



HCCA No. 28-13

Defendants' Motion

To

Enjoin Mark Kneubuhl

David
Vargas

HIGH COURT OF AMERICAN SAMOA

Clerk's Office

FILED TIME: 9:50 AM

John Smith

TERRY S. FIELDING
CLERK OF COURTS

HIGH COURT OF AMERICAN SAMOA

TRIAL DIVISION

ROBIN KNEUBUHL ROUSH, FRANCES K.
OPELLE and BENJAMIN ("BEN")
KNEUBUHL, JR.,

Plaintiffs,

vs.

DOUGLAS CRANE "MIKE" KNEUBUHL,
DOUGLAS KNEUBUHL, JR., CARRIE SUE
KNEUBUHL LAVIGNE ECKERT and KELLY
KNEUBUHL NADINE FULTS,

Defendants.

Civil Action No. 28-13

**DECLARATION IN SUPPORT OF
MOTION TO DISMISS FOR FAILURE
TO JOIN INDISPENSABLE PARTY
(T.C.R.C.P. Rule 19)**

FRANCES K. OPELLE,

Plaintiff,

vs.

DOUGLAS C. "MIKE" KNEUBUHL,
CARRIE SUE LAVIGNE ECKERT and
KELLY NADINE FULTS,

Defendants.

LT No. 20-2013

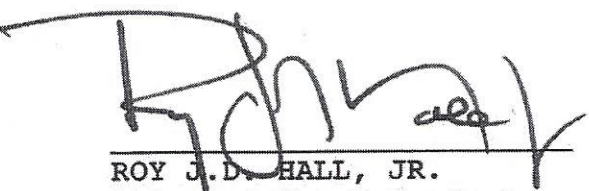
I, ROY J.D. HALL, JR., hereby declare as follows:

1. That I am counsel of record for Defendants DOUGLAS CRANE "MIKE" KNEUBUHL, DOUGLAS KNEUBUHL, JR., CARRIE SUE KNEUBUHL LAVIGNE ECKERT and KELLY KNEUBUHL NADINE FULTS.
2. That Mark Kneubuhl, a resident of American Samoa

1 purchased land or an equitable interest to land from
2 plaintiff Frances K. Opelle, land known as portion of
3 "Olo", the subject matter of the consolidated action
4 herein by quitclaim deed and attached hereto as Exhibit
5 "A".

6 This declaration is in support of defendants' motion herein
7 and incorporated herein by reference.

8 Dated: 1/21/14

9
10 
11 _____
12 ROY J.D. HALL, JR.
13 Attorney for Defendants
14 DOUGLAS CRANE "MIKE" KNEUBUHL,
15 DOUGLAS KNEUBUHL, JR., CARRIE SUE
16 KNEUBUHL LAVIGNE ECKERT and KELLY
17 KNEUBUHL NADINE FULTS
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QUITCLAIM DEED

RECORDED

Date: 8-16-00 at 9:50

By: [Signature]

THIS QUITCLAIM DEED, executed this first day of August, 2000,

by first party, Grantor, Frances Opelle

whose post office address is 32482 Lookout Ct. San Juan Capistrano, Ca.

to second party, Grantee, Mark Kneubuhl

whose post office address is P.O. Box 3512 Pago Pago Am Samoa

WITNESSETH, That the said first party, for good consideration and for the sum of Fifteen thousand Dollars (\$15,000) paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first party has in and to the following described parcel of land, and improvements and appurtenances thereto in the County of Fofu, State of American Samoa to wit: Three acres of land located in Taputimu, American Samoa, fully described as follows: Beginning at a point which has coordinates X=228345.219, Y=280070.063 based on American Samoa datum of 1962. Thence run on azimuth 270 degrees 14' 41" 266.60'. Thence run on azimuth 179 degrees 02' 40" 171.40'. Thence run on azimuth 179 degrees 02' 40" 132.43'. Thence run on azimuth 179 degrees 02' 40" 75.57'. Thence run on azimuth 179 degrees 02' 40" 124.55'. Thence run on azimuth 90 degrees 30' 13" 256.54'. Thence run on azimuth 000 degrees 11' 20" 505.00' to the POB, 3/4 inc

NOTE: All of the above described three acres lies within a larger piece of land known as "Aso Toelau".

