



The 1969 Agreement

AGREEMENT

ADELINE PRITCHARD KNEUBUHL

SEPTEMBER 30, 1969

✓ 1969

AGREEMENT

This is an Agreement entered into by and between WILLIAM ROBERT OPELLE, hereinafter referred to as "trustee," ADELINE PRITCHARD KNEUBUHL, hereinafter referred to as "trustor," and the six children of Adeline Pritchard Kneubuhl, hereinafter referred to as "beneficiaries," who are: FRANCES K. OPELLE, BENJAMIN F. KNEUBUHL, JR., DOUGLASS CRANE KNEUBUHL, MARGARET K. LANDRIGAN, JOHN ALEXANDER KNEUBUHL and ALFRED JAMES PRITCHARD KNEUBUHL.

On or about the 15th day of August, 1960, the trustor transferred to the trustee by a written instrument, certain real property located on the Island of Tutuila, American Samoa, in trust, for the benefit of the beneficiaries above named. Said Trust was recorded in the Register of Transfers of the Territory of American Samoa, Volume 3, pages 76 to 77 under date of August 24, 1960.

By the provisions of said Trust Agreement, the trustee is empowered to manage the parcels of real property transferred to him in whatever manner he deems best. Said trustee is restricted from disposing of any of the trust property without the consent and approval of a majority of the beneficiaries of the Trust.

It is desired by the beneficiaries of the Trust above named, to partition certain of the real property held by the trustee as a part of said Trust, in the manner hereinafter described.

In consideration of the mutual covenants of each

of the parties hereto, it is agreed:

(1) Each party releases and forever quitclaims to the respective party to whom the real property is allocated hereinafter, all of his right, title and interest in and to said property which he may now or in the future have by virtue of the laws of American Samoa governing the ownership and alienation of land or by any deed to said property.

(2) Each party covenants to protect the title of the person to whom the property is hereinafter allocated.

(3) Each of the parties covenants to protect the full and exclusive use and quiet enjoyment of the party by the person to whom it is allocated.

(4) This Agreement shall in no way modify or alter any covenant of a Grantee to give a right of first refusal to the descendants of Adeline Pritchard Kneubuhl, aka Lena Kneubuhl, contained in any deed respecting any of the real property which constitutes the corpus of the Trust.

(5) Each of the beneficiaries, for himself and for his issue, hereby approves and consents to the partition and disposal herein made of the real property hereinafter described.

(6) If for any reason any part of this Agreement is invalid or unenforceable, the remaining provisions shall remain in full force and effect.

William Robert Opelle, as trustee, Adeline Pritchard Kneubuhl, as trustor and each of the beneficiaries, hereby convey all of their respective right, title and interest in and to the following described real property to the respective

beneficiaries as named:

A. That certain lot and parcel of land, lying in Square 32, Unit "B" and "C", situated in the Village of Taputimu, County of Tualatai, Western District, Island of Tutuila, American Samoa, being portions of Olo, Tagaua'a, Puapua, Lesea and Aso To'elau, in portions as follows:

1. To Frances K. Opelle, all of that portion of said parcel known as Plot "A", (including that portion known as Plot "AA") more particularly described as follows:

Beginning at a point on the road to Taputimu, run thence East 750 feet to the point; thence 495 feet more or less to the South; thence S 49° 00' W, 55 feet to an iron pin; thence N 79° 42' W, 113.00 feet to an iron pin; thence N 84° 38' W, 118.33 feet to an iron pin; thence N 85° 54' W, 57.00 feet to an iron pin; thence S 35° 02' W, 109.75 feet to an iron pin; thence S 46° 30' W, 120.33 feet to an iron pin; thence S 76° 26' W, 145.50 feet to an iron pin; thence S 35° 33' W, 88.58 feet to an iron pin; thence N 73° 50' W, 85.50 feet to an iron pin; thence N 52° 50' W, 47.74 feet to an iron pin; thence N 27° 57' 45" E, 195.86 feet to an iron pin; thence along the arc of a curve concave to the left thru a central angle of 24° 24' 05", 109.13 feet to an iron pin; thence N 03° 33' 40" E, 325.0 feet to the point of beginning, containing an area of 10.248 acres, more or less.

