

UNOFFICIAL COPY

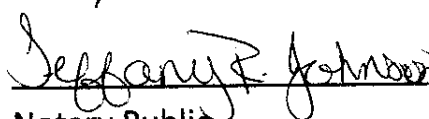
- 6. Your Affiant, Richard Mota, as of September 5th of 2012 has 375 days, of maintenance and upkeep of said property which have an approximate value of \$90,000.00 dollars. See Exhibit D.
- 7. Your Affiant, Richard Mota, has a total secured interest in the above referenced property as of September 5th of 2012 of approximately \$90,000.00 dollars.
- 8. Your Affiant, Richard Mota, to settle Affiant's interest in said property accepted the deed to the property, and acknowledged his acceptance of the deed as the lawfull owner of the real estate. See Exhibit E.
- 9. Further, Affiant sayeth naught.

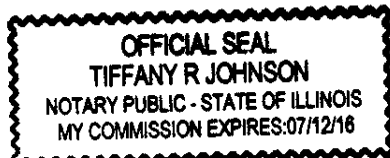
All rights explicitly reserved without prejudice

Signature:  Date: 04-16-2013
 Richard Mota

State of Illinois }
 County of Cook }

Subscribed and sworn to (or affirmed) before me on this 16th day of April, 2013. By: Richard Mota, proved to me on the basis of satisfactory evidence to be the Natural person who appeared before me.

 (Seal)
 Notary Public



UNOFFICIAL COPY



EXHIBIT A

Property of Cook County Clerk's Office

UNOFFICIAL COPY



RECORDING PREPARED BY:)
 Cesar Mota)
 AND WHEN RECORDED MAIL TO:)
 Cesar Mota)
 C/O 410 Addison St)
 Elgin, Illinois [60120])

Doc#: 1114048003 Fee: \$40.00
 Eugene "Gene" Moore RHTSP Fee: \$10.00
 Cook County Recorder of Deeds
 Date: 05/20/2011 01:49 PM Pg: 1 of 3

DECLARATION OF ASSIGNEES UPDATE OF PATENT

DECLARATION OF LAND PATENT, KNOW ALL MEN BY THESE PRESENTS:
 That Cesar Mota does certify and declare Patent on a portion of this land in my name and to my heirs and assigns from the date of this instrument. I Cesar Mota certify that I am "assignee" to the Land Patent and Land Grant as it pertains to the land below described.

(1) THE CHARACTER OF SAID LAND SO CLAIMED BY PATENT, described and referenced under patent listed above is:
 [Property commonly known as: 912 North Francisco Avenue in Chicago, Illinois. PIN # 16-01-315-022-0000]

THAT PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 10 IN BLOCK 14 IN CARTER'S RESUBDIVISION, THENCE WEST ALONG THE SOUTH LINE OF LOT 10, A DISTANCE OF 123.19 FEET; THENCE NORTH 25.00 FEET; THENCE EAST ALONG THE NORTH LINE OF LOT 10, A DISTANCE OF 123.20 FEET, THENCE SOUTH 25.00 FEET TO THE POINT OF BEGINNING.

Sec. 8-1208. Official certificate - Land office. The official certificate of any register or receiver of any land office of the United States, to any fact or matter on record in his or her office, shall be received in evidence in any court in this State, and shall be competent to prove the fact so certified. The certificate of any such register, of the entry or purchase of any tract of land within his or her district, shall be deemed and taken to be evidence of title in the party who made such entry or purchase, or his or her legatees, heirs or assigns, and shall enable such party, his or her legatees, heirs or assigns, to recover or protect the possession of the land described in such certificate, in any action of ejectment or forcible entry and detainer, unless a better legal and paramount title be exhibited for the same. The signature of such register or receiver may be proved by a certificate of the Secretary of State, under his or her seal, that such signature is genuine. (735 ILCS 5/8-1208) (from Ch. 110, par. 8-1208).

Sec. 8-1209. Patents for land. A patent for land shall be deemed and considered a better legal and paramount title in the patentee, his or her legatees, heirs or assigns, than the official certificate of any register of a land office of the United States, of the entry or purchase of the same land. (735 ILCS 5/8-1209) (from Ch. 110, par. 8-1209).

