

MANCINI, WELCH & GEIGER LLP

JAMES W. GEIGER 4684-0
305 East Wakea Avenue, Suite 200
Kahului, Hawaii 96732
Telephone: (808) 871-8351
Facsimile: (808) 871-0732

Attorney for Petitioner

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of:) DOCKET NO. A12-795
)
) PETITIONER'S MEMORANDUM IN
WEST MAUI LAND COMPANY, INC., a) OPPOSITION TO INTERVENOR ROUTH
Hawaii corporation, and KAHOMA) BOLOMET'S MOTION SEEKING AN
RESIDENTIAL LLC, a Hawaii) ORDER THAT ALL COSTS
limited liability company,) ASSOCIATED WITH THE PETITION
) AND HEARINGS BE TAXED TO JAMES
To Amend the Land Use District) W. GEIGER AND PETITIONER;
Boundary of certain land) DECLARATION OF JAMES W.
situated at Lahaina, Island of) GEIGER; EXHIBITS "1"- "2";
Maui, State of Hawaii,) CERTIFICATE OF SERVICE
consisting of 16.7 acres from)
the agricultural district to)
the urban district, Tax Map Key)
No. (2) 4-5-010:005.)
_____)

PETITIONER'S MEMORANDUM IN OPPOSITION TO
INTERVENOR ROUTH BOLOMET'S MOTION THAT ALL COSTS
ASSOCIATED WITH THE PETITION AND HEARINGS
BE TAXED TO JAMES W. GEIGER AND PETITIONER

On February 14, 2013, Petitioner, through counsel, was served with Intervenor Routh Bolomet's Motion That All Costs Associated With The Petition and Hearings Be Taxed To James W. Geiger and Petitioner (the "Costs Motion"). The Costs Motion is defective on its face as it fails to comply with H.Admin.R. §

LAND USE COMMISSION
STATE OF HAWAII
2013 FEB 20 A 8:51

15-15-70 and further must be denied as it has not set forth any basis upon which the relief requested could be granted.

A. The Motion Fails to Comply With Commission Rules.

Rule 15-15-70, H.Admin.R., tells a participant in district boundary amendment proceedings what she must do to bring a motion. If the motion involves a question of law, then it must "be accompanied by a memorandum in support of the motion, . . ." Id. at (b)(4). If the motion requires consideration of facts not appearing of record, it shall be supported by an affidavit or affidavits. Id. at (c).

The Cost Motion is found beginning at the paragraph numbered 3, running from page 26 through page 35 of the pleading filed on February 6, 2013. There is no reference to any rule of the Commission concerning taxation of costs or expenses. There is no reference to any reported Hawaii decision concerning taxation of costs or expenses or the Commission's ability to so act.

Of the 64 separate cases listed in the Costs Motion, none involve or discuss the taxation of costs, one was overturned by a later United States Supreme Court decision (which change in law was not disclosed), two were abrogated (annulled) by later United States Supreme Court decisions and three were superceded by a revision in law. Only three decisions discussed the imposition of attorneys' fees and in

none of those three cases were attorneys' fees awarded. No legal authority which supports the relief requested was provided in the Costs Motion.

The Costs Motion also must be denied as no affidavit was provided to support the motion.¹ Facts are alleged but no affidavit is included to provide support of the claimed facts.

The lack of decisions, statutes or rules to support the relief requested and the lack of an affidavit is fatal to the Costs Motion.

B. The Motion Does Not Raise Any Ground Upon Which The Relief Sought Might be Granted.

The Cost Motion reflects a misunderstanding on how costs for boundary amendment proceedings are handled by the Commission. Section 15-15-49 (c), H.Admin.R., provides that the Petitioner shall reimburse the Commission for any expenses related to publication of a hearing notice. In addition, it has been the practice of the Commission to have the Petitioner pay for the costs of preparation of the hearing transcripts, the rental for the hearing room and the rental for the sound system used during the hearings. In the instant matter, the invoices

¹ A letter dated May 25, 2012 was attached to the Costs Motion. What was not provided to the Commission was the response to the letter that was sent on May 31, 2012. Petitioner did not address the claim previously as issues of title are not within the jurisdiction of the Commission. To avoid any misimpression that might exist due to an incomplete record, the response is attached to the declaration of James W. Geiger attached to this pleading.

for such items were sent to Petitioner which paid such costs. There is no cost shifting to impose since Petitioner already paid those costs.

Similarly, no legal basis exists to award Intervenor Bolomet attorneys' fees. Attorneys' fees cannot be awarded in the absence of a statute, agreement or stipulation. Shoemaker v. Takal, 57 Haw. 599, 561 P.2d 1286 (1977) (Hawaii follows the traditional American rule that attorneys' fees cannot be awarded as damages or costs where not so provided by statute, stipulation or agreement). No statute, agreement or stipulation exists which would allow the Commission to award attorneys' fees.

Finally, no factual basis exists for an award of attorneys' fees.² Intervenor Bolomet appeared throughout these proceedings pro se; the Costs Motion makes reference to pro se litigants which means that they appear without representation of counsel. If counsel have not appeared to represent the party, it follow that attorneys' fees have not been incurred in the proceedings.

² Intervenor Bolomet seeks reimbursement for time and expenses under the Civil Rights Attorneys Fees Award Act of 1976. Costs Motion at p. 30. The United States Supreme Court rejected that argument in Kay v. Ehrler, 499 US 432 (1991) holding that a pro se litigant is not entitled to fees under the Act, even if the pro se litigant is a lawyer.

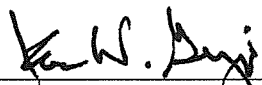
The absence of a legal or factual basis dictates that the Costs Motion must be denied.

C. Conclusion.

Intervenor Bolomet made the Costs Motion, as a part of a response to a filing by the State Office of Planning, seeking to have the Commission order that costs already paid by Petitioner be taxed to Petitioner and an order that she recover her time and expenses as attorneys' fees. The Costs Motion is defective on its face for failing to comply with this Commission's rules, does not raise any legal or factual basis to grant the request sought, and is directly contrary to a United States Supreme Court decision from 1991 that denied the very relief requested by Intervenor Bolomet. For all of these reasons, the Costs Motion must be denied.

DATED: Kahului, Hawai'i, _____.

FEB 19 2013



JAMES W. GEIGER
Attorney for Petitioner

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition) DOCKET NO. A12-795
of:)
) DECLARATION OF JAMES W.
WEST MAUI LAND COMPANY, INC., a) GEIGER; EXHIBITS "1"- "2"
Hawaii corporation, and KAHOMA)
RESIDENTIAL LLC, a Hawaii)
limited liability company,)
)
To Amend the Land Use District)
Boundary of certain land)
situated at Lahaina, Island of)
Maui, State of Hawaii,)
consisting of 16.7 acres from)
the agricultural district to)
the urban district, Tax Map Key)
No. (2) 4-5-010:005.)

)

DECLARATION OF JAMES W. GEIGER

I, James W. Geiger, declares:

1. My name is James W. Geiger. I am over the age of 21 and am competent to make this declaration. I have personal knowledge of the facts contained in this declaration which are true and correct.

2. I am the attorney representing West Maui Land Company, Inc. in the above referenced matter.

3. On February 13, 2013, I learned that Routh Bolomet filed two motions that would be set for hearing on February 22 by a review of the agenda that was posted for the February 22 Land Use Commission meeting.

4. On February 14, 2013, my office received the pleading in which Routh Bolomet included two motions seeking affirmative relief from the Commission.

5. In March, 2012, I contacted Routh Bolomet concerning the petition for a boundary amendment that West Maui Land Company, Inc. intended to file. Ms. Bolomet informed me that she intended to intervene in the matter as neither she nor any of the relatives with whom she had spoken had authorized the filing of the petition. I informed Ms. Bolomet that the title insurance policy showed that Kahoma Residential LLC was the only person that had an ownership interest of record to the property that was to be the Petition Area. Ms. Bolomet claimed to have an ownership interest of an undisclosed percentage in properties to which three Land Commission Awards ("LCAs") were issued.

6. While I was gathering documents concerning the transfer of the interests in the three LCAs identified by Ms. Bolomet, she filed a notice of intervention that identified a fourth LCA to which she was asserting an interest. I then gathered the information on the fourth LCA. I sent the information concerning ownership to Ms. Bolomet by letter dated May 31, 2012. A true and correct copy of the letter sent to Ms. Bolomet, together with the attachments to the letter, is Exhibit "1" to this declaration.

7. As the issue of title is not something over which the Land Use Commission (the "Commission") has jurisdiction, Petitioner has not responded substantively to Ms. Bolomet's arguments concerning "foreign allodial title." Nevertheless, I read the cases and authorities cited by Ms. Bolomet, conducted legal research, and concluded that the arguments made by Ms. Bolomet have no bearing on title to the lands that make up the Petition Area.

8. My office received a file-stamped copy of the motion on February 14, 2013. I reviewed each of the cases cited by Ms. Bolomet in the section of the pleading in which she asks the Commission to award fees and costs. A listing of the cases, citations, year of decision, whether the matter was from Hawaii or involved Hawaii law, whether the matter involved an award of costs, whether the matter involved an award of attorneys' fees and a description of the issue decided by the court that I prepared is attached as Exhibit "2."

9. Of the cases cited, one was overruled by a later United States Supreme Court decision.

10. Of the cases cited, two were abrogated by later United States Supreme Court decisions.

11. Of the cases cited, three were superceded by an amendment in statutes upon which the decisions were based.

12. Of the cases cited, none involved a Hawaii court, none involved the appeal of a decision of a Hawaii court, none involved a Hawaii statute and none involved the jurisdiction of the Commission.

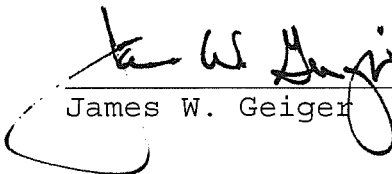
13. Of the cases cited, none involved the issue of awarding costs to any party.

14. Of the cases cited, only three reviewed an award of attorneys' fees. Each of those cases was an appeal of a suit filed in Federal District Court based on the claimed violation of a Federal Civil Rights Act. In each of those decisions, either a request to award attorneys' fees was denied or an award of attorneys' fees was reversed by the appellate court.

15. Of the cases cited, the majority did not find a violation of due process which is a necessary element of a claimed violation of a Federal Civil Rights Act.

I, James W. Geiger, declare under penalty of law that the foregoing is true and correct.

DATED: Kahului, Hawai'i, February 19, 2013.


James W. Geiger

PAUL R. MANCINI*
THOMAS D. WELCH, JR.
JAMES W. GEIGER

MANCINI, WELCH & GEIGER LLP
A LIMITED LIABILITY LAW PARTNERSHIP

THE KAHULUI BUILDING
33 LONO AVE., SUITE 470
KAHULUI, HAWAII
96732-1681

COUNSEL
ROSALYN LOOMIS

TELEPHONE:
(808) 871-8351

*A LAW CORPORATION

FACSIMILE:
(808) 871-0732

May 31, 2012

Routh Bolomet
P.O. Box 37371
Honolulu, HI 96837

Re: *In the Matter of the Petition of West Maui Land Company, Inc.;*
Docket No. A12-795

Dear Ms. Bolomet:

As I indicated in our telephone conversation on May 21, 2012, I am providing copies of certain documents to you concerning the certain properties to which you are making claim of title. As I indicated previously, my client has both a deed and title insurance to the entire parcel (TMK (2) 4-5-010:005). In such a case, the burden would be upon you to establish that your title was superior to my client's title in some fashion. See, Maui Land & Pineapple Co. v. InFiesto, 76 Haw. 402, 879 P.2s 507 (1994). I provide documentation concerning the parcels to which you are asserting claims. Since you identified a new fourth parcel (RP 1180), there was a delay in responding while I obtained a copy of the relevant document.

A. Royal Patent 3455, LCA 9795-B, Apana 1 to Ka'aua.

A lawsuit quieting title to this property was initiated in November 2005. Notice of the suit was provided by posting on the property as well as publishing notice on four separate occasions in December 2005 in both *The Maui News* and *The Honolulu Advertiser*. No persons attended the return date to assert a claim to the property. Plaintiff established, by way of declaration, title by adverse possession. The order granting plaintiff's motion showing that the evidence establishing title was vested in plaintiff, together with the final judgment is attached.

