



Fagaiofu

Affidavit of Due Execution

By George Wray

IN THE SUPREME COURT
OF
WESTERN SAMOA HOLDEN AT APIA

IN THE MATTER OF "THE OATHS, AFFIDAVITS AND
DECLARATIONS ACT OF 1963"

AFFIDAVIT OF DUE EXECUTION

I, George Antony Wray, being first duly affirmed, depose and say:

1. That I am duly licensed to practice before the High Court of the Territory of American Samoa and the Supreme Court of the United States;

2. That on April 22, 1972 I was retained by Mrs. Lena Pritchard Kneubuhl and John Alexander Kneubuhl to prepare a Deed of Conveyance respecting the land called "Fogaiofu", in Falelatai, in the District of A'ana, Island of Upolu, Western Samoa.

3. The Deed of Conveyance was prepared and signed by John Alexander Kneubuhl, as seller, in my presence on April 26, 1972, at 10:30 o'clock, a.m., in my office in Fagatogo, American Samoa. A copy of this Deed is attached as exhibit "A" and made a part hereof by reference.

4. That Lena Pritchard Kneubuhl, buyer, was born in Western Samoa and was seized of that parcel of land situated in Falelatai, in the District of A'ana, Island of Upolu, Western Samoa, as evidenced in the Western Samoa Land Register Volume 1, Folio 31. She conveyed this land to John Alexander Kneubuhl, her son, on May 9, 1957. It is this same parcel which Lena Pritchard Kneubuhl repurchased (Exhibit "A") from the grantor by way of the Deed of April 26, 1972.

5. I hereby affirm that the total purchase price for the land was paid to Mr. John Alexander Kneubuhl, by Lena Pritchard Kneubuhl, and that the conveyance was delivered on April 26, 1972, for recording.

6. That I subsequently retained the firm of Reginald Phillips,

a duly licensed solicitor of Apia, Western Samoa, and instructed them to record the said Deed of Conveyance as quickly as possible and to pay all fees, stamp duties, and taxes thereon.

7. I am without knowledge of the reason or reasons why the Deed of Conveyance was not duly recorded promptly after execution and I execute this affidavit duly affirming that the said conveyance of the parcel known as "Fogaiofu" in Falelatai, District of A'ana, Island of Upolu, Western Samoa was executed in my presence on April 26, 1972 at 10:30 o'clock, a.m. by John Alexander Kneubuhl, as seller, conveying the said parcel to Lena Pritchard Kneubuhl, as buyer, and the conveyance was delivered to me for recording on that date.

8. Further, I make this solemn declaration conscientiously believing that the statements made by me are true and by virtue of the Oaths, Affidavits and Declarations Act of 1963.

George A. Wray

GEORGE A. WRAY, Attorney at law
P. O. Box 400, Pago Pago
Tutuila, American Samoa 96799.

TERRITORY OF AMERICAN SAMOA }
COUNTY OF MA'OPUTASI }

Subscribed and sworn to before me, the undersigned notary public, on this 11th day of September, 1975.

Romaine S. Ho Ching
NOTARY PUBLIC

My commission expires:
12/31/75



DEED OF CONVEYANCE
FAGAIOFU, UPOLU
WESTERN SAMOA

THIS DEED made this 26th day of April,
1972 BETWEEN: JOHN ALEXANDER KNEUBUHL of Pago Pago,
Tutuila (hereinafter called "the Seller") of the one part
AND: LENA PRITCHARD KNEUBUHL of Pago Pago, Tutuila
(hereinafter called "the Buyer") of the other part WHEREAS
the Seller is seised of an estate in fee simple in the
land more particularly described in the Schedule hereto AND
WHEREAS the Seller is desirous of conveying the said land
to the Buyer, his mother, for a total consideration of
Ten Thousand U.S. Dollars (US\$10,000.00). NOW WITNESSETH
that in pursuance of the premises and for consideration
hereinbefore recited, the Seller DOETH HEREBY SELL AND
CONVEY unto the Buyer TO HOLD the same unto the Buyer her
executors, administrators, and assigns forever.

IN WITNESS WHEREOF these presents have been
executed the day and year first hereinbefore written.

THE SCHEDULE

ALL that piece or parcel of land situate
in Falelatai in the District of A'ana Upolu,
Samoa being the Eastern portion of land claim
No.941 and called "Fagaiofu" being all the
land comprised in Court Grant No.1021 and
being the land now registered in VOLUME 1
FOLIO 31 of the Land Register of Western Samoa
together with all rights ways easements and
appurtenances thereunto belonging.

John Alexander Kneubuhl

SIGNED by the abovenamed)
JOHN ALEXANDER KNEUBUHL)
as Seller in the presence)
of:-

G. G. Wray
Attorney At Law
Pago Pago, American Samoa

PETITION TO MINISTER OF LANDS AND SURVEYS
GOVERNMENT OF WESTERN SAMOA

I am Atalena Pritchard Kneubuhl, born in Western Samoa in 1890, a great granddaughter of George Pritchard and a member of the LEALAI'I TAFEA and FUIAVA-ILILILI family of the village of Salailua on the Island of Savai'i.

That I have always respected and cherished the traditions of Samoa and when Western Samoa was in need, donated to that government the land comprising the present airport and other installations needed for the war in 1945.

That I had given Fogaiofu to my son, John Alexander Kneubuhl, when he expressed an interest in its development. After he lost that interest in the use of the land, I purchased the land back for \$10,000.00 (Ten thousand dollars and no/100 cents). This was paid and a deed was delivered to me on April 26, 1972.

My counsel, George A. Wray, was instructed to record the Deed immediately. Regrettably and without my knowledge, the deed was not presented for recording until January 15, 1973.

I was not informed until last month that the deed was not accepted for recording. That if the property is not transferred back to me, I cannot leave it to all my children at my death. My one son, John Alexander, will take all the property including the \$10,000.00 I paid him for it, and the other five children will get nothing.

Wherefore, I respectfully pray that the Deed of Conveyance dated April 26, 1972 be accepted and recorded by the Registrar of Lands and Surveys as being the date of delivery of the Deed to me.

Atalena Pritchard Kneubuhl
ATALENA PRITCHARD KNEUBUHL.

TERRITORY OF AMERICAN SAMOA
COUNTY OF MA'OPUTASI

Subscribed and sworn to before me,
the undersigned notary public, on this
15th day of September, 1975.
Miriam T. Williams
NOTARY PUBLIC
My commission expires: Dec. 31, 1975