UNOFFICIAL COPY

And, a Land Patent is the only way a perfect title can be had in our name: Wilcox v 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 v Register, 9 Wall (U.S.) 575, 19 L.Ed. 681.

(2) NOTICE AND EFFECT OF LAND PATENT. A grant of land is a public law standing on the statute books of the State, and is notice to every subsequent purchaser under any conflicting sale afterward: Wineman v Gastrell, 54 Fed. 819, 4CCA 596, 2 US App. 581. A Patent alone passes title to Grantee: Wilcox v Jackson, 12 Pet., (U.S.) 498, 10 L.Ed. 264.

Where the United States has parted with title by a patent legally issued 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 v Danks, 13 LA, ANN. 128.

(3) LAND TITLE AND TRANSFER, LEGAL TITLE – The patent vests the legal title in the patentee (assignee) and is conclusive evidence of title. Gibson v Chouteau, 80 US 92, 20 L.ED. 534, TRANSFER OF PATENTEE (ASSIGNEE) – Title and rights of bona fide purchaser from patentee (assignee) will be protected. U.S. v Debell (1915, CA8 SD) 227 F 760; U.S. v Beaman (1917, CA8 Colo) 242 F 876, 43 USCA ss15, LEGAL TITLE – the patent vests the legal title in the patentee (assignee) and is conclusive evidence of title. Gibson v Choteau, 80 US 92, 20 L.ED. 534.

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 title, even where these have been traced to its source, the purchaser must but at his peril, there always being, in spite of the utmost care and expenditure, the possibility that his title may turn bad: Yeakle, Torrens System 209.

The patent is prima facie conclusive evidence of title, Marsh v Erpoks, 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 v Sullivan, 63 R.I. 216 7 A. 696. The original meaning of 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 30 days in a court of law, it then becomes my property including everything attached, and all future claims against the land will be void, as no one has followed the proper steps to get legal title, the final certificate or receipt acknowledging the payment in full by a homesteader or preemptor is not in legal effect a conveyance of land: U.S. v Steemerson, 50 FED 504, 1 CCA 552, 4 U.S. App. 332.

(4) EJECTMENT – In case of ejectment, where the question is who has legal title, the patent of the government is unassailable, Sandford v Sandford, 139 U.S. 642, 35 L.ED. 290. In Federal Courts the Patent is held to be the foundation of title at law. Fenn v

UNOFFICIAL COPY

Holmes, 21 How 481. State Statutes that give lesser authoritative ownership of title than the patent can not even be brought into Federal Court, Langdon v 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 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 proceedings for its acquisition, Gibson v Choteau, 13 WAL U.S. 92, 93.

A Land Patent is conclusive evidence the Patent has complied with the Act of Congress as concerns Improvements on the land, etc.: Jankins v Gibson, 3 LA ANN. 203.

(5) IMMUNITY FROM COLLATERAL ATTACK – Collins v Bartlett, 44 Cal 371; Weber v Pere Marquette Broom Co., 62 Mich 626, 20 NW 469; Surget v Doe, 24 Miss 118; Green v Barker, 47 Neb 934, 66 NW 1032.

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 laws".

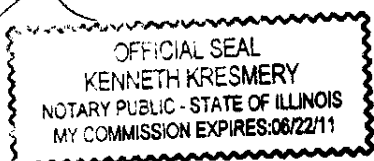
(6) DISCLAIMER – Assignee seizen in deed, and lawful entry is inclusive of specifically that certain legally described portion of the original land grant or patent and not the whole thereof, including hereditament, tenements, pre-emption rights appurtenant thereto. The recording of this instrument shall not be construed to deny or infringe upon any others right to claim the remaining portion thereof. Any challenges to the validity of this declaration and notice are subject to the limitations referenced herein. Additionally; a common courtesy of 30 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 (ORS 275, 130), included.

State of Illinois
County of Kane

On May-19-2011 before me, Cesar Mota appeared personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal

Signature of Notary



Cesar Mota
Cesar Mota. (Assignee)

5/19/2011
Date.