B. Royal Patent 4475, LCA 7713, Apana 25 to Victoria Kamamalu.

Victoria Kamamalu died on May 29, 1866, age 27. She was unmarried and had no children. The above property was inherited by her father, Kekuanaoa, who passed the lands to her half-sister, Kelikolani, who willed the property to Bernice Pauahi Bishop which in turn became a part of the properties held in trust by the Bishop Estate Trustees. The Trustees, by Exchange Deed dated April 6, 1956, transferred LCA 7713, Apana 25, among other properties, to Pioneer Mill Company, Ltd. I enclose a copy of the Exchange Deed recorded in Book 3121, Page 313, for your information. The particular parcel in question is found on pages 8 and 9 of the Exchange Deed, being identified as Lot Q.

EXHIBIT "I"

C. Royal Patent 4388, LCA 8452, Apana 4 to Kaohokalole.

Kaohokalole died and his heirs were determined to be Lydia K. Dominis, Likelike, David Kalakaua, and W. P. Keaho'olewa. By Deed in Partition which recited that these individuals were the heirs at law of Kaohokalole, the properties of Kaohokalole were distributed. The above-referenced parcel was among the properties distributed to David Kalakaua. A copy of the Deed in Partition recorded in Book 30, Page 364, is attached for your information. His Majesty Kalakaua in turn deeded the property to my client's predecessor-in-interest by Deed dated January 19, 1885, recorded in Book 90, Page 430.

D. Royal Patent 1180, LCA 312, Apana 1 to Timoteo Keawi'iwi.

Timoteo Keawi'iwi died. By order of the Second Judicial District of the Hawaiian Islands of October 8, 1862, William Ap Jones, the Administrator of the Estate of Timotea Keawi'iwi, was directed to sell the above-referenced parcel. The parcel was sold by way of public auction to John Enos. The Administrator's Deed of Sale was recorded in Book 16, Pages 66-67 and recites the above information. I attach a copy of the Administrator's Deed for your information. The property subsequently passed by way of other deeds and conveyances from Mr. Enos to my client.

Based upon these documents I would hope that you will not continue to assert claims which would in any fashion cloud the title which my client holds to these properties.

Very truly yours,

MANCINI, WELCH & GEIGER


James W. Geiger

JWG:tlc

Enclosures: WML00001-WML00032

cc: Kahoma Residential, LLC (w/ encls.)



R-867

STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED

MAR 15, 2006 11:00 AM

Doc No(s) 2006-049537



/s/ CARL T. WATANABE
REGISTRAR OF CONVEYANCES

20 1/1 Z9

Return by Pickup To:

ASHFORD & WRISTON
A Limited Liability Law Partnership LLP
MICHAEL W. GIBSON
Ali'i Place, Suite 1400
1099 Alakea Street
Honolulu, Hawai'i 96813

Total Pages: 4

TMK (2) 4-5-10-5

FINAL JUDGMENT

WML 00001

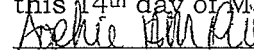
CERTIFICATE OF COMPLIANCE WITH ACT 203, 1990

Pursuant to provisions of Act 203, 1990, the undersigned certifies that he is not in possession of the social security number, State of Hawaii general excise taxpayer identification number, or federal employer identification number of the person, corporation, partnership or other entity against whom the FINAL JUDGMENT is rendered in CIVIL NO. 05-1-0451.

DATED: Honolulu, Hawaii, March 14, 2006.


MICHAEL W. GIBSON

Subscribed and sworn to before me on
this 14th day of March, 2006



Notary Public, State of Hawaii
Sophie H. M. Pili
[printed name]

My Commission expires: 12/7/07

U.S.

FILED

2006 MAR -9 PM 3: 33

ASHFORD & WRISTON
A Limited Liability Law Partnership LLP

MICHAEL W. GIBSON 1382-0
Ali'i Place, Suite 1400
1099 Alakea Street
Honolulu, Hawai'i 96813
Telephone No. 539-0400

N. MARTINS, CLERK
SECOND JUDICIAL CIRCUIT
STATE OF HAWAII

Attorneys for Plaintiffs

IN THE CIRCUIT COURT OF THE SECOND CIRCUIT
STATE OF HAWAII

KAHOMA LAND LLC, KIPA HUI, JAMES
RILEY and JEANNIE RILEY,

Plaintiffs,

v.

ALFRED JONES, also known as ALFRED
WILLIAM JONES; NANCY H. JONES;
CLARA JONES, also known as CLARA
FAREWELL and CLARA FARWELL
JONES; KAAUA; their heirs or assigns,
and ALL WHOM IT MAY CONCERN,

Defendants.

CIVIL NO. 05-1-0451(1)
FINAL JUDGMENT

(kahoma land, et al./2998/9795-B)

FINAL JUDGMENT

Pursuant to ORDER GRANTING PLAINTIFFS' DEFAULT JUDGMENT MOTION filed February 24, 2006, final judgment is hereby entered in favor of Plaintiffs and against all named Defendants, their heirs and assigns, and all unknown persons claiming an interest in the real property described below, that:

- (1) Plaintiff, KAHOMA LAND LLC, is the owner of an undivided 33.534% interest,
- (2) Plaintiff, KIPA HUI, is the owner of an undivided 45.733% interest, and
- (3) Plaintiffs, JAMES RILEY and JEANNIE RILEY, are the owners as tenants by the entirety of an undivided 20.733% interest,

I hereby certify that this is a full, true and
correct copy of the Original. 00003
Clerk, Second Judicial Circuit

in Royal Patent Grant 2998 to William Ap Jones, and Apana 1 of Land Commission Award 9795-B, Royal Patent 3455, to Kaaua, both situated at Lahaina, Maui, Hawaii, within TMK (2) 4-5-10-5.

MAR 09 2006

DATED: Wailuku, Hawaii, _____.

/s/ JOEL E. AUGUST (Seal)

JUDGE, SECOND CIRCUIT COURT

FILED

ASHFORD & WRISTON
A Limited Liability Law Partnership LLP

2006 FEB 24 AM 10:45

MICHAEL W. GIBSON 1382-0
Ali'i Place, Suite 1400
1099 Alakea Street
Honolulu, Hawai'i 96813
Telephone No. 539-0400

N. YOTSUYA, CLERK
SECOND JUDICIAL CIRCUIT
STATE OF HAWAII

Attorneys for Plaintiffs

IN THE CIRCUIT COURT OF THE SECOND CIRCUIT
STATE OF HAWAII

KAHOMA LAND LLC, KIPA HUI, JAMES
RILEY and JEANNIE RILEY,

Plaintiffs,

v.

ALFRED JONES, also known as ALFRED
WILLIAM JONES; NANCY H. JONES;
CLARA JONES, also known as CLARA
FAREWELL and CLARA FARWELL
JONES; KAAUA; their heirs or assigns,
and ALL WHOM IT MAY CONCERN,

Defendants.

CIVIL NO. 05-1-0451(1)

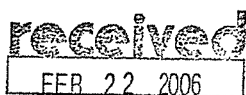
ORDER GRANTING PLAINTIFFS'
DEFAULT JUDGMENT MOTION

(kahoma land, et al./2998/9795-B)

ORDER GRANTING PLAINTIFFS' DEFAULT JUDGMENT MOTION

Plaintiffs filed this quiet title action claiming to be, and praying for entry of judgment that Plaintiffs are, the owners in fee simple of Royal Patent Grant 2998 to William Ap Jones, and Apana 1 of Land Commission Award 9795-B, Royal Patent 3455, to Kaaua, both situated at Lahaina, Maui, Hawaii, within TMK (2) 4-5-10-5.

Default having been entered of all named defendants and their heirs or assigns, Plaintiffs moved the Court pursuant to HRCP Rule 55(b)(2) for default judgment. The evidence establishes that title is vested in Plaintiffs. Plaintiffs are entitled to judgment as a matter of law.



IT IS HEREBY ORDERED that Plaintiffs' default judgment motion is granted, and that judgment be entered that:

(1) Plaintiff, KAHOMA LAND LLC, is the owner of an undivided 33.534% interest,

(2) Plaintiff, KIPA HUI, is the owner of an undivided 45.733% interest, and

(3) Plaintiffs, JAMES RILEY and JEANNIE RILEY, are the owners as tenants by the entirety of an undivided 20.733% interest, in Royal Patent Grant 2998 to William Ap Jones, and Apana 1 of Land Commission Award 9795-B, Royal Patent 3455, to Kaaua, both situated at Lahaina, Maui, Hawaii, within TMK (2) 4-5-10-5.

FEB 23 2006

DATED: Wailuku, Hawaii, _____.

/s/ JOEL E. AUGUST (Seal)

JUDGE, SECOND CIRCUIT COURT

KAHOMA LAND LLC, KIPA HUI, JAMES RILEY and JEANNIE RILEY v. ALFRED JONES, also known as ALFRED WILLIAM JONES; CIVIL NO. 05-1-0451(1); **ORDER GRANTING PLAINTIFFS' DEFAULT JUDGMENT MOTION**

WML 00006

EXCHANGE DEED

3121 PAGE 313

THIS INDENTURE made this 6th day of April, 1956, by and between GEORGE M. COLLINS, EDWIN P. MURRAY, FRANK E. MIDKIFF, WILLSON C. MOORE and ATHERTON RICHARDS, TRUSTEES under the Will and of the Estate of Bernice P. Bishop, Deceased, whose principal place of business and post office address is 519 Halekauwila Street and P. O. Box 3466, respectively, in Honolulu, City and County of Honolulu, Territory of Hawaii, hereinafter called the "GRANTORS", and PIONEER MILL COMPANY, LIMITED, a Hawaii corporation, with principal place of business and post office address at 745 Fort Street, and P. O. Box 3230, respectively, in Honolulu aforesaid, hereinafter called the "GRANTEE",

W I T N E S S E T H T H A T :

In consideration of the conveyance to the Grantors by the Grantee of certain land and premises as hereinafter set forth and described, the Grantors do hereby grant, bargain, sell, convey and exchange unto and with the Grantee, and its successors and assigns:

FIRST:

ALL those certain parcels of land situate in Lahaina, County of Maui, said Territory, delineated on Bishop Estate Maps 583, Section A, 583, Section B, 583-A, 583-B, 583-C, 583-D, 583-F and 583-H, filed in the Office of the Grantors, and described as follows:

LOT A (at Aki, Map 583, Section A)

BEGINNING at the north corner of this piece of land on makai side of road at a concrete post marked △, the coordinates of this post referred to Government Survey Triangulation Station "Laina" being 6612.4 feet south and 3734.3 feet west, and running by azimuths measured clockwise from true south:

1. 326° 21' 145.2 feet along road to a concrete post marked "+"; from this post a concrete post marked "V", at the south corner of Lot B, on the mauka side of road bears 240° 50' 24.6 feet;
2. 60° 50' 179.0 feet along L. C. Aw. 7587, Ap. 1 to Kealoha for Keaweiki;
3. 51° 33' 195.4 feet along same;
4. 54° 30' 298.3 feet along L. C. Aw. 9795B, Ap. 3 to B. Kaaua to a concrete post marked "E";

5. 141° 03' 30" 123.65 feet along land conveyed to Wo Hing Society by deed dated March 13, 1937;
6. 237° 18' 322.7 feet along L. C. Aw. 374B to Sylva and L. C. Aw. 312, Ap. 2 to T. Keaweiiwi;
7. 313° 50' 48.2 feet along L. C. Aw. 388, Ap. 1 to Hoohai;
8. 228° 30' 196.0 feet along same;
9. 145° 00' 63.0 feet along same;
10. 237° 33' 157.0 feet along L. C. Aw. 487 to Kaailau to the point of beginning,

Containing an area of 1.646 acres.

