



Doc#: 1407848013 Fee: \$68.00  
RHSP Fee: \$9.00 RPRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 03/19/2014 01:23 PM Pg: 1 of 16

The United States of America,  
And In The Republic State of Illinois

PREPARE BY

Jesus Fonseca  
5358 S Kostner Ave  
Chicago, Illinois Republic, USA

## DECLARATION OF ASSIGNEE UPDATE OF LAND PATENT

LAND PATENT NO 2314, Dated October 1, 1839 (SEE ATTACHED)

KNOW ALL YE MEN AND WOMEN BY THESE PRESENTS.

1. That I, Jesus Fonseca, do hereby certify and declare that I am an "Assignee" in the LAND PATENT name and numbered above; that I have brought up said Land Patent in my name as it pertains to the land described below. The character of said land so claimed by the patent, and legally described and referenced under the Patent Numbers listed above is:

**THE SOUTH 36.42 FEET OF LOT 5 IN BLOCK 7 IN ARCHER HIGHLAND ADDITION, BEING HH WESSEL AND COMPANY'S SUBDIVISION OF THE WEST ¼ OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 10, ALSO THE EAST ¼ (EXCEPT THE RAILROAD RIGHT OF WAY) OF THE EAST ½ OF THE SOUTHWEST ¼ OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.**

2. That I, Jesus Fonseca, am domiciled at 5358 S Kostner Ave, Illinois Republic, USA NON-DOMESTIC. Unless otherwise stated, I have individual knowledge of matters contained in this Certification of Acceptance and Declaration of Land Patent. I am fully competent to testify with respect to these matters.
3. I, Jesus Fonseca, am an Assignee at Law and a bona fide assignee 'owner' by way of valuable consideration, for certain legally described portion of LAND PATENT under the original, certified LAND PATENT 2314, dated **October 1, 1839**, which is duly authorized to be executed in pursuance of the Supremacy of Treaty Law, citation and Constitutional Mandate, herein referenced, whereupon a duly authenticated true and correct lawful description, together all hereditament, tenements, pre-emptive rights appurtenant thereto, the lawful and valuable consideration which is appended hereto, and made a part of this **NOTICE OF CERTIFICATE OF ACCEPTANCE AND DECLARATION OF LAND PATENT (SEE ATTACHED)**.
4. No claim is made herein that I have been assigned the entire tract of land as described in the original patent. My assignment is inclusive of only the attached lawful description.

# UNOFFICIAL COPY

The filing of this NOTICE OF CERTIFICATE OF ACCEPTANCE AND DECLARATION OF LAND PATENT shall not deny or infringe upon any right, or

privilege, or immunity or any other Heir or Assignees to any other portion of land covered in the above described PATENT NUMBER 2314 (SEE ATTACHED).

5. If this duly certified LAND PATENT is not challenged by a lawfully qualified party having a lawful claim, lien, debt, or other equitable interest on any in a court of law within sixty (60) days from the date of filing this NOTICE, then the above described property shall become the Allodial Freehold of the Heir or Assignee to said Patent, the LAND PATENT shall be considered henceforth perfected in my name "Jesus Fonseca", and all future claims against this land shall forever be waived.
6. When a lawfully qualified Sovereign American individual has a claim to title and is challenged, a court of competent original and exclusive jurisdiction is the common law **Supreme Court (Article 111)**. Any action against a patent by a corporate state or their respective statutory, legislative units (i.e., courts) would be an action at law which is outside the venue and jurisdiction of these Article 1 Courts. There is no law issue contained herein which may be heard in any of the State courts (Article 1), nor can any Court of Equity/Admiralty/Military set aside, annul or correct a LAND PATENT.
7. Therefore, said land remains unencumbered, free and clear, and without liens or lawfully attached in any way, and is hereby declared to be private land and private property, not subject to any commercial forums (e.g. U.C.C.) whatsoever.
8. Additionally, a common law courtesy of thirty (30) days is stipulated for any challenges hereto, otherwise, laches or estoppel shall forever bar the same against said **ALLODIAL** freehold estate; assignment lien theory to the contrary, notwithstanding. Therefore, said declaration, after thirty (30) days from date, if no challenges are brought forth and upheld, perfects this **ALLODIAL TITLE** the name(s) forever.

## JURISDICTION

THE RECIPIENT HERETO IS MANDATED by Article VI, sec. 2&3, the 9<sup>th</sup> and 10<sup>th</sup> amendments with reference to the 7<sup>th</sup> amendment, enforced under Article III, Sec. 5, clause I, of the Constitution for the United States of America.