UNOFFICIAL COPY



EXHIBIT B

Property of Cook County Clerk's Office

UNOFFICIAL COPY



1123722058

RECORDING PREPARED BY:)
 Richard Mota)
 AND WHEN RECORDED MAIL TO:)
 Richard Mota)
 C/O 912 North Francisco St)
 Chicago, Illinois [60622])

Doc#: 1123722058 Fee: \$62.00
 Eugene "Gene" Moore RHSP Fee: \$10.00
 Cook County Recorder of Deeds
 Date: 08/25/2011 02:03 PM Pg: 1 of 3

DECLARATION OF ASSIGNEES UPDATE OF PATENT

DECLARATION OF LAND PATENT, KNOW ALL MEN BY THESE PRESENTS:
 That I Cesar Mota "assignor" does certify and declare from the date of this instrument the appointment of Richard Mota as "assignee" to the Land Patent originally recorded at the Cook County Recorder of Deeds as document No.1114048003 as it pertains to the land below described.

(1) THE CHARACTER OF SAID LAND SO ASSIGNED BY PATENT, described and referenced under patent listed above is: [Property commonly known as: 912 North Francisco Avenue in Chicago, Illinois. PIN # 16-01-315-022-0000]

THAT PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 10 IN BLOCK 14 IN CARTER'S RESUBDIVISION, THENCE WEST ALONG THE SOUTH LINE OF LOT 10, A DISTANCE OF 123.19 FEET; THENCE NORTH 25.00 FEET; THENCE EAST ALONG THE NORTH LINE OF LOT 10, A DISTANCE OF 123.20 FEET, THENCE SOUTH 25.00 FEET TO THE POINT OF BEGINNING.

Sec. 8-1208. Official certificate - Land office. The official certificate of any register or receiver of any land office of the United States, to any fact or matter on record in his or her office, shall be received in evidence in any court in this State, and shall be competent to prove the fact so certified. The certificate of any such register, of the entry or purchase of any tract of land within his or her district, shall be deemed and taken to be evidence of title in the party who made such entry or purchase, or his or her legatees, heirs or assigns, and shall enable such party, his or her legatees, heirs or assigns, to recover or protect the possession of the land described in such certificate, in any action of ejection or forcible entry and detainer, unless a better legal and paramount title be exhibited for the same. The signature of such register or receiver may be proved by a certificate of the Secretary of State, under his or her seal, that such signature is genuine. (735 ILCS 5/8-1208) (from Ch. 110, par. 8-1208).

Sec. 8-1209. Patents for land. A patent for land shall be deemed and considered a better legal and paramount title in the patentee, his or her legatees, heirs or assigns, than the official certificate of any register of a land office of the United States, of the entry or purchase of the same land. (735 ILCS 5/8-1209) (from Ch. 110, par. 8-1209).

UNOFFICIAL COPY

And, a Land Patent is the only way a perfect title can be had in our name: Wilcox v 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 v Register, 9 Wall (U.S.) 575, 19 L.Ed. 681.

(2) NOTICE AND EFFECT OF LAND PATENT. A grant of land is a public law standing on the statute books of the State, and is notice to every subsequent purchaser under any conflicting sale afterward: Wineman v Gastrell, 54 Fed. 819, 4CCA 596, 2 US App. 581. A Patent alone passes title to Grantee: Wilcox v Jackson, 12 Pet., (U.S.) 498, 10 L.Ed. 264.

Where the United States has parted with title by a patent legally issued 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 v Danks, 131 A. ANN. 128.

(3) LAND TITLE AND TRANSFER, LEGAL TITLE – The patent vests the legal title in the patentee (assignee) and is conclusive evidence of title. Gibson v Chouteau, 80 US 92, 20 L.ED. 534, TRANSFER OF PATENTEE (ASSIGNEE) – Title and rights of bona fide purchaser from patentee (assignee) will be protected. U.S. v Debell (1915, CA8 SD 227 F 760; U.S. v Beaman (1917, CA8 Colo) 242 F 876, 43 USCA ss15, LEGAL TITLE – the patent vests the legal title in the patentee (assignee) and is conclusive evidence of title. Gibson v Chouteau, 80 US 92, 20 L.ED. 534.