2. To Douglass Crane Kneubuhl, all of that portion of said parcel known as Plot "B", more particularly described as follows:

Beginning at a point on the road to Taputimu; run thence South-east 420.0 feet to the point; thence N 67° 32' E, 45.08 feet to an iron pin; thence S 41° 10' E, 170.00 feet to an iron pin; thence South-west 210.0 feet to the point; thence South 130.0 feet to the point; thence West 470.0 feet to the point of curve, thence along the arc of a curve concave to the right thru a central angle of 14° 57' 20", 192.35 feet to the point of curvature; thence N 18° 31' 00" E, 165.0 feet to the point of beginning, containing an area of 4.029 acres, more or less.

3. To Benjamin F. Kneubuhl, Jr., all of that portion of said parcel known as Plot "C", more particularly

described as follows:

Beginning at an iron pin which has coordinates X=228, 198.06 and Y=230.322.30, American Samoa Datum of 1962; run thence S 32° 36' 10" E, 301.54 feet to an iron pin; thence S 01° 22' E, 327.42 feet to an iron pin; thence West 420.0 feet to the point; thence N 13° 3' 00" E, 349.0 feet to the point of beginning, containing an area of 2.805 acres, more or less.

4. To Margaret K. Landrigan, all of that portion of said parcel known as Plot "D", more particularly described as follows:

Beginning at an iron pin on a property line, run thence S 87° 44' E, 206.00 feet to an iron pin; thence N 75° 15' E, 86.00 feet to an iron pin; thence S 51° 38' E, 61.75 feet to an iron pin; thence S 62° 44' E, 35.33 feet to an iron pin; thence S 06° 30' W, 65.83 feet to an iron pin; thence S 46° 15' W, 178.00 feet to an iron pin; thence S 58° 52' E, 72.83 feet to an iron pin; thence S 71° 22' E, 89.42 feet to an iron pin; thence S 10° 48' W, 104 feet to an iron pin; thence S 31° 08' W, 33.33 feet to an iron pin; thence N 84° 25' W, 163.50 feet to an iron pin; thence S 68° 49' W, 56.00 feet to an iron pin; thence S 47° 19' W, 80.00 feet to an iron pin; thence S 65° 39' W, 128.67 feet to an iron pin; thence S 41° 30' W, 204.00 feet to an iron pin; thence N 14° 21' W, 142.83 feet to an iron pin; thence N 29° 26' W, 118.0 feet to an iron pin; thence East 530.0 feet to the point of beginning, containing, an area of 5.634 acres, more or less.

5. To Alfred James Pritchard Kneubuhl, all of that portion of said parcel known as Lot "E", more particularly described as follows:

Beginning at an iron pin which is N 80° 43' E, 80.17 feet to an iron pin; thence N 75° 51' E, 156.00 feet to an iron pin; thence S 83° 30' E, 169.25 feet to an iron pin; thence N 73° 40' E, 165.33 feet to an iron pin; thence N 69° 45' E, 250.83 feet to an iron pin; thence South-West 530.0 feet to an iron pin; thence N 51° 31' W, 150.37 feet to an iron pin; thence S 79° 34' W, 143.92 feet to an iron pin; thence S 81° 36' W, 88.0 feet to an iron pin; thence N 79° 50' W, 115.42 feet to an iron pin; thence S 77° 01' W, 38.33 feet to an iron pin; thence North-West 203 feet to the point of beginning, containing 4.068 acres, more or less.

6. To John Alexander Kneubuhl, all of that portion of said parcel known as Lot "F", more particularly described as follows:

Beginning at an iron pin which is N 41° 00' E, 101.58 feet to an iron pin; thence S 72° 24' E, 134.00 feet to an iron pin; thence S 60° 55' E, 19.08 feet to an iron pin; thence S 20° 02' E, 188.25 feet to an iron pin; thence 208 feet South-cast to an iron pin; thence S 12° 47' E, 53.0 feet to an iron pin; thence S 44° 50' W, 88.83 feet to an iron pin; thence S 01° 50' W, 71.28 feet to an iron pin; thence S 05° 06' W, 80.33 feet to an iron pin; thence S 07° 56' E, 57.08 feet to an iron pin; thence S 48° 10' W, 97.42 feet to an iron pin; thence S, 49° 00' W, 125.58 feet to a point; thence North 495 feet to a point; thence North-West 177 feet to a point; thence North 180.0 feet to the point of beginning, containing 3.882 acres, more or less.

