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2015-07376

RECORDER MARK BRANDENBURG
POTTAWATTAMIE COUNTY, IA

FILE TIME: 06/12/2015 3:29:14 PM

REC: 15.00AUD: T TAX:

RMA: 1.00ECM: 1.00

R FEE \$ 15.00 RMA \$ 1.00A FEE \$ _____ ECOM \$ 1.00

T TAX \$ _____

The United States of America)
 The state of Iowa) **ss: Notice and Demand to De-Register Private Property**
 The county of Pottawattamie) **Affidavit**

By and For and prepared by:

Johann-Nikolaus Guido Franciskus, family Becker
 w/o the United States, Non-Domestic
 c/o PO Box 1821, Near
 Council Bluffs. Iowa.
 the United States of America.

To: Pottawattamie County Recorder/Registrar of Deeds, Assessor, Auditor, & Treasurer
 227 South 6th Street
 Council Bluffs. Iowa. 51501

A. REFER TO:

1. **"Certificate of Acknowledgment and Acceptance of Deed"** (3pp) by Johann-Nikolaus Guido Franciskus, family Becker, Pottawattamie County Recorder Book 2015, Page 06216, filed 21 May A.D. 2015. (Copy provided.)
2. **"Warranty Deed"** (2pp) to "John Nikolaus Becker", Pottawattamie County Recorder Book 100, Page 30338 (2pp), filed 21 December A.D. 1999.
3. **"QuitClaim Deed"** (2pp) to Johann Nikolaus Guido Franciskus: Becker, Pottawattamie County Recorder Book 103, Page 44487 (2pp), filed 31 Jan A.D. 2003
4. **"Certificate of Land Title"** (2pp) by Johann-Nikolaus Guido Franciskus: Becker, located in Pottawattamie County Recorder Book 103 Page 44486 filed 31 Jan A.D. 2003.
5. **"Public Notice, as a Matter of Record, and Claim of Declaration of Status"** (3pp) by Johann-Nikolaus Guido Franciskus: Becker located in Pottawattamie County Recorder Book 103, Page 44488 filed on 31 Jan A.D. 2003.
6. **"Notice of Declaration of Assign's Update of Land Patent"** (8pp) by Johann-Nikolaus Guido Franciskus: Becker located in Pottawattamie County Recorder Book 103, Page 47600 filed 11 March A.D. 2003.
7. **"Truth Affidavit - Power of Attorney"** (2pp) to Johann-Nikolaus Guido Franciskus: Becker located in Pottawattamie County Recorder Book 103 Page 47600, filed on 11 March A.D. 2003
8. **Amendment P424640** (6pp) to UCC Financing Statement P320864 by Johann-Nikolaus Guido Franciskus: Becker, received by Iowa Secretary of State on 23 April 2003 and filed for record in Pottawattamie County Recorder Book 103 Page 52513 on 6 May A.D. 2003 and contains **"Absolute Title by Land Patent by Holder in Due Course"** (2pp) and **"Declaration of Homestead"** (2pp).
9. **"Notice of Name & Mail Location Correction"** (2pp), by Johann-Nikolaus Guido Franciskus: Becker in Pottawattamie County Recorder Book 2010 Page 011304 filed 22 August A.D. 2010

B. NOTICE:

1. **Whereas:** the above "Certificate of Acknowledgment and Acceptance of Deed" (herein "Certificate") declares and affirms beginning 10 December A.D. 1999 the Private Undersigning-living-Man: Johann-Nikolaus Guido Franciskus, family Becker, **is** the sole and unconditional lawful owner and occupant-with-family of the **private, non-commercial, non-residential land/property** of description therein (see page 3) in use 100% for **private homestead / domicile, dwelling shelter** and **domain** without encumbrance of any kind by or to any government entity/corporation, or any other; **AND**

2. **Whereas:** this lawful owner/Affiant is unaware of, has no proof or evidence of, does not recognize, or acknowledge any actual or presumptive contract with, or trust obligation of any kind to: "POTTAWATTAMIE COUNTY"(sic), "STATE OF IOWA"(sic), and/or "UNITED STATES"(sic) governments/corporations./constructive fictional entities pertaining to his **private property/ domain**; **AND**

3. **Whereas:** this lawful owner/Affiant is unaware of any facts, evidence of, testimony to, or lawful claim of **interest** of any kind in Affiant's **private property**; by any of the above entities, and thus none exists; **AND**

4. **Whereas:** the definitions of words and terms appearing in the above public file-for-record Certificate, paragraph A.1 above, apply to this Notice and Demand; **AND**

5. **Whereas:** all the public record documents in References 1-9 variously and collectively substantiate absolute property rights ownership by Johann-Nikolaus Guido Franciskus. Becker of the **private property with appurtenances** described in the Warranty and Quit Claim Deeds (page 3) with tacit acceptance of such ownership by STATE OF IOWA and POTTAWATTAMIE COUNTY by failure to rebut, object, or offer proof to the contrary, thus standing as truth in this matter; **AND**

6. **Whereas:** this **private property** is not subject to taxes or levy of any kind since the Reference documents of assertion are without rebuttal, objections, or proof of claim to the contrary with facts and evidence by any Pottawattamie county office or officer at the time of filing or since then, and therefore these documents stand as the truth **nunc pro tunc** as of 10 December 1999, the time of ownership. . .

