

# UNOFFICIAL COPY



Doc#: 1209344035 Fee: \$66.00  
Eugene "Gene" Moore RHSP Fee:\$10.00  
Cook County Recorder of Deeds  
Date: 04/02/2012 12:54 PM Pg: 1 of 15

Clinton Eugene Ford  
Linda Ann Ford  
% 2215 Saint Charles Road  
Bellwood, Illinois [60104-1634]

## AFFIDAVIT OF INTEREST OF CLINTON EUGENE FORD & LINDA ANN FORD

STATE OF ILLINOIS )  
) ss  
COUNTY OF COOK ) Case No. 11-CH-01586

Comes now, Clinton Eugene Ford and Linda Ann Ford, Your Affiants, being competent to testify and being over the age of 21 years of age, after first being duly sworn according to law to tell the truth to the facts related herein states the they have firsthand knowledge of the facts stated herein and believes these facts to be true to the best of their knowledge.

Your Affiants, Clinton Eugene Ford and Linda Ann Ford, entered into an agreement to purchase specific real property on June 15, 2003.

Your Affiants, Clinton Eugene Ford and Linda Ann Ford, notice that the address of said property is 2215 Saint Charles Road, Bellwood Illinois 60104.

Your Affiants, Clinton Eugene Ford and Linda Ann Ford, notice that the legal description of said property is as attached. See exhibit A.

Your Affiants, Clinton Eugene Ford and Linda Ann Ford, had a mortgage agreement specific to said property in which the sales price was \$230,000.00.

Your Affiants, Clinton Eugene Ford and Linda Ann Ford, made a down payment of \$10,177.09 paid to the Sellers, Thomas Isaac and Lelia Isaac,

REC'D  
15

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through Ticor Title Insurance Company.

As of September 10, 2010, Your Affiants, Clinton Eugene Ford and Linda Ann Ford made payments totaling, \$268,820.00. (All Loan Servicing Companies, which include first's, second's, refinanced loans, Home Equity Lines of Credit, Taxes, Insurance, etc.) to multiple alleged servicers pursuant to the alleged loan agreement specific to the purchase of the above described property, including but not limited to Bayview Loan Servicing, LLC.

Your Affiants, Clinton Eugene Ford and Linda Ann Ford, as of April 1, 2012, have 8 years and 9 months, (Original loan date to present) of maintenance and upkeep of said property which have an approximate value of \$922,636.00. See exhibit E.

Your Affiants, Clinton Eugene Ford and Linda Ann Ford, have made improvements to said property from the time of original purchase which has an approximate value of \$27,573.00. See exhibit B.

Your Affiants, Clinton Eugene Ford and Linda Ann Ford, have a total secured interest in the above referenced property as of April 1, 2012 of approximately \$1,219,029.00. (Total amount of all payments made on 4-9).

To date, no party has made any offer to Your Affiants, Clinton Eugene Ford and Linda Ann Ford, to settle Affiants' interest in said property.

Further, Affiants sayeth naught.

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Signature Clinton Eugene Ford <sup>ARR without prejudice</sup> Date: April 2, 2012  
 Clinton Eugene Ford

Signature Linda Ann Ford <sup>A RR without prejudice</sup> Date: April 2, 2012  
 Linda Ann Ford

State of Illinois  
 County of COOK

Subscribed and sworn to (or affirmed) before me on this 2nd day  
 of April, 2012

by Clinton Eugene Ford and Linda Ann Ford, proved to me on the basis  
 of satisfactory evidence to be the person(s) who appeared before me.

Johnetta Greer (Seal)  
 Notary Public



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## EXHIBIT A

### ***PROPERTY LEGAL DESCRIPTION***

**PHYSICAL ADDRESS:**

2215 Saint Charles Road  
Bellwood, Illinois 60104

*Legal Description*

***LOT 23 AND LOT 24 AND THE EAST 14 FEET OF LOT 26 IN  
BLOCK 1 IN KLINGENHAGEN'S SUBDIVISION OF BLOCK 5 IN  
HENRY C. WILSON'S ADDITION, BEING A PART OF SECTION  
10, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD  
PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT  
RECORDED AUGUST 25, 1925 AS DOCUMENT 9015535, BOOK  
208, PAGE 28, IN COOK COUNTY, ILLINOIS.  
INDEX NUMBERS 15-10-115-040-0000 AND 15-10-115-047-0000***