LOT B (at Aki, Map 583, Section A)

BEGINNING at the west corner of this piece of land at a concrete post marked "T" on the mauka side of road, the coordinates of this post referred to Government Survey Triangulation Station "Laina" being 6521.6 feet south and 3769.6 feet west, and running by azimuths measured clockwise from true south:

1. 229° 06' 81.0 feet along L. C. Aw. 4801 to G. Laanui;
2. 328° 53' 100.0 feet along same and L. C. Aw. 303, Ap. 3 to E. Kuakamauna;
3. 239° 30' 277.9 feet along L. C. Aw. 303, Ap. 3 aforesaid;
4. 233° 00' 100.0 feet along Grant 308 to L. S. Ua;
5. 323° 40' 110.2 feet along L. C. Aw. 303, Ap. 2 to E. Kuakamauna;
6. 68° 00' 60.0 feet along L. C. Aw. 236H to Halemake;
7. 333° 00' 42.2 feet along same;
8. 53° 00' 13.9 feet along same;
9. 324° 40' 30.0 feet along same;
10. 60° 50' 383.0 feet along L. C. Aw. 7587, Ap. 1 to Kealoha for Keaweiiwi to a concrete post marked "V" on mauka side of road. From this point another concrete post marked "+" on the makai side of the road and at the east corner of Lot A bears 60° 50' 24.6 feet;
11. 146° 21' 240.0 feet along road to the point of beginning,

Containing an area of 1.74 acre;

said Lots A and B comprising portions of Apana 25 of L. C. Aw. 7713, R. P. 4475 to V. Kamamalu, and also being portions of Boundary Certificate 207;

LOT D-E-T, (at Aki and Kelawea, Map 583 Section A)

BEGINNING at the east corner of this piece of land at a concrete post marked "Y" on road going into Kahoma Gulch, the coordinates of the above post referred to Government Survey Triangulation Station "Laina" being 5157.2 feet south and 1441.1 feet west, and running by azimuths measured clockwise from true south:

1. 74° 40' 72.0 feet along Kelawea along stone wall;
2. 56° 02' 31.9 feet along same;
3. 168° 00' 101.0 feet along L. C. Aw. 7777 Ap. 2 to Kaiaino;
4. 59° 23' 56.8 feet along same;
5. 325° 45' 97.0 feet along same;
6. 56° 02' 190.0 feet along Kelawea along stone wall;

7. 147° 06' 99.7 feet along L. C. Aw. 8452, Ap. 2 to Keohokalole;
8. 51° 25' 19.7 feet along same;
9. 148° 30' 221.3 feet along L. C. Aw. 6549, Ap. 2 to Hauula to a concrete post marked "E", the coordinates of this post referred to "Laina" Triangulation Station being 5050.4 feet south and 1895.1 feet west;
10. 212° 20' 125.0 feet along L. C. Aw. 312, Ap. 3 to Keaweiki;
11. 240° 45' 41.0 feet along L. C. Aw. 10612, Ap. 2 to Palau;
12. 159° 20' 16.3 feet along same;
13. 215° 30' 79.7 feet along L. C. Aw. 962, Ap. 2 to J. Armas;
14. 237° 40' 170.0 feet along same;
15. 207° 50' 147.0 feet along L. C. Aw. 962 aforesaid and L. C. Aw. 9795B, Ap. 1 to Kaaua;
16. 142° 10' 60.1 feet along said L. C. Aw. 9795B;
17. 227° 20' 192.1 feet along same;
18. 158° 20' 132.0 feet along same;
19. 196° 20' 85.1 feet along same;
20. 162° 00' 62.7 feet along same;
21. 205° 00' 30.4 feet along same;
22. 150° 30' 120.8 feet along same;
23. 29° 30' 79.2 feet along same;
24. 189° 37' 94.0 feet along Uhao;
25. 217° 20' 61.0 feet along Uhao;
26. 333° 40' 191.0 feet along Paeohi;
27. 347° 40' 259.0 feet along Paeohi;
28. 349° 55' 36.6 feet along same;
29. 52° 46' 92.4 feet along road;
30. 17° 00' 88.0 feet along road;
31. 357° 45' 482.0 feet along road;
32. 26° 30' 40.4 feet along L. C. Aw. 481, Ap. 1 to Kapihenui;
33. 332° 40' 45.9 feet along same and L. C. Aw. 7777, Ap. 1 to Kaiaino;
34. 357° 45' 22.0 feet along road to the point of beginning, containing a gross area of 5.17 acres,

EXCEPTING AND RESERVING out of said Lot D-E-T Apana 2 of the land described in L. C. Aw. 481, R. P. 5570 to Kapihenui, area 0.17 acre, leaving a NET AREA of 5.00 acres;

comprising Apanas 3 and 4 of L. C. Aw. 9815, R. P. 1165 to Lui and portions of Apanas 25 and 27 of L. C. Aw. 7713, R. P. 4475 to Victoria Kamamalu, also being a portion of Boundary Certificate 207;

LOT F (at Kuhua, Map 583 Section A)

BEGINNING at the north corner of this piece of land, the coordinates of this north corner referred to Government Survey Triangulation Station "Laina" being 6411.0 feet south and 4245.0 feet west, and running by azimuths measured clockwise from true south:

1. 321° 18' 133.8 feet along L. C. Aw. 11148, Ap. 3 to Hale;

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2. 47° 20' 31.0 feet along Lot 3A, Grant 6412 to Lahina Agricultural Co., Ltd.
3. 153° 30' 15.0 feet along L. C. Aw. 638, Ap. 2 to Imiwale;
4. 58° 00' 109.6 feet along same;
5. 146° 00' 105.6 feet along same;
6. 229° 50' 128.0 feet along Kuhua, L. C. Aw. 7582 to E. Hpe to the point of beginning,
Containing an area of 0.36 acre,
comprising a portion of Apana 10 of L. C. Aw. 7716, L. P. 8146 to Ruth Keelikolani;

LOT H (being a Lele of Kula, Map 583, Section A)
BEGINNING at a concrete post marked "+" and at the east corner of L. C. Aw. 650 and 6753 to Wahinepio and on the north side of road, the coordinates of this concrete post referred to Government Survey Triangulation Station "Laina" being 5997.4 feet south and 4771.0 feet west, and running by azimuths measured clockwise from true south:

1. 149° 30' 118.7 feet along L. C. Aw. 650 and 6753 to Wahinepio to a concrete post marked "+";
2. 157° 35' 60.0 feet along Bishop Estate Lot 9, L. C. Aw. 962, Ap. 1, to J. Armas;
3. 251° 44' 249.2 feet along L. C. Aw. 8559-B to W. C. Lunr'ilo;
4. 256° 40' 156.0 feet along same;
5. 202° 20' 54.0 feet along same;
6. 259° 30' 65.0 feet along L. C. Aw. 355, Ap. 1 to Keopenui;
7. 242° 05' 33.0 feet along same to a concrete post marked "+", the coordinates of this post referred to said Trig. Station "Laina" being 5648.3 feet south and 4352.1 feet west. The above concrete post is on the makai side of a road;
8. 242° 05' 24.8 feet across road;
9. 242° 05' 53.7 feet along L. C. Aw. 355, Ap. 1 to Keopenui;
10. 332° 00' 12.6 feet along L. C. Aw. 281B to Alii;
11. 342° 00' 167.6 feet along same;
12. 35° 30' 13.2 feet along same, to a concrete post marked "+" on mauka side of road, the coordinates of this concrete post referred to said Trig. Station being 5792.8 feet south and 4232.6 feet west;
13. 70° 30' 124.7 feet along L. C. Aw. 474, Ap. 1, to W. Kalei, and crossing road;
14. 73° 50' 205.9 feet along same;
15. 339° 00' 14.5 feet along same;
16. 64° 41' 240.2 feet along same to point in road;
17. 133° 49' 15.4 feet crossing road to the point of beginning,

Containing a gross area of 2.30 acres,

EXCEPTING AND RESERVING out of said LOT H the present roadway containing an area of 0.34 acre, leaving a net area of 1.96 acre;
comprising a portion of Apana 11 of L. C. Aw. 7716, L. P. 8146 to Ruth Keelikolani;

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LOT 3-B (at Paunau, Map 583 Section B)

BEGINNING at a concrete post marked "P" on the south-
 erly side of this lot and on the north side of L. C. Aw.
 6656, Apana 2 to Kawanu, the coordinates of said point of
 beginning referred to Government Survey Triangulation Sta-
 tion "Laina" being 10,954.2 feet south and 88.9 feet west,
 and running by azimuths measured clockwise from true south:

1. 80° 30' 125.6 feet along L. C. Aw. 6856, Ap. 2 to
Kawanu;
2. 46° 50' 37.0 feet along same;
3. 91° 10' 18.0 feet along L. C. Aw. 10613, Ap. 1 to
A. Paki;
4. 165° 20' 37.0 feet along L. C. Aw. 6854, Ap. 3 to
Ohule;
5. 252° 10' 242.0 feet along L. C. Aw. 6858, Ap. 3 to
Napapala;
6. 178° 30' 12.5 feet along same;
7. 263° 00' 52.0 feet along L. C. Aw. 4878W, Ap. 2 to
Kahookaka;
8. 351° 20' 50.8 feet along Lot 3-C, being the remainder
of L. C. Aw. 6400, Ap. 3 to Kapu;
9. 279° 20' 101.1 feet along same;
10. 358° 20' 17.0 feet along L. C. Aw. 4878-H, Ap. 2 to
Waihoioahu;
11. 92° 30' 170.0 feet along L. C. Aw. 6856, Ap. 2 to
Kawanu;
12. 80° 30' 42.0 feet along same to the point of beginning,
Containing an area of 0.364 acre;

comprising a portion of Apana 3 of L. C. Aw. 6400, L. P. 8286
to Kapu;

LOT K (at Paunau, Map 583 Section A)

BEGINNING at the east corner of this piece of land, the
 coordinates of this east corner referred to Government Survey
 Triangulation Station "Laina" being 6501.5 feet south and
 1591.6 feet west, and running by azimuths measured clockwise
 from true south:

1. 55° 10' 485.00 feet along L. C. Aw. 393, Ap. 1 to
Kekuelike;
2. 40° 50' 330.0 feet along same;
3. 202° 10' 252.00 feet along L. C. Aw. 8524-B, Ap. 3 to
Peke, L. C. Aw. 2745, Ap. 3 to Paaoao,
and L. C. Aw. 8524-B, Ap. 5 to Peke;
4. 207° 15' 111.0 feet along said L. C. Aw. 8524-B;
5. 140° 10' 171.0 feet along same and L. C. Aw. 6626, Ap. 1
to Mahaolelua;
6. 230° 40' 121.0 feet along L. C. Aw. 3974, Ap. 2 to Haui;
7. 317° 50' 48.0 feet along L. C. Aw. 6430 to J. Kahula;
8. 256° 20' 172.00 feet along same;
9. 342° 00' 41.0 feet along L. C. Aw. 6243 to Kaohe for
Hewahewanui;
10. 262° 50' 136.0 feet along same;
11. 268° 30' 137.0 feet to the point of beginning,
Containing an area (gross) of 2.31 acres,

EXCEPTING AND RESERVING out of Lot K Apana 1 of L. C. Aw.
 4804, R. P. 1683 to Nui, and portion of Apana 3 of L. C. Aw.

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2745, R. P. 1691 to Peasao, containing an area of 0.14 acre, leaving a NET AREA of 2.17 acres;

LOT L (at Paunau, being a Hakuono of Paunau, Map 583, Section A)

BEGINNING at the east corner of L. C. Aw. 2571, Ap. 2 to Kaneoalii on the boundary of Lot L, the coordinates of this point referred to Government Survey Triangulation Station "Laina" being 7552.0 feet south and 2123.0 feet west, and running by azimuths measured clockwise from true south:

1. 224° 10' 56.8 feet along Grant 309 to Kekauai crossing road;
 2. 286° 00' 59.4 feet along same;
 3. 195° 00' 31.0 feet along same;
 4. 270° 30' 54.8 feet along same;
 5. 243° 00' 85.8 feet along Grant 310 to Wm. Ap. Jones;
 6. 284° 00' 146.5 feet along same;
 7. 6° 10' 123.0 feet along L. C. Aw. 10667, Ap. 1 to Pkanele;
 8. 93° 05' 325.6 feet along L. C. Aw. 7269, Ap. 3 to Auwaa and L. C. Aw. 493, Ap. 1 to Kalalao crossing road;
 9. 148° 00' 9.2 feet along L. C. Aw. 6441, Ap. 1 to Keckeo;
 10. 53° 00' 36.0 feet along L. C. Aw. 6441 aforesaid;
 11. 134° 50' 85.2 feet along L. C. Aw. 7269, Ap. 1 to Auwaa;
 12. 221° 30' 30.0 feet along L. C. Aw. 2871, Ap. 3 to Kaneoalii to the point of beginning,
- Containing an area of 1.32 acre (gross),

EXCEPTING AND RESERVING out of Lot L the present roadway containing an area of 0.07 acre, leaving a NET AREA of 1.25 acre;

Lots K and L comprising portions of Apana 26 of L. C. Aw. 7713, R. P. 4475 to Victoria Kamaulu and Lot L being portion of Boundary Certificate 207;

LOT G-4 (portion of Kuhua 2, Lahaina)

