



Johann Nikolaus Guido Franciskus Becker, in esse
c/o Postmaster, Post Office 51501
Council Bluffs, Iowa state

9 June 2005

To: Judy Ann Miller, in esse, DBA Pottawattamie County Treasurer

Certified Mail # 7004 2510 0003 0909 7603

Marilyn Jo Drake, in esse, DBA Pottawattamie County Auditor 7005 0390 0006 5233 4434

Steven Palm, in esse, DBA Pottawattamie County Assessor

Melvyn Houser, in esse, DBA Pottawattamie County Board Chairman 7005 0390 0006 5233 4427

Matthew Wilber, in esse, DBA Pottawattamie County Attorney

Jefferey D. Danker, in esse, DBA Pottawattamie County Sheriff

Pottawattamie County, 227 S. 6th Street, Council Bluffs, Iowa state

Subject: Affidavit-Offer to "Discharge Property Taxes"

1. Attached is a copy of this Man's affidavit, filed for record with the Pottawattamie County Recorder, on 3 June 2005, offering to pay all lawfully owed "property taxes." Request you respond to this offer within 20 work days of receipt of this communication or by silence you are presumed to accept the provisions of the Affidavit as truth and agreement. This Man rightfully presumes that you are completely knowledgeable of all Iowa and U.S. law, code, regulations, etc, which control and authorize your respective duties, tasks, responsibilities, and accountabilities - "Ignorance of the law is no excuse!"

2. Unless this Man receives a written statement of proof of claim to the contrary this Man disclaims any validity of nor recognizes the Iowa code in application to this Man and His private Homestead/Domain, however, Dennis D. Bloom, in esse, DBA "Koufax Partnership" (ID: 421-47-5002) has failed to comply with the color of law Iowa Code Chapter 447 and cannot proceed with the fraudulent transaction to attempt theft of this Man's Homestead/Domain.

3. Specifically, until this Man receives the 90-day notice from the "tax sale purchaser" in accordance with Sections 447.9 and 447.12, Iowa code, and that all "requirements of this code" are accomplished, no further action can be contemplated in the conspiracy between **Judy Ann Miller [DBA Treasurer] and Dennis D. Bloom [DBA Koufax Partnership]**, to steal My Homestead/Domain - and that any affidavit claiming "notice of service" emitted by the "tax sale purchaser" is perjury. Sec 447.12: **"The right of redemption shall not expire until ninety days after service is complete."** There has been NO SERVICE to date.

4. In addition, unless this Man receives written statement of proof of claim to the contrary, issuance of any type of color of law "Deed" by Judy Ann Miller conveys NO ownership whatsoever in My Homestead/Domain. The "tax sale purchaser" - unless this Man receives written statement of proof of claim to the contrary - must also monetarily extinguish the current existing lien of \$25,000,000.00 on My Homestead/Domain prior to making any type of claim on My Homestead/Domain [see BK103 PG 52513 of the County Recorder's books for the lien].

5. **To Judy Ann Miller:** Request response on status of compliance with Chapter 447, Iowa Code, by the "tax sale purchaser."

Not an accommodation, all rights reserved w/o prejudice
Johann Nikolaus Guido Franciskus Becker, in esse

7005 0390 0006 5233 4434

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COUNCIL BLUFFS IA 51501

Postage \$0.83

Certified Fee \$2.30

Return Receipt Fee
(Endorsement Required) \$0.00

Restricted Delivery Fee
(Endorsement Required) \$0.00

Total Postage & Fees \$3.13

0501

09

Postmark
Here



Sent To *MARLYN JO DEANE*

Street, Apt. No.,
or PO Box No.

City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions

7005 0390 0006 5233 4427

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COUNCIL BLUFFS IA 51501

Postage \$0.83

Certified Fee \$2.30

Return Receipt Fee
(Endorsement Required) \$0.00

Restricted Delivery Fee
(Endorsement Required) \$0.00

Total Postage & Fees \$3.13



Sent To *Melvin Humer*

Street, Apt. No.,
or PO Box No.