Clerk's Office

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## **EXHIBIT B** ***IMPROVEMENTS AND MAINTENANCE***

2215 Saint Charles Road, Bellwood, Illinois, 60104

*Legal Description*

*See Attached Exhibit A*

### IMPROVEMENTS FROM JUNE 16, 2003 TO APRIL 1, 2012 :

Heating System	\$ 5200.00
New Roof	\$ 5300.00
Asphalt	\$4000.00
Garage	\$1500.00
Windows	\$4800.00
Sidewalk	\$ 500.00
Cabinets	\$ 348.00
House Painting:	\$3000.00
Tuck Pointing	\$ 800.00
Ceiling Fans (15):	\$1125.00
Security	\$1000.00
TOTAL:	\$27,573.00

### MAINTENANCE AND UPKEEP FROM JUNE 16, 2003 TO APRIL 1, 2012

Pest Control:	\$1860.00
Cleaning Services:	\$7767.00
Stove & Refrigerators	\$3000.00
Utilities	\$79,576.00
Repairs	\$64,833.00
Total Maintenance at \$10.00 per hour 24/7:	\$765,600.00

TOTAL: \$922,636.00

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Recording requested by )  
 and when recorded mail to: )  
 )  
 Clinton Eugene Ford )  
 c/o postal service address: )  
 2215 Saint Charles Road )  
 Bellwood, Illinois [60104] )

Doc#: 1200429038 Fee: \$52.00  
 Eugene "Gene" Moore RHSP Fee:\$10.00  
 Cook County Recorder of Deeds  
 Date: 01/04/2012 10:35 AM Pg: 1 of 9

## Declaration of Assignees' Update of Patent

Patent number #3708

**KNOW ALL MEN BY THESE PRESENTS:** That Clinton Eugene Ford and Linda Ann Ford do severally certify and declare that we bring up this land patent in our names.

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

LOT 23 AND LOT 24 AND THE EAST 14 FEET OF LOT 26 IN BLOCK 1 IN KLINGENHAGEN'S SUBDIVISION OF BLOCK 5 IN HENRY C. WILSON'S ADDITION, BEING A PART OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED AUGUST 25, 1925 AS DOCUMENT 9015535, BOOK 208, PAGE 28, IN COOK COUNTY, ILLINOIS.  
 INDEX NUMBERS 15-10-115-040-0000 AND 15-10-115-047-0000.

(1) **Notice of Right of Preemption.** Pursuant to the Declaration of Rights of the Stamp Act Congress of October 1765; the Declaration of Rights of October 1774; "The unanimous Declaration of the thirteen united States of America" of July 4, 1776 (aka "Declaration of Independence"); the United States' Constitution (1789); and Amendment First, Articles 1-10 (aka "Bill of Rights" of 1791), united States' Constitution; the recipient hereof is mandated by Article IV, united States' Constitution; Article VI, united States' Constitution; Amendment First, Articles 1-10, united States' Constitution ("Bill of Rights", 1791), and preamble thereto; to acknowledge assignees' update of Patent prosecuted by authority of Art. III, united States' Constitution and enforced by original/exclusive jurisdiction thereunder, and it is the only way a perfect Title can be had in our names, *Wilcox vs. Jackson*, 13 Pet. (U. S.) 498, 10 L. Ed. 264; 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 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 united States' Supreme Law mandate as endorsed by case history cited.

(2) **Notice and Effect of a land Patent.** A grant of land from the united States of America is pursuant to the supreme Law of the Land (Article IV, Section 3. 0. 2). A land patent 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 cases of ejectment, where the question is who has the legal Title, the patent of the

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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. Stone*, 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. Broderick*, 13 Peter (US) 436. State statutes that give lesser authoritative ownership of title than the patent cannot 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 any state legislation; nor can such legislation deprive the grantees of the transfer of the title after the initiation of proceedings for its acquisition. [*Gibson vs. Chouteau*, 13 Wal.(U.S.) 92, 93].