## PERJURY JURAT

Pursuant to Title 28 USC sec. 1746 (1) and executed "without the United States". I affirm under penalty or perjury under the laws of the United States of America that the foregoing is true and correct to the best of my belief and informed knowledge. And further deponent saith not. I now affix my signature of the above affirmations with EXPLICIT RESERVATION OF ALL MY UNALIENABLE RIGHTS, WITHOUT PREJUDICE to any to those rights pursuant to U.C.C.1-308 and U.C.C.-1-103.6

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STATE OF ILLINOIS  
COUNTY OF WILL

SS

**CERTIFICATE OF AUTHORITY**

I, Nancy Schultz Voorts, County Clerk of said County and State, do hereby certify that  
Sandra L. Drolet

whose name is subscribed to the attached certificate of proof, acknowledgement, or affidavit, was at the time of making said proof, acknowledgment, or affidavit, a Notary Public in and for the said County and residing therein, duly commissioned, sworn and authorized by the laws of said State to take and certify proofs, acknowledgments, affidavits, acknowledgments and proofs of deeds and other written instruments to be recorded in said State, and that full faith and credit are and ought to be given to the official acts of said officer, and I further certify that I am well acquainted with the handwriting of said officer and verily believe the signature to the attached certificate is the genuine signature of said officer.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 19th day of February, A.D. 2014

(Seal)

*Nancy Schultz Voorts*  
County Clerk

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Respectfully,

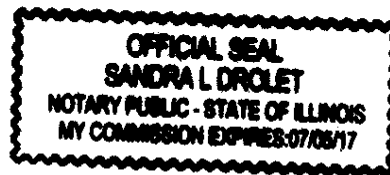
*Jesus Fonseca*  
Jesus Fonseca

Sworn, subscribed, sealed and affirmed to this 19<sup>th</sup> day of FEBRUARY, 2014.

Notary Public for [State of] ILLINOIS

My commission expires JULY 09, 2017

*Sandra L. Drolet*



Common Law Witness (1)

*Walter S. Sarno*

Common Law Witness (2)

\_\_\_\_\_

Common Law Witness (3)

\_\_\_\_\_

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## NOTICE

This notice is to inform any person who has lawful standing to view this file and who wishes to review the complete file on record may do so by requesting an appointment with me [Jesus Fonseca]. My phone no. 773-908-7282, my address is 5358 S. Kostner Ave., Chicago, IL 60632.

### Notice #1

I, Jesus Fonseca, will set the time, date and place for the review, no exceptions.

### Notice #2

I, Jesus Fonseca, have a summary of the chain of title in my file; it is not part of this file.

This document has a total of 4 pages.

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## MEMORANDUM OF LAW – LAND PATENT

- (1) NOTICE OF PRE-EMPTIVE 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 [3 STAT. 566, APRIL 24, 1824], THE OREGON TREATY [9 STAT. 869, JUNE 15, 1846], THE HOMESTEAD ACT [12 STAT. 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 I CL. 1, & 2; SECTION 2 CL. 1 & 2; SECTION 4; THE 4<sup>TH</sup>, 7<sup>TH</sup>, 9<sup>TH</sup>, AND 10<sup>TH</sup> AMANDMENT [U.S. CONSTITUTION, 1781-91] TO ACKNOWLEDGE ASSIGNEE'S UPDATE OF PATENT PROSECUTED BY AUTHORITY OF ART. II SECTION 2 CL. 1 & 2 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, 101. 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 PARTY(IES) 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 IS A PUBLIC LAW STANDING ON THE STATUTE BOOKS OF THE ILLINOIS, 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 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. TITLE 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

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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 CAN NOT EVEN BE BROUGHT INTO FEDERAL COURT, LANCOON 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 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 vs. CHOUTEAU. 13 WAL. (U.S.) 92, 93.

- (3) 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, 23 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, STATON vs SULLIVAN, +

R.I. 216 7 A. 696. THE ORIGINAL MEANING OF A PERPETUITY IS AN ANALIENABLE, INDESTRUCTIBLE INTEREST. BOUVIER’S LAW DICTIONARY, VOLUME III P. 2570, (1914).

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IF THIS LAND PATENT 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 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 HAT 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 PATANTEE....."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 GRANEE OF LAND PATENT. "NO STATE SHALL IMPARE THE OBLIGATIONS OF CONTRACTS". UNITED STATES CONSTITUTION ARTICLE I SECTION 10.
- (5) EQUAL RIGHTS: PRIVILAGES AND IMMUNITES ARE FURTHER PROTECTED UNDER THE 14<sup>TH</sup> AMENDMENT TO THE U.S. CONSTITUTION, "NO STATE.....SHALL DENY TO ANY PERSON WITHIN ITS JURISDICTION THE EQUAL PROTECTION OF THE LAWS."

