

STEP ONE

WHAT? NOTICE OF ACKNOWLEDGMENT, DELIVERY AND ACCEPTANCE OF DEED

WHERE? This document is recorded/filed at the County Auditor's Recording Office in the County your property is located.

WHEN? It is recorded/filed after you have obtained a certified copy of the Deed you received when you purchased your property.

WHY? This document is used to acknowledge that the original Deed from the purchase of your property has been delivered to you and that you accept this Deed. You obtain a **certified copy** of that recorded Deed from your County Auditor's Recording Office and it is this **certified copy** of your Deed that you are accepting.

The reason this is done is because you were given a "**Color of Title**" Deed for the "**real estate**" you purchased that was only signed by the Seller/Grantor—you did not sign this Deed as Purchaser/Grantee, so therefore, legally, you have not **ACCEPTED THIS DEED**. "**Color of Title**" according to *Howth v. Farrar*, C.C.A. Tex.; 94 F.2d 654, 658; *McCoy v. Lowrie*, 42 Wash. 2d 24, and Black's Law Dictionary, Sixth Ed., is defined as, "**That which is a semblance or appearance of title, but not title in fact or in law.**" You now want to acknowledge and accept the Deed to the real estate before you file your updated Land Patent which is the legal title to your land. **The Land Patent is the only form of perfect title to land available in the United States.** *Wilcox v. Jackson*, 38 PET (U.S.) 498; 10 L.Ed. 264

HOW? You sign the document in front of a Notary Public and also before two (2) witnesses (over 21 and not related). (Note: The Notary only witnesses your signature—not the signatures of your witnesses). If the legal description to your land is NOT already typed on the first page of this document, you add **ATTACHMENT "A"** (which is your Land Description) and then record the document with the County Auditor's Recording Office and request a **certified copy** of it.

Remember: All documents are **always** signed using a pen with **blue ink** (ask your Notary to do likewise).
All documents to be recorded cannot have staples or grommets in them.

STEP TWO

- WHAT?** GRANTEE/ASSIGNEE'S DECLARATION OF GRANTEE/ASSIGNEE'S NOTICE OF CLAIM OF "FOREVER" BENEFIT OF ORIGINAL LAND GRANT/PATENT
- WHERE?** This document is recorded/filed at the County Recorder's Office in the County your property is located.
- WHEN?** It is recorded/filed **after** you have recorded/filed your acknowledgment, delivery and acceptance of your Deed, and **after** you have posted a Public Notice for a minimum of **thirty (30) days**. Although it is not filed right away, you still SIGN IT right away.
- WHY?** This is the document whereby you accept the "**Forever**" benefit of the original Land Patent given to the original grantee; said Land Patent was authorized by an act or acts of Congress; came under one or more Treaties; was signed by the then President of the United States, and the seal of the General Land Office affixed; and recorded in the General Land Office (now housed with the Bureau of Land Management). It was given and granted to the original grantee, his heirs and **assigns FOREVER**. Since "FOREVER" is a long time, anyone who has subsequently purchased all or a portion of the land covered by this patent is an "**assign**" and can update that patent into their own name but for only that portion of land he/she actually owns.
- HOW?** You sign the document in front of a Notary Public. If the legal description to your land is NOT already typed on the first page of this document, you add **ATTACHMENT "A"** (which is your Land Description) and then record the document with the County Recorder's Office and request a **certified copy** of it.

Remember: All documents are **always** signed using a pen with **blue ink** (ask your Notary to do likewise).
All documents to be recorded cannot have staples or grommets in them.

STEP THREE

WHAT? PUBLIC NOTICE

WHERE? This document is posted on a bulletin board designated for Public Notices, located inside a government building located in the same County where your property is located. The best place is on a bulletin board located outside of the County Recorder's Office, but if none exists there, an alternative is a bulletin board outside of a Courthouse entrance. Last resort is on a bulletin board at your local Post Office (or, if that is not available, try a Public Library).

This document is also posted in two (2) places on each side of ingress/egress to your property.

WHEN? It is posted after you have signed your Notice of Claim of the "Forever" Benefit of the Original Land Patent and your Declaration of same and after you have accepted your deed.

WHY? This document is used to give the public notice that you have updated the original Land Patent into your name with your legal land description, to give anyone who has legal standing an opportunity to challenge your claim of ownership. It is best to give Notice prior to recording/filing your Declaration of Land Patent. If posting this Notice on a bulletin board, it needs to remain posted for a **minimum of thirty (31) days**. The Notice states that anyone making a claim against your land must do so **within sixty (60) days** or be barred from making any claim; **after ninety (90) days** default judgment can be entered against anyone who attempts to make a claim.

HOW? You sign at least three (3) copies of the document and then, in front of two (2) witnesses (over 21 and not related), you post one on the bulletin board. It is good to take some pictures after it is posted, such as a close-up of the document; a wide shot of the bulletin board, which includes the document; even a close-up of the document with the first page of a local newspaper showing the current date is good. Check the bulletin board at least once a week and if someone has removed the Notice, post another signed copy.

Before posting the remaining two (2) signed copies on your property (also in front of your two (2) witnesses), have both copies **laminated** to protect them from the weather.

Remember: All documents are **always** signed using a pen with **blue ink**.
Thumbtacks or pushpins are needed for posting on bulletin board; nails or staple gun for laminated copies.

STEP FOUR

WHAT? AFFIDAVIT OF POSTING

WHERE? This document is signed by your two (2) witnesses who watched you post your Public Notice on a bulletin board and who also watched you post the two (2) laminated copies of the Public Notice on your property.

WHEN? It is filled out at the time of posting your Public Notice and then signed by your witnesses in front of a Notary Public. This Affidavit is NOT recorded/filed, but kept for your records only.

WHY? This document is used to give the public notice that you have updated the original Land Patent into your name with your legal land description, to give anyone with legal standing an opportunity to challenge your claim of ownership. It is best to give Notice prior to recording/filing your Declaration of Land Patent. If posting this Notice on a bulletin board, it needs to remain posted for a **minimum of thirty (30) days**. The Notice states that anyone making a claim against your land must do so **within sixty (60) days** or be barred from making any claim; **after ninety (90) days** default judgment can be entered against anyone who attempts to make a claim then.

HOW? First, make sure the names of your two (2) witnesses are printed in the appropriate spaces at the top of the Affidavit (at the time you post your Public Notice) and that the time is filled in and either "A.M." or "P.M." is circled. Then your witnesses each sign the Affidavit in front of a Notary Public. It does not have to be signed the same day as the posting occurs, but rather at the convenience of your witnesses shortly thereafter.

Remember: All documents are **always** signed using a pen with **blue ink**.