(3) **Land Title and Transfer.** Patents are issued (and theoretically passed) between sovereigns. *Leading Fighter vs. Count of Gregory*, 230 N. W. 2d 114, 116. The patent is prima facie conclusive evidence of Title, *Marsh vs. Brooks*, 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 R.L. 216 7 A. 696. The original meaning of a perpetuity is an inalienable, inalienable interest. *Bouvier's Law Dictionary*, Volume III P. 2570, (1914). If this land patent is not challenged, as stated above, within sixty (60) days, it then becomes, absolutely and unconditionally, our private property, as no one else has followed the proper steps to obtain lawful Title; the final certificate or receipt 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. 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, *Jankins vs. Gibson*, 3 LA ANN 203.

(4) **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. (CA8 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 contracts". *United States Constitution*, Art. I, Section 10. In cases of ejectment, where the question is who has the legal title, the Patent of the government is unassailable, *Sanford vs. Sanford*, 139 U. S. 642, 35 LEd 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. Bartlett*, 44 Cal 371; *Weber vs. Pere Marquette Boon Co.*, 62 Mich. 626, 30 N. W. 469; *Surget vs. Doe*, 24 Miss 118; *Pittsont Copper Co. vs. Vanina*, 71 Mont. 44, 227 Pac 45; *Green vs. Barker* 47 Neb 934 66 NW 1032.

(6) **Disclaimer.** Assignees' seizen in deed, and lawful entry is inclusive of specifically that certain herein legally described portion of the original Land Grant or Patent no. 3708 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 any other's 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) days is stipulated for any challenges hereto; otherwise, laches/estoppel shall forever bar the same against allodial freehold estate; assessment lien theory to the contrary included.

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(7) All Rights, Privileges, and Immunities retained, reserved and preserved, including all water Rights; for mining, agricultural, manufacturing, or other purposes. A certified copy of the original Land Grant #3708 is attached to this Declaration of Assignees' Update of Patent, Declaration of Homestead, and Legal Description, which is, by this reference, made a part hereof as though fully set forth herein.

WITNESS MY HAND AND SEAL:

*Without prejudice UCC 1-308*  
Clinton Eugene Ford Sovereign Elector Assignee

WITNESS MY HAND AND SEAL:

*without prejudice ucc 1-308*  
Linda Ann Ford Sovereign Elector Assignee

### Attestation

Appeared, Clinton Eugene Ford and Linda Ann Ford, who are known to me to be the ones whose signatures subscribe this Declaration of Assignees' Update of Patent, who acknowledge that they signed this document as their free and voluntary act and deed, for the uses and purposes herein mentioned, and who solemly Affirmed the same, under the pains and penalties of Perjury, before me, a Notary Public in and for Illinois State, Cook County, this 30<sup>th</sup> day of December, 2011.

WITNESS MY HAND AN SEAL AFFIZED HERETO:

[Signature]  
Notary Public

My commission Expires:

30th June 04, 2016



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## Attestation\*

We, the undersigned, bear witness this 25<sup>th</sup> day of December, 2011, that the ones known to us as Clinton Eugene Ford and Linda Ann Ford did appear to us, and upon their solemn Affirmation under the pains and penalties of Perjury, acknowledged that they signed this Declaration of Assignees' Update of Patent # 3,333,333 in their free and voluntary act.

[Signature]  
as inhabitant of Illinois State

[Signature]  
as inhabitant of Illinois State

[Signature]  
as inhabitant of Illinois State

\*Pursuant to the Bible Doctrine of "...two or three witnesses" (Deut. 19:15, Matt. 18:16), etc.), and Public Law 97-280.

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## Declaration of Homestead

We, Clinton Eugene Ford and Linda Ann Ford, Do Hereby Declare:

That Our Mailing Address For Our Homestead is:

Clinton Eugene Ford and Linda Ann Ford

2215 Saint Charles Road

Bellwood, Illinois [60104]

We Are Now Residing On The Land And Premises Located

In The City of Bellwood, County of Cook

State of Illinois

Known And Legally Described As Follows:

LOT 23 AND LOT 24 AND THE EAST 14 FEET OF LOT 26 IN BLOCK 1 IN KLINGENHAGEN'S SUBDIVISION OF BLOCK 5 IN HENRY C. WILSON'S ADDITION, BEING A PART OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED AUGUST 25, 1925 AS DOCUMENT 9015535, BOOK 208, PAGE 28, IN COOK COUNTY, ILLINOIS.

INDEX NUMBERS: 15-10-115-040-0000 AND 15-10-115-047-0000

We Hereby Declare And Claim Said Premises As A Homestead.