B. All that certain lot and parcel of land, lying in Land Square 8, Unit D, situated at Malaloa, County of Ma'oputasi, Eastern District, Island of Tutuila, American Samoa, hereinafter described by metes and bounds, to Frances Emily Kneubuhl Opelle:

Beginning at a spike set in a center line of driveway to said property 148 degrees 53 minutes 59 seconds, 32.49 feet from E-3 Road Traverse, run thence South 81 degrees 15 minutes East, 78 feet to a point; thence South 5 degrees 45 minutes West, 100 feet to a point, thence North 81 degrees West, 80 feet to a point; thence North 7 degrees 58 minutes 14 seconds East; 98 feet to the point of beginning, containing an area of 0.20 acres more or less.

In the event that under the laws of American Samoa governing trusts or real property having a situs in American Samoa, the real property herein described cannot legally be partitioned in the manner herein described or conveyed out of the trust by the trustee to the beneficiaries, then the parties hereto agree that legal title to said real property shall remain in the trustee, but each individual beneficiary and his heirs, devisees and assigns shall nevertheless have exclusive right to the use of the portion of said real property which is allocated hereunder to such beneficiary and each of the parties hereto covenants to protect the full and exclusive use and

quiet enjoyment of the property by the beneficiary to whom it is allocated, and by his heirs, devisees and assigns.

IN WITNESS WHEREOF, each of the parties hereby have executed this agreement, effective as of September 30<sup>th</sup> 1969

Adeline Pritchard Kneubuhl  
Adeline Pritchard Kneubuhl

Trustor

William Robert Opelle  
William Robert Opelle

Trustee

Frances K. Opelle  
Frances K. Opelle

Benjamin F. Kneubuhl, Jr.  
Benjamin F. Kneubuhl, Jr.

Douglas Crane Kneubuhl  
Douglas Crane Kneubuhl

Margaret K. Landrigan  
Margaret K. Landrigan

A/K/A Alfred James Pritchard Kneubuhl  
Alfred James Pritchard Kneubuhl

John Alexander Kneubuhl  
John Alexander Kneubuhl

Beneficiaries



OFFICE OF NOTARIAL PUBLIC

~~STATE OF CALIFORNIA~~ }  
~~COUNTY OF LOS ANGELES~~ } ss. *County of Mariposa*  
*Territory of American Samoa* } ss.

On DEC 1 1969, 1969, before me,  
the undersigned, a Notary Public in and for said County and  
State, personally appeared DOUGLASS CRANE KNEUBUHL, known  
to me to be the person whose name is subscribed to the within  
instrument and acknowledged that he executed the same.

WITNESS my hand and official seal.

*Robert J. Conley*  
Notary Public in and for said  
County and State

(SEAL)

Great Britain and Northern Ireland }  
London, England } ss.  
Embassy of the United States of America }

~~COUNTY OF~~ }  
~~STATE OF NEW JERSEY~~ } ss.

On Twenty-second January 1970, ~~1969~~ before me, *JB*  
the undersigned, a ~~Notary Public in and for said County and~~ *JB*  
State, personally appeared ALFRED JAMES PRITCHARD KNEUBUHL, *JB*

known to me to be the person whose name is subscribed to the  
within instrument and acknowledged that he executed the same.

WITNESS my hand and official seal.

*Frank J. Conroy*  
Notary Public in and for said  
County and State

FRANK J. CONROY  
Notary Public in and for said  
County and State

*Adjusted*  
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dated 10/08/1969 of the Republic of the Cook Islands to whom it

COUNTY OF MAUPUTASI

TERRITORY OF AMERICAN SAMOA SS:

I, ROBERT G. CONLEY, *Clark of the High Court of American Samoa*  
*a Notary Public*

hereby certify that on the 30th day of September,  
1969, personally appeared before me ADELINE FRITCHARD KNEUBUHL,  
WILLIAM ROBERT OPELLE, FRANCES KNEUBUHL OPELLE, and BENJAMIN  
F. KNEUBUHL, JR., each of whom signed the foregoing Agreement  
in his or her hand in my presence.