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 title, even where these have been traced to its source, the purchaser must but at his peril, there always being, in spite of the utmost care and expenditure, the possibility that his title may turn bad: Yeakle, Torrens System 209.

The patent is prima facie conclusive evidence of title, Marsh v 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 v Sullivan, 63 R.I. 216 7 A. 696. The original meaning of perpetuity is an inalienable, indestructible interest. Bouvier's Law Dictionary, Volume III P.2570, (1914). The final certificate or receipt acknowledging the payment in full by a homesteader or preemptor is not in legal effect a conveyance of land: U.S. v Steemerson, 50 FED 504, 1 CCA 552, 4 U.S. App. 332.

(4) EJECTMENT – In case of ejectment, where the question is who has legal title, the patent of the government is unassailable, Sandford v Sandford, 139 U.S. 642, 35 L.ED. 290. In Federal Courts the Patent is held to be the foundation of title at law. Fenn v Holmes, 21 How 481. State Statutes that give lesser authoritative ownership of title than the patent can not even be brought into Federal Court, Langdon v Sherwood, 124 U.S. 74, 80. The power of Congress to dispose of its land cannot be interfered with, or its exercise

UNOFFICIAL COPY

embarrassed by any 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 proceedings for its acquisition, Gibson v Choteau, 13 WAL U.S. 92, 93.

A Land Patent is conclusive evidence the Patent has complied with the Act of Congress as concerns Improvements on the land, etc.: Jankins v Gibson, 3 LA ANN. 203.

(5) IMMUNITY FROM COLLATERAL ATTACK – Collins v Bartlett, 44 Cal 371; Webber v Pere Marquette Broom Co., 62 Mich 626,20 NW 469; Surget v Doe, 24 Miss 118; Green v Barker, 47 Neb 934,66 NW 1032.

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 laws".

(6) DISCLAIMER – Assignee seizen in deed, and lawful entry is inclusive of specifically that certain legally described portion of the original land grant or patent 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 others right to claim the remaining portion thereof. This Patented land includes everything attached to the land. Any and all claims against this land are null and void, as no one challenged the validity of Cesar Mota declaration of assignees update of patent filed and recorded on the twentieth day of May of the year two thousand eleven at the Cook County Recorder of Deeds as document No.1114048003, notice of the declaration was given by public notice published in the Chicago Journal newspaper and nobody made any challenge to the validity within the thirty [30] days allotted or before the twentieth of June of the year two thousand eleven. Therefore any challenges to the validity of this declaration and notice are subject to the limitations referenced herein thus laches/estoppel shall forever bar the same against allodial freehold estate; assessment lien theory to the contrary (ORS 275, 130), included.

State of Illinois

County of Cook

On 8-24-2011 before me, Cesar Mota and Richard Mota appeared personally known to me to be the living men whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity, and that by their signature executed the instrument.

Witness my hand and official seal

Joseph A. Garcia
Signature of Notary



Cesar Mota 08/24/2011
Cesar Mota. (Assignor) Date.

Richard Mota 08/24/2011
Richard Mota. (Assignee) Date.

UNOFFICIAL COPY

Property of Cook County Clerk's Office

NOR CREDIT TO BE GIVEN TO THIS COPY
MAY NOT BE USED AS A LEGAL
COPY OF THE RECORDS OF THE OFFICE
OF THE RECORDER OF DEEDS.

APR 15 13

UNOFFICIAL COPY

EXHIBIT C

PROPERTY LEGAL DESCRIPTION

PHYSICAL ADDRESS:

912 NORTH FRANCISCO AVE. CHICAGO, IL 60622

Legal Description:

LOT 15 IN BLOCK 7 IN WALKER'S SUBDIVISION OF BLOCK 1 TO 31 OF W.B.WALKER'S ADDITION TO CHICAGO IN THE SOUTHWEST $\frac{1}{4}$ OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

The Above Legal Description is the same property conveyed in the deed recorded at the Cook County Recorder of Deeds as instrument No. 0525216166 on September 09, 2005.

