

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO

Patrick Allen Tomlin
5283 Hwy 35
Parkdale, Oregon
NDPZ [9/041]

FILED FOR RECORD
SKAMANIA CO. WASH
BY Patrick Allen Tomlin

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DECLARATION OF ASSIGNEE'S UPDATE OF PATENT

126330

PATENT NUMBER: 147946 BOOK 151 PAGE 772

Know all men by these present; that Patrick Allen, Tomlin, do severally certify and declare that I bring up this land patent in my name:

- (1) The character of said property so sought to be patented, and legally described and referenced under patent number listed above is:

AS
9/30/96
"Government Lots Four and Seven, the Southeast Quarter of the Northwest Quarter and the Southeast Quarter of the Southwest Quarter, all in Section Nineteen, Township Two North, Range Seven East of the Willamette Meridian, in the county of Skamania, State of Washington."

- (2) Notice of pre-empted right, pursuant to the Declaration of Independence (1776), the treaty of peace with Great Britain (8 Stat. 80) known as The Treaty of Paris (1793, an act of congress) (sat. 566, April 24, 1820), The Oregon Treaty (9 sat 869, June 15, 1846), The Homestead Act (12 sat. 392, 1862) and 43 USC sections 57, 59, and 83; the recipient hereof is mandated by Art. VI Sections 1, 2, and 3; Art. IV Sections 1 Cl. 1, & 2; Section 2 Cl. 1 & 2 and enforced by original/exclusive jurisdiction hereunder and it is the only way a perfect title can be had in my name, Wilcox Vs. Jackson, 13 Pet. (U.S.) 498, 10 L. Ed. 284; all questions of fact decided by the general land office are binding everywhere, and injunctions and mandamus proceedings will not lie, against it, Litchfield Vs. The Register, 9 Wall. (U.S.) 575, 19 L. Ed. 681. This document is instructed to be attached to all deeds and/or conveyances in the name of the above parties as requiring recording of this document in a manner known as nunc pro tunc (as it should have been done in the beginning), by order of the United States Supreme Law mandate as endorsed by case history cited.

- (3) Notice and effect of a land patent, a grant of land is a Public Law standing on the statute books of the STATE OF WASHINGTON, and is notice to every subsequent purchaser under any conflicting sale made afterward: Wineman Vs. Gastrell, 54 Fed 819, 4 CCA 596, 2 US App 581. A patent alone passes title to the grantee; Wilcox Vs. Jackson, 13 Pet (U.S.) 498, 10 L. Ed. 284. When the United States has parted with title by a patent legally issued, and upon surveys legally made by itself and approved by the proper department, the title so granted cannot be impaired by any subsequent survey made by the government for its own purposes; Cage Vs. Danks, 13, La. Ann. 128. In the case of ejectment, where the question is who has the legal title, the patent of the government is unassailable.

STATE OF WASHINGTON }
County of Klickitat } ss
I certify that this is a true and correct copy of a document
in the possession of Patrick Allen, Tomlin as of this date.
Dated: September 30, 1996 *Betty Lou Hunsaker*

Notary Public in and for the State
of Washington residing in White Salmon, WA.
My Commission Expires: 1010-97

NOTARY PUBLIC
STATE OF WASHINGTON
BETTY LOU HUNSAKER
My Appointment Expires JAN 10, 1997

Sanford Vs. Sanford, 139 US 642. The transfer of legal title (patent) to public domain gives the transferee the right to possess and enjoy the land transferred, Gibson Vs. Chouteau, 80 US 92. A patent for land is the highest evidence of title and is conclusive as evidence against the government and all claiming under junior patents or titles, United States Vs. Slond, 2 US 525, estoppel has been maintained as against a municipal corporation (county), Beadle Vs. Smyser, 209 US 393, until it issues, the fee is in the government, which by the patent passes to the grantee, and he is entitled to enforce possession in ejectment, Bagnell Vs. Brodderick, 13 Peter (US) 436. State statutes that give lesser authoritative ownership of title than the patent can not even be brought into Federal Court, Langdon Vs. Sherwood, 124 U.S. 74, 80. The power of congress to dispose of its land cannot be interfered with, or its exercise embarrassed by state legislation; nor can such legislation deprive the grantees of the united states of the possession and enjoyment of the property granted by reason of any delay in the transfer of the title after the initiation of proceeding for its acquisition. (Gibson Vs. Chouteau, 13 Wal. (U.S.) 92, 93.