City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions

7004 2510 0003 0909 7603

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COUNCIL BLUFFS IA 51501

Postage \$0.83

Certified Fee \$2.30

Return Receipt Fee
(Endorsement Required) \$1.75

Restricted Delivery Fee
(Endorsement Required) \$0.00

Total Postage & Fees \$4.88

0501

09

Postmark
Here



Sent To *Judy Ann Miller, in care, Pott. Cty. Treasurer*

Street, Apt. No.,
or PO Box No. *40227 S. 6th Street*

City, State, ZIP+4
Council Bluffs, Iowa 5 state

PS Form 3800, June 2002

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*JUDY ANN MILLER, in care,
 DBA POTTAWATTAMIE COUNTY
 TREASURER
 c/o 227 S. 6th Street
 Council Bluffs, Iowa state*

2. Article Number

(Transfer from service label)

7004 2510 0003 0909 7603

PS Form 3811, February 2004

NON-Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Robbe Chalklett ☐ Agent
☐ Addressee

B. Received by (Printed Name)

R Chalklett

C. Date of Delivery

6/13/05

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

Need autograph, printed name + date.

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

102595-02-M-1540

**enw*
Johann Nikolaus Guido Franciskus Becker
c/o Postmaster
Post Office #51501
Council Bluffs, Iowa state

COMPARED

FILED FOR RECORD
POTTAWATTAMIE CO., IA.

2005 JUN -3 PM 2: 28

JOHN SCIORTINO
RECORDER

INST # 22772
RECORDING FEE 55.00
AUDITOR FEE _____
RMA FEE 1.00 ECOM 1.00

Affidavit

Offer to Discharge "Property Taxes"

Be it known: Johann Nikolaus Guido Franciskus Becker, in esse, with all rights reserved/retained, not an accommodation, being duly sworn, says: He is past the age of twenty-one; is competent to testify to the matters stated herein; knows the penalties of perjury and bearing false witness against His fellow man; has personal first hand knowledge of the facts stated below, and the facts stated are true and correct, complete, not meant to mislead, and are admissible as evidence. My word is My Bond and My hand is My seal.

1. Legal description of the "property" referenced herein as "Homestead/Domain" :

"FILE: P9120478 - A parcel of land located in part of the NE 1/4 NW 1/4 and part of the NW 1/4 NE 1/4 in Section 9, Township 74 North, Range 43 West of the 5th P.M., Pottawattamie County, Iowa, described as follows: Commencing at the N 1/4 corner of said Section 9-74-43, thence S 0°52'30"W 272.68 feet to the point of beginning, thence S 0°03'08"W 54.64 feet, thence S 89°30'00"E 561.38 feet, thence N 3°32'37"E 296.80 feet to a point on the South R.O.W of U.S. Highway 92, thence along said R.O.W. the following courses: N 88°14'02" W 217.88 feet, S 74°59'50"W 381.20 feet, N 83°47'38"W 200.87 feet; thence S 34°24'47" W 214.49 feet to a point 33 feet Easterly from the centerline of a county road (Concord Loop Road), thence along said R.O.W. S 25°09'15" W 14.00 feet, thence departing said R.O.W. N 86°01'22"E 334.00 feet to the point of beginning. Said total parcel contains 4.55 acres m/l excluding any public R.O.W. NOTE: Bearings are assumed and based on a survey plat completed by Nance Engineering dated 12/20/67."

[Generally having the "postal service address:" 20425 Concord Loop, Pottawattamie county]

2. According to the abstract of title covering the Homestead/Domain (see para 13, Definitions) of this Man, the original land patents (2) were filed at "U.S. Rec. 4, page 209, Certificate #1760, 15 June 1855 - a certified copy of which form a part of the records of Pottawattamie County, Iowa;" and "Warrant #64,363, dated 16 February 1857, a certified copy of which was filed 18 March 1909 in Pottawattamie county book 426, page 533." The United States Bureau of Land Management has provided to this Man by request, certified copies of both land patents which are identified as to source:

Certificate #1760 Type: Cash Vol Nbr 3 Page Nbr 209; and
Warrant #64,363 Type: Warrant Vol Nbr 1119, Page Nbr 307.

3. The following available documents were filed for record at the office of the Pottawattamie County Recorder- unless otherwise noted - by this Man [dates are of execution]:

Book 100 PG 30338 - Warranty Deed to Becker, 10 Dec 1999
Sec of State, Iowa - Notice of Declaration of Assign's update of Land Patent, 31 Jan 2003
Book 103 PG 47600 - Notice of Declaration of Assign's update of Land Patent, 31 Jan 2003
Book 103 PG 44486 - Certificate of Land Title, 31 Jan 2003
Book 103 PG 44487 - Quit Claim Deed to the Man, in esse, 31 Jan 2003.
Book 103 PG 44488 - Declaration of status, 31 Jan 2003.
Auditor's Office - Revocation of privilege of suffrage, 31 Jan 2003 (receipt)

BK105PG22696

Book 103 PG 46117 – Power of Attorney, 21 Feb 2003.