BEGINNING at the west corner of this parcel of land, the north corner of Lot G-2 and on the southerly side of L. C. Aw. 7582, Ap. 4 to Eseti Kipa, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Laina" being 5,804.95 feet south and 3,466.78 feet west, and thence running by azimuths measured clockwise from true south:

1. 232° 32' 193.27 feet along said L. C. Aw. 7582 and along L. C. Aw. 7582, Ap. 8 to Eseti Kipa;
2. 315° 00' 74.90 feet along R.P. 2651, L. C. Aw. 11150 to Keaweolalo;
3. 37° 30' 93.00 feet along Grant 4677, Lot 2 to H. A. Isenberg;
4. 50° 00' 115.02 feet along Grant 4677, Lot 2 and Grant 4676, Lot 1 to H. A. Isenberg;
5. 143° 29' 103.46 feet along remainder of L. P. 8146, L. C. Aw. 7716, Ap. 10 to R. Keelikolani to the point of beginning,

Containing an area of 0.434 acre;

LOT G-3 (portion of Kuhua I, Lahaina)

BEGINNING at the north corner of this parcel of land, the west corner of Lot G-4 and on the northeast side of proposed Territorial Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Laina" being 5,934.11 feet south and 3,699.20 feet west and thence running by azimuths measured clockwise from true south:

1. 316° 59' 114.71 feet along remainder of L. P. 8146, L.C. Aw. 7716, Ap. 10 to R. Keelikolani along northeast side of proposed Territorial Highway;
2. 53° 00' 80.44 feet along R. P. 2358, L.C. Aw. 638, Ap. 1 to Imiwale;
3. 136° 59' 109.33 feet along remainder L.P. 8146, L.C. Aw. 7716, Ap. 10 to R. Keelikolani;
4. 229° 10' 80.06 feet along L.C. Aw. 7582, Ap. 4 to Eseta Kipa to the point of beginning,

Containing an area of 0.206, acre,

Lots G-4 and G-3 comprising portions of L.P. 8146, L. C. Aw. 7716, Ap. 10 to R. Keelikolani, and descriptions of these two lots per survey of Walter P. Thompson dated November 25, 1955;

LOT J-2 (portion of Paunau, Haleu, Kilolani and Wainane)

BEGINNING at the north corner of this parcel of land and on the southwest side of R. P. 3582, L. C. Aw. 7711, Ap. 3 to J. H. Kaihekei, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Laina" being 7,389.30 feet south and 2,453.19 feet west and thence running by azimuths measured clockwise from true south:

1. 320° 10' 121.40 feet along said R. P. 3582;
2. 225° 00' 51.00 feet along same;
3. 317° 10' 159.80 feet along Grant 309 to Kekauai;
4. 55° 50' 78.49 feet along R.P. 1579, L.C. Aw. 2871, Ap. 3 to W. Kanooalii;
- Thence on a curve to the left with a radius of 2251.83 feet along remainder of R.P. 4475, L.C. Aw. 7713, Ap. 26 to V. Kamamalu along southwest side of proposed Territorial Highway, the chord azimuth and distance being:
5. 138° 07' 38" 89.91 feet;
6. 136° 59' 102.38 feet along remainder said R.P. 4475 along the southwest side of proposed Territorial Highway;
7. 46° 15' 233.03 feet along remainder said R.P. 4475;
8. 52° 44' 109.61 feet along same;
9. 222° 30' 226.00 feet along R.P. 6727 and L.P. 8407, L.C. Aw. 8520, Ap. 4 to I. Kaeo;
10. 137° 05' 49.10 feet along same;
11. 262° 00' 24.40 feet along R.P. 5702, L.C. Aw. 8524-B Ap. 1 to Peke;
12. 220° 43' 129.50 feet along same to the point of beginning,

Containing an area of 0.613 acre,

Lot J-2 comprising portion of R.P. 4475, L.C. Aw. 7713, Ap. 26 to V. Kamamalu, and above description per survey of Walter P. Thompson dated November 25, 1955. *W*

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LOT N (at Puunoa 3d, Map 583 Section A)

BEGINNING at the east corner of this piece of land and on the southwesterly side of Honoapiilani Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Laina" being 5721.0 feet south and 5457.7 feet west, and running thence by azimuths measured clockwise from true south:

1. 50° 10' 110.56 feet along Kaineha, L. C. Aw. 10605, Ap. 4 Mahele 1 to Piikoi to concrete post marked II;
2. 145° 19' 163.0 feet along L. C. Aw. 221-B, Ap. 2 to Ali, L. C. Aw. 344 to Kamaka, L. C. Aw. 6061, Ap. 3 to Hanemo, L. C. Aw. 486-D to Poopua and L. C. Aw. 486, Ap. 2 to Ku to a concrete post marked "→";
3. 239° 10' 88.4 feet along L. C. Aw. 486, Ap. 2 to Ku;
4. 156° 49' 125.5 feet along same to a concrete post marked "□";
5. 243° 17' 6.49 feet along road to Honoapiilani Highway;
6. 330° 53' 115.36 feet along southwesterly side of said Highway;
7. 324° 40' 171.80 feet along same to the point of beginning,

Containing an area of 0.445 acre;

comprising a portion of Apua 1 of Mahele Award 63 to Namaau;

LOT Q (at Aki, Map 583, Section A)

BEGINNING at the north corner of this piece of land at a concrete post marked "⊠" the coordinates of this post referred to Government Survey Triangulation Station "Laina" being 4012.1 feet south and 1599.9 feet west and running by azimuths measured clockwise from true south:

1. 331° 00' 45.0 feet along Uhao (L.C. Aw. 4801 to Laanui);
2. 9° 37' 241.8 feet along same;
3. 104° 00' 20.00 feet along L. C. Aw. 5795-B, Ap. 1 to Kaaua;
4. 24° 00' 81.8 feet along same;
5. 286° 00' 60.0 feet along same;
6. 12° 00' 54.1 feet along same;
7. 44° 00' 278.0 feet along same;
8. 85° 30' 128.0 feet along same;
9. 331° 30' 185.0 feet along same;
10. 68° 00' 100.0 feet along L. C. Aws. 464 and 2762, Ap. 1 to Nawaskoa;
11. 54° 30' 89.0 feet along L. C. Aw. 962, Ap. 2 to J. Armas;
12. 147° 40' 53.0 feet along L. C. Aw. 7582, Ap. 2 to E. Kipa;
13. 179° 30' 133.3 feet along same;
14. 131° 13' 40.7 feet along Grant 2998 to W. Ap. Jones;
15. 184° 35' 75.9 feet along same;
16. 143° 45' 52.8 feet along same;
17. 221° 00' 100.0 feet along L. C. Aw. 312, Ap. 1 to Keaweiki to a concrete post marked "△" the coordinates of this post referred to "Laina" Triangulation Station being 4492.3 feet south and 2041.9 feet west;

18. 225° 58' 170.0 feet along low stone wall along L.C. Aw. 6849, Ap. 1 to Nahale and Grant 1891, Aps. 9 and 8 to D. Baldwin;
19. 234° 27' 156.0 feet along same along Grant 1891, Ap. 3 to D. Baldwin and L.C. Aw. 6061, Ap. 4 to Hanalei;
20. 233° 15' 131.0 feet along same along L.C. Aw. 6061 aforesaid, and along land of Wahikuli;
21. 204° 30' 212.0 feet along same and along land of Wahikuli to the point of beginning,

Containing an area of 3.72 acres,

comprising a portion of Apana 25 of L.C. Aw. 7713, R. P. 4475 to Victoria Kamamalu, and also portion of Boundary Certificate 207;

LOT W (at Puunoa 2nd, Map 583, Section A)

BEGINNING at the southwest corner of this piece of land and on the northeasterly side of Honoapiilani Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Laina" being 5450.9 feet south and 5552.8 feet west, and running thence by azimuths measured clockwise from true south:

1. 150° 53' 148.76 feet along northeasterly side of Honoapiilani Highway;
2. 154° 34' 30" 61.98 feet along same;
3. 157° 10' 44.24 feet along same;
4. 159° 25' 33.98 feet along same;
5. 247° 50' 356.07 feet along Puunoa 1, L.C. Aw. 8515 to G. Lahilahi;
6. 338° 30' 131.3 feet along same;
7. 243° 20' 173.6 feet along same;
8. 223° 30' 39.6 feet along same;
9. 244° 30' 97.0 feet along same;
10. 182° 00' 18.5 feet along same;
11. 237° 50' 112.2 feet along same;
12. 324° 10' 122.8 feet along L.C. Aw. 9795-G, Ap. 2 to Ua;
13. 54° 30' 181.5 feet along L.C. Aw. 11086, Ap. 4 to J. H. Kaiheekai;
14. 335° 00' 12.0 feet along same to a concrete post marked "+";
15. 62° 40' 613.01 feet along L.C. Aw. 486, Ap. 1 to Ku to the point of beginning,

Containing an area of 3.481 acres;

comprising a portion of Apana 2 of Grant 962 to Puhalahua;

LOT X-2 (portion of Puunoa 2, Lahaina)

BEGINNING at the east corner of this parcel of land and on the southwesterly side of Front Street, the coordinates (B.P.B. Estate) of said point of beginning referred to Government Survey Triangulation Station "Laina" being 5,467.9 feet south and 5,585.7 feet west, and thence running by azimuths measured clockwise from true south:

1. 62° 40' 126.20 feet along north side of a roadway;
2. 145° 19' 10.08 feet along remainder of Grant 962, Lot 2 to Puhalahua;

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1. 243° 40' 11.24 feet along remainder side of 311;
4. 331° 00' 10.00 feet along southwesterly side of Front Street to the point of beginning,

Containing an area of 0.029 acre.

(comprising portion of Grant 962, Lot 2 to Kukulagua, and the above description per survey of Walter P. Thompson dated November 25, 1953)

LOT 1-A (at Puunau, Map 583 Section 3)

BEGINNING at the southwest corner of this lot, the east corner of Lot 1-C and on the northerly side of L. C. Aw. 508, Ap. 1 to Kalahohina, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Laina" being 11,505.0 feet south and 1316.9 feet west, and running by azimuths measured clockwise from true south:

1. 158° 47' 52.9 feet along Lot 1-C, being the remainder of L. C. Aw. 6400, Ap. 1 to Kapu;
2. 250° 37' 376.8 feet along L. C. Aw. 6858, Ap. 4 to Napapaia and L. C. Aw. 7680, Ap. 3 to Uluhahehei;
3. 331° 36' 15.8 feet along Lot 1-E, being the remainder of L. C. Aw. 6400, Ap. 1 to Kapu;
4. 352° 50' 22.0 feet along L. C. Aw. 10613, Ap. 1 to A. Pa'i;
5. 66° 40' 130.2 feet along L. C. Aw. 508, Ap. 1 to Kalahohina;
6. 154° 20' 29.0 feet along Lot 1-D, being remainder of L. C. Aw. 6400 Ap. 1 to Kapu;
7. 67° 50' 162.4 feet along same;
8. 338° 00' 32.3 feet along same;
9. 66° 40' 79.0 feet along L. C. Aw. 508, Ap. 1 to Kalahohina to the point of beginning,

Containing an area of 0.431 acre;

comprising portion of Apana 1 of L. C. Aw. 6400, L. P. 8286 to Kapu;

LOT 1-B (at Puunau, Map 583 Section B)

BEGINNING at a concrete post marked "→" at the west corner of this lot and on the northeasterly side of Honoapiilani Highway, the coordinates of said point of beginning referred to Government Survey Trig. Station "Laina" being 11,465.2 feet south and 1446.3 feet west, and running by azimuths measured clockwise from true south:

1. 231° 10' 60.00 feet along land of Polaiki;
2. 325° 10' 39.0 feet along same;
3. 49° 52' 56.35 feet along Lot 1-C, being remainder of L. C. Aw. 6400, Ap. 1 to Kapu;
4. 139° 49' 40.2 feet along northeasterly side of Honoapiilani Highway to the point of beginning,

Containing an area of 0.053 acre;

comprising a portion of Apana 1 of L. C. Aw. 6400, L. P. 8286 to Kapu;

LOT 2 (at Puunau, Map 583 Section B)

BEGINNING at the northwest corner of this piece of land at a concrete post marked "V" on the mauka side of road, the coordinates of this post referred to Government Survey Station "Laina" being 11,196.0 feet south and 757.7 feet west. From the above post marked "V" another post marked "A" on makai side of road bears 57° 40' 25.3 feet. This post marked "A" is at the north corner of Lot 1, and running by azimuths measured clockwise from true south:

