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8 UNITED STATES DISTRICT COURT
9 FOR THE CENTRAL DISTRICT OF CALIFORNIA
10 WESTERN DIVISION

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 ARMAN HAYRAPETYAN,
15 Defendant.
16

No. CR 20-00579-SVW-6

[PROPOSED] PRELIMINARY ORDER
OF FORFEITURE PURSUANT TO PLEA
AGREEMENT AS TO 4910 TOPEKA
DRIVE, TARZANA, CALIFORNIA

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18 Upon consideration of the application of Plaintiff, United
19 States of America, for a preliminary order of forfeiture
20 pursuant to the plea agreement of, and guilty plea to Count
21 Twenty-six of the First Superseding Indictment entered by,
22 defendant ARMAN HAYRAPETYAN, and, good cause appearing thereon,
23 IT IS HEREBY ORDERED:

24 **I. FORFEITABLE PROPERTY**

25 For the reasons set out below, any right, title and
26 interest of defendant Arman Hayrapetyan in the following
27 described property (hereinafter, the "Forfeitable Property") is
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1 hereby forfeited to the United States. The Court finds that the
2 government has established the requisite nexus between the
3 Forfeitable Property and the offenses described in Count Twenty-
4 six of the First Superseding Indictment, which charge defendant
5 with 18 U.S.C. § 1956(h) (conspiracy to commit money
6 laundering). The Forfeitable Property is more particularly
7 described as:

8 a. The real property located at 4910 Topeka Drive,
9 Tarzana, California, APN: 2176-029-031, more particularly
10 described as:

11 DESCRIPTION: THE LAND REFERRED TO HEREIN IS SITUATED IN THE
12 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS
13 DESCRIBED AS FOLLOWS:

14 PARCEL 1:

15 THOSE PORTIONS OF LOT 71 and 72 OF TRACT 2605, IN THE CITY
16 OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA,
17 AS PER MAP RECORDED IN BOOK 27 PAGE 55 ET SEQ. OF MAPS, AND
18 THAT PORTION OF PARCEL "A" OF PARCEL MAP L.A. NO. 2015 AS
19 PER MAP FILED IN BOOK 32 PAGE 19 OF PARCEL MAPS, IN THE
20 OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS
21 FOLLOWS:

22 BEGINNING AT A POINT IN THE CENTERLINE OF TOPEKA DRIVE, 40
23 FEET WIDE, AS SHOWN ON SAID MAP, DISTANT THEREON SOUTH 15°
24 10' 00" WEST 178.55 FEET FROM THE NORTHEASTERLY TERMINUS OF
25 THAT CERTAIN COURSE IN THE CENTERLINE OF TOPEKA DRIVE SHOWN
26 ON SAID MAP AS HAVING A BEARING OF NORTH 15° 10' 00" EAST
27 AND LENGTH OF 1055.19 FEET;
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1 THENCE SOUTH 74° 50' 00" EAST 56.09 FEET TO THE BEGINNING
2 OF A TANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A
3 RADIUS OF 129.86 FEET;
4 THENCE EASTERLY ALONG SAID CURVE 128.40 FEET; TO THE TRUE
5 POINT OF BEGINNING;
6 THENCE TANGENT TO SAID CURVE NORTH 48° 30' 50" EAST 147.14
7 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE
8 SOUTHEAST, HAVING A RADIUS OF 100.05 FEET;
9 THENCE EASTERLY ALONG SAID CURVE, 125.14 FEET, A RADIAL
10 LINE TO SAID POINT BEARS NORTH 30° 10' 46" EAST;
11 THENCE NORTH 10° 52' 46" EAST 45.32 FEET;
12 THENCE SOUTH 84° 29' 18" EAST 182.82 FEET;
13 THENCE SOUTH 04° 13' 10" WEST 195.63 FEET TO A POINT IN A
14 CURVE CONCAVE WESTERLY HAVING A RADIUS OF 175.31 FEET; A
15 RADIAL LINE TO SAID POINT BEARS NORTH 62° 22' 50" EAST;
16 THENCE CONTINUING EASTERLY AND SOUTHERLY ALONG SAID CURVE
17 THROUGH A CENTRAL ANGLE OF 50° 06' 30" AN ARC DISTANCE OF
18 153.32 FEET;
19 THENCE TANGENT TO SAID CURVE SOUTH 22° 29' 20" WEST 63.38
20 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE
21 NORTHWEST HAVING A RADIUS OF 375.00 FEET;
22 THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL
23 ANGLE OF 13° 52' 00" 90.76 FEET TO THE BEGINNING OF A
24 REVERSE CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF
25 161.89 FEET;
26 THENCE SOUTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL
27 ANGLE OF 17° 46' 00" 50.20 FEET TO THE BEGINNING OF A
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1 REVERSE CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF
2 75.69 FEET;

