

**SURVEY SHOWING  
SECTIONS "A" & "B"  
described in Liber 22151 Pg 250  
overlayed on Tax Map Keys:  
9-4-06, 9-6-04, and 9-6-05**

AT WAIPIA AND WAIPIO, EWA, OAHU, HAWAII



See Vol Keys: 9-4-06, 24, 25 & 26; 9-6-04, 24, 25 & 26; 9-6-05, 24, 25 & 26; 9-6-07, 24, 25 & 26

PLS. See 2212  
Waihi, HI 1512  
2010 Update






24" x 36" - 6.00 S.E. 11

C:\Oahu\KS WAIAWA\GIS\PROJECT\State Land Use.mxd



DATE: 5/6/2014

**LEGEND**


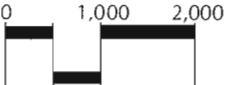

-  KS Waiawa Property (SLU Urban, Docket A87-610)
-  Agricultural District
-  Conservation District
-  Rural District
-  Urban District

**KS Exhibit 2**  
**State Land Use Districts**  
**KAMEHAMEHA SCHOOLS WAIAWA**  
**MOTION TO AMEND**

North Island of O'ahu

Linear Scale (feet)

0 1,000 2,000

Source: State Land Use Commission (2014)  
 Disclaimer: This Graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.



*First American Title*

## **First American Title Company, Inc.**

**1177 Kapiolani Boulevard  
Honolulu, HI 96814**

April 18, 2014

Onaona P. Thoene  
Carlsmith Ball LLP  
1001 Bishop Street, Suite 2100  
Honolulu, HI 96813  
Phone: (808)523-2596  
Fax: (808)523-0842  
Customer Reference:

Title Officer:	Mila Wright
Phone:	(808)457-3827
Fax No.:	(866)823-6167
E-Mail:	mqwright@firstam.com
Order Number:	4600061

Buyer:	TO BE DETERMINED
Owner:	Bernice Pauahi Bishop Trust Estate
Property:	Lot 16461, Ka Uka Boulevard Waipahu, Hawaii 96797

### **PRELIMINARY REPORT**

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Exhibit A attached. *The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.* Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.



Dated as of April 04, 2014 at 8:00 A.M.

The form of Policy of title insurance contemplated by this report is:

TO BE DETERMINED

A specific request should be made if another form or additional coverage is desired.

Title to said estate or interest at the date hereof is vested in:

Corbett Aaron Kamohaikiokalani Kalama, Micah A. Kane, Janeen-Ann Ahulani Olds, Lance Keawe Wilhelm, Robert K. W. H. Nobriga, as co-successor Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased

Note: There are no instruments of record setting forth the powers of said Trustee(s).

Note:

(A) Land Court Order No. 170003 Recorded April 02, 2007 setsforth The Resignation of Constance Hee Lau, as a Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, effective as of March 31, 2007 and The Appointment of Corbett Aaron Kamohaikiokalani Kalama, as successor Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, Effective as of April 1, 2007

(B) Land Court Order No. 180046 recorded August 28, 2009 setsforth The Resignation of Robert Kalani Uichi Kihune, as a Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, effective as of August 31, 2009 and The Appointment of Micah A. Kane, as a successor Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, effective as of September 1, 2009

(C) Land Court Order No. 185679 recorded January 19, 2011 setsforth the Expiration of the term of Charles Nainoa Thompson, as a Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, effective as of January 31, 2011 and the Appointment of Janeen-Ann Ahulani Olds, as a successor Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, effective as of February 1, 2011

(D) Land Court Order No. 189346 recorded December 01, 2011 sets forth the Expiration of the term of Diane Joyce Plotts, as a Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, effective as of December 31, 2011 and The Appointment of Lance Keawe Wilhelm, as a successor Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, effective as of January 1, 2012

(E) Land Court Order No. T-8395222 recorded December 26, 2012 sets forth the Expiration of the term of James Douglas Keauhou Ing, as a Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, effective as of December 31, 2012 and the Appointment of Robert K. W. H. Nobriga, as a successor Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, effective as of January 1, 2013

The estate or interest in the land hereinafter described or referred to covered by this Report is:

AS TO PARCEL FIRST: A Fee.

AS TO PARCELS SECOND AND THIRD: An Easement.

The Land referred to herein is described as follows:

(See attached Legal Description)

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

1. Real property tax assessments for the fiscal year 2013-2014:

Tax Map Key No.: (1) 9-4-006-034-0000

Class No.: 1

First Installment: \$150.00, PAID, (8/20)

Second Installment: \$150.00, PAID, (2/20)

2. Title to all mineral and metallic mines reserved to the State of Hawaii.
3. Terms, provisions, reservations, covenants, conditions and restrictions, but deleting any of the aforementioned indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, marital status, ancestry, source of income or disability, to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes or Chapter 515 of the Hawaii Revised Statutes, as contained in the Declaration of Conditions imposed by Land use Commission recorded July 19, 1988 as Land Court Document No. 1565292, as amended of Official Records.
4. The terms and provisions contained in the Unilateral Agreement and Declaration for Conditional Zoning recorded December 03, 1997 as Regular System Document No. 97-168626 and Land Court Document No. 2423720 of Official Records.  
  