1. 237° 40' 5.7 feet along L. C. Aw. 6854, Ap. 4 to Ohule;
2. 194° 40' 8.0 feet along same;
3. 300° 00' 23.4 feet along L. C. Aw. 10568, Ap. 2 to Oleloa;
4. 241° 10' 227.7 feet along same;
5. 252° 50' 38.0 feet along L. C. Aw. 6854, Ap. 3 to Ohule;
6. 349° 40' 40.0 feet along L. C. Aw. 6219, Ap. 2 to Maaweau;
7. 62° 18' 195.7 feet along same;
8. 340° 00' 14.5 feet along same;
9. 70° 10' 71.0 feet along L. C. Aw. 4878-H, Ap. 1 to Waihoibahu and L. C. Aw. 6219, Ap. 1 to Maaweau;
10. 148° 40' 31.0 feet along L. C. Aw. 3709-B, Ap. 1 to Kalawala;
11. 70° 20' 55.0 feet along same;
12. 149° 42' 29.0 feet along road to the point of beginning, Containing an area of 0.37 acre;

comprising Apana 2 of L. C. Aw. 6400, L. P. 8286, to Kapu;

LOT 5 (portion of the land of Kalualepo, Map 583 Section B)

BEGINNING at the west corner of this piece of land at a concrete post marked "111", on the mauka side of Honoapiilani Highway, the coordinates of the above post referred to Government Survey Triangulation Station "Laina" being 12,614.9 feet south and 472.3 feet west, and running by azimuths measured clockwise from true south:

1. 243° 00' 234.0 feet along L. C. Aw. 6919, Ap. 2 to Pinauca;
2. 331° 10' 126.0 feet along L. C. Aw. 10427, Ap. 1 to Naea;
3. 67° 40' 215.0 feet along L. C. Aw. 10427, Ap. 2 to Naea to Honoapiilani Highway;
4. 140° 40' 111.0 feet along said Highway to the point of beginning, Containing an area of 0.60 acre;

LOT 6 (portion of the land of Kalualepo, Map 583 Section B)

BEGINNING at the east corner of this piece of land at a concrete post marked "V", the coordinates of this post referred to Government Survey Triangulation Station "Laina" being 12,082.3 feet south and 640.3 feet east, and running by azimuths measured clockwise from true south:

1. 52° 04' 370.1 feet along L. C. Aw. 6870, Ap. 1 to Puuule;
2. 61° 00' 20.0 feet along same;
3. 150° 00' 136.0 feet along L. C. Aw. 4878-E, Ap. 1 to Holi;
4. 247° 55' 368.0 feet along L. C. Aw. 6887 to Kuakaha;
5. 297° 25' 41.0 feet along same to point of beginning, Containing an area of 0.75 acre;

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LOT 13 (in Kahoma Valley, Map 583, Section 4)

BEGINNING on the west boundary of this piece, being also the most easterly point of Bishop Estate Lot D-E-T, on the south side of gulch, the coordinates of said point referred to Government Survey Triangulation Station "Laina" being 4436.6 feet south and 1364.6 feet west, and running by azimuths measured clockwise from true south:

1. 185° 46' 332.5 feet along land of Paechi, L. C. Aw. 3452, Ap. 4 to Keohokalole crossing stream and along stone wall to angle in said wall;
2. 214° 30' 406.0 feet along land of Paechi;
3. 181° 00' 154.0 feet along land of Paechi, up pali to the top of same on the boundary of Government land of Wahikuli;
4. 227° 15' 255.0 feet along top of north pali edge of gulch, along Government land of Wahikuli;
5. 248° 53' 116.3 feet along same;
6. 219° 25' 206.0 feet along same to a pipe;
7. 325° 33' 82.0 feet down side of pali, along L. C. Aw. 7724, Ap. 2 to Poholopu to center of stream bed;

Thence following down along the center of the stream bed in all its turns and windings, the direct azimuth and distance being:

8. 34° 26' 849.7 feet;
9. 318° 10' 125.0 feet along kuauna, along L. C. Aw. 9815:1 to Lui;
10. 50° 00' 45.0 feet along south pali edge of gulch, along L. C. Aw. 277, Ap. 2 to Kanaia for Lunaliilo;
11. 313° 00' 56.0 feet along same to corner of stone wall;
12. 49° 28' 518.0 feet along stone wall, along L. C. Aw. 9816, Ap. 2 to Kaimunui, L. C. Aw. 310 Ap. 4 to Pikanelo and L. C. Aw. 3421, Ap. B-2 to Kaas to angle in stone wall;
13. 117° 48' 31.9 feet across road to Bishop Estate Lot D-E-T;
14. 232° 46' 92.4 feet along Bishop Estate Lot D-E-T to the point of beginning,

Containing a gross area of 4.07 acres,

EXCEPTING AND RESERVING out of said Lot 13 Apena 3 of L. C. Aw. 7777 to Kaiaino; Ap. 2 of L. C. Aw. 9816, R.Ps. 1164 and 4468 to Kaimunui; and L. C. Aw. 327, R. P. 7193 to Kaauwai, containing an aggregate area of 2.20 acres, leaving a NET AREA of 1.87 acre,

comprising portion of Apena 27 of L. C. Aw. 7713, R. P. 4475 to Victoria Kamamalu;

AND the reversions, remainders, rents, issues and profits thereof together with all buildings, improvements, tenements, rights, easements, privileges and appurtenances to the same belonging or appertaining

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to hold and enjoy the same, and all of the estate, right, title and interest of the Grantors and their successors, heirs and assigns, in and to the same, and to the equity therein and thereto;

TO HAVE AND TO HOLD the same unto the Grantee and its successors and assigns, forever;

AND THE GRANTORS, for themselves and their successors in trust, hereby covenant with the Grantee, and its successors and assigns:

THAT the above described premises are free from all encumbrances made by the Grantors and that they will WARRANT AND DEFEND the same unto the Grantee forever against the lawful claims and demands of all persons claiming by, through or under the Grantors but against no others;

AND THIS INDENTURE ALSO WITNESSETH:

THAT in consideration of the foregoing conveyance, the Grantee hereby grant, bargain, sell, convey and exchange unto and with the Grantors and their successors in trust and assigns:

SECOND:

ALL those certain parcels of land situate in Lahaina, County of Maui, said Territory, described as follows:

LOT C-2, (portion of Kuhua 3 and Aki, Lahaina)
(portion of Grant 5979, Lot 3 to Lahaina Agricultural Company, Limited, a portion of R. P. 1179, L. C. Aw. 312, Apana 2 to T. Keaweiki, a portion of R. P. 1179, L. C. Aw. 312, Apana 4 to T. Keaweiki and a portion of Kuhua 3)

BEGINNING at the south corner of this parcel of land, the north corner of the intersection of Wainee and Papalaua Streets, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Laina" being 6,462.44 feet south and 3,814.78 feet west, and thence running by azimuths measured clockwise from true south:

1. 147° 49' 176.86 feet along remainder said R. P. 1179, along remainder of said Grant 5979 along the northeast side of Wainee Street;
2. 224° 45' 154.27 feet along L. P. 8146, L. C. Aw. 7716, Ap. 10 to R. Keelikolani;
3. 233° 00' 144.24 feet along same;
4. 316° 59' 204.19 feet along remainders of R. P. 2368, L. C. Aw. 638, Ap. 1 to Imiwale, and R. P. 1179 aforesaid along the south-west side of proposed Territorial Highway;

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5. 53° 48' 30" 333.19 feet along remainder of R.P. 1179, L.C. Aw. 312, Ap. 4 and Ap. 2 to T. Keaweiki along northerly side of Papalaui Street to the point of beginning. Containing an area of 1.409 acre.

LOT C-1 (portion of Kuhua 1, Lahaina)
(portion of L. C. Aw. 7582, Apapa 4 to Estate Kipa)

BEGINNING at the east corner of this parcel of land the north corner of Parcel C-1 and on the southwest side of proposed Territorial Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Laina" being 6,036.46 feet south and 3,759.77 feet west and thence running by azimuths measured clockwise from true south:

1. 49° 10' 61.83 feet along L.P. 8146, L.C. Aw. 7716, Ap. 10 to R. Keelikolani;
2. 55° 20' 161.00 feet along same;
3. 52° 00' 51.75 feet along same;
4. 147° 49' 126.99 feet along northeast side of Wainee Street;
5. 244° 40' 78.82 feet along remainder said L.C. Aw. 7582 and along L.P. 8278, L.C. Aw. 11033 to G. Shaw and Maunahina;
6. 228° 30' 66.00 feet along said L.P. 8278;
7. 223° 30' 107.90 feet along same;
8. 316° 59' 135.85 feet along remainder said L.C. Aw. 7582, along southwest side of proposed Territorial Highway to the point of beginning.

Containing an area of 0.736 acre;

LOT C-3 (portion of Kuhua 3, Aki and Uhao, Lahaina)
(portion of Grant 4676, Lot 1 to H. A. Isenberg, a portion of R. P. 2368, L. C. Aw. 638, Ap. 1 to Imiwale, a portion of R. P. 1179, L. C. Aw. 312, Ap. 4 to T. Keaweiki and a portion of L. P. 8394, L. C. Aw. 4801, Lot 1 to G. Laanui)

BEGINNING at the west corner of this parcel of land, the south corner of Lot G-2 and on the northeast side of proposed Territorial Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Laina" being 6,067.98 feet south and 3,620.94 feet west, and thence running by azimuths measured clockwise from true south:

1. 233° 00' 197.82 feet along L. P. 8146, L.C. Aw. 7716, Ap. 10 to R. Keelikolani;
2. 142° 10' 9.50 feet along same;
3. 230° 00' 82.98 feet along same;
4. 323° 29' 215.06 feet along remainder said Grant 4676, along remainder said R.P. 1179, and along remainder said L. P. 8394;
5. 52° 23' 257.25 feet along remainders said L.P. 8394 and R. P. 1179;
6. 136° 59' 205.11 feet along remainder said R. P. 1179, and along remainder said R. P. 2368, to the point of beginning.

Containing an area of 1.273 acre; 146.

LOT G-4 (portion of Kuhua 1, Lahaina)
 Termination of L. C. Aw. 7582, Ap. 4 to Ereta Kipa and
 portion of Grant 1875 to George Shaw)

BEGINNING at the south corner of this parcel of land,
 the west corner of Lot G-2, and on the northeast side of
 proposed Territorial Highway, the coordinates of said
 point of beginning referred to Government Survey Triangu-
 lation Station "Laina" being 5,984.11 feet south and
 3,699.20 feet west, and thence running by azimuths meas-
 ured clockwise from true south:

1. 136° 59' 136.76 feet along remainder said L. C. Aw.
7582 along the northeast side of
proposed Territorial Highway;
2. 232° 25' 308.94 feet along L. P. 8278, L. C. Aw. 11033
to G. Shaw and Maunahina and along
remainder of Grant 1875 to G. Shaw;
3. 323° 29' 135.94 feet along remainder of Grant 1875 to
G. Shaw, and along remainder of L. C.
Aw. 7582 aforesaid;
4. 52° 32' 48.43 feet along L. P. 8146, L. C. Aw. 7716,
Ap. 10 to R. Keelikolani;
5. 53° 00' 203.00 feet along same;
6. 49° 10' 42.11 feet along same, to the point of be-
ginning,

Containing an area of 0.933 acre;

LOT O-1 (portion of Haleu, Puuhoowali, Waianae and Puako)
 (being all of R. P. 5564, L. C. Aw. 4662 to Panluhi; a
 portion of R. P. 1876, L. C. Aw. 8519-B, Ap. 7 to Fanny
 Young; a portion of Grant 5979 to Lahaina Agricultural
 Company, Limited; a portion of Grant 310 to W. A. Jones;
 a portion of R. Ps. 5578 and 5595, L. C. Aw. 3049, Ap.
 1 to Kaluaokamano; a portion of R. P. 3582, L. C. Aw.
 7711, Ap. 2 to J. H. Kaiheekai; a portion of R. Ps.
 5578 and 5595, L. C. Aw. 3049, Ap. 2 to Kaluaokamano;
 a portion of Grant 309 to Kekauai; a portion of R. P.
 2399, L. C. Aw. 10667, Ap. 2 to Pikanele; a portion of
 Grant 482 to J. Y. Kanehoe)