LAND TRANSFER
RECORDING IN NATIVE LAND TITLE

VOLUME 6 PAGE: 697

DATE June 15, 2001

HR 12:30

[Signature]
TERRITORIAL REGISTRAR
AMERICAN SAMOA GOVERNMENT

8-2551
R# 729275

Exhibit "A"

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of:

Signature of Witness

x Frances Opelle
Signature of First Party

Print name of Witness

FRANCES OPELLE
Print name of First Party

Signature of Witness

Signature of First Party

Print name of Witness

Print name of First Party

State of California } FRANCES OPELLE
County of Orange } Stacey Haines, Notary Public
On August 4, 2000 before me, appeared Frances Opelle
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s)
is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the
entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.

x Stacey Haines
Signature of Notary
(Seal)

Affiant Known Produced ID
Type of ID California Drivers License



State of _____ }
County of _____ }
On _____ before me, _____, appeared _____
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s)
is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the
entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.

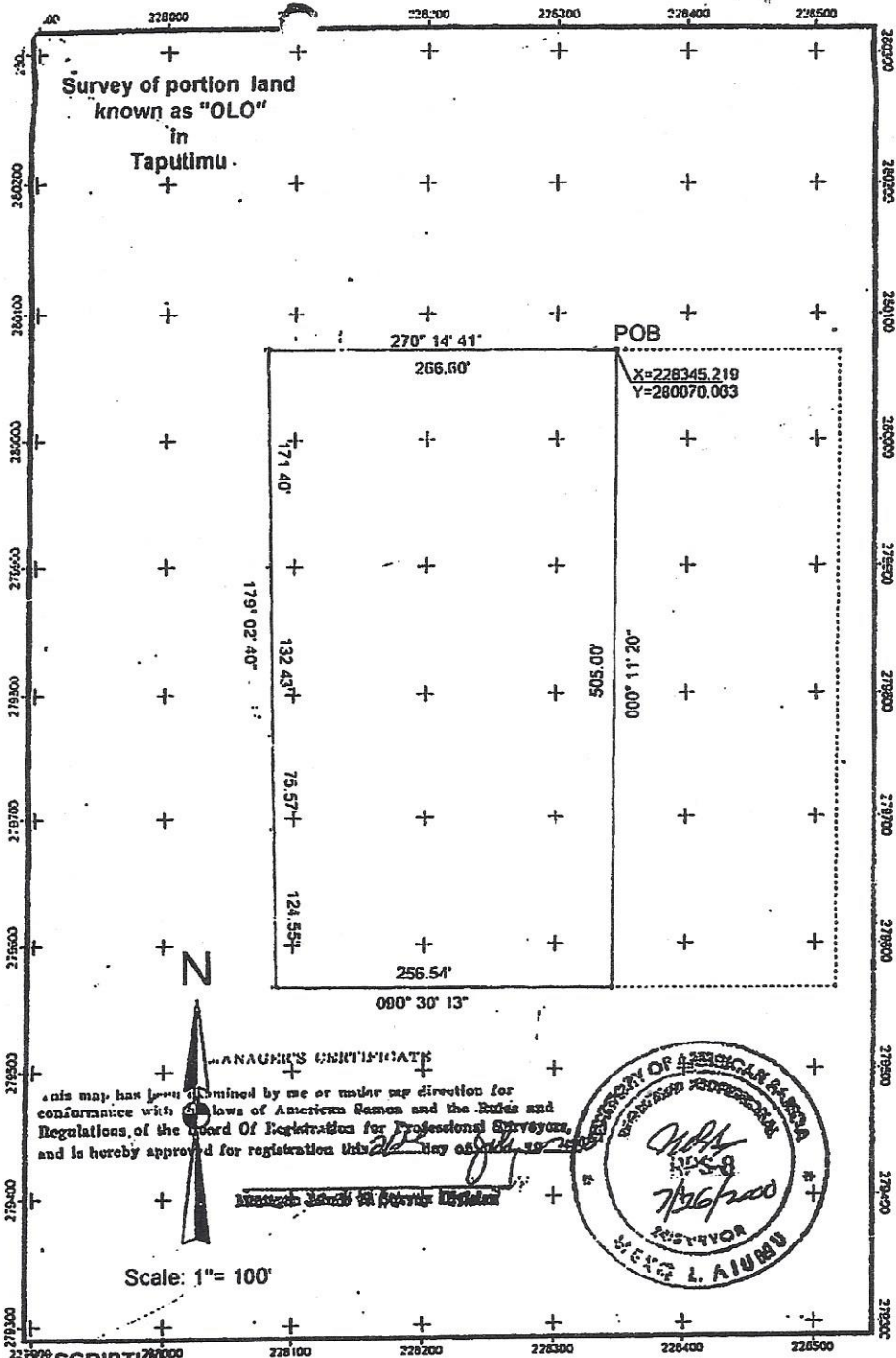
Signature of Notary
(Seal)

