 30-day period, the U. S. Marshal is hereby authorized by this Order to forcibly remove said persons. Any personal property remaining on said premises after said 30-day period shall be considered to be abandoned and may be disposed of by the U. S. Marshal by any means he

deems appropriate and without any requirement for further accounting of same. Any occupants of said real estate are enjoined during this period of time from committing waste on the premises and from otherwise removing, converting, or otherwise reducing in value any portion of the real estate or fixtures or other items which have been incorporated into the real estate. The United States shall have the right to request a shortening of the above 30-day period for cause upon filing a motion with this Court. Nothing in this paragraph shall prohibit the U. S. Marshal from entering into an agreement with any occupants or other tenants of the property to extend the time for the occupant to remain on the property. The U. S. Marshal shall have with respect to all of the forfeited properties the right to manage same, to make improvements and repairs on same, the right to lease same, and all other rights which would accrue to it as owner of the properties.

The United States may, at its discretion, abandon the forfeiture of one or more of the properties by filing a notice of same with the Court.

The United States may record this Order in any county where any of the subject-matter real estate is located. The Court retains jurisdiction of the subject-matter real estate until it has been disposed of by the United States Marshal or pursuant to foreclosure as described within the terms of this Order. No person shall take any steps to acquire or perfect a tax deed or tax deed proceedings against any parcels described herein (except for the items described as B, C, and D) without first obtaining leave of this Court to do so upon Notice and Hearing to the United States, and the tax certificate and tax deed process is hereby ordered stayed pending further order of this Court.

The Clerk shall mail a copy of this order to all parties of record as well as to Mark Von Nida, Madison County Clerk, Madison County Administration Building, 157 North Main Street, Edwardsville, IL 62025; William A. Mudge, Madison County State's Attorney, Madison County

Administration Building, 157 North Main Street, Edwardsville, IL 62025; Madison County Clerk, Madison County Courthouse, P.O. Box 470, Fredricktown, MO 63645; Madison County State's Attorney, Madison County Courthouse, P.O. Box 470, Fredricktown, MO 63645; Wayne County Clerk, Wayne County Courthouse, P.O. Box 168, Greenville, MO 63944; and Wayne County State's Attorney, Wayne County Courthouse, P.O. Box 168, Greenville, MO 63944.

SO ORDERED:

DATE: May 4, 2004

s/WILLIAM D. STIEHL
United States District Judge