

LAND PATENTS

THE PATH TO SOCIO-POLITICAL & PERSONAL FREEDOM

PROPERTY OWNERSHIP

Historical Overview

- ▶ The primary motivator of the first American Revolution was the issue of allodial rights to land, free and clear of the liens and encumbrances of the King of England.
- ▶ The land of the original colonies was under the alleged ownership of the British Crown, which continued the feudal system to perpetuity by granting land to royalty, nobles, knights, and military generals.
- ▶ After the Declaration of Independence (1776), the American Revolution, and the Treaty of Peace with Great Britain (1783), the American people became complete, sovereign freeholders in the land with the same prerogative as the King. The King had no further claim to the land and could not tax or otherwise encumber it.
- ▶ After the defeat of the British, the Virginia Act of 1779 was implemented in 1781 and the new government of the United States confiscated the land from whomever the crown had granted it.
- ▶ The lands were surveyed under the Land Ordinance Act of 1785 and titled to the federal government for sale to those who wanted to settle on them under the premise that individuals could purchase land, make it productive, and hold title to it.
- ▶ The Land Ordinance Act of 1785 was the beginning of property rights in the United States. It created the legal framework for land ownership in which lands could be legally transferred through a land patent using a document called a title.
- ▶ In a free republic American Nationals and/or sovereign “state” Citizens retain the unalienable right to acquire, utilize and “own” property free and clear of government liens and encumbrances.

PROPERTY OWNERSHIP

Historical Overview continued

- ▶ The original “letters of patent” from the King of England are recorded in the state archives and county courthouses.
- ▶ Under English land law all realty (i.e., real estate) was owned by the sovereign, and from the crown all titles (both lawful and equitable) flow.
- ▶ All federal land patents flow from treaty rights and hold superior title to land.
- ▶ Land Patents are the only evidence of title to land, and are derived from the treaties and enabling acts of Congress under the signature of the president of the United States when each state entered the Union.
- ▶ At the time of the Articles of Confederation, the sovereign state republics wouldn’t appropriate lands to the federal government, but eventually gave unappropriated lands to the federal government to distribute to the people on the condition that they would grant full allodial title.
- ▶ A “Land Patent Office” was established to distribute these unappropriated land by grant to the people, which is now under the curation of the Bureau of Land Management.
- ▶ The government and the principles/creditors controlling “Real Estate” today have usurped property ownership rights, which have NOT and can NOT be abridged.
- ▶ Generations of constructive fraud have confused the people of the world by blurring the lines between property “ownership”, and mere “possession”.
- ▶ The payment of rent, mortgages, fees or the requirement for licenses, insurance and permits are *prima facie* evidence that you do NOT own your land, although remaining in” possession.”

Land Title Acquisition

LAND PATENTS AND “PUBLIC” VS “PUBLIC DOMAIN”

- ▶ Allodial title is granted, by law, to the named party with unalienability forever to all “heirs and assigns”, and is derived from the original, federal land patent.
- ▶ Land Patents” are the only form of proof of absolute title to land in the United States, and still today the highest evidence of title never being refuted by any court of competent jurisdiction.
- ▶ A land patent protects the landowner from claimants of co-ownership as well as the United States government.
- ▶ In the United States, the land has been transferred to the government through treaties, purchases, grants, and conquest. The United States then passed the land to the people of the nation using land patents as allodial title, such that it becomes public land.
- ▶ “Public” land has been appropriated for monuments, national forest, parks, wilderness and other uses.
- ▶ Land Patents convey property in the “Public Domain” to private ownership, including public land conveyed to the government.
- ▶ Ownership preferred by a land patent cannot have its authority or its jurisdiction diminished.
- ▶ The State of Texas, unlike the other 49 states in the union, never officially ceded its lands via an enabling act to the U.S. government during its annexation. The federal government, therefore, may not enjoy supremacy over land patents and deed issued by the Texas state government.