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, 35L ED 290 IN FEDERAL COURTS THE PATENT IS HELD TO BE THE FOUNDATION OF TITLE AT LAW. FENN vs. HOLMES, 21 HOWARD 481.

- (6) DISCLAIMER; ASSIGNEE'S SEIZEN N DEED, AND LAWFUL ENTER IS INCLUSIVE OF SPECIFICALLY THAT CERTAIN LEGALLY DESCRIBED PORTION OF THE ORIGINAL LAND GRANT OR PATENT NO. 2314 AND NOT THE WHOLE THEREOF, INCLUDINGHEREDITAMENT, TEMEMENTS, 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



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THIS DECLARATION & NOTICE ARE SUBJECT TO THE LIMITATIONS REFERENCED HEREIN. ADDITIONALLY; A COMMON COURTESY OF SIXTY (60) DAYS IS STUPLATED 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.

THE FOLLOWING DOCUMENTS ARE ATTACHED TO THIS DECLARATION, CERTIFIED COPY OF ORIGINAL LAND GRANT OR PATENT, DECLARATION OF HOMESTEAD (STRIKE OUT IF NOT APPLICALE), LEGAL DESCRIPTION OF PORTION OF SAID GRANTOR PATENT.

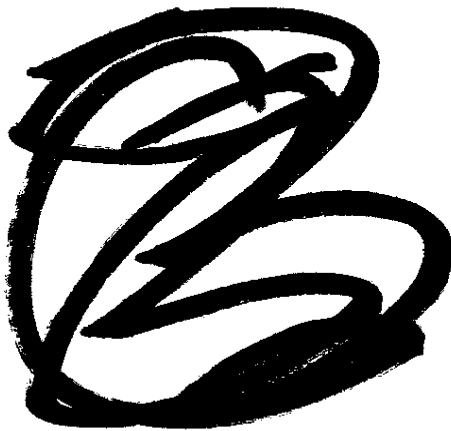
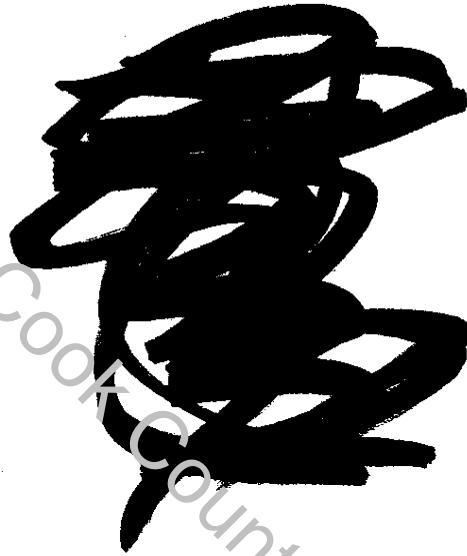
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ASSIGNEE

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# EXHIBIT A

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133215201/2



Chicago Title Insurance Company

## WARRANTY DEED ILLINOIS STATUTORY



Doc#: 0424426021  
Eugene "Gene" Moore Fee: \$26.00  
Cook County Recorder of Deeds  
Date: 08/31/2004 08:58 AM Pg: 1 of 2

THE GRANTOR(S), Victoria Tellez, single woman never married, of the City of Chicago, County of Cook, State of Illinois for and in consideration of TEN & 00/100 DOLLARS, and other good and valuable consideration in hand paid, CONVEY(S) and Warrant(s) to Jesus Fonseca (GRANTEE'S ADDRESS) 4637 S. Homan, Chicago, Illinois 60632 of the County of Cook, all interest in the following described Real Estate situated in the County of Cook in the State of Illinois, to wit:

The South 36.42 Feet of Lot 5 in Block 7 in Archer Highland Addition, being H.H. Wessel and Company's Subdivision of the West 1/4 of the West 1/2 of the Northeast 1/4 of Section 10, also the East 1/4 (except the railroad right of way) of the East 1/2 of the Southwest 1/4 of Section 10, Township 38 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

**SUBJECT TO:** covenants, conditions and restrictions of record, private, public and utility easements and roads and highways, installments not due at the date hereof of any special tax or assessment for improvements heretofore below, general taxes for the year 2003 and subsequent years including taxes which may accrue by reason of new or additional improvements during the year(s)

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Permanent Real Estate Index Number(s): 19-10-325-030-0000  
Address(es) of Real Estate: 5358 S. Kostner, Chicago, Illinois 60632

Dated this 1 day of August, 2004

Victoria Tellez  
Victoria Tellez

ATGF, INC

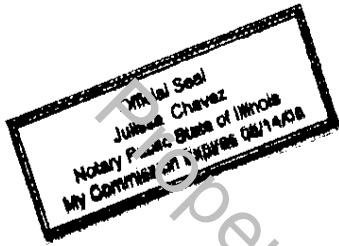
ATGF, INC

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STATE OF ILLINOIS, COUNTY OF Cook ss.