*Robert G. Conley*  
\_\_\_\_\_  
Notary Public in and for said  
County and State

STATE OF }  
COUNTY OF } ss.

On OCT 8 1969, before me, the undersigned,  
a Notary Public in and for said County and State, personally  
appeared MARGARET K. LANDRIGAN, known to me to be the person  
whose name is subscribed to the within instrument and  
acknowledged that she executed the same.

WITNESS my hand and official seal.

*Robert G. Conley*  
\_\_\_\_\_  
Notary Public in and for said  
County and State

STATE OF }  
COUNTY OF } ss.

On OCT 8 1969, before me, the undersigned,  
a Notary Public in and for said County and State, personally  
appeared JOHN ALEXANDER KNEUBUHL, known to me to be the person  
whose name is subscribed to the within instrument and  
acknowledged that he executed the same.

WITNESS my hand and official seal.

*Robert G. Conley*  
\_\_\_\_\_  
Notary Public in and for said  
County and State

PLOT "F"-----ANOTHER DESCRIPTION IN ANOTHER DEED

LAND ENTITLED OLO"  
TUTUILA ISLAND  
TERRITORY OF AMERICAN SAMOA

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THIS INDENTURE, made this 30th day of September, 1969, between Lena Kneubuhl of Fagatogo, Tutuila, American Samoa, the party of the first part, and John Alexander Kneubuhl, of Brentwood, California, the party of the second part, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America to her paid by the party of the second part, the receipt whereof is hereby acknowledged does by these presents grant, bargain, sell, convey, remise, release, and forever quitclaim, unto the party of the second part, **and to his heirs and assigns**, all the right, title, interest, estate, claim, and demand, both at law and in equity and as well in possession as in expectancy, of the party of the first part, of, in and to all that certain lot and parcel of land, lying in Square Land 32, Unit "B" and "C", situated in the Village of Taputimu, County of Tualatai, Western District, Island of Tutuila, American Samoa, being portions of 010, Tagava'a, Puapua, Lesea and Aso To'eIau, bounded and described as follows:

Beginning at an iron pin which is N 41 0 00' E J 101.58 feet to an iron pin; thence S 72° 24' E, 134.00 feet to an iron pin; thence S 60° 55' E, 19.08 feet to an iron pin; thence S 20° 02' E, 188.25 feet to an iron pin; thence 208 feet South-east to an iron pin; thence S 12° 47' E, 53.0 feet to an iron pin; thence S 44° 50' W, 88.83 feet to an iron pin; thence S 01 (degrees) 50' W, 71.28 feet to an iron pin; thence S 05° 06' W, 80.33 feet to an iron pin; thence S 07° 56' E, 57.08 feet to an iron pin; thence S 48° 10' W, 97.42 feet to an iron pin; thence S 49° 00' W, 125.58 feet to a point, thence North 495 feet to a point; thence North-West 177 feet to a point; thence North 180.0 feet to the point of beginning, containing 3.882 acres, more or less.

together with all the tenements, hereditaments, and appurtenances thereunto belonging, or appertaining, and the reversion and reversions, remainder and remainders rents, issues, and profits thereof.

To have and to hold the premises, with the appurtenances unto the party of the second part, **and to his heirs, and assigns** forever.

The party of the second part **convenants herein to give a right of first refusal to descendants of the party of the first part to any bona fide offer for the sale, transfer, or alienation in any manner of the land covered by this deed or any part thereof.**

The party of the second part further convenants to use this parcel of land for residential purposes only except for such other activities which are not inconsistent with enjoyment of residential use.

IN WITNESS WHEREOF, the party of the first part has herewith set her hand and seal the day and year first above written.

Isi LENA KNEUBUHL

Lena Kneubuhl

COUNTY OF IIAUPUTASI

TERRITORY OF AMERICAN SAMOA: SS

I, ROBERT G. CONLEY, Clerk of the High Court of American Samoa, hereby certify that on the 30th day of September, 1969, personally appeared before me Lena Kneubuhl, who signed the foregoing deed in her own hand in my presence.