BEGINNING at the west corner of this parcel of land and
 on the southeast side of roadway, the coordinates of said
 point of beginning referred to Government Survey Triangulation
 Station "Laina" being 6,910.55 feet south and 1,955.23 feet
 west and thence running by azimuths measured clockwise from
 true south:

1. 227° 26' 512.30 feet along remainder of R. P. 3582
aforesaid; R.Ps. 5578 and 5595 and
said Grant 5979;
2. 237° 16' 141.55 feet along remainders of Grant 5979
aforesaid, and R. P. 1876, L. C. Aw.
8519-B, Ap. 7 to Fanny Young;
3. 326° 00' 47.00 feet along R.P. 4475, L. C. Aw. 7713,
Ap. 26 to V. Kamamalu;
4. 247° 40' 93.70 feet along same;
5. 165° 00' 46.90 feet along same;
6. 241° 30' 71.90 feet along same;
7. 250° 30' 46.20 feet along same;

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8. 350° 30' 106.00 feet along same;
9. 74° 00' 37.00 feet along same;
10. 351° 00' 38.20 feet along same;
11. 87° 00' 39.60 feet along same;
12. 166° 20' 13.20 feet along same;
13. 79° 30' 39.60 feet along same;
14. 8° 20' 244.20 feet along same;
15. 281° 30' 54.40 feet along same;
16. 5° 50' 243.00 feet along same;
17. 22° 00' 445.50 feet along same;
18. 102° 30' 6.00 feet along same;
19. 22° 00' 28.00 feet along same;
20. 145° 01' 745.21 feet along remainders of R. P. 2399, L. C. Aw. 10667, Ap. 2 to Fikancio; Grant 482 to J. Y. Kanehoa; Grant 310 to W. A. Jones; Grant 309 to Kekauai, and R.Ps. 5578 and 5595, L. C. Aw. 3040, Ap. 2 to Kaluaokamano to the point of beginning;

Containing an area of 8.663 acres;

LOT O-2, (portion of Paunau and Puako, Lahaina)
(portion of Grant 5981, lot 15 to Lahaina Agricultural Company, Limited, and a portion of L. P. 8255, L. C. Aw. 10785 to Panianai,)

BEGINNING at the southeast corner of this parcel of land and on the north side of R. P. 1960, L. C. Aw. 4320, Ap. 3 to Kaula, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Laina" being 7,653.79 feet south and 790.86 feet west and thence running by azimuths measured clockwise from true south:

1. 111° 24' 463.22 feet along remainders said L. P. 8255 and Grant 5981 Lot 15 to Lahaina Agricultural Co. Ltd.;
2. 88° 15' 100.00 feet along R. P. 4475, L. C. Aw. 7713, Ap. 26 to V. Kamamalu;
3. 195° 30' 195.00 feet along same;
4. 250° 30' 164.00 feet along same;
5. 206° 10' 86.00 feet along same;
6. 244° 20' 325.00 feet along same;
7. 339° 15' 336.00 feet along same;
8. 41° 00' 247.00 feet along L. P. 8146, L. C. Aw. 7716, Ap. 11 to R. Keelikolani;
9. 343° 59' 130.90 feet along L. P. 8146, L. C. Aw. 7716, aforesaid, to the point of beginning;

Containing an area of 5.094 acres;

LOT P, (portion of Paunau, Haleu, Kiolani and Waianae, Lahaina)

(being all of R. P. 1778, L. C. Aw. 6729, Mahele 2 to Maluo no Kamanoha; all of R. P. 1778, L. C. Aw. 6729, Ap. 1. Mahele 1 to Maluo no Kamanoha; all of L. P. 8225, L. C. Aw. 1001, Ap. 1 to Keaweluaole; all of L. P. 8300, L. C. Aw. 3761-B to Kaluaopele; all of R. P. 2731, L. C. Aw. 7229, Ap. 1 to Lono; all of R. P. 2734, L. C. Aw. 7157, Ap. 1 to Kanekuapuu; all of R. P. 2733, L. C. Aw. 493, Ap. 2 to Kalalakoa; all of R. P. 5622, L. C. Aw. 7263, Ap. 1 to Nahupu;

all of R. P. 1876, L. C. Aw. 8519-B, Ap. 2 to Fanny Young;
all of R. P. 2734, L. C. Aw. 7157, Ap. 2 to Kanekuapua;
all of R. P. 1876, L. C. Aw. 8519-B, Ap. 3 to Fanny Young;
all of R. P. 3604 and R. P. 3604, L. C. Aw. 386 to Kawa-
wen; all of R. P. 1876, L. C. Aw. 8519-B, Ap. 1 to Fanny
Young; all of R. P. 1875, L. C. Aw. 9795-C, Ap. 2 to Kealo-
hapalani; all of R. P. 1187, and R. P. 1729, L. C. Aw.
310, Ap. 2 to Pikanele; all of Grant 4681, Lot 6 to H. E.
Hendricks; all of R. P. 1962, L. C. Aw. 10218, Ap. 3 to
Makaulia; all of R. P. 1697, L. C. Aw. 2538, Ap. 1 to
Umiumi; a portion of R. P. 1679, L. C. Aw. 2871, Ap. 3 to
W. Kaneoalii; a portion of R. P. 2732, L. C. Aw. 7269, Ap. 1
to Auwaa; a portion of R. P. 5700, L. C. Aw. 6441, Ap. 1
to Keokeo; a portion of R. P. 1962, L. C. Aw. 10218, Ap. 2
to Makaulia; a portion of R. P. 1751, L. C. Aw. 5441, Ap.
3 to Ninia; a portion of Grant 4680, Lot 5 to H. E. Hen-
dricks; a portion of R. P. 1681, L. C. Aw. 395 to Kahikona;
a portion of R. P. 1750, L. C. Aw. 7225 to Umiumi; a por-
tion of Mahele Aw. 41 to Kaohie; a portion of R. P. 1187
and R. P. 1729, L. C. Aw. 310, Ap. 1 to Pikanele; a por-
tion of R. P. 1962, L. C. Aw. 10218, Ap. 4 to Makaulia;
a portion of R. P. 1876, L. C. Aw. 8519-B to Fanny Young;
a portion of R. P. 1600, R. P. 1943 and R. P. 1958, L. C.
Aw. 387, Sec. 1, No. 1 to A.B.C.F.M.; a portion of R. P.
1779, L. C. Aw. 9812-G, Ap. 1 to Keaweluaoie and a portion
of old roadway)

BEGINNING at the west corner of this parcel of land and
on the northeast side of Wainee Street, the coordinates of
said point of beginning referred to Government Survey Tri-
angulation Station "Laina" being 7,906.04 feet south and
2,747.70 feet west and thence running by azimuths measured
clockwise from true south:

1. 242° 34' 294.40 feet along R. P. 4475, L.C. Aw.
7713, Ap. 26 to V. Kamamalu;
2. 149° 30' 32.30 feet along same;
3. 237° 30' 176.90 feet along same;
4. 235° 50' 70.01 feet along same;
Thence on a curve to the right with a radius of 2,251.83
feet along remainders of R.P. 1679,
L.C. Aw. 2871, Ap. 3 to S. Kaneoa-
lii; R.P. 2732, L.C. Aw. 7269, Ap.
1 to Auwaa; R.P. 5700, L. C. Aw.
6441, Ap. 1 to Keokeo; R.P. 1962,
L. C. Aw. 10218, Ap. 2 to Makaulia;
Grant 4680, Lot 5 to H.E. Hendricks
along the southwesterly side of
proposed Territorial Highway, the
chord azimuth and distance being:
5. 327° 04' 45" 611.84 feet;
6. 64° 05' 409.50 feet along remainders of Grant
4680, Lot 5 to H. E. Hendricks;
R.P. 1751, L. C. Aw. 5441, Ap. 3
to Ninia; R. P. 1681, L. C. Aw.
395 to Kahikona and R. P. 1750,
L. C. Aw. 7225 to Umiumi;
7. 144° 22' 30" 57.27 feet along remainders of R. P.
1750, L. C. Aw. 7225 to Umiumi;

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- R. P. 1962, L. C. Aw. 10218, Ap. 4 to Makaulia; Mahele Aw. 41 to Kachie and R. P. 1187 and R. P. 1729, L. C. Aw. 310, Ap. 1 to Pikehele;
8. 342° 22' 30" 100.00 feet along remainder of R. P. 1187 and R. P. 1729, L. C. Aw. 310, Ap. 1 to Pikehele and remainder of Mahele Award 41 to Kachie;
9. 142° 22' 30" 97.19 feet along remainder of Mahele Award 41 to Kachie along the northeast side of Wainee Street;
10. 143° 12' 408.94 feet along remainders of R.P. 1600, R.P. 1643 and R. P. 1768, L. C. Aw. 387, Sec. 1 No. 1 to A.B.C.F.W.; R.P. 1876, L. C. Aw. 8519-B to Fanny Young; R.P. 1779, L. C. Aw. 9312-G, Ap. 1 to Keawelusele and old road along the northeast side of Wainee Street, to the point of beginning.

Containing an area of 6.919 acres;

LOI Y, (portion of Puaa, Kooka and Alio, Lakaia)
(being portion of R. P. 1717, L. C. Aw. 4911 to Kapeahi; a portion of R. P. 2737, L. C. Aw. 4873-EE, Ap. 4 to Makaloie; portion of L. P. 8389, L. C. Aw. 11216 to M. Kekauonohi; a portion of R. P. 1879, L. C. Aw. 4316 to Keohokaua; portion of R. P. 1699, L. C. Aw. 5458, Ap. 1 to Manu; portion of R.P. 1866, L. C. Aw. 4878-I, Ap. 1 to Kupalii; portion of Grant 725 to Namauu; portion of R. P. 2724, L. C. Aw. 6207, Ap. 2 to Kahaka; portion of R. P. 1700, L. C. Aw. 6799, Ap. 3 to Keaka; portion of L. C. Aw. 6874 to Kahuenā and portion of R.P. 659, L. C. Aw. 235-Q to Kauhiihope)

BEGINNING at the northwest corner of this piece of land, the same being the east corner of the intersection of Shaw and Wainee Streets, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Laina" being 9,919.67 feet south and 1,470.59 feet west and thence running by azimuths measured clockwise from true south:

1. 250° 47' 191.64 feet along south side of Shaw Street;
2. 338° 37' 653.10 feet along remainders of R.P. 1717, L.C. Aw. 4911 to Kapeahi; R. P. 2737, L. C. Aw. 4878-EE, Ap. 4 to Makaloie; L. P. 8389, L. C. Aw. 11216 to M. Kekauonohi; R. P. 1879, L. C. Aw. 4316 to Keohokaua; R. P. 1699, L. C. Aw. 5458, Ap. 1 to Manu; R. P. 1866, L. C. Aw. 4878-I, Ap. 1 to Kupalii; Grant 725 to Namauu; R. P. 2724, L. C. Aw. 6207, Ap. 2 to Kahaka; R. P. 1700, L. C. Aw. 6799, Ap. 3 to Keaka and R. P. 659, L. C. Aw. 235-Q to Kauhiihope;
3. 70° 47' 110.12 feet along remainder of R. P. 659, L. C. Aw. 235-Q to Kauhiihope and remainder of L. C. Aw. 6874 to Kahuenā;
4. 151° 52' 660.75 feet along remainders of L. C. Aw. 6874 to Kahuenā; R. P. 2724, L. C. Aw. 6207, Ap. 2 to Kahaka; Grant 725 to Namauu;

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R.P. 1866, L. C. Aw. 4878-I, Ap. 1
to Kupalii; R. P. 1699, L. C. Aw.
5458, Ap. 1 to Manu; L. P. 8359, L.C.
Aw. 11216 to M. Yehaunuchi; R. P.
2737, L. C. Aw. 4878-EE, Ap. 4 to
Makaiole and R.P. 1717, L. C. Aw. 4911
to Kapeshi along the northeasterly side
of Wainea Street to the point of begin-
ning,

Containing an area of 2.261 acres,

AND the reversions, remainders, rents, issues and profits thereof
together with all buildings, improvements, tenements, rights, ease-
ments, privileges and appurtenances to the same belonging or apper-
taining or held and enjoyed therewith, and all of the estate, right,
title and interest of the Grantee, both at law and in equity therein
and thereto;

TO HAVE AND TO HOLD the same unto the Grantors and their succes-
sors in trust and assigns, forever;

AND for the consideration aforesaid the Grantee, for itself and
its successors, hereby covenants with the Grantors and their succes-
sors in trust and assigns: That the Grantee is the owner in fee simple
of said land and premises; that the same are free and clear of and
from all encumbrances; that it has good right to grant and convey
the same unto the Grantors as aforesaid and will WARRANT AND DEFEND
the same unto the Grantors forever against the lawful claims and
demands of all persons;

AND IT IS MUTUALLY UNDERSTOOD AND AGREED that the land and
premises hereinabove conveyed by the Trustees under the Will and of
the Estate of Bernice P. Bishop, Deceased, to the Pioneer Mill Company,
Limited, shall be removed from the operation of that certain Bishop
Estate Lease dated October 11, 1950, unrecorded, made by said Trustees
as lessors, and said Pioneer Mill Company, Limited, of the second part,
as lessee.