The foregoing instrument was amended by Amendment to Unilateral Agreement and Declaration for Conditional Zoning recorded November 24, 1998 as Regular System Document No. 98-176077 and Land Court Document No. 2501839 of Official Records.
5. Terms, provisions, reservations, covenants, conditions and restrictions, but deleting any of the aforementioned indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, marital status, ancestry, source of income or disability, to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes or Chapter 515 of the Hawaii Revised Statutes, as contained in the Declaration of Covenants, Conditions and Restrictions and Grants/Reservations of Rights recorded January 10, 2002 as Regular System Document No. 2002-004776 and Land Court Document No. 2768781, as amended, of Official Records.
6. The terms and provisions contained in the Grant of Easement recorded January 10, 2002 as Regular System Document No. 2002-004779 and Land Court Document No. 2768782 of Official Records.

7. The terms and provisions contained in the Grant of Easement recorded January 10, 2002 as Regular System Document No. 2002-004780 and Land Court Document No. 2768783 of Official Records.
8. Notice of Termination (and of Rights and Obligations that Survive Termination) and Quitclaim recorded August 25, 2009 Regular System Document No. 2009-129931 and Land Court Document No. 3891022 of Official Records.
9. A Notice of Surrender, executed by Waiawa Ridge Development, LLC, a Hawaii limited liability company, Gentry Investment Properties, a Hawaii limited partnership, Micah A. Kane, Janeen-Ann Ahulani Olds, Lance Keawe Wilhelm, James Douglas Keauhou, and Corbett Aaron Kamohaikiokalani Kalama, as Trustees of the Estate of Bernice Pauahu Bishop, a charitable educational trust, recorded August 31, 2012 as Regular System Document No. A-46260711 and Land Court Document No. T-8278443 of Official Records.

### LEGAL DESCRIPTION

Real property in the County of Honolulu, State of Hawaii, described as follows:

PARCEL FIRST:

ALL OF THOSE CERTAIN PARCEL OF LAND SITUATE AT WAIPIO, EWA, ISLAND OF OAHU, STATE OF HAWAII, DESCRIBED AS FOLLOWS:

LOT 16461, AREA 1.165 ACRES, MORE OR LESS, AS SHOWN ON MAP 1057, FILED WITH LAND COURT APPLICATION NO. 1000 OF JOHN II ESTATE, LIMITED.

NOTE: LOT 16461 WILL HAVE ACCESS TO A PUBLIC ROAD, TO WIT: KAMEHAMEHA HIGHWAY OVER AND ACROSS THE UNREGISTERED PORTION OF LOT 2-C TO WAIHONA STREET, AND THENCE TO KAMEHAMEHA HIGHWAY, AS SET FORTH BY LAND COURT ORDER NO. 144521, FILED JANUARY 10, 2002.

PARCEL SECOND:

EASEMENT 6373, AREA 1.402 ACRES, AS SHOWN ON MAP 1057, FOR ACCESS PURPOSES, OVER, ACROSS AND THROUGH LOT 16462, AS GRANTED BY GRANT OF EASEMENT RECORDED JANUARY 10, 2002 AS REGULAR SYSTEM DOCUMENT NO. 2002-004779 AND LAND COURT DOCUMENT NO. 2768782 OF OFFICIAL RECORDS.

PARCEL THIRD:

EASEMENT 6374, AREA 1.402 ACRES, AS SHOWN ON MAP 1057, FOR ACCESS PURPOSES, OVER, ACROSS AND THROUGH LOT 16463, AS GRANTED BY GRANT OF EASEMENT RECORDED JANUARY 10, 2002 AS REGULAR SYSTEM DOCUMENT NO. 2002-004780 AND LAND COURT DOCUMENT NO. 2768783 OF OFFICIAL RECORDS.

BEING A PORTION OF THE PREMISES DESCRIBED IN AND COVERED BY TRANSFER CERTIFICATE OF TITLE NO. 600,991  
ISSUED TO: ROBERT KALANI UICHI KIHUNE, JAMES DOUGLAS KEAHOHU ING, CONSTANCE HEE LAU, DIANE JOYCE PLOTTS, AND CHARLES NAINOA THOMPSON, CO-TRUSTEES UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUAHI BISHOP, DECEASED

(LAND COURT ORDER NO. 144521, RECORDED JANUARY 10, 2002.)