C. DEMAND:

1. **Therefore:** the Private Undersigned-living-Man and Affiant – without proof of claim to the contrary - possesses **absolute interest** in his **private property** nunc pro tunc 10 December A.D. 1999 and directs the Pottawattamie County Recorder/Registrar of Deeds, Assessor, Auditor, and Treasurer to:

(a) immediately **de-register**, remove, and release said **private land/property** from all and any unknown/unstated interest and/or trust relationship in possession — or presumptive possession - of POTTAWATTAMIE COUNTY (sic), STATE OF IOWA (sic) and/or others and/or their agents; **nunc pro tunc** 10 December 1999; **AND**

(b) immediately remove and release said **private land/property** from the county property tax roll, **nunc pro tunc** 10 December 1999, **AND**

(c) provide Affiant in writing notice of completion of the above actions in (a) and (b) plus recognition in writing of the private status of both said property and this Man; or provide in written affidavit proof of claim to the contrary with facts and evidence; **AND..**

(d) use Affiant's full lawful name (see Ref 9) as showing herein to address Affiant by name in all public records and correspondence without shortening, converting, omitting, derivative, or change from/to capital letters as appears. To make any such changes creates a fictional construction and changes identity, becoming a nullity; **AND**

(e) abate any and all on-going and future actions, tax billings, tax sales, and all known and unknown claims absent proof of claim against this **private property** and its owner/Affiant.

2. Failure in accomplishing the above no later than ten (10) work days from receiving this Notice and Demand incurs tacit **acceptance** by all county officers/actors to all conditions above and as stated in all referring documents. Upon written request, extension of time is allowing..

"Silence can only be equated with fraud where there is a legal and 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)

Affiant reserves his right for modifying this document to reflect new facts/information upon proof of claim, or otherwise unknown, or mistakenly in omission at time of its creation. This is my free will, act, and deed, under My hand and seal, this 11th day of 6th month (June), A.D.2015, as Affiant, Grantee, Assign, Agent, Private Man, Private American,

Autograph: Johann-Nikolaus Guido Franciskus Becker
Johann-Nikolaus Guido Franciskus, family Becker, **in esse**

State of Iowa)
County of Pottawattamie) s.s. **ACKNOWLEDGMENT AND ACCEPTANCE**

On this 11th day of June, in the year A.D. 2015 before me,
Pamela A. Miller, a Notary Public, personally appeared Johann-Nikolaus Guido Franciskus, family Becker, known or identified to me on the basis of satisfactory evidence to be the Living Private Man/Private American whose name is subscribed to in the within instrument, first affirming his word as bond, acknowledges before me that he executes the same as /of his free will act and deed.



Notary Public: Pamela A. Miller

Commission Expires 10/10/2017

Description of private property

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. (Commonly known as "20425 Concord Loop".) [Exemption 10]

Certificate of Service

I, Joanne Conway Evans, certify that on this 11th day of June, A.D. 2015, I hand-delivered in an envelope an exact copy of this three page **"Notice and Demand"** plus an exact copy of the above referenced **"Certificate of Acknowledgment and Acceptance of Deed"** to each of the following:

Bill Kealy, POTTAWATTAMIE COUNTY ASSESSOR, or his office
Marilyn Jo Drake, POTTAWATTAMIE COUNTY AUDITOR, or her office
Lea A. Voss, POTTAWATTAMIE COUNTY TREASURER, or her office.

all at 227 South 6th Street, Council Bluffs, Iowa, 51501.

Joanne Conway Evans

Joanne Conway Evans
c/o PO Box 8404, Omaha, Nebraska

Brown Sealed envelope containing copy of Notice & Demand to De-Register Private Property (3pp) and copy of Certificate of Acknowledgment & Acceptance of Deed

To Office of Pottawattamie County Assessor:

Received by: Candy Fink
(Name & position)
Date and Time: June 11, 2015 2:13 p.m.

To Office of Pottawattamie County Auditor:

Received by: Kessi Howard
(Name and position)
Date and Time: June 11, 2015 2:14 p.m.

To Office of Pottawattamie County Treasurer:

Received by: Debra Gutzsell 2:17 p.m.
(Name and position)
Date and Time: June 11, 2015, 2:17 PM