IN THE DISTRICT COURT IN AND FOR THE COUNTY OF LOVE
STATE OF OKLAHOMA

THE STATE OF OKLAHOMA ***ex rel.*** **W. A. DREW EDMONDSON, ATTORNEY GENERAL OF OKLAHOMA,** Plaintiff,	)	Filed In District Court Love County, OK JAN 15 2008
vs.	) No. C-08-07	Kim Jackson, Court Clerk By _____ Deputy
RED RIVER PLAYGROUND, a parcel of real property located in Love County, Oklahoma, Defendant.	)	

NOTICE OF SEIZURE AND INTENDED FORFEITURE

THE STATE OF OKLAHOMA TO:

Red River Downs, Inc., an Oklahoma Corporation, c/o Charles A. Milor, Esq., Registered Agent, 321 West Main Street, Marietta, OK 73448;
Zenobio A. Valeri Irrevocable Trust, c/o Thomas Williams and Alicia Claire Toscano, P.O. Box 406, Hibbing MN 55746;
Robert Valeri, 509 "G" Street SW, Ardmore, OK 73401;
Marybeth Perreira, 2114 6th Avenue East, Hibbing MN 55746;
Alicia Claire Toscano, 1506 East 25th Street, Hibbing MN 55746;
Denise Atlas, 11516 North Poema Place #101, Chatsworth, CA 91311;
James Valeri, 208 ½ 5th Avenue, Virginia, MN 55792;
Vickie Sogard, 2117 6th Avenue East, Hibbing, MN 55746;
William Valeri, Rural Route, Pennilly, MN 55775;
Alicia G. Valeri, Star Route 2, Box 76B, Hibbing MN 55746;
Jesus Romero, aka Jessie Romero, c/o Dustin Rowe, Esq., Attorney at Law, 224 West Main Street, Tishomingo, OK 73460-1725.

You are hereby **NOTIFIED** that the State of Oklahoma hereby **SEIZES** and intends to **FORFEIT** the following described real property located on Rural Route 2, Thackerville, Love County, Oklahoma, commonly known as **Red River Playground**:

A piece, parcel, or tract of land in the Southwest quarter (SW/4) of the Northwest quarter (NW/4) of the Southwest quarter (SW/4) of Section 30, Township 9 South (T9S), Range 2 East (R2E), of the Indian Meridian (I.M), Love County, Oklahoma, together with the South half (S/2) of the Northeast quarter (NE4) of the Southeast quarter (SE 4) and the North half (N/2) of the Southeast quarter (SE/4) of the

Southeast quarter (SE/4) of Section 25, Township 9 South (T9S), Range 1 East (R1E) of the Indian Meridian (I.M), Love County, Oklahoma, being more particularly described as follows: Beginning at the Northwest (NW) corner of the Southwest quarter (SW/4) of the Northwest quarter (NW/4) of the Southwest quarter (SW/4) of said Section 30; thence East along the North line of said Southwest quarter (SW/4) of the Northwest quarter (NW/4) of the Southwest quarter (SW/4) of Section 30, a distance of four hundred fourteen (414.0) feet, to the Westerly right-of-way (R/W) line of Interstate 35 (I-35) Highway; thence in a Southwesterly direction along a curve to the Right, having a Radius of Ten thousand, five hundred ninety-two and ninety-six hundredths (10,592.96) feet a distance of four hundred eighty-two (482.0) feet, to a point; thence Southwesterly along a curve to the right, having a Radius of One thousand, five hundred forty (1,540.0) feet, a distance of Six hundred twenty-four and nine hundredths (624.09) feet.; Thence South Sixty-two degrees (62°) Ten minutes (10') Five seconds (5") West, a distance of Four hundred fifty-one and seventy hundredths (451.70) feet; thence Southwesterly on a curve to the left, having a Radius of One thousand, two hundred sixty-three and ninety-two hundredths (1,263.92) feet, a distance of Two hundred ninety-seven and forty-nine hundredths (297.49) feet; thence North Forty-three degrees (43°) Thirty-one minutes (31') Nine seconds (9") West, a distance of Two hundred thirty-one and eighty-four hundredths (231.84) feet., to the Easterly right-of-way (R/W) line of U.S. Highway 77; thence North Thirty-eight degrees (38°) Fifty-one minutes (51') East, along the Easterly right-of-way (R/W) line of U.S. Highway 77, a distance of One thousand, sixty-eight and sixty hundredths (1,068.60) feet; thence East and parallel to the North line of the South half (S/2) of the Northeast quarter (NE4) of the Southeast quarter (SE 4) of said Section 25 a distance of Four hundred eighty-one and twenty hundredths (481.20) feet., to the East line of the South half (S/2) of the Northeast quarter (NE4) of the Southeast quarter (SE 4) of the said Section 25; thence North along said East line a distance of One hundred forty-five (145.0) feet to the point of beginning; SURFACE ONLY;

