

27 May 2009 AD



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Auditor's Office

David A. Darby
State Freeman
PO Box 110
Amboy, Washington Non-Domestic

Greg Kimsey
County Auditor
PO Box 5000
Vancouver, Washington 98666-5000

Dear Greg,

Thank you for your timely response to part of my questions. You have been candid about the use of the wrong constitution for the State of Washington. I am bothered by the last part of the questions. Please explain to me on what authority the county has to issue a warrantee deed instead of title. The only way I see the county having the legal authority to issue a deed is to follow the torrens procedure which then has a process to opt in or out of.

As you know the procedure of recording a sale of land is a neutral operation. By the definition of recording the county is bound to the procedure to record only the transaction as it is presented to the county. What has happened since the early 1900's is that the county is using part of the torrens act illegally otherwise we would have seen it in the Torren book. There has to be some legal authority for the county to use the procedure that they have chosen to use. I need your help to find it.

In my case, and I believe in all others, there are no legal documents that have been signed by previous owners that give the county the legal authority to take title and give a warrantee deed. I did provide you with the law that governs this procedure and have found that without the torrens procedure being followed exactly, the county is out of statute(RCW).

I am requesting that you provide me the legal authority that you and previous county auditors are using to continue the practice of replacing the title with a warrantee deed. Thank you for your time in finding the info.

David A. Darby

State Citizen