Book 103 PG 52513 – UCC 3-03, Lien on this Man's Homestead/Domain, 23 April 2003

Book 103 PG 52513 – Absolute Title by Land Patent by Holder in Due Course, 31 Jan 2003.

Book 103 PG 5213 – Declaration of Homestead, 31 Jan 2003.

4. This Man, in esse, mailed His letter of 5 May 2005, Subject: "Statement of Account" (attachment 1) to the following Men/Women, DBA Actors in the **Pottawattamie County: Board of Supervisors:** Melvyn Houser, Delbert King, Loren Knauss, Lynn Leaders, and Betty Moats; **Auditor:** Marilyn Jo Drake; **Treasurer:** Judy Ann Miller; **Assessor:** Steve Palm; **Attorney:** Matt Wilber; and **Sheriff:** Jeff Danker [hereinafter: Actors].

5. No response has been received to that letter requesting a statement of account and other payoff information from any of these Actors with one exception - see attachment 2, hereinafter referred to as "certificate" – **allegedly** from "Judy Ann Miller, Treasurer, Pottawattamie County" indicating an alleged claim. This said "certificate" (a) is without autograph from any party, (b) fails to provide validation and verification of the alleged claim; (c) is not under penalty of perjury; and (d) is without certification for being true, correct, certain, and not intending to mislead.

valid - of binding force; legally sufficient or efficacious; authorized by law; founded on truth of fact.

verify - to confirm or substantiate by oath or affidavit or deposition. Affidavit of truth of matter stated and object of verification is to assure good faith in averments or statements of party.

6. Offer to Discharge: This Man, in esse, now offers to discharge [pay] all lawfully, i.e. constitutionally, owed "property taxes" ALL conditional on My timely receipt of **evidence, a written statement of claim, and proof of claim all to the contrary --**

all under Oath or Affirmation of Public Office per your Constitution of the compact States per Article the Sixth at Clause the Third thereof, and per your Iowa Constitution per Article the Eleventh at Section Five, under Penalties of Perjury, and submitted under Bond in the minimal amount of Quadruple Damages of the alleged amount "owed" [forty-eight thousand dollars] in Silver coin in specie by and from the Men and Women, in esse, DBA Pottawattamie county Board of Supervisors, Auditor, Assessor, and Treasurer, singly and/or collectively -

that:

- a. there exists no lawful instrument of liability for your claimed "taxes" which applies to this Man and his Homestead/Domain; and/or
- b. there exists no two party contract autographed by this Man with blue or red ink who consents to paying "property taxes;" and
- c. there exists no Iowa law which clearly and unequivocally
 - creates a tax liability on this Man and His Homestead/ Domain, and
 - requires this Man to pay such "taxes," and
 - gives anyone jurisdiction over this Man and His Homestead/Domain;
- d. the Actors in para 4 above - singly or collectively - DBA "Pottawattamie County," and/or the State [Iowa]
 - (1) do not have an ownership or collateral interest in or claim on My Homestead/Domain; and/or
 - (2) do not have the right to sell My private Homestead/Domain, i.e., to sell property they do not own; and
 - (3) do not have the right nor authority to come/stand between (a) the Patentee/His Heirs/Assigns, and (b) a United States of America Land Patent which ceded land with appurtenances by Presidential Executive Order to the Patentee/His Heirs/Assigns forever [eternity] as outlined in and by the documents filed for record in para 2 and 3 above; and

- e. the Actors above **DO** have an oath of office and are sworn to support and defend the Constitution of the United States and that of the State of Iowa, and thus **DO** have a sworn duty to protect and defend this Man's constitutionally guaranteed unalienable rights; and finally
- f. there exists no "United States money of account" with which to "pay" the alleged "tax obligation" and that this Man is not required to pay in money other than gold and silver which is not available in general circulation. [see para 12 and attachment 3].

7. Iowa Code:

"561.16 Exemption. The homestead of every person is exempt from judicial sale where there is no special declaration of statute to the contrary."

