

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO

David Patrick, Myers  
C/o P. O. Box 414  
Washougal, Washington  
Non-Domestic, Zip Exempt [98671]

FILED FOR RECORD  
SKAMANIA CO. WASH  
BY *David Patrick Myers*

Dec 4 2 31 PM '96

AUDITOR  
GARY M. OLSON

RECORDER'S USE

DECLARATION OF ASSIGNEE'S UPDATE OF PATENT

126838 PATENT NUMBER: 2627 BOOK 161 PAGE 136

Know all men by these present; that David Patrick, Myers does 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:

A track of land located in the North West quarter of the North East quarter of said Section 33, Township 2 North, Range 5 East of the Willamette Meridian, in the County of Skamania, State of Washington, Described as follows:

Beginning at the North East corner of the North West quarter of the North East quarter of said Section 33; thence West along the North line of said subdivision 662 feet; thence South 500 feet to the initial point of the track hereby described; thence South 500 feet, more or less, to intersection with the centerline of County Road No. 1106 designated as the Washougal River Road; thence following the centerline of said road in a Westerly Direction to intersection with the West line of the North West quarter of the North East quarter of the said Section 33; thence North along said West line to a point 500 feet South of the North line of said Section 33; thence East 658 feet, more or less, to the initial point;

EXCEPT right of way for the County Road No. 1106 designated as the Washougal River Road;

AND EXCEPT the West 299 feet of the above described track.

- (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 of the land is mandated by Art. VI Sections 1, 2, and 3; Art. IV Sections 1 Cl. 1, & 2; Section 2 of the U.S. Constitution; and the U.S. Section 4; The 4th, 7th, and 10th Amendments (U.S. Constitution, 1781-91) to acknowledge assignee's update of patent prosecuted by authority of Art. III Section 2 Cl. 1 and enforced by original/exclusive jurisdiction thereunder and it is the only way a person can be had in my name, Wilcox Vs. Jackson, 13 Pet. (U.S.) 498, 10 1. Ed. 264; and decisions of fact decided by the general land office are binding everywhere, and judgments and mandamus proceedings will not lie, against it, Litchfield Vs. The Register, 9 U.S.) 575, 19 L. Ed. 681. This document is instructed to be attached to all deeds

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and/or conveyances in the names 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. 264. 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, 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. Stodd, 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; Yoakle, 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, irrevocable interest. Bouvier's Law Dictionary, Volume III p. 2570, (1914) if this land interest is not challenged, as stated above, within 60 days it then becomes our/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 preemptor is not legal effect of conveyance of land. U.S. Vs. Steenerson, 50 Fed 504, 1 CCA 562, 4 U.S. App. 135. A land patent is a conclusive evidence that the patent has complied with the act of congress as concerns improvements on the land, ect., 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. Holmes, 21 Howard 481. Immunity from collateral attack: Collins Vs. Barlett, 44 Cal 371; Weber Vs. Pere Marquette Boom Co., 62 Mich 626, 30 NW 469; Surget Vs. Doe, 24 Miss 118; Pittsmtont Copper Co. Vs. Vanina, 71 Mont. 44, 227 Pac 45; Green Vs. Barker 47 Neb 934 66 NW 1032

(7) Disclaimer; assignee's seized in deed, and lawful entry is inclusive of specifically that certain legally described portion of the original land grant or patent no: 2627, 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 Washington state, Skamania county. The following documents are attached to this declaration, certified copy of original land grant or patent, declaration of homestead, legal description of portion of said grant or patent.

David Patrick, Myers  
Assignee

STATE OF WASHINGTON

COUNTY OF Clark

Ss

Subscribed and sworn before me, Patricia J. Sadowski

This 4 day of Dec, 1996.

Notary Public, State Of Washington  
My Commission Expires: 9-3-97

WHEN RECORDED, RETURN TO:

David Patrick, Myers

C/o P. O. Box 414

Washougal, Washington

Non-Domestic, Zip Exempt [99671]

State of Washington Ss

County of Skamania

I, the undersigned Notary Public, hereby certify that the within document is a true, correct and complete photocopy of the "Declaration of Assignee's Update" presented to me by David Patrick Myers as the original of such instrument.

In presence of hand and official seal this 4th day of December, 1996.

Signature [Signature]

BOOK 161 PAGE 139  
The United States of America

To all to whom these Presents shall come, Greeting:

Whereas, There has been deposited in the General Land Office of the Department of the Interior, the Register of the Land Office at Vancouver, Washington, whereby it appears that, pursuant to the Act of Congress, approved May 1, 1890, "To secure Homesteads to actual Settlers on the Public Domain," the application was made by Patrick Breslin, has been established and duly consummated, in the North half of the North East quarter and the North half of the North West quarter of Section thirty three Township two North of Range five East of Willamette Meridian, Washington containing one hundred and twenty acres.

And whereas, the said Patrick Breslin, has been established and duly consummated, in the North half of the North East quarter and the North half of the North West quarter of Section thirty three Township two North of Range five East of Willamette Meridian, Washington containing one hundred and twenty acres.

Now know ye, that there is, therefore, granted by the United States unto the said Patrick Breslin, the said land, together with the appurtenances thereto, unto him, his heirs and assigns forever, and to his heirs and assigns forever, subject to any water and mineral rights for mining, agricultural, manufacturing, or other purposes, and to any water rights used in connection with such water rights as may be recognized and established by law, and also subject to the right of the proprietors of a vein of coal, should the same be found to penetrate or intersect the premises being granted, and there is reserved from the lands hereby granted, a right of way therein for ditches and canals for the use of the United States.

In testimony whereof, I Benjamin Harrison, PRESIDENT OF THE UNITED STATES OF AMERICA, have caused these letters to be signed with my hand, and the Seal of the General Land Office to be hereunto affixed.

Witness my hand, at the City of Washington, the eighteenth day of October, in the year of our Lord one thousand eight hundred and ninety two, and of the Independence of the United States three hundred and sixteenth.

Benjamin Harrison, President  
J. M. McFarland, Secretary  
J. H. Connelley, Recorder of the General Land Office

BUREAU OF LAND MANAGEMENT  
OREGON STATE OFFICE  
P.O. BOX 2985  
PORTLAND, OREGON 97208  
I CERTIFY THIS REPRODUCTION IS A COPY OF THE ORIGINAL RECORD ON FILE IN THIS OFFICE.  
S. Sharon Mowery  
AUTHORIZED SIGNATURE  
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