UNOFFICIAL COPY

EXHIBIT D

MAINTENANCE AND UPKEEP

PHYSICAL ADDRESS:

912 NORTH FRANCISCO AVE. CHICAGO, IL 60622

Legal Description:

See Attached Exhibit A

Instrument No. 0525216166

MAINTENANCE AND UPKEEP FROM:

AUGUST 25TH 2011 TO SEPTEMBER 5TH 2012:

Total Maintenance at \$10.00 per hour 24/7 for three hundred seventy five days (375 days): \$90,000.00

TOTAL: \$90,000.00

UNOFFICIAL COPY

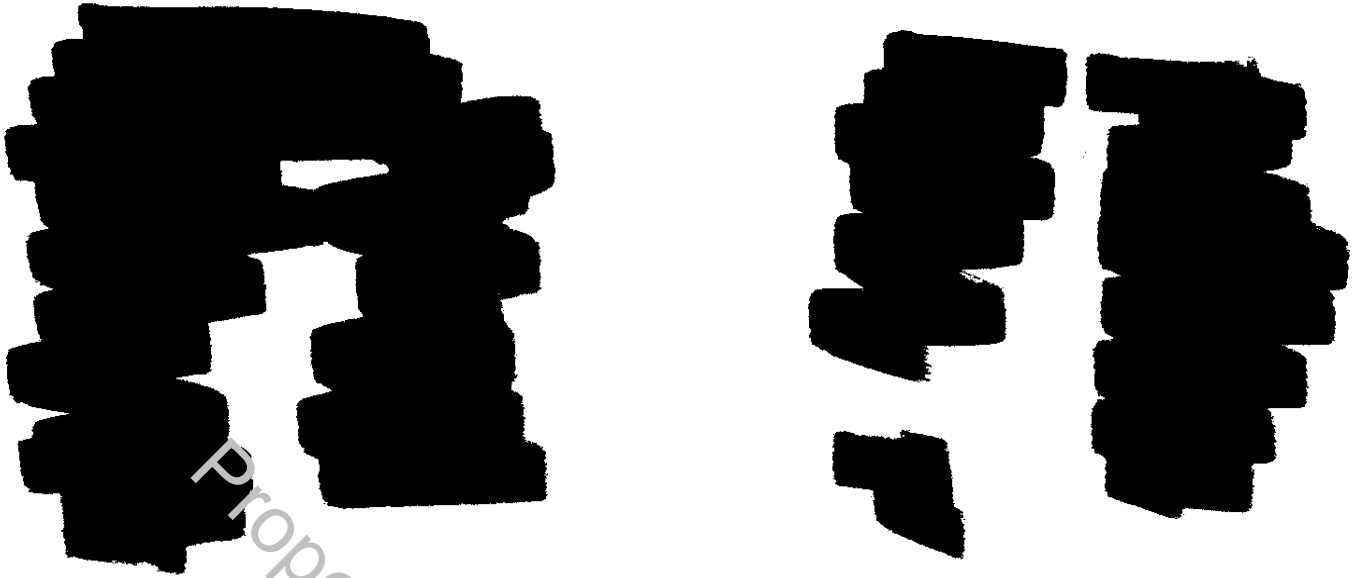


EXHIBIT E

Property of Cook County Clerk's Office

UNOFFICIAL COPY



STATE OF ILLINOIS)
) SS
COOK COUNTY)

CERTIFICATE OF AUTHORITY

I, DAVID ORR, County Clerk of Cook County in the State of Illinois, certify that

GARCIA, JOSEPH A

the person named in the seal and signature on the attached document, is a Notary Public for the State of Illinois and was authorized to act as such at the time of the document's notarization.