/s/ ROBERT G. CONLEY

I, TUA FALEMANU, Acting Territorial Registrar, Government of American Samoa, do hereby certify that the foregoing type written page constitutes the full, true,

and complete content of the herein contained instrument

In witness whereof, I hereby set my hand and the Official Seal of the Government of American Samoa on this 12th day of November, 1974.

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Acting Territorial Registrar  
Government of American Samoa

JF-30

LAND ENTITLED "OLO"  
TUTUILA ISLAND  
TERRITORY OF AMERICAN SAMOA

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THIS INDENTURE, made this 30th day of September, 1969, between Lena Kneubuhl of Fagatogo, Tutuila, American Samoa, the party of the first part, and John Alexander Kneubuhl, of Brentwood, California, the party of the second part, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America to her paid by the party of the second part, the receipt whereof is hereby acknowledged does by these presents grant, bargain, sell, convey, remise, release, and forever quitclaim, unto the party of the second part, and to his heirs and assigns, all the right, title, interest, estate, claim, and demand, both at law and in equity and as well in possession as in expectancy, of the party of the first part, of, in and to all that certain lot and parcel of land, lying in Square Land 32, Unit "B" and "C", situated in the Village of Taputimu, County of Tualatai, Western District, Island of Tutuila, American Samoa, being portions of Olo, Tagava'a, Puapua, Lesea and Aso To'e-lau, bounded and described as follows:

Beginning at an iron pin which is N 41° 00' E, 101.58 feet to an iron pin; thence S 72° 24' E, 134.00 feet to an iron pin; thence S 60° 55' E, 19.08 feet to an iron pin; thence S 20° 02' E, 188.25 feet to an iron pin; thence 208 feet South-east to an iron pin; thence S 12° 47' E, 53.0 feet to an iron pin; thence S 44° 50' W, 88.83 feet to an iron pin; thence S 01° 50' W, 71.28 feet to an iron pin; thence S 05° 06' W, 80.33 feet to an iron pin; thence S 07° 56' E, 57.08 feet to an iron pin; thence S 48° 10' W, 97.42 feet to an iron pin; thence S 49° 00' W, 125.58 feet to a point, thence North 495 feet to a point; thence North-West 177 feet to a point; thence North 180.0 feet to the point of beginning, containing 3.882 acres, more or less.

together with all the tenements, hereditaments, and appurtenances thereunto belonging, or appertaining, and the reversion and reversions, remainder and remainders rents, issues, and profits thereof.

To have and to hold the premises, with the appurtenances unto the party of the second part, and to his heirs, and assigns forever.

The party of the second part covenants herein to give a right of first refusal to descendants of the party of the first part to any bona fide offer for the sale, transfer, or alienation in any manner of the land covered by this deed or any part thereof.

The party of the second part further covenants to use this parcel of land for residential purposes only except for such other activities which are not inconsistent with enjoyment of residential use.

IN WITNESS WHEREOF, the party of the first part has herewith set her hand and seal the day and year first above written.

/s/ LENA KNEUBUHL  
Lena Kneubuhl

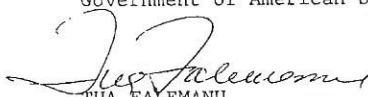
COUNTY OF MAUPUTASI  
TERRITORY OF AMERICAN SAMOA: SS

I, ROBERT G. CONLEY, Clerk of the High Court of American Samoa, hereby certify that on the 30th day of September, 1969, personally appeared before me Lena Kneubuhl, who signed the foregoing deed in her own hand in my presence.

/s/ ROBERT G. CONLEY

I, TUA FALEMANU, Acting Territorial Registrar, Government of American Samoa, do hereby certify that the foregoing type written page constitutes the full, true, and complete content of the herein contained instrument

In witness whereof, I hereby set my hand and the Official Seal of the Government of American Samoa on this 12th day of November, 1974.

  
TUA FALEMANU  
Acting Territorial Registrar  
Government of American Samoa

(seal)

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RECORDED TO THE PUBLIC OFFICE  
or Record filed by Office  
2/14/96 *Alia*