NOTE: THERE ARE NO INSTRUMENTS OF RECORD SETTING FORTH THE POWERS OF SAID TRUSTEE(S).

NOTE:

(A) LAND COURT ORDER NO. 170003 RECORDED APRIL 02, 2007 SETS FORTH THE RESIGNATION OF CONSTANCE HEE LAU, AS A TRUSTEE UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUAHI BISHOP, DECEASED, EFFECTIVE AS OF MARCH 31, 2007 AND THE APPOINTMENT OF CORBETT AARON KAMOHAIKIOKALANI KALAMA, AS SUCCESSOR TRUSTEE UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUAHI BISHOP, DECEASED, EFFECTIVE

AS OF APRIL 1, 2007

(B) LAND COURT ORDER NO. 180046 RECORDED AUGUST 28, 2009 SETS FORTH THE RESIGNATION OF ROBERT KALANI UICHI KIHUNE, AS A TRUSTEE UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUAHI BISHOP, DECEASED, EFFECTIVE AS OF AUGUST 31, 2009 AND THE APPOINTMENT OF MICAH A. KANE, AS A SUCCESSOR TRUSTEE UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUAHI BISHOP, DECEASED, EFFECTIVE AS OF SEPTEMBER 1, 2009

(C) LAND COURT ORDER NO. 185679 RECORDED JANUARY 19, 2011 SETS FORTH THE EXPIRATION OF THE TERM OF CHARLES NAINOA THOMPSON, AS A TRUSTEE UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUAHI BISHOP, DECEASED, EFFECTIVE AS OF JANUARY 31, 2011 AND THE APPOINTMENT OF JANEEN-ANN AHULANI OLDS, AS A SUCCESSOR TRUSTEE UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUAHI BISHOP, DECEASED, EFFECTIVE AS OF FEBRUARY 1, 2011

(D) LAND COURT ORDER NO. 189346 RECORDED DECEMBER 01, 2011 SETS FORTH THE EXPIRATION OF THE TERM OF DIANE JOYCE PLOTTS, AS A TRUSTEE UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUAHI BISHOP, DECEASED, EFFECTIVE AS OF DECEMBER 31, 2011 AND THE APPOINTMENT OF LANCE KEAWE WILHELM, AS A SUCCESSOR TRUSTEE UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUAHI BISHOP, DECEASED, EFFECTIVE AS OF JANUARY 1, 2012

(E) LAND COURT ORDER NO. T-8395222 RECORDED DECEMBER 26, 2012 SETS FORTH THE EXPIRATION OF THE TERM OF JAMES DOUGLAS KEAUAHU ING, AS A TRUSTEE UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUAHI BISHOP, DECEASED, EFFECTIVE AS OF DECEMBER 31, 2012 AND THE APPOINTMENT OF ROBERT K. W. H. NOBRIGA, AS A SUCCESSOR TRUSTEE UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUAHI BISHOP, DECEASED, EFFECTIVE AS OF JANUARY 1, 2013

TMK(S): (1) 9-4-006-034-0000





*First American Title*

## **First American Title Company, Inc.**

**1177 Kapiolani Boulevard  
Honolulu, HI 96814**

May 02, 2014

Onaona P. Thoene  
Carlsmith Ball LLP  
1001 Bishop Street, Suite 2100  
Honolulu, HI 96813  
Phone: (808)523-2596  
Fax: (808)523-0842  
Customer Reference:

Title Officer:	Mila Wright
Phone:	(808)457-3827
Fax No.:	(866)823-6167
E-Mail:	mqwright@firstam.com
Order Number:	4600062

Buyer:	TO BE DETERMINED
Owner:	Estate of Bernice Pauahi Bishop Trust
Property:	96-1088 Waihona Street Pearl City, Hawaii 96782

### **PRELIMINARY REPORT**

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Exhibit A attached. *The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.* Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.

Dated as of April 25, 2014 at 8:00 A.M.

The form of Policy of title insurance contemplated by this report is:

TO BE DETERMINED

A specific request should be made if another form or additional coverage is desired.

Title to said estate or interest at the date hereof is vested in:

Janeen-Ann Ahulani Olds, Lance Keawe Wilhelm, Robert K.W.H. Nobriga, Corbett Aaron Kamohaikiokalani Kalama, and Micah A. Kane, as Trustees of the Estate of Bernice Pauahi Bishop, a charitable educational trust, with powers to sell, lease, mortgage and other powers

The estate or interest in the land hereinafter described or referred to covered by this Report is:

A Fee.