To verify this Certificate of Authority for a Notarial Act, I have affixed my signature and seal of office this 5 day of September, 2012

David Orr
Cook County Clerk, State of Illinois
Joseph A Garcia
Deputy

Property of COOK COUNTY CLERK'S OFFICE

UNOFFICIAL COPY



1224944110

RECORDING PREPARED)
AND REQUESTED BY:)
 Richard Mota)
)
AND WHEN RECORDED MAIL TO:)
 Richard Mota)
 C/o 912 North Francisco Avenue)
 Chicago, Illinois [60622])

Doc#: 1224934110 **Fee:** \$88.00
 Eugene "Gene" Moore
 Cook County Recorder of Deeds
Date: 09/05/2012 03:13 PM **Pg:** 1 of 4

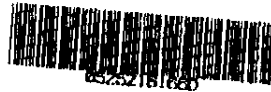
Property of Cook County Clerk's Office

Corrected Deed

Signature Acceptance

UNOFFICIAL COPY

WARRANTY DEED



Doc#: 0525218186 Fee: \$26.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 09/09/2005 02:31 PM Pg: 1 of 2

The Grantors, HILARIO MOTA and RAQUEL MOTA, husband and wife, of the City of Chicago, County of Cook, State of Illinois, for and in consideration of Ten Dollars (\$10.00) in hand paid, CONVEYS AND WARRANTS to CESAR LUIS MOTA, not married, residing at 279 Raymond St., Elgin, IL 60120, the following described Real Estate located in Cook County, Illinois:

LOT 15 IN BLOCK 7 IN WALKER'S SUBDIVISION OF BLOCKS 1 TO 31 OF W.B. WALKER'S ADDITION TO CHICAGO IN THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN: 16-01-315-022-0000

Address: 912 N. Francisco, Chicago, IL 60622

Subject to covenants, conditions, restrictions, and easements of record, private and utility easement, and general taxes for the year 2004 and subsequent years,

Hereby releasing and waiving all rights under, and by virtue of, the Homestead Exemption under Illinois law, TO HAVE AND TO HOLD SAID PREMISES FOREVER.

Dated: August 11, 2005

Hilario Mota
HILARIO MOTA

Raquel Mota
RAQUEL MOTA

2LC
ERHS

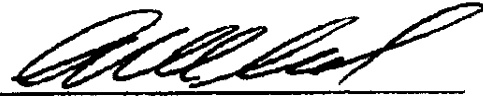
Accepted for Value
Returned for Value
All rights explicitly reserved without prejudice
By: Richard Mota

P.N.T.N.

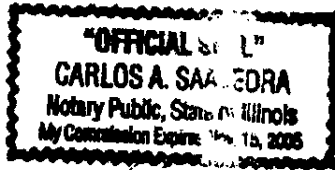
UNOFFICIAL COPY

State of Illinois, County of Cook, SS. The undersigned, a Notary Public in Cook County, Illinois, DOES HEREBY CERTIFY that HILARIO MOTA and RAQUEL MOTA, personally known to me to be the same persons shown as Grantor in this Warranty Deed, appeared before me in person on this day and signed and delivered this Warranty Deed.

August 11, 2005



Notary Public



[SEAL]

This Warranty Deed was prepared by Attorney Carlos A. Saavedra, 33 N. Dearborn St., Suite 2201, Chicago, IL 60602.

AFTER RECORDING, MAIL TO:

Carlos A. Saavedra
33 N. Dearborn St. #2201
Chicago, IL 60602

MAIL SUBSEQUENT TAX BILLS TO:

CESAR LUIS MOTA
912 N. Francisco
Chicago, IL 60622

CITY OF CHICAGO

CITY TAX



AUG. 26. 05

REAL ESTATE TRANSACTION TAX
DEPARTMENT OF REVENUE

0000007076

REAL ESTATE TRANSFER TAX

03855.00

FP103028

STATE OF ILLINOIS

STATE TAX



AUG. 26. 05

REAL ESTATE TRANSFER TAX
DEPARTMENT OF REVENUE

0000015824

REAL ESTATE TRANSFER TAX

00514.00

FP 103021

COOK COUNTY
REAL ESTATE TRANSACTION TAX

COUNTY TAX



AUG. 26. 05

REVENUE STAMP

0000015824

REAL ESTATE TRANSFER TAX

00257.00

FP 103025

UNOFFICIAL COPY

[REDACTED]

[REDACTED]

Property of Cook County Clerk's Office

I CERTIFY THAT THIS IS A TRUE AND CORRECT COPY

OF DOCUMENT # 1224934110

SEP-5 12

REGISTRAR OF COOK COUNTY