"561.21 Debts for which homestead liable. The homestead may be sold to satisfy debts of each of the following classes:

- 1. Those contracted prior to its acquisition, but then only to satisfy a deficiency remaining after exhausting the other property of the debtor, liable to execution.
- 2. Those created by written contract by persons having the power to convey, . . .
- 3. Those incurred for work done or material furnished exclusively for the improvement of the homestead."

"446.27 Liability of treasurer.

- 1. If the county treasurer, deputy treasurer, or other designated employee sells or assists in selling any parcel, knowing it is not subject to taxation or that the amount for which it is sold has been paid, or knowingly and willfully sells or assists in selling a parcel to defraud the owner, or knowingly and willfully executes a deed for such a parcel sold, the treasurer, deputy treasurer, or designated employee is guilty of a serious misdemeanor and liable to pay the injured party all damages sustained as a result of the illegal sale.
- 3. Sales made in violation of this section are void."

- 8. As part of proof of claim to the contrary, conditioning this Man's discharge of "taxes,"
 - a. the county Actors must produce proof of claim that they are not required to comply with Iowa Code 561.16 nor to produce "*special declaration of statute to the contrary*;" and
 - b. since Iowa code 561.21 prohibits the sale of a homestead for any "debt" other than that listed, the County Treasurer - who is subject to Iowa Code 446.27 - must produce proof of claim that she has not wrongfully placed this Man's Homestead/Domain in a "tax sale" nor to be held liable for damages sustained as a result of this "tax sale;" and
 - c. the Board of Supervisors, the County Assessor, and the County Auditor must produce proof of claim that they have not approved and levied unverified, invalid assessments and taxes on this Man's Homestead/Domain.
- 9. In addition, the "tax sale purchaser" - Dennis D. Bloom, c/o 801 E. Prospect Street, Red Oak, Iowa, and unknown others DBA "Koufax Partnership", PO Box 56, Red Oak, Iowa - not only failed to comply with Iowa Code Chapter 447 but must provide proof of claim to the contrary that "Bloom/Koufax" is not estopped from further action AND that actions in concert with the County Treasurer were not taken to defraud this Man of His Homestead/Domain after having been informed by specific Public Notice [see attachment 4] on 16 June 2003 ["tax sale" date] that the "tax sale" on this Man's Homestead/Domain was deemed fraud resulting from and by previous silence of no response from the Actors above.

10. **Communications.**

a. In addition to the formal documents filed for the record (para 3 above), the Board of Supervisors, the County Treasurer, the County Auditor, and the County Assessor were informed by this Man prior to the 16 June 2003 tax sale that His Homestead/Domain was not subject to taxation by: "Claim by Affidavit" w/attachments, executed 2 May 2003, with proof of service dated 8 May 2003. All Actors failed to respond. A followup default notification, "Notice to Desist", 19 May 2003 was sent – again with no response.

b. All "tax bills," "tax notices" and "tax delinquent notices" presented by the County Treasurer from August 2001 to present time were all returned to the County Treasurer as invalid and unverified claims in six separate letters of communication – the first dated 29 September 2001 – all without response -- see Iowa Code 554.3501.2(b) and (c) [uniform commercial code: UCC 3.501(b) (2) and (3)].

c. The last extensive communication to the Actors was this Man's letter: "Property Tax and Property Tax Statement" executed 14 September 2004 and by proof of service received on 16 September 2004, to which no response has been received. Copies of all the documents can be found at the Sheriff's office or can be provided selectively by this Man.

11. The Actors mentioned above have had more than two years to produce such proof of claim, as evidenced by previous written communications to them, but have chosen so far not to do so. No response, or response not containing requisite proofs of claims admit tacit agreement that no taxes are owed nor existed in the first place. **Rejection of this offer explicitly or by silence discharges any alleged obligation.**

"Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading."

--United States v Tweel, 550 F.2nd 297 (1977); United States v. Prudden, 424 F.2nd 1021 (5th Cir, 1970).

"In the interpretation of statutes levying taxes it is the established rule not to extend their provisions, by implication, beyond the clear import of the language used, or to enlarge their operations so as to embrace matters not specifically pointed out. In case of doubt they are construed most strongly against the government, and in favor of the citizen. United States v. Wigglesworth, 2 Story, 369, Fed. Cas. No.16,690; American Net & Twine Co. v. Worthington, 141 U.S. 468, 474 , 12 S. Sup. Ct. 55; Benziger v. United States, 192 U.S. 38, 55 , 24 S. Sup. Ct. 189."

