

43333

Recording Requested by:

RECORDERS USE:

ret Gary O. Reil  
9275 SW Green Dr.  
Calver Oregon 97734

Vol. 1284 Page 19481

## DECLARATION OF LAND PATENT

Patent Number 496800

Know all men by these presence. That Gary O. Reil  
 does severally certify and declare as follows: that I bring up this  
 Land Patent in my name.

DESCRIPTION OF PROPERTY

The character of said property so sought to be patented and  
 legally described and referred under patent number listed above is:  
 Patent is recorded at Klamath County Clerk and Records Office,  
 Book \_\_\_\_\_ Page \_\_\_\_\_,

and it is the only way a perfect title can be had in my name,  
 Wilcox vs. Jackson, 13 Pet. (U.S. 498, 10 L. ED 214) 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 and Receiver. 9. Wall. (U.S. 575 19 L.  
 ED 681).

NOTICE IN EFFECT OF LAND PATENT

A grant of land is a public law standing on the statute books  
 of the State, and in notice to every subsequent purchaser under any  
 conflicting sale made afterward. Wineman vs. Gastrell, 54 FED 819.

Where the United States has parted with title by a patent  
 legally issued and open surveys legally made by itself and approved  
 by the proper department the title so granted cannot be impaired by  
 and subsequent survey made by the Government for its own purposes:  
 Cage vs. Danks, 13, LA. ANN. 128.

LAND TITLE AND TRANSFER

The existing system of land transfers is a long and tedious  
 process involving the observance of many formalities and technical-  
 ities, a failure to observe any one of which may defeat title, even  
 when these have been most carefully complied with, and where the  
 title has been traced to its source, the purchaser must at his peril,  
 there always being in spite of the utmost care and expenditure, the  
 possibility that his title may turn out bad. (Yeakell Torrence  
 System 209.)

If this land patent is not challenged within 60 days in a court  
 of law by someone, or by the Government, it then becomes my property,  
 as no one has followed the proper steps to get legal title, the  
 final certificate or receipt acknowledging payment in full by home-  
 steader or pre-emptioner is not in legal effect a conveyance of  
 land, (U.S. vs. Steenerson, 50 FED 504, 1 BCA 552, 1 U.S. APP 322).

A land patent is conclusive evidence that the patent has complied  
 with the Act of Congress as concerns have proven on the land, etc.,  
 (Jankins vs. Gibson, 13 LA ANN 203).

Dated this 19 day of November, 1984

STATE OF OREGON  
 COUNTY OF KLAMATH

} SS.

Gary O. Reil  
 Gary O. Reil

84 NOV 15 PM 1 03

12121

33333

19482

FORM NO. 23 — ACKNOWLEDGMENT  
STEVENS-NEER LAW PUB. CO., PORTLAND, ORE.

STATE OF OREGON,

County of

Klamath

ss.

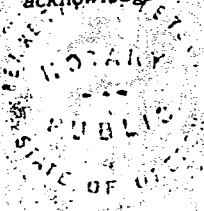
BE IT REMEMBERED, That on this 19 day of November, 1984,  
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within  
named Gary D. Peil

known to me to be the identical individual..... described in and who executed the within instrument and  
acknowledged to me that..... executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed  
my official seal the day and year last above written.

Bernetha J. Patsch  
Notary Public for Oregon.

My Commission expires 12-29-85



# The United States of America,

Us all to whom these presents shall come, Greeting:

WHEREAS, by the Act of Congress approved July 2, 1864 (13 Stat., 365), entitled "An Act granting lands to aid in the construction of a Railroad and Telegraph Line from Lake Superior to Puget's Sound, on the Pacific Coast, by the Northern Route," and the Joint Resolution of May 31, 1870 (16 Stat., 378), there was granted to the Northern Pacific Railroad Company, its successors and assigns, for the purpose of aiding in the construction of said railroad and telegraph line, and branch, to the Pacific Coast, "every alternate section of public land, not mineral, designated by odd numbers, to the amount of twenty alternate sections per mile on each side of said railroad line, as said company may adopt, through the Territories of the United States, and ten alternate sections of land per mile on each side of said railroad whenever it passes through any State, and whenever on the line thereof the United States have full title, not reserved, sold, granted or otherwise appropriated, and free from pre-emption or other claims or rights, at the time the line of said road is definitely fixed, and a plat thereof filed in the office of the Commissioner of the General Land Office;" and

WHEREAS, it is further provided that "whenever, prior to said time, any of said sections, or parts of sections, shall have been granted, sold, reserved, occupied by homestead settlers or pre-empted, or otherwise disposed of, other lands shall be selected by said company in lieu thereof, under the direction of the Secretary of the Interior, in alternate sections and designated by odd numbers, not more than ten miles beyond the limits of said alternate sections;" and

WHEREAS, official statements from the Secretary of the Interior have been filed in the General Land Office, showing that the Commissioners appointed by the President, under the provisions of the fourth section of the first named act, have reported to him that the said

Northern Pacific Railroad and Telegraph Line, and Branch, excepting that portion between Wallula, Washington, and Portland, Oregon, declared forfeited by the Act of September 29, 1890 (26 Stat., 496), have been constructed and fully completed and equipped in the manner prescribed by the Act relative thereto, and the same accepted; and

