

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 hereby is mandated by Art. VI Sections 1, 2, And 3; Art. IV Sections I Cl. 1, & 2; Section 2 of 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 perfect title can be had in my name, Wilcox Vs. Jackson, 13 Pet. (U.S.) 498, 10 1. Ed. 264; all questions of fact decided by the general land office are binding everywhere, and all writs of 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. Stond, 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 then 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 granters 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, destructible 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 plat acknowledging the payment in full by a homesteader or preemptor is not legal effect a conveyance of land. U.S. Vs. Steenerson, 50 Fed 504, 1 CCA 552, 4 U.S. App. 312. 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 Sates 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; Pittsmont 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: 2627, and not the whole thereof, including herditament, 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 grantor 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. Sadow
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 [98671]

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 of Patent" presented to me by David Patrick Myers as the original of such instrument.
Witness my 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 United States a Certificate of the Register of the Land Office at Vancouver, Washington, whereby it appears that, pursuant to the Act of Congress approved 27th May, 1862, "To secure Homesteads to actual Settlers on the Public Domain," and the rules, regulations and orders, the claim of Patrick Breslin

has been established and duly examined, in conformity to law, for the North half of the North East quarter and the North half of the North West quarter of Section thirty-three in Township two North of Range five East of Willamette Meridian in Washington, containing one hundred and eighty acres.

According to the Official Plat of the Survey of said Land, returned to the General Land Office by the Surveyor General of

Now know ye that there is, hereby, granted by the United States unto the said Patrick Breslin

the said Land, above described, To have and to hold the said tract of Land with the appurtenances thereto, unto the said Patrick Breslin and his heirs and assigns forever, subject to any valid and actual water rights for mining, agricultural, manufacturing or other purposes, and rights of ditches and canals used in connection with such water rights as may be recognized and established by the local customs, laws and decisions of courts, and also subject to the right of the proprietors of a vein or lode of mineral matter, as no exception, should the same be found to penetrate or intersect the premises hereby granted, and there is reserved from the lands hereby granted, a right of way known for ditches constructed by the authority of the United States.

In testimony whereof, I Benjamin Harrison, 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 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 twentieth.

By the President, Benjamin Harrison
S. Macfarland, Sec. Secretary.
J. R. Bonnell, Recorder of the General Land Office.
ad interim

BUREAU OF LAND MANAGEMENT

OREGON STATE OFFICE
P.O. BOX 2965
PORTLAND, OREGON 97208

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

AUTHORIZED SIGNATURE

PAGE 1 OF 1 DATE 11-13-96

BOOK 141- PAGE 140

P.O. Box 414
Washougal, Washington
NDPZ {98671}

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:

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

4. No further declaration of homestead has been made by me except as has been abandoned.

All Rights reserved UCC 1-207

David Patrick Myers
Applicant

I, Patricia Meyer, Being Duly Sworn On Oath, Deposes And Says: That
As Signer To This Declaration Of Homestead, All Statements Made Herein Are True And
Correct To The Best Of My Knowledge And Belief. Subscribed And Sworn To Before
Me,
This 1 Day Of Dec, 1996 Patricia L. Subbaur

This 1st Day Of Feb 1996

Commission Expires 9-3-97

Notary Public..

Gary H. Martin, Stanislaus County Assessor
 Date 12-4-96 Paid \$ 2,533.80 1/4

APPLICATION TO WITHDRAW

BOOK 161 PAGE 141

To The Registrar Of Titles:

In the County of Skamania, State of Washington, I, David Patrick, Myers, the undersigned owner in fee simple of the following described real property situated in the County of Skamania, State of Washington, to wit:

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.

Hereby Make Application to have the title to said real property withdrawn from registration.

Witness My Hand And Seal This: 4 day of December, 1996.

All Rights reserved REC 1-201

David Patrick Myers
Applicant

ACKNOWLEDGMENT

State Of Washington)
County of Clark) Ss.

This is to certify that on this 4 day of December, 1996, before me personally appeared, David Patrick Myers, to me known to be the individual described in and who executed the within and foregoing document and acknowledged that they signed the same as their own free and voluntary act and deed for the uses and purposes therein mentioned.

Given Under My Hand And Official Seal, Patricia A. Hubbard

Notary public in and for the State
of Washington
My appointment expires: 9-3-97

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO

BOOK 761 PAGE 142

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

RECORDER'S USE

Certificate of Withdrawal of Title to Land from Registry

RCW 65.12.235 Certificate of Withdrawal.

Upon the filing of such application and the payment of a fee of five dollars, the register of titles, it shall appear that the application is signed and acknowledged by all the registered owners of said land, shall issue to the [applicant] a certificate in substantially the following form:

This is to certify That David Patrick, Myers, the owner in fee simple of the following described lands situated in the county of Skamania, state of Washington, to wit:

"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."

Now Therefore, The title to said above described lands has been withdrawn from the effect and operation of the title registry system of the state of Washington and the owner of said lands is by law authorized to contract concerning, convey, encumber or otherwise deal with the title to said lands in the same manner and to the same extent as though said title had never been registered.

Witness my hand and seal this ____ day of ____, 1996

Registrar of Titles (County Auditor or Deputy) for Skamania county.