--U.S. Supreme Court GOULD v. GOULD, 245 U.S. 151 (1917)

12. **Money & Constitutional Issues** [see attachment 3]:

- a. United States Constitution, Article I, Section 8, Clause 5: "Congress shall have power to coin Money and regulate the Value thereof," and Section 10: "No State shall make any Thing but gold and silver Coin a Tender in Payment of Debts."
- b. Constitution prohibits the State of Iowa [a State corporation] **requiring** any of its inhabitants to tender payment of debt **in other** than gold or silver. Since gold and silver is not in general circulation and federal reserve notes are not denominated in gold or silver, it is impossible to execute **payment** of property taxes **unless voluntarily offered** and accepted by the State or its agent, the County [a State corporation], **in other than gold and silver.** [see attachment 3]

13. Definitions:

domain. The ownership of land – immediate and absolute, paramount and ultimate; land of which a person is the absolute owner. "The land of one who has paramount title and absolute ownership,

People v Shearer, 30 Cal 645, 658." "The complete and absolute ownership of land; a paramount and individual right of property in land. People v Shearer, 30 Cal 658. Also the real estate so owned.

homestead. "The home, the house and the adjoining land where the head of the family dwells; the home farm. The fixed residence [home] of the head of a family, with the land and buildings surrounding the main house. Oliver v Snowden, 18 Fla. 825, 43 Am.Rep. 338. Technically, and under the modern homestead laws, an artificial estate in land, devised to protect the possession and enjoyment of the owner against the claims of his creditors, by withdrawing the property from execution and forced sale, so long as the land is occupied as a home. Buckingham v Buckingham, 81 Mich. 89, 45 N.W. 504."

homestead, declaration of. A statement of the fact of claiming a homestead exemption describing the property selected and filed with the county recorder for the purpose of showing the world that the occupants claim their homestead rights in the property.

homestead right. The personal right to the beneficial, peaceful and uninterrupted use of the home property free from claims of creditors. "A quality annexed to land whereby an estate is exempted from sale under execution for debt."

14. This Man accepts and validates the oath of public office of each of the above Actors as a contract between each Actor and this Man to fully protect this Man's rights, and failing proof of claim to the contrary each Actor assumes contractually the responsibility associated with his/her sworn oath of office to this Man.

15. Failure to respond, answer, and rebut point for point this affidavit within 20 work days of receipt by the parties to whom it applies and/or is sent for notice - i.e. the Men and Women DBA Pottawattamie County Board of Supervisors, Treasurer, Assessor, Auditor, Attorney, Sheriff, and the "Tax Sale Purchaser": Dennis D. Bloom and others DBA "Koufax Partnership," and any other party who may be interested - will establish this affidavit and its statements as truth in the matter addressed and establish all elements of paragraphs six and eight as truth.

Legal maxim: Qui tacet, consentire vidatur: He who is silent is deemed to consent.

16. **MAILING ADDRESS.** Since this Man does not receive mail at His Homestead/Domain in Pottawattamie county, please forward all statements and correspondence to the name and location exactly as shown at the top of page 1 in correct upper and lower case. Please update your records to reflect this mailing address. All rights reserved/retained without prejudice.

3 Atch

1. Ltr: Statement of account
2. Certificate "presentment"
3. Money - Constitutional Issue
4. Public Notice, 6/16/03

not an accommodation,
Johann Nikolaus Guido Franciskus Becker, in esse


Autograph

Iowa state)
county of Pottawattamie)

The above Man, Johann Nikolaus Guido Franciskus Becker, in esse, personally appeared before Me on this 3rd day of June 2005 and identified to Me by proper means, did verify and subscribe this **Affidavit and Offer to Discharge Property Taxes** as His free and voluntary act and deed before Me and thereby witness My hand and official seal.