WHEREAS, there has been filed in the office of the Secretary of the Interior evidence showing that the Northern Pacific Railway Company is the lawful successor in interest to the Northern Pacific Railroad Company as to all lands within the limits of the grant made to the said Northern Pacific Railroad Company by the Act of July 2, 1864 (13 Stat., 365), and all subsequent legislation; and

WHEREAS, by the Act of Congress approved July 1, 1898 (30 Stat., 597-620), authority is given the Northern Pacific Railroad Company, or its successor in interest, under certain conditions expressed therein, to relinquish to the United States certain lands within either the granted or indemnity limits of its grant, and to select in lieu thereof "an equal quantity of public lands, not mineral or reserved, and not valuable for stone, iron or coal; and free from valid adverse claims or not occupied by actual settlers at the time of such selection, situated within any State or Territory into which such railroad grant extends," and it is provided that "patent shall issue for the land so selected as though it had been originally granted;" and

WHEREAS, the following described lands have been selected by the duly authorized agent of the Northern Pacific Railway Company, under the provisions of the Act of July 1, 1898, aforesaid, and the lands given as bases therefor are within the limits of the grant, lie opposite the constructed line of the company's road, and have been relinquished to the United States, in accordance with the requirements of said Act, and the relinquishments duly accepted, as follows, to-wit:

19485

Willamette Meridian - Oregon.

Township thirty-four south of Range seven and one-half east.

The Lot fifteen and the southwest quarter of the southeast quarter of Section four; and the Lot five of Section five;

Township six south of Range thirteen east.

The southeast quarter of the southwest quarter and the southwest quarter of the southeast quarter of Section nine; and the southwest quarter of the northeast quarter of Section fifteen;

Township nine south of Range fourteen east.

The southeast quarter of the southwest quarter and the south half of the southeast quarter of Section thirteen; and the south half of the northeast quarter of Section twenty-four;

Township nine south of Range fifteen east.

The Lots three and four of Section seven; the Lots one and three and the southwest quarter of the southeast quarter of Section eighteen; the west half of the southeast quarter of Section nineteen; and the west half of the northeast quarter and the southeast quarter of the northwest quarter of Section thirty;

Township four south of Range sixteen east.

The northeast quarter of the southwest quarter of Section four; and the southeast quarter of the northeast quarter of Section seventeen;

Township seven south of Range sixteen east.

The northeast quarter of the northeast quarter of Section fourteen;

Township twenty-nine south of Range seventeen east.

The Lots three and four and the southeast quarter of the southwest quarter of Section thirty-one;

Township nine south of Range nineteen east.

The southeast quarter of the southeast quarter of Section four;

Township ten south of Range nineteen east.

The northwest quarter of the northeast quarter of Section ten;

Township nine south of Range twenty-four east.

The southeast quarter of the southwest quarter of Section twenty-four; and the north half of the southwest quarter of Section thirty-five;

Township eighteen south of Range twenty-five east.

The southeast quarter of the northwest quarter of Section twenty-five;

Township fifteen south of Range twenty-seven east.

The southeast quarter of the northeast quarter of Section two;

Township three south of Range twenty-nine east.

The northeast quarter of the northwest quarter of Section twenty-five;

Township twenty-seven south of Range thirty east.

The southeast quarter of the northeast quarter of Section twenty-five;

Township thirty-eight south of Range thirty-three east.

The northeast quarter of the southeast quarter of Section twenty-six;

Township thirty-eight south of Range thirty-four east.

The northeast quarter of the northwest quarter of Section twenty-eight;

Township twenty-three south of Range thirty-six east.

The northeast quarter of the southwest quarter of Section four; and the southwest quarter of the northeast quarter of Section eight;

Township twenty-four south of Range eleven west.

The Lot four of Section twenty-one;

Township thirty-one south of Range twelve west.

The Lot one and the southeast quarter of the northeast quarter of

19487

4-2044

Section six:

Containing, in the aggregate, one thousand seven hundred three and seventy-two-hundredths acres:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and pursuant to said Acts of Congress, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said Northern Pacific Railway Company, successor in interest to the Northern Pacific Railroad Company, its successors and assigns, the tracts of land selected as aforesaid and embraced in the foregoing; TO HAVE AND TO HOLD the said tracts, with the appurtenances thereof, unto the said Northern Pacific Railway Company, successor as aforesaid, and to its successors and assigns forever. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I,

Woodrow Wilson

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

THIRD

day of NOVEMBER

in the year of our Lord one thousand

nine hundred and

FIFTEEN

and of the Independence of the

United States the one hundred and

FORTIETH.

By the President:

By

*Woodrow Wilson*  
*M. A. Le Roy* Secretary  
*L. B. Lamar*  
 Recorder of the General Land Office

RECORD OF PATENTS Patent Number

496800

5

STATE OF OREGON: COUNTY OF KLAMATH: ss  
 I hereby certify that the within instrument was received and filed for  
 record on the 19th day of November A.D., 19 84 at 1:03 o'clock p M,  
 and duly recorded in Vol M84, of \_\_\_\_\_, Deeds \_\_\_\_\_ on page 10491.

Fee: \$ 29.00

EVELYN BLEHN, COUNTY CLERK

by: *[Signature]*, Deputy