IN WITNESS WHEREOF the Grantors and the Grantee have executed

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these presents the day and year first above written.

WITNESSES
THAT THESE PRESENTS ARE TRUE AND CORRECT

TRUSTEES under the Will and of the Estate
of Bernice F. Bishop, Deceased

PIONEER MILL COMPANY, LIMITED

By: John C. Schelberger
VICE-PRESIDENT
By: Frank E. Midkiff
SECRETARY

TERRITORY OF HAWAII)
CITY AND COUNTY OF HONOLULU) SS:

On this 28th day of May 1956 before me personally
appeared ATHERTON RICHARDS, EDWIN P. MURRAY AND
FRANK E. MIDKIFF, to me known to be the persons de-
scribed in and who executed the foregoing instrument and acknowledged
that they executed said instrument as their free act and deed as
Trustees aforesaid.

Jacqueline K. C. Lister
Notary Public, First Judicial Circuit,
Territory of Hawaii
My commission expires May 12, 1959

TERRITORY OF HAWAII)
CITY AND COUNTY OF HONOLULU) SS:

On this 6th day of April 1956 before me appeared
H. C. Schelberger and M. A. Pichler
to me personally known, who being by me duly sworn, did say that they
are Vice-President and Secretary
respectively of PIONEER MILL COMPANY, LIMITED, a Hawaii corporation;
that the seal affixed to the foregoing instrument is the corporate
seal of said corporation and that said instrument was signed and sealed
on behalf of said corporation by authority of its Board of Directors:

and said H. C. Schelberger and M. A. Pichler
acknowledged that they executed said instrument as the free act and deed
of said corporation.

Harold M. Weber
Notary Public, First Judicial Circuit,
Territory of Hawaii

My commission expires Sept. 9, 1959
at 9:09 o'clock A.M.

Witness: Entered of Record, JUN 6 1956 at 9:09 o'clock A.M.
and compared, Oliver E. Aiu, Attorney Registrar of Conveyances.

By: [Signature] Clerk

WML 00026

*John O. Dominis & Wife. David Kalakaua & Wife.
 Likelike and W. P. Keahoolawe
 Deed of Partition*

An Indenture of Four Parts made this first day of July in the year one thousand eight hundred and seventy between John O. Dominis and Lydia H. Dominis his wife of the first part. Likelike of the second part. David Kalakaua and Kapiolani his wife of the third part and W. P. Keahoolawe by his Guardian R. Keelikolani of the fourth part—

Whereas Lydia H. Dominis, Likelike, David Kalakaua and W. P. Keahoolawe children of C. Kapaakea and one Keohokalole both deceased are the heirs at law of one Keohokalole deceased and entitled as such heirs at law as tenants in common in and to the following described Real Estate situate in the Hawaiian Islands. To wit: "Keahoolu" situate in North Kona, Hawaii; "Kapaakea" and "Kapiwai" situate in Puka, Hawaii; "Puna" situate in Puna, Hawaii; "Pae" situate in Pololu, Hawaii; "Paeohi" situate in Lahaina, Maui; "Kioloa" situate in Kona, Hawaii; "Luamoa" situate in Lahaina, Maui. And whereas the said parties have agreed to Partition the above described property of which they are now jointly seized in possession in their domestic as of fee, of and in the said lands and premises herein before mentioned part and parcel of the Estate of their mother one Keohokalole deceased which is now subject to distribution.

Now this Indenture Witnesseth. That the said Lydia H. Dominis by and with the consent of her husband John O. Dominis, Likelike, David Kalakaua and R. Keelikolani Guardian of W. P. Keahoolawe a minor and for and in his behalf do by these presents make a full perfect and absolute partition of the said lands and premises aforesaid to and amongst them the said Lydia H. Dominis, Likelike, David Kalakaua and W. P. Keahoolawe in four parts to be divided in manner and form following. That is to say. That the said Lydia H. Dominis and her heirs and assigns shall have and enjoy to the only use and behoof of her the said Lydia H. Dominis her heirs and assigns. All that certain tract piece and parcel of land situate in the District of North Kona, Island of Hawaii and known and called "Keahoolu" with the appurtenances for the full part, proportion and portion of the said Lydia H. Dominis of in and to all and every the premises herein before

mentioned held by the said Lydia H. Dominis - Likelike - David Halakana and W. P. Keahoolua as heirs at law of Ane Keohokalole deceased. And that the said Likelike her heirs and assigns shall have and enjoy to the only use and behoof of her the said Likelike her heirs and assigns - all those certain tracts pieces and parcels of land situate in Oahu and Kure and called "Kapaekia and Kapiwai" with the appurtenances for the full part property and portion of the said Likelike of in and to all and over the premises herein before mentioned held by the said Likelike, Lydia H. Dominis David Halakana and W. P. Keahoolua as heirs at law of Ane Keohokalole deceased - And that the said W. P. Keahoolua his heirs and assigns shall have and enjoy to the only use and behoof of him the said W. P. Keahoolua his heirs and assigns all those certain tracts pieces and parcels of land situate in the District of Puna, Island of Hawaii and known and called "Puna" and also the land called "Pae" in Pololu, Island of Hawaii, and also the land called "Paohi" in Lahaina Island of Maui, with the appurtenances for the full part property and portion of the said W. P. Keahoolua of in and to all and over the premises herein before mentioned held by the said W. P. Keahoolua - Lydia H. Dominis - Likelike and David Halakana as heirs at law of Ane Keohokalole deceased -

And that the said David Halakana his heirs and assigns shall have and enjoy to the only use and benefit of him the said David Halakana his heirs and assigns - All those certain tracts and parcels of land situate lying and being in the District of Kauai, Island of Hawaii and known and called "Kioloku" and also "Puanana" situate in Lahaina, Island of Maui, with the appurtenances for the full part property and portion of the said David Halakana of in and to all and over the premises herein before mentioned held by the said David Halakana - Lydia H. Dominis - Likelike and W. P. Keahoolua as heirs at law of Ane Keohokalole deceased -

And the said Likelike - David Halakana and R. Hechikolani Guardian of W. P. Keahoolua do by these presents give grant assign release and confirm to the said Lydia H. Dominis and her heirs the said land and premises called "Keahoolua" of the said and all the estate right title and interest which the said Likelike, David Halakana and W. P. Keahoolua have or either of them have or may or ought to have, from on to the said lands and premises in any part or parcel thereof - So that and to hold to the said Lydia H. Dominis her heirs and assigns to the only use and behoof of the said Lydia H.

Dominie's heirs and assigns forever - And the said
 Lydia H. Dominie by and with the consent of her husband
 John O. Dominie, David Kalakaua and R. Keelikouane
 Guardian of W. P. Keahoolawe do by these presents give grant
 assign release and confirm to the said Likelike and her heirs
 the said above described lands and premises called "Kapaakea"
 and "Kapiwai" situate as aforesaid and all the estate right
 title and interest which the said Lydia H. Dominie - David
 Kalakaua and W. P. Keahoolawe have on either of them both
 or may or might have if in or to the said lands and pre-
 mises known as "Kapaakea" and "Kapiwai" as aforesaid -
 To have and to hold to the said Likelike her heirs and assigns
 to the only use and behoof of the said Likelike her heirs
 and assigns forever - And the said Lydia H. Dominie by and
 with the consent of her husband John O. Dominie, Likelike
 and R. Keelikouane Guardian of W. P. Keahoolawe do by these
 presents give grant assign release and confirm to the said
 David Kalakaua and his heirs the said above mentioned lands
 and premises known and called "Kiolohe" and "Puanana"
 situate as aforesaid - and all the estate right title and interest
 which the said Lydia H. Dominie, Likelike and W. P.
 Keahoolawe have on either of them both or may or might
 have if in or to the said lands and premises known and called
 "Kiolohe" and "Puanana" situate as aforesaid - To have
 and to hold to the said David Kalakaua, his heirs and assigns
 to the only use and behoof of the said David Kalakaua, his
 heirs and assigns forever - And the said Lydia H.
 Dominie by and with the consent of her husband John O.
 Dominie - Likelike and David Kalakaua do by these
 presents give grant assign release and confirm to the said
 W. P. Keahoolawe and his heirs the said above named tracts
 of land called "Puna" situate in Puna and "Pau" situate
 in Pololu, Hawaii - and also "Paohi" situate in Lihaiing
 Maui and all the estate right title and interest which the
 said Lydia H. Dominie, Likelike and David Kalakaua have
 on either of them both or may or might have if in or to the
 said lands and premises known and called "Puna", "Pau"
 and "Paohi" situate as aforesaid - To have and to hold
 to the said W. P. Keahoolawe, his heirs and assigns to the only
 use and behoof of the said W. P. Keahoolawe, his heirs and
 assigns forever - And the said Kapiolani wife of David
 Kalakaua in consideration of the sum of one dollar to
 her paid the receipt whereof is hereby acknowledged do
 hereby release unto the said Lydia H. Dominie, Likelike

and W. P. Heckerlewa, then and each of their heirs and assigns all her right and title of Dower in the lands and premises this day given granted assigned released and confirmed to them and each of them by these presents

In witness whereof the parties to these presents have hereunto set their hands and seals the day and year first above written

Signed sealed and
Delivered in the
presence of

Jno. O. Dominis	0
L. R. Dominis	0
L. M. Kapaakea	0
D. Halakana	0
Kapiolani	0
R. Heelitolani	0

Register Office at Honolulu on this 5th day of July A.D. 1870
Personally appeared before me John O. Dominis and L. R. Dominis his wife and L. M. Kapaakea parties to the foregoing Instrument who severally acknowledged that they had executed the same for the uses and purposes therein set forth

Thomas Brown Register of Conveyances
Register Office at Honolulu on this 6th day of July A.D. 1870 personally appeared before me David Halakana who acknowledged that she had executed the foregoing Instrument for the uses and purposes therein set forth

Thomas Brown Register of Conveyances
Register Office at Honolulu on this 7th day of July A.D. 1870 personally appeared before me Kapiolani who acknowledged that she had executed the foregoing Instrument for the uses and purposes therein set forth

Thomas Brown Register of Conveyances
Personally appeared before me this 24th day of August A.D. 1870 R. Heelitolani who acknowledged that she had executed the foregoing Instrument for the purposes therein set forth

Charles Frederick Hart

Circuit Judge S. P. J. D.

Recorded & compared this 1st day of September A.D. 1870 at 11 o'clock A.M.
Thomas Brown Register of Conveyances

Kaupea To Palimanihu & Chay
Died

Eike mai auanei na mea a pau ma keia palapala owan o
Kaupea (K) no Kape Waianae i ka Moku o Hawaii
Kaupea (K) no Kape Waianae i ka Moku o Hawaii
Kaupea (K) no Kape Waianae i ka Moku o Hawaii
Kaupea (K) no Kape Waianae i ka Moku o Hawaii

1862

December 1862

Hawaiki

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Maui

On this 6th day of December A.D. 1862 personally appeared before me Solomon Humulona & Kawaleke his wife parties to the foregoing instrument & generally acknowledged that they executed the same for the uses & purposes therein set forth. And the said Kawaleke an opposite & innocent party to the same from her husband declared that she executed the same of her own free will without compulsion from or assistance from her husband.