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT Victoria Tellez, single woman never married, personally known to me to be the same person(s) whose name(s) are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal, this 6 day of August, 2004

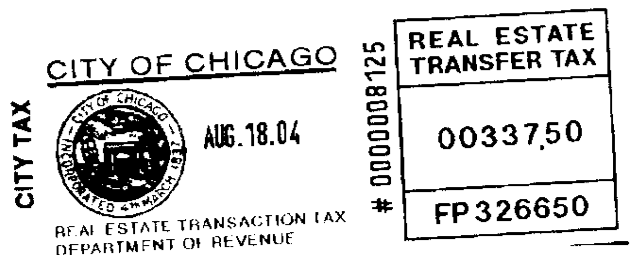
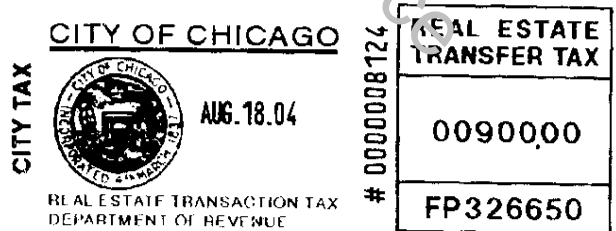
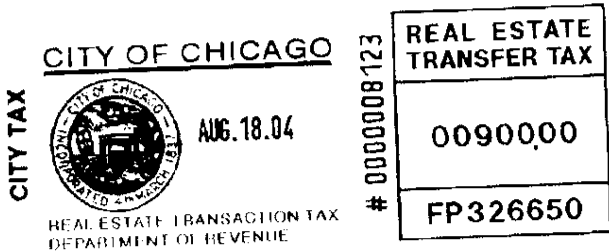
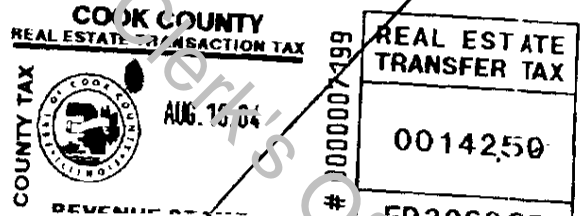
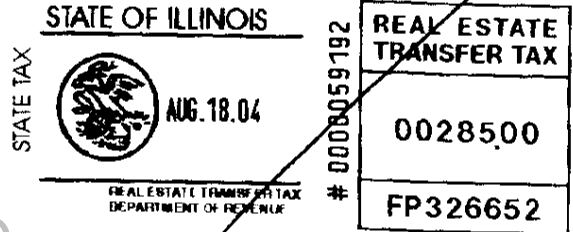


*Juliana Chavez* (Notary Public)

Prepared By: Robert A. Cheely  
6446 West Cermak Road  
Berwyn, Illinois 60402

Mail To:  
Jesus Fonseca  
5358 S. Kostner  
Chicago, Illinois 60632

Name & Address of Taxpayer:  
Jesus Fonseca  
5358 S. Kostner  
Chicago, Illinois 60632



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IS A TRUE AND  
CORRECT COPY

0924426021

FEB 21 11

RECORDED  
COOK COUNTY

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# EXHIBIT B

Property of Cook County Clerk's Office

A large, bold, black handwritten signature is written over the diagonal watermark text. The signature is highly stylized and appears to be a cursive or calligraphic name.

232

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## THE UNITED STATES OF AMERICA

CERTIFICATE

No. 2314

To all to whom these Presents shall come, Greeting:

WHEREAS

*John Ogden 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

*John Ogden*

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

*the West half of the North East quarter of Section ten, T. Township thirty eight North, of Range thirteen East, in the District of Lands subject to sale at Chicago, Illinois, containing eighty 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

*John Ogden*

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

*John Ogden*

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

*John Ogden*

and to his heirs and assigns forever.

In Testimony Whereof, I,

*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.

GIVEN 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 *ninth*

BY THE PRESIDENT:

*Martin Van Buren*

By

*M. Van Buren* Sec'y.

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

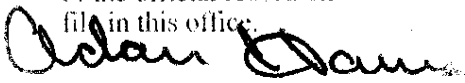
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Bureau of Land Management  
Eastern States  
7450 Boston Boulevard  
Springfield, VA 22153  
JAN 28 2014

\_\_\_\_\_  
Date

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



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