The Land referred to herein is described as follows:

(See attached Legal Description)

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

1. Real property tax assessments for the fiscal year 2013-2014:

Tax Map Key No.: (1) 9-4-006-035-0000

Class No.: 1

First Installment: \$150.00, PAID, (8/20)

Second Installment: \$150.00, PAID, (2/20)

2. Title to all mineral and metallic mines reserved to the State of Hawaii.
3. Easement "6373" for access purposes, shown on Map No. 1057 filed with Land Court Application No. 1000, as set forth by Land Court Order No. 144521, recorded January 10,2002.

Said above easement is subject to the terms and provisions contained in the Deed recorded as Book 8146 Page 405 and Land Court Document No. 570807 of Official Records.

4. Terms, provisions, reservations, covenants, conditions and restrictions, but deleting any of the aforementioned indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, marital status, ancestry, source of income or disability, to the extent such covenants, conditions or restrictions violate Title 42,

Section 3604(c), of the United States Codes or Chapter 515 of the Hawaii Revised Statutes, as contained in the Declaraion of Conditions Imposed by the Land Use Commission recorded July 19, 1988 as Book 22151 Page 250 and Land Court Document No. 1565292, as amended of Official Records.

5. The terms and provisions contained in the Unilateral Agreement and Declaration for Conditional Zoning recorded December 03, 1997 as Regular System Document No. 97-168626 and Land Court Document No. 2423720 of Official Records.

The foregoing instrument was amended by Amendment to Unilateral Agreement and Declaration for Conditional Zoning recorded November 24, 1998 as Regular System Document No. 98-176077 and Land Court Document No. 2501839 of Official Records.

6. Notice of Termination (and of Rights and Obligations that Survive Termination) and Quitclaim recorded August 25, 2009 Regular System Document No. 2009-129931 and Land Court Document No. 3891022 of Official Records.
7. A notice of Surrender, executed by Waiawa Ridge Development LLC, a Hawaii limited liability company, Gentry Investment Properties, a Hawaii limited partnership and Micah A. Kane, Janeen-Ann Ahulani Olds, Lance Keawe Wilhelm, James Douglas Keauhou Ing, and Corbett Aaron Kamohaikiokalani Kalama, as Trustees of the Estate of Bernice Pauahi Bishop, a charitable educational trust, recorded August 31, 2012 as Regular System Document No. A-46260711 and Land Court Document No. T-8278443 of Official Records.
8. The terms and provisions contained in the Deed and Agreement recorded August 31, 2012 as Regular System Document No. A-46260713A thru A-46260713B and Land Court Document No. T-8278445A thru T-8278445B of Official Records.

**LEGAL DESCRIPTION**

Real property in the County of Honolulu, State of Hawaii, described as follows:

ALL OF THAT CERTAIN PARCEL OF LAND SITUATE AT WAIPIO, DISTRICT OF EWA, CITY AND COUNTY OF HONOLULU, STATE OF HAWAII, DESCRIBED AS FOLLOWS:

LOT 16462, AREA 2.564 ACRES, MORE OR LESS, AS SHOWN ON MAP 1057 FILED WITH LAND COURT APPLICATION NO. 1000 OF JOHN II ESTATE, LIMITED.

NOTE: LOT 16462 ABUTS LOT 4206-A-3-C, AS SHOWN ON MAP 731, FILED WITH LAND COURT APPLICATION NO. 1000, A PUBLIC ROAD, AND WILL HAVE ACCESS TO INTERSTATE HIGHWAY FEDERAL AID PROJECT NO. I-H2-1(3) VIA SAID LOT 4206-A-3-C, AS SET FORTH BY LAND COURT ORDER NO. 144521, FILED ON JANUARY 10, 2002.

BEING A PORTION OF THE PREMISES DESCRIBED IN AND COVERED BY TRANSFER CERTIFICATE OF TITLE NO. 1,047,298.

ISSUED TO: MICAH A. KANE, JANEEN-ANN AHULANI OLDS, LANCE KEAWE WILHELM, JAMES DOUGLAS KEAUHOU ING, AND CORBETT AARON KAMOHAIKIOKALANI KALAMA, AS TRUSTEES OF THE ESTATE OF BERNICE PAUHI BISHOP, A CHARITABLE EDUCATIONAL TRUST

(LAND COURT ORDER NO. 144521, RECORDED JANUARY 10, 2002, AND DEED AND AGREEMENT RECORDED AUGUST 31, 2012 AS LAND COURT DOCUMENT NO. T-8278445A THRU T-8278445B OF OFFICIAL RECORDS)

TMK(S): (1) 9-4-006-035-0000





*First American Title*

## **First American Title Company, Inc.**

**1177 Kapiolani Boulevard  
Honolulu, HI 96814**

May 02, 2014

Onaona P. Thoene  
Carlsmith Ball LLP  
1001 Bishop Street, Suite 2100  
Honolulu, HI 96813  
Phone: (808)523-2596  
Fax: (808)523-0842  
Customer Reference:

Title Officer:	Mila Wright
Phone:	(808)457-3827
Fax No.:	(866)823-6167
E-Mail:	mqwright@firstam.com
Order Number:	4600066

Buyer:	TO BE DETERMINED
Owner:	Estate of Bernice Pauahi Bishop Trust
Property:	Lot 16463, Ka Uka Boulevard Waipahu, Hawaii 96797

### **PRELIMINARY REPORT**

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Exhibit A attached. *The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.* Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.