Land Title Acquisition

TITLES VS DEEDS

- ▶ All right and title to the unappropriated land was held to the disposition of the United States government to be granted (not sold) to the people.
- ▶ In the enabling acts, each state republic agreed and declared they would give up all right and title to land. The state has no authority over the land. Except for Texas which never gave up its lands (State Patent Office) or military (i.e., Texas Rangers) to the federal government.
- ▶ The federal United States government became the trustees with a power of attorney over the dispersment of land to the people.
- ▶ “Land Patents are issued, and passed between sovereigns.
- ▶ Deeds are executed by persons' and private corporations without these sovereign powers.
- ▶ Land owners are the only authority in the united states of America and thereby qualify as sovereign “state” Citizens and electors in their respective state republics with the power to elect public officers of the government at every level, county, state and federal.
- ▶ The land grant principles upon which America was founded were violated when Western state republics entering the post-Civil War Union surrendered unappropriated lands to the federal United States government that did not get distributed to the people.
- ▶ The state has no authority over land, and the federal United States government corporation can NOT own land or sell land.
- ▶ American Nationals and Sovereign State Citizens are still holding the right and titles to every square inch of land in the united states of America.
- ▶ Warranty and Quit Claim “Deeds” require fealty to a superior power in the form of taxes, fees and permits no different than the Feudal systems of the world from which the early colonists were seeking emancipation.

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Land Title Acquisition

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DEEDS & CONVEYANCES

- ▶ A deed is a sales (trust) instrument recorded at the County Recorder's office rendering the property or real estate as the trust property of the State.
- ▶ The land, property and real estate must be reconveyed out of the County Recorder's office with a "Quit Claim Deed" from equity to the Common law, but NO rights convey or are warranted with a Quit Claim Deed.
- ▶ A "Warranty Deed" does grant the land, but only "equitable title" until the patent has been brought forth in your sovereign name, or otherwise will remain a trust property of the State.
- ▶ A mortgage is a commercial lien and doesn't convey an estate or title, and a bank has to prove it has title to the land in order to take it over.
- ▶ Allodial titles only apply to the land, not the improvements upon the land which can still be attached by a commercial lien, although your creditors cannot walk across the land to seize the improvements without a trespass on the land.
- ▶ All land not held in allodial title has been hypothecated to the Federal Reserve Bank, as collateral against a federal debt that cannot be paid. As legal "persons," U.S. citizens have no right to "own" land, any more than corporations or trusts could prior to the 14th Amendment. By defining U.S. citizens as legal persons, a doorway opened for legal "persons" such as corporations and trusts to gain control over land and take it from the people.
- ▶ Title companies can be sued for not revealing the placement of a property lien in favor of the IMF.
- ▶ Citizens have entered adhesion contracts with the federal United States government under the 14th Amendment whereby their unalienable rights to own land absolutely in an allodial state, have been reduced to tenants and renters once again, not the sovereign owners of their land.

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The Land Patent Process

LAND PATENT ADVANTAGES

- ▶ The land cannot undergo foreclosure.
- ▶ The land cannot be taxed.
- ▶ No third party claim can be brought against it.
- ▶ The government may not encumber the land through legislation.
- ▶ Ownership of land through a land patent also confers ownership of the water rights to any water or minerals originating on or under the property. Nobody can regulate or monitor the use of that water.

▶ LAND PATENT DISADVANTAGES

- ▶ A land patent could make it difficult to obtain financing or a loan on the land.
- ▶ Removal of the land from the tax rolls cancels any obligation to emergency services paid for by taxes.
- ▶ The land patent owner may enter into a private contract with each branch of emergency services to be served.

The Land Patent Process

STEP No. 1 - PROVE YOU OWN THE LAND

- ▶ Submit adequate evidence that you own the rights to the property in question via:
 1. A Certified Copy of the Warranty Deed to the land; or
 2. If you own the land through a quit claim deed, you must establish a chain of title between your deed and the original warranty deed.
- ▶ A certified warranty deed can be obtained the county or municipal clerk's office.
- ▶ If you are working with a quitclaim deed, you must produce certified copies of every quitclaim deed between yours and the original warranty deed. You can visit the county or municipal clerk's office to obtain the certified documents to prove your chain of title.
- ▶ Provide a surveyors map with metes and bounds designating the exact description of the property, or any other documents to include assignment of ownership and proof of ownership through inheritance.