Affiant Known Produced ID
Type of ID _____

Signature of Preparer

Print Name of Preparer

Address of Preparer



DESCRIPTION

ALL THAT CERTAIN REAL PROPERTY LYING IN LAND SQUARE 32, UNIT C, SITUATED IN THE VILLAGE OF TAPUTIMU, COUNTY OF TUALA-UTA, WESTERN DISTRICT, ISLAND OF TUTUILA AMERICAN SAMOA, A PORTION OF LAND KNOWN AS "OLO", OWNED BY "MIKE KNEUBUHL", IS MORE FULLY DESCRIBED AS FOLLOWS:-

BEGINNING AT A POINT WHICH HAS COORDINATES X=228345.219, Y=280070.003 BASED ON AMERICAN SAMOA DATUM OF 1962.

THENCE RUN ON AZIMUTH 270° 14' 41", 266.60' TO 3" DIA BY 6" PLASTIC STAKE SET IN GROUND
 THENCE RUN ON AZIMUTH 179° 02' 40", 171.40' TO A 3" DIA BY 6" PLASTIC STAKE SET IN GROUND
 THENCE RUN ON AZIMUTH 179° 02' 40", 132.43' TO A 3" DIA BY 6" PLASTIC STAKE SET IN GROUND
 THENCE RUN ON AZIMUTH 179° 02' 40", 075.57' TO A 3" DIA BY 6" PLASTIC STAKE SET IN GROUND
 THENCE RUN ON AZIMUTH 179° 02' 40", 124.55' TO A 3" DIA BY 6" PLASTIC STAKE SET IN GROUND
 THENCE RUN ON AZIMUTH 090° 30' 13", 256.54' TO A 3/4" REBAR IN GROUND
 THENCE RUN ON AZIMUTH 000° 11' 20", 505.00' TO THE POB. 3/4" REBAR IN GROUND.

CONTAINING AN AREA OF 3.00 acs

MANAGER'S CERTIFICATE

This map has been examined by me or under my direction for conformance with the laws of American Samoa and the Rules and Regulations of the Board of Registration for Professional Surveyors, and is hereby approved for registration this 15th day of June, 2001.

[Signature]
 Manager of Land Administration

Scale: 1" = 100'

SEAL OF THE TERRITORY OF AMERICAN SAMOA
 BOARD OF PROFESSIONAL SURVEYORS
[Signature]
 REGISTRAR
 W. E. L. AIUMBU

LAND TRANSFER
 RECORDING IN NATIVE LAND TITLE

VOLUME 6 PAGE: 697

June 15, 2001

12:30
[Signature]
 TERRITORIAL REGISTRAR
 AMERICAN SAMOA GOVERNMENT

JAN 22 2014
fr