Karen Johnson Davidson County
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20190225-0016757

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

ATTEST AND CERTIFY
A TRUE COPY
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U S District Court
Middle District of Tennessee
By _____ Deputy Clerk

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	**No. 3:16-cr-00211-1**
	)	**CHIEF JUDGE CRENSHAW**
BASEL GHALAYINI,	)	
	)	
Defendant.	)	

FINAL ORDER OF FORFEITURE PERMITTING THE DISPOSITION OF REAL PROPERTY

WHEREAS, on October 1, 2018, this Court entered a Preliminary Order of Forfeiture as to Defendant Basel Ghalayini extinguishing his interest in the real property commonly knowns as 1737 Haleys Hope Court, Nashville, Tennessee 37209, and more particularly described as:

> Property located in Davidson County, Tennessee, being Lot No. 40 on the Plan of Section Seven, Addition to Westchase of record in Instrument No. 20051202-0144886, Register's Office for Davidson County, Tennessee to which plan reference is hereby made for a more complete and accurate description.
>
> Being the same property as conveyed to Basel Ghalayini by Special Warranty Deed from Fannie Mae a/k/a Federal National Mortgage Association dated February 22, 2012 and recorded on March 8, 2012 of record in Instrument No.: 20120308-0020237, Register's Office for Davidson County, Tennessee

(hereinafter referred to as "Subject Property").

WHEREAS, on December 4, 2018 Sahar Ghalayini was personally served with a copy of the Preliminary Order of Forfeiture when United States Marshal Service District Asset Forfeiture Coordinator Harold Higgins hand delivered a copy of the Preliminary Order of Forfeiture to her at the Subject Property.

WHEREAS, the United States caused to be published notice of this forfeiture and of the

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intent of the United States to dispose of the Subject Property in accordance with the law and as specified in the Preliminary Order, and further notifying all third parties of their right to petition the Court within thirty (30) days of the final publication of notice for a hearing to adjudicate the validity of their alleged legal interest in the property was advertised on-line at "www.forfeiture.gov," the official internet government forfeiture site, for 30 consecutive days beginning on October 3, 2018 and ending on November 1, 2018.

WHEREAS, on October 16, 2018, pursuant to 21 U.S.C. § 853(n), the following were each sent direct notice of this forfeiture and of the intent of the United States to dispose of the Subject Property in accordance with the law and as specified in the Preliminary Order, and further notifying them that they had thirty (30) days from the date of this direct notice or thirty (30) days from the end of publication, whichever is earlier, to petition the court for a hearing to adjudicate the validity of their alleged interest in the property:

Travis Hawkins, Esq.
Attorney for Grassland Financial Services, LLC
340 21st Avenue
North Nashville, TN
37203

Law Offices of Robert McGuire
c/o Dunham Hildebrand, PLLC
1704 Charlotte Avenue, Ste 105
Nashville, TN 37203

Sahar Ghalayini
1737 Haley Hope Court
Nashville, TN 37209

WHEREAS said direct notice was received by Dunham Hildebrand, PLLC on behalf of Robert McGuire on October 17, 2018, and by Travis Hawkins, Esq., on behalf of Grassland Financial Services, LLC on October 23, 2018.

WHEREAS the notice of judicial forfeiture sent by certified mail to Sahar Ghalayini was returned "unclaimed" by the U.S. Postal Service; the notice of judicial forfeiture sent by first class mail has not been returned.

WHEREAS, the time for filing a petition of interest, pursuant to 21 U.S.C. § 853(n), has now expired.

WHEREAS, there are no other persons or entities known which would require direct notice of this forfeiture action pursuant to 21 U.S.C. § 853(n).

WHEREAS, the United States and the attorneys for Petitioners Grassland Financial Services, LLC and Robert McGuire have advised that their clients agree that the net proceeds from the sale of the Subject Property will be distributed in the following amounts in accordance with the following priority:

1. Grassland Financial Services $67,724.58 plus any interest due and owing on the March 2, 2015 Promissory Note;
2. Grassland Financial Services $46,480.27 plus any interest due and owing on the September 22, 2015 Promissory Note;
2. Robert E. McGuire in the amount of $35,000 plus any interest due and owing; and
3. United States of America any remainder.

NOW THEREFORE, IT IS HEREBY ORDERED, in accordance with the Ancillary Hearing held on February 8, 2019, the Subject Property is hereby forfeited to the United States of America pursuant to 21 U.S.C. § 853(n)(7).

IT IS FURTHER ORDERED that the United States will distribute the net proceeds from the sale of the Subject Property in the following amounts in accordance with the following priority:

a. Grassland Financial Services March 2, 2015 $75,000.00 Promissory Note, recorded in Davidson County Register of Deeds on March 9, 2015 at Instrument Number 20150309-0019841, with a balance due and owing as

of September 25, 2018 in the amount of 67,724.58 plus any interest due;

b. Grassland Financial Services September 22, 2015 $50,000.00 Promissory Note recorded in Davidson County Register of Deeds on September 30, 2015 at Instrument Number 20140930-0099573, with a balance due and owing as of September 25, 2018 in the amount of $46,480.27 plus any interest due;

c. Robert E. McGuire October 10, 2017 $35,000.00 Promissory Note, recorded in Davidson County Register of Deeds on October 15, 2017 at Instrument Number 20171012-0104872, with a balance due and owing as of October 15, 2018 in the amount of $35,700.00 plus any interest due; and

d. United States of America any remainder.

IT IS FURTHER ORDERED that upon payment of the amounts indicated above, the March 2, 2015 $75,000 Promissory Note and the September 22, 2015 $50,000.00 Promissory Note due Grassland Financial Services and the October 10, 2017 $35,000 Promissory Note due Robert E. McGuire will be hereby extinguished.

IT IS FURTHER ORDERED that all right, title and interest to the Subject Property has been extinguished as to the defendant and is now extinguished as to any third party interest, and all right, title and interest to the Subject Property is hereby vested in the United States of America, and the Subject Property shall be disposed of according to law.

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

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
CHIEF UNITED STATES DISTRICT JUDGE

True Copy of Certification

I, Debra T. Phillips, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Debra T. Phillips

State of Tennessee

County of Davidson

Personally appeared before me, Deborah T. Krause, a notary public for this county and state, Debra T. Phillips, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Deborah T. Krause, Notary Public

My commission expires: 7-6-20

Notary Seal

