UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. RICHARD AYVAZYAN, Aka "Richard Avazian" and "Iuliia Zhadko," et al., Defendants.	No. CR 20-00579-SVW [PROPOSED] FINAL ORDER OF FORFEITURE AS TO 4910 TOPEKA DRIVE, TARZANA, CALIFORNIA

On August 19, 2021, August 24, 2021 and September 3, 2021, this Court entered Preliminary Orders of Forfeiture ("POFs")[1], ordering the forfeiture of the interests of defendants Richard Ayvazyan, Marietta Terabelian, Artur Ayvazyan, Tamara Dadyan, Manuk Grigoryan, Arman Hayrapetyan, Edvard Paronyan, and Vahe Dadyan in the real property, having found that the real property was 1) property constituting or derived from proceeds obtained, directly or indirectly, as a result of the offenses traceable to one or more violations of 18 U.S.C. §§ 1349, 1343, 1344(2), 1028A(a)(1), and 2)

[1] On October 26, 2021, an Amended Preliminary Order of Forfeiture was issued as to 74203 Anastacia Lane, Palm Desert, California.

property involved in or traceable to violations of 18 U.S.C. § 1956, and that there was therefore a nexus between the seized funds and real property and the crimes of defendants' convictions or admitted in the defendants' plea agreements.

a. The real property located at 4910 Topeka Drive, Tarzana, California, APN: 2176-029-031 (the "Tarzana Property"), more particularly described as:

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

PARCEL 1:

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

BEGINNING AT A POINT IN THE CENTERLINE OF TOPEKA DRIVE, 40 FEET WIDE, AS SHOWN ON SAID MAP, DISTANT THEREON SOUTH 15° 10' 00" WEST 178.55 FEET FROM THE NORTHEASTERLY TERMINUS OF THAT CERTAIN COURSE IN THE CENTERLINE OF TOPEKA DRIVE SHOWN ON SAID MAP AS HAVING A BEARING OF NORTH 15° 10' 00" EAST AND LENGTH OP 1055.19 FEET;

THENCE SOUTH 74° 50' 00" EAST 56.09 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 129.86 FEET;

THENCE EASTERLY ALONG SAID CURVE 128.40 FEET; TO THE TRUE POINT

OF BEGINNING;

THENCE TANGENT TO SAID CURVE NORTH 48° 30' 50" EAST 147.14 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 100.05 FEET;

THENCE EASTERLY ALONG SAID CURVE, 125.14 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 30° 10' 46" EAST;

THENCE NORTH 10° 52' 46" EAST 45.32 FEET;

THENCE SOUTH 84° 29' 18" EAST 182.82 FEET;

THENCE SOUTH 04° 13' 10" WEST 195.63 FEET TO A POINT IN A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 175.31 FEET; A RADIAL LINE TO SAID POINT BEARS NORTH 62° 22' 50" EAST;

THENCE CONTINUING EASTERLY AND SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 50° 06' 30" AN ARC DISTANCE OF 153.32 FEET;

THENCE TANGENT TO SAID CURVE SOUTH 22° 29' 20" WEST 63.38 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 375.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 13° 52' 00" 90.76 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 161.89 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 17° 46' 00" 50.20 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 75.69 FEET;

THENCE SOUTHWESTERLY AND WESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 33° 58' 30" 44.88 FEET TO A POINT OF CUSP IN THE NORTHERLY LINE OF SAID PARCEL "A" SAID NORTHERLY LINE BEING A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 30.00'; A