3 THENCE SOUTHWESTERLY AND WESTERLY ALONG SAID CURVE, THROUGH
4 A CENTRAL ANGLE OF $33^{\circ} 58' 30''$ 44.88 FEET TO A POINT OF
5 CUSP IN THE NORTHERLY LINE OF SAID PARCEL "A" SAID
6 NORTHERLY LINE BEING A CURVE CONCAVE SOUTHWESTERLY HAVING A
7 RADIUS OF 30.00'; A RADIAL LINE TO SAID POINT BEARS SOUTH
8 $38^{\circ} 26' 10''$ EAST;

9 THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE
10 $116^{\circ} 31' 20''$ AN ARC DISTANCE OF 61.01 FEET;

11 THENCE SOUTH $10^{\circ} 54' 50''$ EAST 92.71 FEET;

12 THENCE SOUTH $80^{\circ} 16' 17''$ WEST 20.00 FEET;

13 THENCE NORTH $31^{\circ} 28' 33''$ WEST 120.33 FEET;

14 THENCE NORTH $22^{\circ} 17' 48''$ WEST 20.00 FEET TO THE BEGINNING
15 OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 55.69
16 FEET;

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18 THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL
19 ANGLE OF $49^{\circ} 06' 52''$ AN ARC DISTANCE OF 47.74 FEET TO THE
20 BEGINNING OF A REVERSE CURVE CONCAVE SOUTHEASTERLY HAVING A
21 RADIUS OF 181.89 FEET;

22 THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL
23 ANGLE OF $17^{\circ} 46' 00''$ AN ARC DISTANCE OF 56.40 FEET TO THE
24 BEGINNING OF A REVERSE CURVE CONCAVE NORTHWESTERLY HAVING A
25 RADIUS OF 355.00 FEET;

26 THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL
27 ANGLE OF $12^{\circ} 45' 16''$ AN ARC DISTANCE OF 79.03 FEET;

28 THENCE NORTH $67^{\circ} 12' 02''$ WEST 268.30 FEET;

1 THENCE NORTH 15° 10' 00" EAST 43.00 FEET;
2 THENCE NORTH 47° 02' 30" WEST 175.00 FEET TO THE TRUE POINT
3 OF BEGINNING.

4 PARCEL 2:

5 THE RIGHT OF INGRESS AND EGRESS FOR SAID PROPERTY OVER A
6 ROADWAY EASEMENT FROM TOPEKA DRIVE OVER THAT PORTION OF LOT
7 71, OF TRACT NO. 2605, IN THE CITY OF LOS ANGELES, COUNTY
8 OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN
9 BOOK 27, PAGE 55, ET SEQ., OF MAPS, IN THE OFFICE OF THE
10 COUNTY RECORDER OF SAID COUNTY, INCLUDED WITHIN A STRIP OF
11 LAND 30.00 FEET IN WITH, LYING 15.00 FEET ON EACH SIDE OF
12 THE FOLLOWING DESCRIBED CENTER LINE:

13 BEGINNING AT THE SOUTHWESTERLY CORNER OF THE LAND CONVEYED
14 TO CIRELLA G. SMITH AND HUSBAND, BY DEED RECORDED JULY 8,
15 1943 AS INSTRUMENT NO. 118, IN BOOK 20132 PAGE 100,
16 OFFICIAL RECORDS, SAID CORNER BEING DISTANT 261.45 FEET
17 NORTHERLY FROM THE SOUTHWESTERLY CORNER OF LOT 71, SAID
18 TRACT 2605; THENCE NORMAL TO THE EASTERLY LINE OF TOPEKA
19 DRIVE, SOUTH 74° 50' 00" EAST 36.09 FEET TO THE BEGINNING
20 OF A TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS
21 OF 129.86 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE,
22 128.40 FEET; THENCE TANGENT TO SAID CURVE, NORTH 48° 30'
23 50" EAST 147.14 FEET TO THE BEGINNING OF A TANGENT CURVE
24 CONCAVE SOUTHERLY, HAVING A RADIUS OF 100.05 FEET; THENCE
25 EASTERLY ALONG SAID CURVE, 144.70 FEET; THENCE TANGENT TO
26 SAID CURVE, SOUTH 48° 37' 10" EAST, 161.06 FEET TO THE
27 BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY, HAVING A
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1 RADIUS OF 175.31 FEET, THENCE SOUTHERLY ALONG SAID CURVE,
2 217.57 FEET; THENCE TANGENT TO SAID CURVE, SOUTH 22° 29'
3 20" WEST 42.15 FEET TO A POINT.