Dated as of April 25, 2014 at 8:00 A.M.

The form of Policy of title insurance contemplated by this report is:

TO BE DETERMINED

A specific request should be made if another form or additional coverage is desired.

Title to said estate or interest at the date hereof is vested in:

Corbett Aaron Kamohaikiokalani Kalama, Micah A. Kane, Janeen-Ann Ahulani Olds, Lance Keawe Wilhelm, Robert K. W. H. Nobriga, as co-successor Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased

Note: There are no instruments of record setting forth the powers of said Trustee(s).

Note:

(A) Land Court Order No. 170003 Recorded April 02, 2007 setsforth The Resignation of Constance Hee Lau, as a Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, effective as of March 31, 2007 and The Appointment of Corbett Aaron Kamohaikiokalani Kalama, as successor Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, Effective as of April 1, 2007

(B) Land Court Order No. 180046 recorded August 28, 2009 setsforth The Resignation of Robert Kalani Uichi Kihune, as a Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, effective as of August 31, 2009 and The Appointment of Micah A. Kane, as a successor Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, effective as of September 1, 2009

(C) Land Court Order No. 185679 recorded January 19, 2011 setsforth the Expiration of the term of Charles Nainoa Thompson, as a Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, effective as of January 31, 2011 and the Appointment of Janeen-Ann Ahulani Olds, as a successor Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, effective as of February 1, 2011

(D) Land Court Order No. 189346 recorded December 01, 2011 sets forth the Expiration of the term of Diane Joyce Plotts, as a Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, effective as of December 31, 2011 and The Appointment of Lance Keawe Wilhelm, as a successor Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, effective as of January 1, 2012

(E) Land Court Order No. T-8395222 recorded December 26, 2012 sets forth the Expiration of the term of James Douglas Keauhou Ing, as a Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, effective as of December 31, 2012 and the Appointment of Robert K. W. H. Nobriga, as a successor Trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, effective as of January 1, 2013

The estate or interest in the land hereinafter described or referred to covered by this Report is:

A Fee.

The Land referred to herein is described as follows:

(See attached Legal Description)

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

1. Real property tax assessments for the fiscal year 2013-2014:

Tax Map Key No.: (1) 9-4-006-036-0000

Class No.: 4

First Installment: \$5,499.40, PAID, (8/20)

Second Installment: \$5,499.40, PAID, (2/20)

2. Title to all mineral and metallic mines reserved to the State of Hawaii.
3. Easement 4760, for slope purposes, shown on Map No. 731 filed with Land Court Application No. 1000, as set forth by Land Court Order No. 93368, recorded April 20, 1989.
4. A Grant of Easement over and across Easement 4760, for slope purposes, in favor of State of Hawaii, recorded February 27, 1990 as Land Court Document No. 1708437 of Official Records.
5. Terms, provisions, reservations, covenants, conditions and restrictions, but deleting any of the aforementioned indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, marital status, ancestry, source of income or disability, to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes or Chapter 515 of the Hawaii Revised Statutes, as contained in the Declaration of Conditions imposed by Land use Commission recorded July 19, 1988 as Land Court Document No. 1565292, as amended of Official Records.
6. The terms and provisions contained in the Unilateral Agreement and Declaration for Conditional Zoning recorded December 03, 1997 as Regular System Document No. 97-168626 and Land Court Document No. 2423720 of Official Records.

The foregoing instrument was amended by Amendment to Unilateral Agreement and Declaration for Conditional Zoning recorded November 24, 1998 as Regular System Document No. 98-176077 and Land Court Document No. 2501839 of Official Records.

7. Easement 6374, for access purposes, on said Lot 16463, shown on Map No. 1057 filed with Land Court Application No. 1000, as set forth by Land Court Order No. 144521, recorded January 10, 2002.
8. Notice of Termination (and of Rights and Obligations that Survive Termination) and Quitclaim recorded August 25, 2009 Regular System Document No. 2009-129931 and Land Court Document No. 3891022 of Official Records.

