

## Status Correction in Commerce

The Trust's first entry into commerce would be under UCC 8. Which talks about registrations of certain obligations or interests, and whether those obligations or interests are **Assets or Securities**.

the writing in **BLUE IS DIRECTLY FROM THE UCC**- My notes are in typed in black

### § 8-501. SECURITIES ACCOUNT; ACQUISITION OF SECURITY ENTITLEMENT FROM SECURITIES INTERMEDIARY.

UCC-8-501(a) "**Securities account**" means an account to which a financial asset is or may be credited in accordance with an agreement under which the person **maintaining the account** undertakes to treat **the person for whom the account is maintained** as entitled to exercise the rights that comprise the financial asset.

(this is important to consider when creating the Bond. Somewhere, a securities account needs to be created and maintained by a custodian to hold the Bond. Our Bond Trust Indenture should be the right type of agreement necessary to create a securities account between the two parties. The goal is to establish a Direct Holding)

(d) If a securities intermediary holds a financial asset for another person, and the financial asset is registered in the name of, payable to the order of, or specially indorsed to the other person, and has not been indorsed to the securities intermediary or in blank, the other person is treated as holding the financial asset directly rather than as having a security entitlement with respect to the financial asset.

(and if it's registered and presented by a person entitled in the registration the law says it must be accepted, or the fiduciary becomes liable as a debtor, UCC 8-401 DUTY OF ISSUER TO TRANSFER)

(e) Issuance of a security is not establishment of a security entitlement. (Our establishment of entitlement is based on the assets pledged under the COLB title, and the United States obligations in our favor, as set out in the WHEREAS clause in the Security Agreement. The UCC 9-210 STATEMENT is the accounting for our lien what was taken (pledged). The 9-210 should accompany the national filing or be adjoined by addendum after completed.

### § 8-103. RULES FOR DETERMINING WHETHER CERTAIN OBLIGATIONS AND INTERESTS ARE SECURITIES OR FINANCIAL ASSETS.

(a) A share or similar equity interest issued by a corporation, business trust, joint stock company, or similar entity is a security.

(d) A writing that is a security certificate is governed by this Article and not by Article 3, even though it also meets the requirements of that Article. However, a negotiable instrument governed by Article 3 is a financial asset if it is held in a securities account.

(g) A document of title is not a financial asset unless Section 8-102(a)(9)(iii) applies. (

(this is ok, because in the National filing, the document of title is only used to IDENTIFY the underlying asset, it is NOT the asset itself. However, in article 9, the BOND we create, will be the asset and we want to have a Direct Holding, so that it can be indeed transferred with our authority. Transferred where? The treasury or one of it's agent's for settlements.

### UCC 8-104 ACQUISITION OF SECURITY OR FINANCIAL ASSET OR INTEREST THEREIN.

(b) A person acquires a financial asset, other than a security, or an interest therein, under this Article, if the person acquires a security entitlement to the financial asset.

The purpose of the National, Non-UCC filing is to acquire the security entitlement to the financial assets underlying the Certificate of Title (cusip research). The Cusip research identifies location of the assets. The UCC-1 establishes the entitlement in the asset. This is what's needed to have an ACQUISITION OF A SECURITY/ASSET or to HAVE AN INTEREST THERE IN.

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(d) Unless the context shows that a different meaning is intended, a person who is required by other law, regulation, rule, or agreement to transfer, deliver, present, surrender, exchange, or otherwise put in the possession of another person a security or financial asset satisfies that requirement by causing the other person to acquire an interest in the security or financial asset pursuant to subsection (a) or (b).

If you notice, up to this point we have only been talking about article 8. This again deals with title, and holding of the assets. Ownership must be established before one can transfer, negotiate, collateralize or what have you.

Under article 9, to have secured party rights in collateral one must have the authenticated security agreement, consideration, and other proofs and process to perfect his interest. This is because article 9 deals with interest in owners title. Whereas article 8 is focused on how title is held (directly or indirectly). An owner doesn't need a security agreement at this point as an owner wouldn't have anything to substantiate his ownership other than a document of title (Certificate), and maybe an affidavit (rule 220).

The owners only process of perfecting title would be governed under whatever jurisdiction or law dictates such ownership. As of right now, I believe that foreign process is Title recordation, by affidavit in a Probate Court or County Registration office. Again, I allege the process is also foreign because perfecting an interest in a county is different than perfecting an interest in Commerce, which is governed by the State (hence UCC is state level). This may or may not be correct. This is my opinion and as a result, such a Rule220 Affidavit recording, that is to be registered on my UCC, would be done so as a non ucc filing UCC 9-311.

The Birth Certificate is a Document of Title under Article 7. The full faith and credit seems to make it a negotiable instrument in bearer form. It is the title to assets to which you have an entitlement (under article 8). Article 9 seems the proper article for issue, registration, and the conveyance of the Bond.