4 **II. IMPLEMENTATION**

5 IT IS FURTHER ORDERED as follows:

6 A. Upon the entry of this Order, and pursuant to Fed. R.
7 Crim. P. 32.2(b)(3) and 21 U.S.C. § 853, the United States
8 Attorney General (or a designee) is authorized to seize the
9 Forfeitable Property.

10 B. Upon entry of this Order, the United States is further
11 authorized to conduct any discovery for the purpose of
12 identifying, locating, or disposing of the Forfeitable Property
13 subject to forfeiture pursuant to this Order, 21 U.S.C. § 853(m)
14 and Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure.
15 "Any discovery" shall include all methods of discovery permitted
16 under the Federal Rules of Civil Procedure.

17 C. Upon entry of this Order (and at any time in the
18 future after amendment of the applicable order of forfeiture in
19 this matter), the United States Attorney General (or a designee)
20 is authorized to commence any applicable proceeding to comply
21 with statutes governing third party rights, including giving
22 notice of this and any other Order affecting specific property.
23 The following paragraphs shall apply to any ancillary proceeding
24 conducted in this matter:

25 (1) Pursuant to 21 U.S.C. § 853(n)(1) and
26 Supplemental Rule G(4)(a)(iv)(C) of the Supplemental Rules for
27 Admiralty or Maritime Claims and Asset Forfeiture Actions, the
28 government shall forthwith publish for at least thirty (30)

1 consecutive days on an official government website notice of
2 this order and any other Order affecting the Forfeitable
3 Property, and notice that any person, other than the defendant,
4 having or claiming a legal interest in the property must file a
5 petition with the Court within thirty (30) days of the
6 publication of notice or receipt of actual notice, whichever is
7 earlier. The United States shall also, to the extent
8 practicable, provide written notice to any person known to have
9 an alleged interest in the Forfeitable Property.

10 (2) Any person other than defendant ARMAN HAYRAPETYAN
11 ("defendant") asserting a legal interest in the Forfeitable
12 Property may, within thirty days of the publication of notice or
13 receipt of notice, whichever is earlier, petition the court for
14 a hearing without a jury to adjudicate the validity of his or
15 her alleged interest in the property, and for an amendment of
16 the order of forfeiture, pursuant to 21 U.S.C. § 853(n) (2).

17 (3) Any petition filed by a third party asserting an
18 interest in the Forfeitable Property shall be signed by the
19 petitioner under penalty of perjury and shall set forth the
20 nature and extent of the petitioner's right, title, or interest
21 in such property, the time and circumstances of the petitioner's
22 acquisition of the right, title or interest in the property, any
23 additional facts supporting the petitioner's claim, and the
24 relief sought. 21 U.S.C. § 853(n) (3).

25 (4) The United States shall have clear title to the
26 Forfeitable Property following the Court's disposition of all
27 third-party interests or, if no petitions are filed, following
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1 the expiration of the period provided in 21 U.S.C. § 853(n) (2)
2 for the filing of third party petitions.

3 D. Pursuant to Fed. R. Crim. P. 32.2(b) (3) and
4 defendant's consent, this Preliminary Order of Forfeiture shall
5 become final as to defendant ARMAN HAYRAPETYAN upon entry and
6 shall be made part of his sentence and included in his judgment.

7 E. The Court shall retain jurisdiction to enforce this
8 Order, and to amend it as necessary, pursuant to Fed. R. Crim.
9 P. 32.2(e) .

10 DATED: _____
11 _____
HONORABLE STEPHEN V. WILSON
UNITED STATES DISTRICT JUDGE

12 PRESENTED BY:

13 TRACY L. WILKISON
14 Acting United States Attorney

15 SCOTT M. GARRINGER
Assistant United States Attorney
16 Chief, Criminal Division

17 /s/Brent A. Whittlesey
18 BRENT A. WHITTLESEY
Assistant United States Attorney
19 Asset Forfeiture Section

20 Attorneys for Plaintiff
UNITED STATES OF AMERICA
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