SEAL:

10-04-07
My commission expires


Notary Public - autograph

Mailing location: 1851 Madison Ave. Suite 732



Co. Bluffs, IA 51503

c/o postal service address;
Post Office Box 3507
Omaha, Nebraska [68103]

5 May 2005

To: Marilyn Jo Drake, Auditor, Certified Mail: #7001 2510 0005 2332 8890
Judy Ann Miller, Treasurer, Certified Mail: #7001 2510 0005 2331 7528
Melvyn Houser, Chmn Board of Supervisors, Certified Mail #7001 2510 0005 2332 8906
Delbert King, Loren Knauss, Lynn Leaders, Betty Moats.
Steve Palm, Assessor
Matt Wilber, County Attorney
Jeff Danker, Sheriff

POTTAWATTAMIE COUNTY, 227 S. 6th Street, Council Bluffs, Iowa 51501

Subject: Statement of account / payoff

Re: County Land ID Nbr: "Parcel 049 049016009015574001000" [20425 Concord Loop]

1. The above "parcel" is the designation of My Homestead Domain in the county system of accounts (see legal description). In order for Me to be in a position of knowledge and accuracy of payment, request you forward to Me immediately – within three work days – the following:

a. A written valid and verified complete line by line statement of account for the parcel number above; and

b. A written valid and verified complete listing of all - if any - pro-rated county bond or other encumbrances and/or alleged "claims of debt" on My Homestead Domain; and

c. A written valid and verified detailed description of all alleged payoff amounts for any reason - as of the end of May 2005 – describing:

(1) to whom these payoff amounts are "owed," and

(2) for what reasons they are "owed" with specific time periods covered, i.e., "property taxes," "tax sale amounts," "interest," and all other, and

(3) the "time deadlines" for each to be paid, with stated consequences if not paid or paid late.


d. Please identify the specific man/woman who has lawful responsibility and accountability for each category of the above information – who will autograph all statements - along with the correct office or entity to receive communications.

2. **MAILING LOCATION.** Since I do not receive U.S. mail at My homestead in Pottawattamie county, please forward all statements and correspondence to Me at the postal service address shown at the top. Please update your records to reflect this mailing address.

3. All rights reserved/retained without prejudice.

Thank you.

Without accommodation
by: Johann Nikolaus Guido Franciskus Becker



Attachment 1

CERTIFICATE OF REDEMPTION FROM TAX SALE
TREASURER'S OFFICE, POTTAWATTAMIE COUNTY, STATE OF IOWA

CERTIFICATE # 03/1140

DIST LEWIS TWP/LEWIS CENTRAL TAXED TO: BECKER, JOHANN NIKOLAUS GUIDO
049 PARCEL 049016009015574001000
TAX SALE GRAND TOTAL 4,255.00
2% INTEREST(24 MONTHS X SUBTOTAL) = 2,042.00

SUBSEQUENT TAXES WORKSHEET:
PAID 1029/2003(1,963.00) 1,963.00
2% INTEREST(20 MONTHS X SUBTOTAL) = 785.00

PAID 0427/2004(1,963.00) 1,963.00
2% INTEREST(14 MONTHS X SUBTOTAL) = 550.00

PAID 1028/2004(1,931.00) 1,931.00
2% INTEREST(8 MONTHS X SUBTOTAL) = 309.00

PAID 0429/2005(1,931.00) 1,931.00
2% INTEREST(2 MONTHS X SUBTOTAL) = 77.00

TOTAL TAX, INTEREST, AND COSTS 15,806.00
CERTIFICATE FEE 10.00
SERVING NOTICE, PUB. COSTS, NOTICE OF EXPIRATION, ETC.

GRAND TOTAL TO REDEEM 15,816.00

TOTAL INTEREST EARNED: \$ 3,763.00 FROM 06/16/2003

I, JUDY ANN MILLER TREASURER OF POTTAWATTAMIE COUNTY, IOWA,
DO HEREBY CERTIFY THAT THE LAND HEREIN DESCRIBED, SOLD FOR THE DELINQUENT TAXES
ON JUNE 16, 2003 AND SUBSEQUENTLY ASSIGNED TO:

HAS BEEN REDEEMED BY
BY THE PAYMENT TO THE TREASURER OF THE AMOUNT OF \$ 15,816.00 , WHICH
AMOUNT INCLUDES ALL REDEMPTION FEES.

DATE MAY 06, 2005

TREASURER OF POTTAWATTAMIE COUNTY,

Received 12 May 05
Judy Ann Miller
Treasurer, Pottawattamie County
227 So. 6th Street • Council Bluffs, Iowa 51501



Johann Becker
PO Box 3507
Omaha, NE 68103

ATCH 2



Money and Constitutional Issue

Source: "Miracle on Main Street" by F. Tupper Saussy, 6th printing, 1984, Emissary Publications, Clackamas, Oregon.