and,

A piece, parcel, or tract of land in the Northwest quarter (NW/4) and the North half (N/2) of the Northwest quarter (NW/4) of the Southwest quarter (SW/4) of Section 30, Township 9 South (T9S), Range 2 East (R2E) of the Indian Meridian (IM), Love County, Oklahoma, and being more particularly described as follows: Beginning at a point Four hundred forty-four and ninety hundredths (444.90) feet South of the NW corner of said Section 30, thence South along the West line of said Section 30, a distance of One thousand, one hundred ninety (1,190.0) feet; thence South Eighty-nine degrees (89°) Nineteen minutes (19') thirty-five seconds (35") East, a distance of One thousand, four hundred four and seventy hundredths (1,404.70) feet to the West line of Interstate 35 (I-35) highway right-of-way; thence Northerly along said West line on a curve to the left having a radius of Ten thousand, five hundred ninety-two and ninety-six hundredths (10,592.96) feet to a point, said point being One thousand, nine hundred fifty and ninety hundredths (1,950.90) feet East and Two

hundred eight and seventy hundredths (208.70) feet South of the NW Corner of said Section 30; thence West and parallel to the North line of said Section 30 a distance of One thousand, four hundred eighty-three and fifty hundredths (1,483.50) feet; thence South and parallel to the West line of said Section 30, a distance of Twenty-seven and fifty hundredths (27.50) feet; thence West and parallel to the North line of said Section 30a distance of Two hundred eight and seventy hundredths (208.70) feet; thence South and parallel to the West line of said Section 30 a distance of Two hundred eight and seventy hundredths (208.70) feet; thence West and parallel to the North line of said Section 30, a distance of Two hundred fifty-eight and seventy hundredths (258.70) feet to the point of beginning, SURFACE ONLY;

and,

A piece, parcel, or tract of land in the South half (S/2) of the Northwest quarter (NW/4) and the North half (N/2) of the Northwest quarter (NW/4) of the Southwest quarter (SW/4) of Section 30, Township 9 South (T9S), Range 2 East (R2E) of the Indian Meridian (IM), Love County, Oklahoma, and being more particularly described as follows: Beginning at the Southwest (SW) Corner of the Northwest quarter (NW/4) of the Northwest quarter (NW/4) of the Southwest quarter (SW/4) of said Section 30, thence North along the West line of said Section 30, thence North along the West line of said Section 30 a distance of One thousand, six hundred sixty-nine and ten hundredths (1,669.10) feet; thence North Eighty-nine degrees (89°) Nineteen minutes (19') thirty-five seconds (35") East a distance of One thousand, four hundred four and seventy hundredths (1,404.70) feet, to the West right-of-way (R/W) line of U.S. Highway Interstate 35 (I-35); thence Southerly along the West right-of-way (R/W) line of said Interstate 35 (I-35), being on a curve to the Right and having a Radius of Ten thousand, five hundred ninety-two and ninety-six hundredths (10,592.96) feet to a point on the South line of the Northwest quarter (NW/4) of the Northwest quarter (NW/4) of the Southwest quarter (SW/4) of the said Section 30, said point being Four hundred fourteen (414.0) feet East of the Southwest (SW) Corner of said Northwest quarter (NW/4) of the Northwest quarter (NW/4) of the Southwest quarter (SW/4); thence West along the South line of said Northwest quarter (NW/4) of the Northwest quarter (NW/4) of the Southwest quarter (SW/4) a distance of Four hundred fourteen (414.0) feet to the point of beginning, SURFACE ONLY;