RADIAL LINE TO SAID POINT BEARS SOUTH 38° 26' 10" EAST;
THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE 116° 31' 20" AN ARC DISTANCE OF 61.01 FEET;
THENCE SOUTH 10° 54' 50" EAST 92.71 FEET;
THENCE SOUTH 80° 16' 17" WEST 20.00 FEET;
THENCE NORTH 31° 28' 33" WEST 120.33 FEET;
THENCE NORTH 22° 17' 48" WEST 20.00 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 55.69 FEET;
THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 49° 06' 52" AN ARC DISTANCE OF 47.74 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 181.89 FEET;
THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 17° 46' 00" AN ARC DISTANCE OF 56.40 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 355.00 FEET;
THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12° 45' 16" AN ARC DISTANCE OF 79.03 FEET;
THENCE NORTH 67° 12' 02" WEST 268.30 FEET;
THENCE NORTH 15° 10' 00" EAST 43.00 FEET;
THENCE NORTH 47° 02' 30" WEST 175.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

THE RIGHT OF INGRESS AND EGRESS FOR SAID PROPERTY OVER A ROADWAY EASEMENT FROM TOPEKA DRIVE OVER THAT PORTION OF LOT 71, OF TRACT NO. 2605, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 27, PAGE 55, ET

SEQ., OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, INCLUDED WITHIN A STRIP OF LAND 30.00 FEET IN WITH, LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE:

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

Beginning on September 11, 2021, and ending on October 10, 2021, and beginning on September 14, 2021, and ending on October 13, 2021, the United States caused to be published on an official government internet site (www.forfeiture.gov) notice of the forfeiture orders. Each of the notices advised of the government's intent to dispose of the seized real property in accordance with law and as specified in the POFs, and further notified all eligible third parties of their

right to petition this Court within thirty days for a hearing to adjudicate the validity of their alleged legal interest in the seized real property.

Private Money Solutions, Inc. and Gregory Shirin submitted a petition. The government settled with both Private Money Solutions, Inc. and Gregory Shirin. No other parties have filed petitions in this proceeding, and the time for filing such petitions has expired. Entry of the final order of forfeiture is proper because the public notice provisions governing criminal forfeiture have been met.

The United States of America, Private Money Solutions, Inc. and Gregory Shirin have requested that a Final Order of Forfeiture be entered pursuant to the Court's order. *See* ECF 1240.

IT IS THEREFORE HEREBY ORDERED, ADJUDGED, AND DECREED that the property identified in the FOF be disposed of and the proceeds of the sale will be payable in the following manner:

a. First, to the United States of America (including its agency the United States Marshals Service) for all expenses incurred relative to the Palm Desert Property, including, but not limited to, expenses of custody, advertising and sale;

b. Second, payment to the County Assessor and Tax Collector of Los Angeles County, California for any unpaid real property taxes assessed against the Tarzana Property up to the date of filing of this Final Order of Forfeiture;

c. Third, $2,000,000.00 of the remaining proceeds to Lienholder Gregory Shirin;

d. Fourth, $112,500.00 of the remaining proceeds to Lienholder Private Money Solutions, Inc.;

e. Fifth, payment to the United States Marshals Service, which will deposit and dispose of the remaining proceeds from the sale of the Tarzana Property in accordance with law

Private Money Solutions, Inc. and Gregory Shirin released the United States of America, its agencies, agents, and officers, including, without limitation, employees and other representatives of the Federal Bureau of Investigation, from any and all claims, defenses, actions, or liabilities arising out of or related to this action against seized funds, including, without limitation, any and all claims for attorneys' fees, costs, or interest which may be asserted by them or on their behalf.

The parties shall bear their own costs and attorneys' fees in this action.

This Court shall retain jurisdiction over this matter to enforce the provisions of the Final Order of Forfeiture.

DATED: _____, 2022

_____
THE HONORABLE STEPHEN V. WILSON
UNITED STATES DISTRICT JUDGE

PRESENTED BY:

TRACY L. WILKISON
United States Attorney
SCOTT M. GARRINGER
Assistant United States Attorney
Chief, Criminal Division
JONATHAN GALATZAN
Assistant United States Attorney
Chief, Asset Forfeiture Section

/s/Dan G. Boyle
DAN G. BOYLE
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UNITED STATES OF AMERICA