1. United States Constitution, Section 10: "No State shall make any Thing but gold and silver Coin a Tender in Payment of Debts."

Comment: This section doesn't prohibit the State from accepting paper money. It merely prohibits the state from declaring that things other than gold and silver coin are lawful tender. When the state attorney general is asked: "What does the state declare is legal tender?" He **MUST** answer "Gold and Silver coin."

2. 31 USC 371: "The money of account of the United States shall be expressed in dollars or units, dimes or tenths, cents or hundredths, and mills or thousandths, a dime being the tenth part of a dollar, a cent the hundredth part of a dollar, a mill the thousandth part of a dollar; - and all accounts in the public offices and all proceedings in the courts shall be kept and had in conformity to this regulation."

Comment: Thus, it is federal regulation that all accounts in the public offices and all proceedings in the courts must be conducted in whatever has been declared to be "the money of account of the United States," this money being expressed - or measured - in "dollars." The dollar is NOT the money of account; it is the UNIT by which the money of account is measured. A dollar therefore, is neither a coin nor a piece of paper, but simply the name of the unit by which the value of money is measured, just as "quart" is the name of a unit by which liquid is measured. A dealer selling a car for "1500 quarts" would surely be asked "Quarts of *what*?" Where, then, is the frivolity in asking of a \$15 parking ticket, "Fifteen dollars of *what*?"

If any property or sales tax form or citation -- any bill from State or local government, even a parking ticket -- is labelled "Dollars," (or not labelled anything) one has the right to ask the State if it means dollars of the money of account of the United States, and if so, what is the money of account?? When courts and public offices require you to pay in dollars, the dollars must - by the above law - be dollars (or units) of "the money of account of the United States."

There will be no State law declaring paper to be a tender in payment of debts as it would be a flagrant violation of Art I Sec 10.

3. Coinage Act of April 2, 1792. This act specifically declared gold and silver to be "as money in the United States."

When Congress eliminated the money of account of the United States from the banking system in 1933 without declaring a replacement, it created the astonishing result that neither our courts nor our public offices are complying with 31 USC 371. Federal Reserve notes and all those . . . instruments of Federal Reserve banking may be "money," but they've never been declared to be the "money of account of the United States" as gold and silver have. They may even be measured in dollars or units, but not in dollars or units of the "money of account of the United States." Federal Reserve notes can be a tender *for* debts, and they may even be "lawful" money, in the sense that they've never been specifically declared Unlawful, **but they are NOT the money of account of the United States** that is measured in dollars in which "all accounts in the public offices and all the proceedings in the courts shall be kept and had." Should there be any doubt, ask any judge or attorney general or experienced attorney to show you legislation that disproves this. (P.56)

4. County Attorney Guy Curtis for Chase County, Nebraska wrote (in his private attorney capacity) on October 3, 1982:

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"My opinion to your inquiry regarding the payment of your tax debt . . . is applicable to any state . . . Article I, Section 10 requires the state . . . to denominate your tax debt in gold or silver coin. Unless and until the state authority denominates your tax debt in gold or silver coin, you are legally immune from such tax, since any assessment repugnant to Article I, Section 10 is absolutely void . . .

The stereotyped response by the state attorney general is to cite the federal legal tender law and peremptorally claim that it overrides the state's obligation under Art. I, Sec 10. That this "supremacy" argument is spurious is proved by the fact that the mandate of Art I, Sec 10 comes from the U.S. Constitution itself and is the supreme law of the land. The feds can insure their fiat paper money decree for payment of debts between individuals and for payment of federal taxes and debts, but not between states and their citizens." (p.94)

5. A Kansas municipal Judge Moritz issued this caveat: "It is clear by Article I section 10 of the United States Constitution and by Title 31 Section 371 of the United States Code that this Court can only make gold and silver coin a tender in payment of debts. However, this court will accept other forms of money such as Federal Reserve notes or personal checks *if voluntarily tendered*." (p.93)

6. If there is no law entitling the State to enforce payment in paper money, and if the State cannot tell Me what the money of account of the United States is, We have reached an impasse that says "as soon as you show Me how I can, I will pay." [assuming proof of claims are valid]

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