

2361
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA

SOUTHERN DIVISION

JUL 25 1986

UNITED STATES OF AMERICA,

Plaintiff,

v.

PROPERTY LOCATED AT ROUTE ONE
BOX 92A and ROUTE ONE, BOX 92C,
CHELSEA, ALABAMA

Defendant.

Civil Action No.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
GENE E. BELL, ACTING CLERK

CV86 G 1385S

COMPLAINT FOR FORFEITURE

COMES NOW the United States of America, by and through its counsel, Frank W. Donaldson, United States Attorney for the Northern District of Alabama, and respectfully presents to this Court the following:

1. This action is a civil action for forfeiture pursuant to Title 21, United States Code, Section 881(a)(7). Jurisdiction is predicated upon Title 28, United States Code, Section 1345.

2. On or about July 4, 1986, July 5, 1986, July 14, 1986, July 18, 1986, and July 22, 1986, the defendant property consisting of land with a house and mobile home thereon, which consists of a parcel of real property and the appurtenances thereto lying in the County of Shelby, Alabama, described as:

Parcel of land situated in the NE 1/4 of NE 1/4 of Section 1, Township 20 South, Range 2 West, Shelby County, Alabama, more particularly described as follows: Commence at the southwest corner of NE 1/4 of NE 1/4 of Section 1, Township 20 South, Range 2 West, and run east along the South line of said 1/4-1/4 for 210.0 feet; thence 89 degrees 47' 30"

left and run northerly and parallel to the west line of said 1/4-1/4 392.0 feet to the point of beginning; thence continue along the last stated course 392.0 feet; thence 89 degrees 48'37" right and run easterly 1139.96 feet to the east line of said 1/4-1/4; thence 88 degrees 20'25" right and run south along the east line of said 1/4-1/4 392.0 feet; thence 91 degrees 39'06" right and run west 1152.63 feet to the point of beginning.

Subject to easements and restrictions of record.

Grantors grant an easement to grantees along the south 15 feet of the west 210 feet and the west 15 feet of said 40 acres owned by them to be used as a roadway.

All mineral and mining rights not owned by grantors are hereby excepted.

The property is not to be subdivided for the purpose of residential or commercial development as long as the adjoining property of Smith, Kimberly, Clark & Bradley remains unsubdivided. In the event, any single adjoining property owner initiates subdivision for the purpose of residential or commercial development this restriction is no longer binding. \$18,000.00

The North 15 feet of the following described property: A part of the NE 1/4 of the NE 1/4 of section 1, Township 20 South, Range 2 West, more particularly described as follows: Commence at the northwest corner of said quarter-quarter section and run thence South along the West boundary of said quarter-quarter section a distance of 1120 feet to point of beginning; thence continue South in the same direction a distance of 200 feet, more or less, to the southwest corner of said quarter-quarter section; thence run East along the south boundary of said quarter-quarter section a distance of 210 feet to a point; thence turn to the left and run north parallel with the Western boundary of said quarter-quarter section a distance of 200 feet, more or less, to a point due East from the point of beginning, thence turn to the left and run Westerly 210 feet, more or less, to the point of beginning.

Said easement is for the purpose of ingress and egress to grantees herein.

was used or intended to be used to commit or to facilitate the commission of a violation of the drug laws of the United States in that it was used to sell cocaine and other controlled substances therefrom and store said drugs therein in violation of Title 21, United States Code, Sections 881(a)(7), and 841.

3. The names and addressed of possible claimants known to plaintiff are:

Richard M. Holland
Route One, Box 92A ✓
Chelsea, Alabama

Donna M. Holland
Route One, Box 92A ✓
Chelsea, Alabama

Larry D. Bohannon
P. O. Box 269
Roselodge, Oregon 97372

Jane A. Bohannon
P. O. Box 269
Roselodge, Oregon 97372

Tommy Poe
Route 1, Box 92B
Chelsea, Alabama

Tammy Bigham Poe
Route 1, Box 92B
Chelsea, Alabama

James Clifton McDill
Route One, Box 92C
Chelsea, Alabama

Linda Gail Sherk
Route One, Box 92C ✓
Chelsea, Alabama

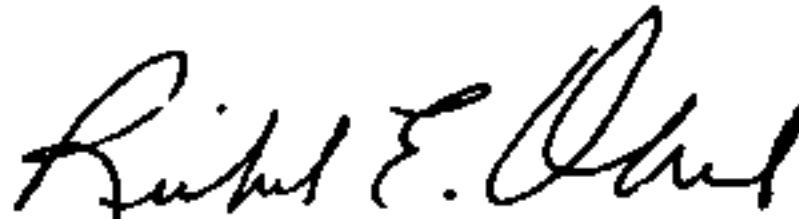
4. The value of this property exceeds \$10,000.00.

5. The defendant property is located in Chelsea, Alabama, in the Northern District of Alabama, within the jurisdiction of this Court.

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WHEREFORE, the plaintiff prays that the usual process for forfeiture issue against the defendant property and against any and all proceeds from the sale thereof; that due notice be given to all interested parties to appear and show cause why the forfeiture should not be decreed; and that the plaintiff have such other and further relief as the case may require.

FRANK W. DONALDSON
United States Attorney


RICHARD E. O'NEAL
Assistant United States Attorney

VERIFICATION

Northern District of Alabama

City of Birmingham

I, RICHARD E. O'NEAL, declare under penalty of perjury that the following facts are true and correct:

I am an Assistant United States Attorney for the Northern District of Alabama, one of the attorneys for the Plaintiff in this case;

I have read the contents of the foregoing Government Complaint for Forfeiture and the same are true to the best of my knowledge, information and belief.

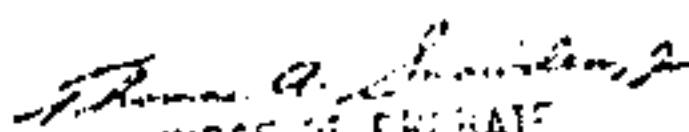


RICHARD E. O'NEAL
Assistant United States Attorney

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STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1986 JUL 28 AM 11:39


JUDGE OF PROBATE

RECORDING FEES
Recording Fee \$12.50
Index Fee 8.00
TOTAL 20.50