Thomas Brown Registrar of Conveyances
Recorded & Compressed this 6th December 1862 at 10 O'clock A.M.
Thomas Brown Registrar of Conveyances

Wm. A. Jones, Administrator of Estate of
J. Heavievi. To John Enos

Deed

In all to whom these presents shall come, I, William A. Jones of the Town of Lahaina, Island of Maui, Hawaiian Islands, Administrator of the Estate of J. Heavievi, deceased, do hereby certify that the said J. Heavievi died on the 10th day of October 1862. Whereas by an order issued by the Hon. J. W. Hutchinson Circuit Judge for the Second Judicial District of the Hawaiian Islands bearing date the eighth day of October 1862, I the said William A. Jones was empowered to sell & convey a certain piece of land belonging to said estate situated in Moali, Lahaina, therein after described & shown to the said William A. Jones having given public notice of the said intended sale by posting written notices in three conspicuous places in Lahaina stating the time & place of said sale agreeably to the order & direction of said Circuit Judge, did on the twenty fourth day of October instant pursuant to the order & notice aforesaid sell by public auction the before mentioned piece of land belonging to the estate of the said J. Heavievi herein after described to John Enos of Lahaina for the sum of Fifty Five Dollars, he being the highest bidder therefor. And now I, the said William A. Jones by virtue of the powers & authority in me vested as aforesaid & in consideration of the aforesaid sum of Fifty five dollars to me paid by the said John Enos the receipt whereof is hereby acknowledged do hereby grant bargain sell & convey unto the said John Enos his heirs & assigns all that certain piece of land situated in Moali, Lahaina, the same containing

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No.	Name	Cite	Year	Hi?	Costs?	Fees?	Issue?
1	Tracy v. Ginzberg	205 US 170	1907	no	no	no	State Court decision was not a violation of due process
2	Wagner v. Leser	239 US 207	1915	no	no	no	Special paving assessment was not taking of property without due process
3	Fuentes v. Shevin	407 US 67	1972	no	no	no	Constitutionality of Florida and Pennsylvania replevin statutes upheld
4	Leis v Flynt	439 US 438	1979	no	no	no	Right of out of state lawyer to appear pro hac vice in Ohio is not a protected interest under due process clause
5	Dept. of Corrections v Thompson	490 US 454	1989	no	no	no	Kentucky prison regulations creating categories of persons excluded from visitation were not a protected interest
6	Slaughter House Cases	83 US 36	1872	no	no	no	Louisiana law limiting location of slaughterhouse and granting corporation sole right to operate slaughterhouse is not unconstitutional
7	Buchanan v. Warley	245 US 60	1917	no	no	no	Kentucky municipal ordinance prohibiting white or colored person from occupying a house in a neighborhood where they are in the minority is unconstitutional
8	Liggett Co. v Baldridge	278 US 105	1928	no	no	no	Pennsylvania statute limiting ownership of pharmacy to licensed pharmacist unconstitutional - overruled by <u>North Dakota State Bd. Of Pharmacy v. Snyder</u> , 414 US 156
9	Board of Regents v. Roth	408 US 564	1972	no	no	no	Assistant Professor at Wisconsin state college had no due process right to hearing on decision to not renew contract of employment
10	Butler v. Perry	240 US 328	1916	no	no	no	Florida law making it a misdemeanor to fail to perform labor on highways upheld
11	Brinkerhoff-Faris Trust v Hill	281 US 673	1930	no	no	no	Missouri court dismissal of tax appeal improper as denial of due process
12	Curry v. McCanless	307 US 357	1939	no	no	no	Tennessee ruling that Alabama could not tax probate assets in Alabama reversed
13	Rochin v. California	342 US 165	1952	no	no	no	Drug conviction where drug evidence was obtained by vomiting induced by police violated due process
14	Ivanho Irrig. Dist. v McCracken	357 US 275	1958	no	no	no	Contracts between California irrigation districts and Federal government controlled by federal law - disavowed by <u>California v. United States</u> , 438 US 645
15	Bartkus v. Illinois	359 US 121	1959	no	no	no	Trial for violation of state criminal code after acquittal for violation of federal criminal code did not violate due process
16	In re Gault	387 US 1	1966	no	no	no	Ruling that due process applies to juvenile proceedings abrogated by <u>Allen v. Illinois</u> , 478 US 364
17	Wolff v McDonnell	418 US 539	1974	no	no	no	Procedural due process is required in prisoner discipline hearings where good time may be revoked

18	Bordenkircher v Hayes	434 US 357	1978	no	no	no	Threat made to include greater charge made during plea bargain discussions did not violate due process
19	Rostker v. Goldberg	453 US 57	1981	no	no	no	Selective service act requiring registration of males but not females is constitutional
20	United States v. Goodwin	457 US 368	1982	no	no	no	Presumption of prosecutorial vindictiveness not warranted under facts of case
21	Colorado v Connelly	479 US 157	1986	no	no	no	Statement made by defendant to police after receiving Miranda warnings admissible without violation of due process despite defendant's mental condition
22	DeShaney v. Winnebago	489 US 189	1988	no	no	no	State had no constitutional duty to protect child from father after receiving reports of possible abuse
23	Collins v City of Harker Heights	503 US 115	1992	no	no	no	Texas city's failure to train workers about hazards in workplace did not violate due process
24	Powell v Alabama	287 US 45	1932	no	no	no	Failure of Alabama court to appoint defense counsel in capital case violated due process
25	Galvan v Press	347 US 522	1954	no	no	no	Alien who joined Communist party without knowledge of advocacy of violence was deportable as member of party
26	In re Groban	352 US 330	1956	no	no	no	Ohio statute allowing fire marshal to interrogate witnesses without counsel present upheld under due process analysis
27	Kinsella v United States	361 US 234	1959	no	no	no	Court martial of defendant wife of serviceman serving in Germany violated due process
28	Bodie v Connecticut	401 US 371	1970	no	no	no	Connecticut statute denying access to courts of indigents who could not pay filing fees violated due process
29	Ross v Moffitt	417 US 600	1974	no	no	no	Refusal to extend North Carolina rule providing attorney to represent indigent on initial appeal to subsequent appeals not violative of due process
30	United States v. Salerno	481 US 739	1987	no	no	no	Bail Reform Act authorizing pretrial detention based on future dangerousness not violative of due process
31	Hebert v Louisiana	272 US 312	1926	no	no	no	Misconstruction of state statute by state court is not violative of due process
32	Georgia Power v Decatur	281 US 505	1930	no	no	no	Georgia railway company held bound by contract with predecessor on fare to be charged for carriage of passengers
33	Bowling v Sharpe	347 US 497	1953	no	no	no	DC rule denying admission to public schools based on race violated due process
34	Schneider v Rusk	377 US 163	1964	no	no	no	Statute providing for denaturalization of naturalized citizen who lived in country of birth for 3 years violated due process

35	Shipiro v Thompson	394 US 618	1968	no	no	no	District of Columbia statute denying welfare assistance to persons who did not live in DC for 1 year violated due process - overruled in part by <u>Edelman v. Jordan</u> , 415 US 651
36	United States Dept. of Ag. v Moreno	413 US 528	1973	no	no	no	Amendment to Food Stamp Act rendering household that contained unrelated persons ineligible for food stamps violated due process
37	Johnson v Robinson	415 US 361	1974	no	no	no	Statute that denied conscientious objector veterans' educational benefits not violative of due process - superceded by statute
38	Buckley v Valeo	424 US 1	1976	no	no	no	Federal Election Campaign Act not violative of due process - superceded by statute
39	Mathews v. DeCastro	429 US 181	1976	no	no	no	Social Security Act provision denying benefits to divorced spouse until a certain age not violative of due process
40	Fullilove v. Klutznick	448 US 448	1980	no	no	no	Minority business enterprise provision of Public Works Act did not violate due process - receded from <u>Adarand Constructors, Inc. v. Pena</u> , 515 US 200
41	Lyng v Castillo	477 US 635	1986	no	no	no	Amendments that changed definition of household for food stamp eligibility were not violative of due process
42	Lugar V. Edmondson Oil	457 US 922	1982	no	no	no	Virginia statute authorizing deprivation of property before judgment violated due process
43	An-Ti v Michigan Tech. Univ.	493 F.Supp. 1137	1980	no	no	yes	Solicitation of complaints stated claim for conspiracy to deprive of constitutional rights thereby negating award of attorneys fees to defendant
44	Griffen v Breckridge	403 US 88	1971	no	no	no	Ku Klux Klan act application to private conspiracies does not violate due process
45	Bray v Alexandria Women's Health	506 US 263	1993	no	no	yes	Antiabortion organization's trespass and impeding entry to and exit from abortion facility does not violate due process and respondent's not entitled to attorneys fees - superceded by statute
46	Dennis v Sparks	449 US 24	1980	no	no	no	Allegation that parties bribed judge sufficient to withstand motion to dismiss 1983 action
47	Adickes v S.H. Kress & Co.	398 US 144	1970	no	no	no	White plaintiff in company of black persons could show violation of equal protection if defendant refused service because of state-enforced custom - superceded by statute
48	Acevedo-Diaz v. Aponte	1 F.3d 62	1993	no	no	no	Jury verdicts denying wrongful termination claims for political reasons reinstated on appeal.
49	Gomez v Toledo	446 US 635	1980	no	no	no	In 1983 action for wrongful termination by Puerto Rican police chief, bad faith on part of public official need not be alleged

50	Hughes v Rowe	449 US 5	1980	no	no	yes	Plaintiff's pro se complaint which is dismissed without more does not entitle defendant to attorneys fees
51	Expenditures Unltd Aquatic v. Smithsonian	500 F.2d 808	1974	no	no	no	Federal rule allows for vacation and reentry of judgment where clerk did not inform parties of entry of judgment
52	Brown v Clark Equipment Co.	96 FRD 166	1982	no	no	no	Plaintiff's motion for relief from judgment of dismissal denied as no extraordinary circumstance shown
53	Picking v Pennsylvania Ry	151 F.2d 240	1945	no	no	no	Transportation of extradicted persons by railroad was not a conspiracy with a public official - overuled in part by <u>Bauers v Heisel</u> , 361 F2d 581
54	Walter Process Equip v. Food Machinery	382 US 172	1965	no	no	no	Matter remanded to allow plaintiff to clarify asserted violations of Sherman Act in patent infringement action
55	Pierson v Ray	386 US 547	1967	no	no	no	Judge not liable for damages under Civil Rights Act for unconstitutional conviction
56	Scheur v Rhodes	416 US 232	1974	no	no	no	Dismissal of complaint remanded to allow plaintiffs to contest good faith action of defendants - abrogated by <u>Harlow v Fitzgerald</u> , 457 US 800
57	Imbler v Pathtman	424 US 409	1976	no	no	no	Prosecutor acting within scope of duties immune from civil suit for damages under Civil Rights Act of 1871
58	Monnell v Dept of Social Services	436 US 658	1978	no	no	no	Municipal government may be sued under 1983 if execution of government policy or custom inflict injury
59	Butz v. Economou	438 US 478	1978	no	no	no	Persons performing prosecutorial or adjudicatory functions within an administrative agency are entitled to absolute immunity
60	Missouri Pacific Ry Co. v. Mackey	127 US 205	1888	no	no	no	Kansas law providing railway company is liable to employees for acts of negligence is constitutional
61	Minneapolis & St. Louis Ry Co v. Herrick	127 US 210	1888	no	no	no	Iowa law providing railway company is liable to employees for acts of negligence is constitutional
62	Leeper v. Texas	139 US 462	1891	no	no	no	Objection that indictment under improperly enacted state statute does not raise a federal question
63	Giozza v Tierna	148 US 657	1893	no	no	no	Texas statute requiring posting of bond as part of application for liquor license was constitutional
64	Duncan v State	152 US 377	1894	no	no	no	Missouri constitutional amendment allowing for appellate review by a panel of less than a majority of the members is constitutional

CERTIFICATE OF SERVICE

I hereby certify that on the date hereof I caused a copy of the foregoing to be duly served by depositing same in the United States mail, postage prepaid, to the following at their last known address:

Jesse K. Souki
Director
Office of Planning
State of Hawaii
235 Beretania Street, 6th Floor
Honolulu, HI 96813

David M. Loui, Esq.
Bryan C. Yee, Esq.
Department of the Attorney General
425 Queen Street
Honolulu, HI 96813

William Spence
Director
Department of Planning
County of Maui
250 South High Street
Wailuku, HI 96793

Patrick K. Wong, Esq.
James A. Giroux, Esq.
Department of Corporation Counsel
County of Maui
200 South High Street
Wailuku, HI 96793


Mr. Russell Tsuji
Administrator
Land Division
Department of Land and Natural Resources
State of Hawaii
P.O. Box 621
Honolulu, HI 96809

Michele Lincoln
452 Aki Street
Lahaina, HI 96761

Routh Bolomet
P.O. Box 37371
Honolulu, HI 96837

FEB 19 2013

DATED: Kahului, Hawai'i, _____.



JAMES W. GEIGER
Attorney for Petitioner