The Land Patent Process

STEP No. 2 - DESCRIBE & CONFIRM THE LOCATION OF THE PROPERTY

- ▶ Confirm the description by securing a certified plat map from the county clerk's office.
- ▶ Hire a licensed surveyor to draw a plat acceptable to the local, state, and federal authorities in the event it is not available from the county clerk cannot provide the document, you may .
- ▶ In the 13 original states (and Texas) the land description consists of "metes" and "bounds." The description started at a known point and described how far to go in each direction until the entire property is described. An acceptable description today may require a certified instrument showing the land is physically located within the boundary of the land patent's land description.
- ▶ The rest of the country was mapped in Section, Township, or Range format, which is acceptable for the land patent application. If the description of your property in the warranty deed or other proof of property right is not in STRf, it must be converted to that format. Your current deed may state where the original subdivision plat map is located, which will show the exact boundaries of your land.

The Land Patent Process

STEP No. 3 – OBTAIN THE LAND PATENT

- ▶ Take your property deed and the legal description of the land to the local Bureau of Land Management offices to request a legal copy of your land patent. The request may take some time to fulfill because the BLM must use the official documents you provide to produce a certified copy of the land patent.
- ▶ Ask for at least two certified copies of the land patent and a copy of the patent plat map for the Township in which your land is located.
- ▶ Write an official declaration of acceptance to convey your acceptance of the restrictions the land patent imposes. You are reaffirming your respect for federal law, and ensuring you adhere to any restrictions the land patent places on your use of the land.

The Land Patent Process

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STEP No. 4 – FILE THE PATENT PUBLICLY

- ▶ File the Land Patent in the Clerk and Recorder's office with the land records of the county.
 - ▶ In the event that the County Recorder refuses to record your documents you may exercise your lawful option to sue him/her in their personal capacity and place a lien on their personal property, or simply move on to the next step(s) which is suffice to publicize your Patent claim.
- ▶ Create a public notice in the legal notices section of your local paper, indicating you accepted the assignment of the patent.
- ▶ Post the copyrighted quitclaim deed, certified copy of the warranty deed, copyrighted declaration of acceptance of the land patent, and the certified copy of the land patent in the post office, county or district courthouse or the Sheriff's office.

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Summary Land Patent Process

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1. 3 certified Warranty Deed copies with meets-bounds description. Note: Code enforcement is bound to search for protective covenant,
2. Every parcel has a copy of the original patent in the County archives.
3. Take the description to the BLM = Township-Range-Section- Location in Section.
4. When located by BLM get 3 certified copies.
5. Take patent copies back to County Recorder or Title Company and look up Chain of Title all the way to original Title.
6. Do a Summary of Chain of Title: show unbroken Chain of Title with 3 L-R columns = Seller, Buyer, Date
7. Land Patent Sandwich (bottom to top):
 - ▶ a) Copy of Land Patent from BLM,
 - ▶ b) Notice document with name, signature, contact info and rightful claim to the property,
 - ▶ c) Summary of Chain of Title,
 - ▶ d) Lawful claim document you received to give to the property when you bought the property ie.Quit Claim or Warranty Deed, and
 - ▶ e) Notice: USA, Republic of California at top, then Your Name, Republic usA, non-domestic, Notice of Certificate of Acceptance of Land Patent (not just Declaration as the LP already exists), Land Patent #, Date, see attached itemize documents in sandwich, then I, Name, certify that I declare that I am an assignee in the LP named above and have brought up the LP in my name as it pertains to the land described below, the character of the land so-claimed with description , and I am competent, have knowledge etc., certified purchaser of land pursuant/protected by Treaty Law. Note: claim only specific parcel and no other, no other claim on property for 60 days of filing perfects claim, no state court has jurisdiction as each state relinquished land to trust only to be administered by gov't. and the gov't has no Title. Sign before a notary with 2 witnesses. Post 60 days. On face of Cert. of Acceptance sticky note stapled "this document to be posted a minimum of 60 days" with start-end date and initial it. Take a witness and take picture of posting then create Affidavit of Fact concerning the posting.
8. 2 issues that can revoke a LP: 1) evidence of fraud, and 2) clerical error