No Further Declaration Of Homestead Has Been Made By Us Except As Has Be Abandoned.

Date: December 28, 2011 *without prejudice MCC 1-308*  
 x Clinton Eugene Ford *without prejudice MCC 1-308*  
 x Linda Ann Ford

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State of ILLINOIS )

) ss.

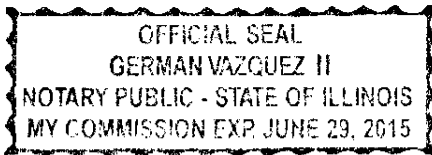
County of COOK )

We, Clinton Eugene Ford and Linda Ann Ford, who are known to me to be the ones whose signatures subscribe this Declaration of Homestead, who acknowledge that they signed this document as their free and voluntary act and deed, for the uses and purposes herein mentioned, and who solely Affirmed the same, under the pains and penalties of Perjury, before me, a Notary Public, in and for Illinois State, Cook County, this 28 Day Of December, 2011

WITNESS MY HAND AND SEAL AFFIXED HERE TO;



Notary Public



My Commission Expires 6/29/15

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A POLICY ISSUING AGENT OF  
COMMONWEALTH LAND TITLE INSURANCE COMPANY

COMMITMENT NO. 0607-22304

## SCHEDULE A (continued)

### LEGAL DESCRIPTION

LOT 23 AND LOT 24 AND THE EAST 14 FEET OF LOT 26 IN BLOCK 1 IN KLINGENHAGEN'S SUBDIVISION OF BLOCK 5 IN HENRY C. WILSON'S ADDITION, BEING A PART OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED AUGUST 25, 1925 AS DOCUMENT 6015535, BOOK 208, PAGE 28, IN COOK COUNTY, ILLINOIS.

PERMANENT INDEX NUMBERS: 15-10-115-040-0000 AND 15-10-115-047-0000

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**THE UNITED STATES OF AMERICA.**

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CERTIFICATE  
No. 3708

To all to whom these Presents shall come, Greeting:

**WHEREAS**

*Simon Z Haven, of Cook County, Illinois,*

has deposited in the **GENERAL LAND OFFICE** of the United States, a Certificate of the REGISTER OF THE LAND OFFICE at *Chicago* whereby it appears that full payment has been made by the said

*Simon Z Haven*

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," for

*Section ten, in Township thirty nine North, of Range twelve East, in the District of lands subject to sale at Chicago, Illinois containing six hundred and forty acres-*

according to the official plat of the survey of the said land, returned to the General Land Office by the SURVEYOR GENERAL, which said tract has been purchased by the said

*Simon Z Haven*

**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 *Simon Z Haven*

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

*Z Haven*

and to *his* heirs and assigns forever.

**In Testimony Whereof, &**

*Martin Van Buren*

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.

**WITNESSETH** under my hand, at the **CITY OF WASHINGTON,** the *first* day of *October* in the Year of our Lord one thousand eight hundred and *thirty nine* and of the **INDEPENDENCE OF THE UNITED STATES** the *Sixty fourth*

**BY THE PRESIDENT:**

*Martin Van Buren*

By

*M. Van Buren* Sec'y.

*H. M. Garland* Recorder of the General Land Office.

1744637



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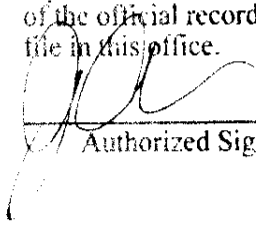
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Bureau of Land Management  
Eastern States  
7450 Boston Boulevard  
Springfield, VA 22153

**FEB 01 2012**

\_\_\_\_\_  
Date

I hereby certify that this  
reproduction is a true copy  
of the official record on  
file in this office.

  
\_\_\_\_\_  
Authorized Signature

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## LAND DESCRIPTION

**LOT 23 AND LOT 24 AND THE EAST 14 FEET OF LOT 26 IN BLOCK 1 IN KLINGENHAGEN'S SUBDIVISION OF BLOCK 5 IN HENRY C. WILSON'S ADDITION, BEING A PART OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED AUGUST 25, 1925 AS DOCUMENT 0015535, BOOK 208, PAGE 28, IN COOK COUNTY, ILLINOIS.**

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