9. A Notice of Surrender, executed by Waiawa Ridge Development, LLC, a Hawaii limited liability company, Gentry Investment Properties, a Hawaii limited partnership, Micah A. Kane, Janeen-Ann Ahulani Olds, Lance Keawe Wilhelm, James Douglas Keauhou, and Corbett Aaron Kamohaikiokalani Kalama, as Trustees of the Estate of Bernice Pauahu Bishop, a charitable educational trust, recorded August 31, 2012 as Regular System Document No. A-46260711 and Land Court Document No. T-8278443 of Official Records.
10. Any and all leases, subleases and/or tenancy agreements, the rights thereunder and encumbrances thereto.
11. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
12. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.



### LEGAL DESCRIPTION

Real property in the County of Honolulu, State of Hawaii, described as follows:

ALL OF THOSE CERTAIN PARCEL OF LAND SITUATE AT WAIPIO, EWA, ISLAND OF OAHU, STATE OF HAWAII, DESCRIBED AS FOLLOWS:

LOT 16463, AREA 21.345 ACRES, MORE OR LESS, AS SHOWN ON MAP 1057, FILED WITH LAND COURT APPLICATION NO. 1000 OF JOHN Ii ESTATE, LIMITED.

NOTE: LOT 16463 ABUTS LOT 4206-A-3-C, AS SHOWN ON MAP 731, FILED WITH LAND COURT APPLICATION NO. 1000, A PUBLIC ROAD, AND WILL HAVE ACCESS TO INTERSTATE HIGHWAY FEDERAL AID PROJECT NO. I-H2-1(3) VIA SAID LOT 4206-A-3-C, AS SET FORTH BY LAND COURT ORDER NO. 144521, FILED ON JANUARY 10, 2002

BEING A PORTION OF THE PREMISES DESCRIBED IN AND COVERED BY TRANSFER CERTIFICATE OF TITLE NO. 600,990  
ISSUED TO: ROBERT KALANI UICHI KIHUNE, JAMES DOUGLAS KEAUHOU ING, CONSTANCE HEE LAU, DIANE JOYCE PLOTTS, AND CHARLES NAINOA THOMPSON, CO-TRUSTEES UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUAHI BISHOP, DECEASED

(LAND COURT ORDER NO. 144521, RECORDED JANUARY 10, 2002.)

NOTE: THERE ARE NO INSTRUMENTS OF RECORD SETTING FORTH THE POWERS OF SAID TRUSTEE(S).

NOTE:

(A) LAND COURT ORDER NO. 170003 RECORDED APRIL 02, 2007 SETS FORTH THE RESIGNATION OF CONSTANCE HEE LAU, AS A TRUSTEE UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUAHI BISHOP, DECEASED, EFFECTIVE AS OF MARCH 31, 2007 AND THE APPOINTMENT OF CORBETT AARON KAMOHAIKIOKALANI KALAMA, AS SUCCESSOR TRUSTEE UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUAHI BISHOP, DECEASED, EFFECTIVE AS OF APRIL 1, 2007

(B) LAND COURT ORDER NO. 180046 RECORDED AUGUST 28, 2009 SETS FORTH THE RESIGNATION OF ROBERT KALANI UICHI KIHUNE, AS A TRUSTEE UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUAHI BISHOP, DECEASED, EFFECTIVE AS OF AUGUST 31, 2009 AND THE APPOINTMENT OF MICAH A. KANE, AS A SUCCESSOR TRUSTEE UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUAHI BISHOP, DECEASED, EFFECTIVE AS OF SEPTEMBER 1, 2009

(C) LAND COURT ORDER NO. 185679 RECORDED JANUARY 19, 2011 SETS FORTH THE EXPIRATION OF THE TERM OF CHARLES NAINOA THOMPSON, AS A TRUSTEE UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUAHI BISHOP, DECEASED, EFFECTIVE AS OF JANUARY 31, 2011 AND THE APPOINTMENT OF JANEEN-ANN AHULANI OLDS, AS A SUCCESSOR TRUSTEE UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUAHI BISHOP, DECEASED, EFFECTIVE AS OF FEBRUARY 1, 2011

(D) LAND COURT ORDER NO. 189346 RECORDED DECEMBER 01, 2011 SETS FORTH THE EXPIRATION OF THE TERM OF DIANE JOYCE PLOTTS, AS A TRUSTEE UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUahi BISHOP, DECEASED, EFFECTIVE AS OF DECEMBER 31, 2011 AND THE APPOINTMENT OF LANCE KEAWE WILHELM, AS A SUCCESSOR TRUSTEE UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUahi BISHOP, DECEASED, EFFECTIVE AS OF JANUARY 1, 2012

(E) LAND COURT ORDER NO. T-8395222 RECORDED DECEMBER 26, 2012 SETS FORTH THE EXPIRATION OF THE TERM OF JAMES DOUGLAS KEAUHOU ING, AS A TRUSTEE UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUahi BISHOP, DECEASED, EFFECTIVE AS OF DECEMBER 31, 2012 AND THE APPOINTMENT OF ROBERT K. W. H. NOBRIGA, AS A SUCCESSOR TRUSTEE UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUahi BISHOP, DECEASED, EFFECTIVE AS OF JANUARY 1, 2013