- (4) Land title and transfer the existing system of land transfer is a long and tedious process involving the observance of many formalities and technicalities, a failure to observe any one of which may defeat the title. Even where these have been most carefully complied with, and where the title has been traced to its source, the purchaser must be at his peril, there always being, in spite of the utmost care and expenditure, the possibility that his title may turn out bad; Yeakle, Torrence system. 209. Patents are issued (and theoretically passed) between Sovereigns Leading Fighter Vs. County Of Gregory, 230 N. W. 2d 114, 116 the patent is prima facie conclusive evidence of title, Marsh Vs. Books, 49 U.S. 223, 233. An estate in inheritance without condition, belonging to the owner and alienable by him, transmissible to his heirs absolutely and simply, is an absolute estate in perpetuity and the largest possible estate a man can have being in fact Allodial in its nature, Stanton Vs. Sullivan, 63 RI 216 7 A. 696. The original meaning of a perpetuity is an inalienable, indestructible interest. Bouvier's Law Dictionary, Volume III p. 2570, (1914) If this land patent is not challenged, as stated above, within 60 days it then becomes my property, as no one else has followed the proper steps to get legal titles, the final certificate or receipt acknowledging the payment in full by a homesteader or preemtor is not legal effect a conveyance of land. U.S. Vs. Steenerson, 50 Fed 504, 1 CCA 552, 4 U.S. App. 332 A land patent is a conclusive evidence that the patent has complied with the act of congress as concerns improvements on the land, etc., Jenkins Vs Gibson, 3 La Ann 203
- (5) Law on Rights, Privileges, and Immunities; Transfer by Patentee... "Title And Rights of Bona Fide Purchaser from Patentee.... Will be protected. United States Vs. Debell, 227 F 760 (C8 SD 1915), United States Vs. Beamon, 242 F 876 (Ca 8 Colo. 1917); State Vs. Hewitt Land Co., 74 Wash 573, 134 P 474, From 43 USC & 15 N 44. As an assignee, whether he be the first, second or third party to whom title is conveyed shall lose none of the Original Rights, Privileges or Immunities of the Original Grantee of Land Patent. "No State Shall Impair the Obligations of Contract.: United States Constitution Article I Section 10.
- (6) Equal Rights; Privileges and Immunities are further protected under the 14th Amendment to the u.s. Constitution. "No State.... Shall Deny to Any Person Within its Jurisdiction the Equal Protection of the Law." In cases of ejectment, where the question is who has the title the patent of the government is unassailable, Sanford Vs. Sanford, 139 U.S. 642, 35 L Ed 290 in Federal Courts the patent is held to be the foundation of title at law. Fenn Vs. Holmss, 21 Howard 481. Immunity from collateral attack: Collins Vs. Barlett, 44 Cal 371;

True & Correct Copy of the Original

Betty Lou Hunsaker
Notary Public in and for
The State of Washington
My Commission Expires 1-10-97

NOTARY PUBLIC
STATE OF WASHINGTON
BETTY LOU HUNSAKER
My Appointment Expires JAN 10, 1997

Weber Vs. Pere Marquette Boom Co., 62 Mich. 626, 30 NW 469; Surget Vs. Doe, 24 Miss
118; Pittsmt Copper Co. Vs. Vanina, 71 Mont. 44, 227 Pac 45; Green Vs. Barker 47 Neb
934 66 NW 1032

(7) Disclaimer; assignee's seizen in deed, and lawful entry is inclusive of specifically that certain legally described portion of the Original Land Grant or Patent No: 147946, and not the whole thereof, including hereditament, tenements, pre-emption rights appurtenant thereto. The recording of this instrument shall not be construed to deny or infringe upon others right to claim the remaining portion thereof. Any challenges to the validity of this declaration & notice are subject to the limitations referenced herein. Additionally; a common courtesy of sixty (60) day is stipulated for any challenges hereto, otherwise, laches/estoppel shall forever bar the same against Allodial Freehold Estate; assessment lien theory to the contrary (ORS 275.130), included

(8) I am sovereign "Citizen" domiciled in Oregon republic, Hood River county.

The following documents are attached to this declaration, Certified Copy of Original Land Grantor Patent, Declaration of Homestead (strike out if not applicable), Legal Description of Portion of Said Grant or Patent.

Patrick Allen Tomlin
Assignee

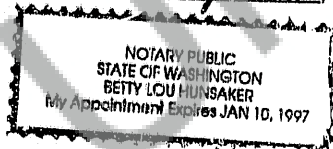
STATE OF WASHINGTON)

COUNTY OF CLICKITAT)

Ss

Subscribed and sworn before me, Patrick Allen Tomlin

This 30th day of September, 1996.



Betty Lou Hunsaker
Notary Public, State Of Washington.
My Commission Expires: 1-10-97

WHEN RECORDED, RETURN TO:

Patrick Allen, Tomlin
5283 Hwy 35
Parkdale, Oregon
NDPZ [97041]

(RECORD OF PATENTS.)

4-407a-477.

PATENT NUMBER

147946

The United States of America.

To all to whom these presents shall come, Greeting:

C HD

Vancouver 01978.

BOOK 159 PAGE 775

WHEREAS, CHARLES DVORACEK

has deposited in the GENERAL LAND OFFICE of the United States a Certificate of the Register of the Land Office at Vancouver, Washington, whereby it appears that full payment has been made by the said Charles Dvoracek

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto, for the lots five and seven, the southeast quarter of the northwest quarter, and the northeast quarter of the southwest quarter of Section nineteen in Township two north of Range seven east of the Willamette Meridian, Washington, containing one hundred fifty and thirty-nine-hundredths acres,

according to the Official Plat of the Survey of the said lands, returned to the GENERAL LAND OFFICE by the Surveyor General, which said Tract has been purchased by the said

Charles Dvoracek:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAVE GIVEN AND GRANTED, and by these presents DO GIVE AND GRANT, unto the said

Charles Dvoracek

and to

his heirs, the said Tract above described: TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said Charles Dvoracek

and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, William H. Taft, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the
FOURTH day of AUGUST, in the year
of our Lord one thousand nine hundred and
and of the Independence of the United States the one hundred
and THIRTY-FIFTH

By the President

By *William H. Taft*, Secretary.

James H. D. Smith
Recorder of the General Land Office.

NOTARY PUBLIC.
STATE OF WASHINGTON.
BETTY LOU HUNSAKER
My Appointment Expires JAN 10, 1997

*True & Correct
Copy of Original
Betty Lou Hunsaker
Notary Public in and for
the State of Washington
My Commission Expires 1-10-97*

BUREAU OF LAND MANAGEMENT

OREGON STATE OFFICE
P.O. BOX 2968
PORTLAND, OREGON 97208

I CERTIFY THIS REPRODUCTION IS A COPY OF
THE OFFICIAL RECORD ON FILE IN THIS OFFICE.

Sharon Mowery
AUTHORIZED SIGNATURE

PAGE 1 OF 1 DATE 9-25-96

True copy of the original

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