and,

A tract of land situated in the North half (N/2) of the North half (N/2) of the Northwest quarter (NW/4) of Section 30, Township 9 South (T9S), Range 2 East (R2E) of the Indian Meridian (IM), Love County, Oklahoma, and being more particularly described as follows: Beginning at a point Two hundred eight and seventy hundredths (208.70) feet South and Four hundred sixty-eight and seventy-five hundredths (468.75) feet East of the Northwest (NW) Corner of said Section 30, thence East to the East property line on Interstate 35 (I-35) highway parallel to the

North 1624 feet where said property abuts said Interstate 35 (I-35), thence North to the Northeast (NE) Corner of said property, thence West One thousand, six hundred twenty-four (1,624.0) feet, thence South Two hundred eight and seventy hundredths (208.70) feet to the point of the beginning, SURFACE ONLY.

Red River Downs, Inc., an Oklahoma Corporation, has been the record owner of the above-described **Red River Playground** since 1985. Alicia G. Valeri and/or William Valeri are or have been stockholders in Red River Downs, Inc., and may claim some right, title or interest in **Red River Playground** and/or Red River Downs, Inc. Thomas Williams and/or Alicia G. Toscano, as trustees of the Zenobio A. Valeri Irrevocable Trust, Robert Valeri, Marybeth Perreira, Alicia Claire Toscano, Denise Atlas, James Valeri, Vickie Sogard, William Valeri are all heirs, devisees and legatees of Zenobio A. Valeri, who was or may have been a stockholder in Red River Downs, Inc. and may claim some right, title or interest in Red River Playground and/or Red River Downs, Inc. Jesus Romero, aka Jesus Romero-Quezado, aka "Jessie" Romero, is the lessee of **Red River Playground**, and may claim some right, title or interest in **Red River Playground.**

Commencing upon an unknown date but including August 27, 2006, through and including the 29th day of July, 2007, the premises of **Red River Playground** were used every Sunday of each week as the location for feloniously conducting illegal ***Commercial Gambling*** in violation of 21 O.S. 2001, §§ 982 *et seq.*, and for feloniously receiving unlawful admission fees to an unlicensed horse racing facility in violation of 3A O.S. Supp. 2006, § 205. During said period, said Red River Downs, Inc., and others, also knowingly and feloniously violated the provisions of 21 O.S. Supp. 2002, § 2001. Accordingly, said property is forfeitable pursuant to the terms of Title 21 O.S. Supp. 2002, § 2002.

Further, notice is hereby given that within sixty (60) days after receiving this Notice, the owner, claimant, or other party in interest may file a verified answer and claim to said property. Said answer, if filed, is to be filed with the District Court Clerk for Love County, Oklahoma, and a copy must be mailed to the Office of Attorney General, Attention Joel-lyn McCormick, Assistant Attorney General – Director, Multicounty Grand Jury Unit, 313 N.E. 21st Street, Oklahoma City, OK 73105. At the end of sixty (60) days, <u>if no answer is filed, the State will move the Court for an Order of Forfeiture to the State of Oklahoma</u> based upon evidence and facts of the unlawful use or attempted use of the above-described property, as provided in 22 O.S. Supp. 2002, § 2002.

Dated this 15 day of January, 2008.

W.A. DREW EDMONDSON
ATTORNEY GENERAL OF OKLAHOMA

By: Joel-lyn McCormick

JOEL-LYN McCORMICK [O.B.A. # 18240]
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