### **Direct and indirect holding systems?**

This is the point of where my research lays right now. The direct vs indirect holding system is significant to note, because they are governed by entirely different policies as suggested in this attachment. The term direct or indirect holding refers to how the Title owner holds an asset. If I'm understanding correctly, the indirect system is when the title is held "Indirectly" through an intermediary. And the direct holding system seems to infer that the security is held with the intermediary in merely a custodial capacity (registered form) but the asset is held directly by the account owner. This would be kind of like saying private ownership over the collateral.

The most significant thing that I believe ALL of the above is pointing too is that a properly registered entitlement secures an asset. And a properly secured asset can collateralize a bond and create a securities account through the UCC (Securities) filing system. The proper filing would require the intermediary to establish a Securities Account; And so far it seems that it is the creation of this private securities account, that is necessary, and can be done at one of several or all secretary of states, in commerce.

A proper registration creates a lien against the asset (and that is the **account-ing**) that has the Lien against it. The lien is the source from where obligations are paid.. Guru's... your thoughts?

<https://www.law.cornell.edu/ucc/8/8-501>. SECURITIES ACCOUNT; ACQUISITION OF SECURITY ENTITLEMENT FROM SECURITIES INTERMEDIARY.

I caution you that I am a student of this information also. I welcome your feedback.

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### **Important Agreements held with Trust**

(These are all important docs to be familiar with, for now)

- I. [Rule 220 Filing Instructions](#) \*Coming Soon enough\*
- II. Keep the below Items with your Trust (binder of important instruments)  
[(1) [Resolution 75](#), (2) [Peace Treaty](#), (3) [Declaration of Rights of Indigenous Peoples](#) (4) [Public Law 73-10](#)]  
\* I see these as part of the Agreement, part of the Trust relationship with the Public Fiduciary \*

[Common Law \(Business Trust\)](#), ([.doc](#)) [ At this point no need to do anything. Eventually it will be needed]

Where should I File my UCC-1? [Here](#)

III.

### **National Filing**

<https://youtu.be/ZzIMhzc98Lg> [ Video update National Filing **September 9, 2016**]

<https://youtu.be/BTKMcwX2KMc> [The Long Video, updated July 17, 2016]

<https://youtu.be/ticDKA76dYc> [The Short Video, updated July 17, 2016]

**UCC-1** [updated August 28, 2016] [**Maryland** my opinion (maybe Washington DC) See my notes from July 17th, but outside of those notes that suggest DC. The national filing is a foreign process, and Maryland seems to be the proper office for such filings]

- [Rule 220 Affidavit](#) ([.doc](#)) / [updated July 1, 2016]

- [Request Regarding Statement of Accounting](#) ([.doc](#)) - [updated July 14, 2016] UCC 9-210 covers the Statement of Accounting (the Value). The purpose is to account for the **VALUE** of our entitlement in the asset(s) underlying the certificate.

As a reminder, the National filing is about identifying assets and titling them to your trust, so that we can grant the Pledge on our asset as collateral backing the Master Discharging, Indemnification, and secured funding Bond for the estate trust, the executor, and/or all it's fiduciaries, and assigns.

IV.

### **State Filing**

<https://youtu.be/iX3U7QYy3Cw> [This Vid and the State Filing will be updated Soon - July 17, 2016]

[Living Trust](#) ([.doc](#)) ([Youtube Video](#)) (The trust doesn't necessarily need to be recorded behind the UCC, although the UCC needs to indicate that collateral is held in Trust and that the Trust does exist. )

5. Record your **UCC-1**, and behind it, include the [Certification](#), ([.doc](#)) w Schedule A  
UCC-1 IS A LIEN, against the BOND asset.
  - (1) [Bond Indenture & Security Agreement](#) ([.doc](#)) [Added September 5, 2016]
  - (2) [Discharging & Indemnity Bond](#) (create one) - [Updated September 5, 2016]
  - (3) [Copyright # 15-000089](#) ([youtube video](#))
  - (4) DBA registration statement (use your states prescribed form)
  - (5) [Assessment Schedule](#) [.doc](#) (needs update)
  - (6) [Power of Attorney](#) [.doc](#)

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### **References And Study - Material**

- (1) Treasury publication: [Questions and Answers about Trusts](#) (includes info on Trust Registration Statements)
- (2) Example "[Trust as Secured Party, using registration statement on the UCC](#)"
- (3) [Tex Notes Notes -July 17, 2016](#),
- (4) Article: [How Does a Revocable Living Trust Avoid Probate](#) ([.pdf version](#)),
- (5) \*Important Read\* [Regarding Article 8, Book Entry, and Direct Vs Indirect Holding](#)
- (6) [Seek But You Wont Find](#) (non-ucc filing)
- (7) Further research: Keys to Liberty [website](#)

\*Considerations\* (Things I'm still researching, which could change regarding the National and State Filing):

- (1) Is the Secured Party, at the State Filing level, required to be Incorporated Entity in order for the Secretary of State to create a Securities account on it's behalf.
- (2) Do we have it all wrong, Is the **securities account** for the Bond at **Treasury Direct**, (ie..direct holding) and **NOT** the Secretary of State's office. (This might be the case). If this is so, we only need to make minor changes to perfect things