TMK(S): (1) 9-4-006-036-0000



*First American Title*

## **First American Title Company, Inc.**

**1177 Kapiolani Boulevard**

**Honolulu, HI 96814**

April 18, 2014

Onaona P. Thoene  
Carlsmith Ball LLP  
1001 Bishop Street, Suite 2100  
Honolulu, HI 96813  
Phone: (808)523-2596  
Fax: (808)523-0842  
Customer Reference:

Title Officer:	Mila Wright
Phone:	(808)457-3827
Fax No.:	(866)823-6167
E-Mail:	mqwright@firstam.com
Order Number:	4600064

Buyer:	TO BE DETERMINED
Owner:	Bernice Pauahi Bishop
Property:	96-1088 Waihona Street Pearl City, Hawaii 96782

### **PRELIMINARY REPORT**

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Exhibit A attached. *The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.* Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.

Dated as of April 04, 2014 at 8:00 A.M.

The form of Policy of title insurance contemplated by this report is:

TO BE DETERMINED

A specific request should be made if another form or additional coverage is desired.

Title to said estate or interest at the date hereof is vested in:

Corbett Aaron Kamohaikiokalani Kalama, Micah A. Kane, Janeen-Ann Ahulani Olds, Lance Keawe Wilhelm and Robert K. W. H. Nobriga, Trustees under the Will and of the Estate of Bernice Pauahi Bishop, Deceased

The estate or interest in the land hereinafter described or referred to covered by this Report is:

AS TO PARCEL FIRST: A Fee.

AS TO PARCELS SECOND AND THIRD: An Easement.

The Land referred to herein is described as follows:

(See attached Legal Description)

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

1. Real property tax assessments for the fiscal year 2013-2014:

Tax Map Key No.: (1) 9-4-006-037-0000

Class No.: 0

First Installment: \$518.08, PAID, (8/20)

Second Installment: \$518.07, PAID, (2/20)

2. Title to all mineral and metallic mines reserved to the State of Hawaii.
3. Terms, provisions, reservations, covenants, conditions and restrictions, but deleting any of the aforementioned indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, marital status, ancestry, source of income or disability, to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes or Chapter 515 of the Hawaii Revised Statutes, as contained in the Declaration of Conditions Imposed by Land Use Commission recorded July 19, 1988 as Book 22151 Page 250 and Land Court Document No. 1565292, as amended, of Official Records.



4. The terms and provisions contained in the Unilateral Agreement and Declaration for Conditional Zoning recorded December 3, 1997 as Regular System Document No. 97-168626 and Land Court Document No. 2423720 of Official Records.

The foregoing instrument was amended by Amendment to Unilateral Agreement and Declaration for Conditional Zoning recorded November 24, 1998 as Regular System Document No. 98-176077 and Land Court Document No. 2501839 of Official Records.

5. Terms, provisions, reservations, covenants, conditions and restrictions, but deleting any of the aforementioned indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, marital status, ancestry, source of income or disability, to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes or Chapter 515 of the Hawaii Revised Statutes, as contained in the Declaration of Covenants, Conditions and Restrictions and Grants/Reservations of Rights recorded January 10, 2002 as Regular System Document No. 2002-004776 and Land Court Document No. 2768781, as amended, of Official Records.

Note: Together with rights and benefits running in favor thereof, pursuant to the foregoing Declaration.

6. The terms and provisions contained in the Grant of Easement recorded January 10, 2002 as Regular System Document No. 2002-004779 and Land Court Document No. 2768782 of Official Records.

7. The terms and provisions contained in the Grant of Easement recorded January 10, 2002 as Regular System Document No. 2002-004780 and Land Court Document No. 2768783 of Official Records.

8. Notice of Termination (and of Rights and Obligations that Survive Termination) and Quitclaim recorded August 25, 2009 Regular System Document No. 2009-129931 and Land Court Document No. 3891022 of Official Records.

9. A Notice of Surrender, executed by Waiawa Ridge Development, LLC, a Hawaii limited liability company, Gentry Investment Properties, a Hawaii limited partnership, Micah A. Kane, Janeen-Ann Ahulani Olds, Lance Keawe Wilhelm, James Douglas Keauhou, and Corbett Aaron Kamohaikiokalani Kalama, as Trustees of the Estate of Bernice Pauahu Bishop, a charitable educational trust, recorded August 31, 2012 as Regular System Document No. A-46260711 and Land Court Document No. T-8278443 of Official Records.

10. Any and all leases, subleases and/or tenancy agreements, the rights thereunder and encumbrances thereto.

11. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.

12. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

**LEGAL DESCRIPTION**

Real property in the County of Honolulu, State of Hawaii, described as follows:

PARCEL FIRST:

ALL OF THAT CERTAIN PARCEL OF LAND SITUATE AT WAIPIO, DISTRICT OF EWA, CITY AND COUNTY OF HONOLULU, STATE OF HAWAII, DESCRIBED AS FOLLOWS:

LOT 16464, AREA 36.330 SQUARE FEET, MORE OR LESS, AS SHOWN ON MAP 1057 FILED WITH LAND COURT APPLICATION NO. 1000 OF JOHN II ESTATE, LIMITED.

(LOT 16464 WILL HAVE ACCESS TO A PUBLIC ROAD, TO WIT: KAMEHAMEHA HIGHWAY OVER AND ACROSS THE UNREGISTERED PORTION OF LOT 2-C TO WAIHONA STREET, AND THENCE TO KAMEHAMEHA HIGHWAY, AS SET FORTH BY LAND COURT ORDER NO. 144521, FILED ON JANUARY 10, 2002)

PARCEL SECOND:

EASEMENT 6373, AREA 1.402 ACRES, AS SHOWN ON MAP 1057, FOR ACCESS PURPOSES, OVER, ACROSS AND THROUGH LOT 16462, AS GRANTED BY GRANT OF EASEMENT RECORDED JANUARY 10, 2002 AS REGULAR SYSTEM DOCUMENT NO. 2002-004779 AND LAND COURT DOCUMENT NO. 2768782 OF OFFICIAL RECORDS.

PARCEL THIRD:

EASEMENT 6374, AREA 1.402 ACRES, AS SHOWN ON MAP 1057, FOR ACCESS PURPOSES, OVER, ACROSS AND THROUGH LOT 16463, AS GRANTED BY GRANT OF EASEMENT RECORDED JANUARY 10, 2002 AS REGULAR SYSTEM DOCUMENT NO. 2002-004780 AND LAND COURT DOCUMENT NO. 2768783 OF OFFICIAL RECORDS.

BEING A PORTION OF THE PREMISES DESCRIBED IN AND COVERED BY TRANSFER CERTIFICATE OF TITLE NO. 600,991.

ISSUED TO: ROBERT KALANI UICHI KIHUNE, JAMES DOUGLAS KEAUHOU ING, CONSTANCE HEE LAU, DIANE JOYCE PLOTTS AND CHARLES NAINOA THOMPSON, TRUSTEES OF THE ESTATE OF BERNICE PAUHI BISHOP

(LAND COURT ORDER RECORDED JANUARY 10, 2002 AS DOCUMENT NO. 144521 OF OFFICIAL RECORDS)

NOTE: LAND COURT ORDER NO. T-8395222 RECORDED DECEMBER 26, 2012 SETS FORTH THE FOLLOWING:

(A) THE EXPIRATION OF THE TERM OF JAMES DOUGLAS KEAUHOU ING AS A TRUSTEE EFFECTIVE AS OF DECEMBER 31, 2012 AT 11:59 P.M., AND THE APPOINTMENT OF ROBERT K. W. H. NOBRIGA AS SUCCESSOR TRUSTEE.

(B) THE VESTING ORDER TO BE CORBETT AARON KAMOHAIKIOKALANI KALAMA, MICAH A.

KANE, JANEEN-ANN AHULANI OLDS, LANCE KEAWE WILHELM AND ROBERT K. W. H. NOBRIGA  
AS TRUSTEES UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUAHI BISHOP, DECEASED.

TMK(S): (1) 9-4-006-037-0000



*First American Title*

## **First American Title Company, Inc.**

**1177 Kapiolani Boulevard  
Honolulu, HI 96814**

May 02, 2014

Onaona P. Thoene  
Carlsmith Ball LLP  
1001 Bishop Street, Suite 2100  
Honolulu, HI 96813  
Phone: (808)523-2596  
Fax: (808)523-0842  
Customer Reference:

Title Officer:	Mila Wright
Phone:	(808)457-3827
Fax No.:	(866)823-6167
E-Mail:	mqwright@firstam.com
Order Number:	4600068

Buyer:	TO BE DETERMINED
Owner:	Estate of Bernice Pauahi Bishop
Property:	96-1110 Waihona Street Pearl City, Hawaii 96782

### **PRELIMINARY REPORT**

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Exhibit A attached. *The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.* Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.



Dated as of April 25, 2014 at 8:00 A.M.

The form of Policy of title insurance contemplated by this report is:

TO BE DETERMINED

A specific request should be made if another form or additional coverage is desired.

Title to said estate or interest at the date hereof is vested in:

Janeen-Ann Ahulani Olds, Lance Keawe Wilhelm, Robert K.W.H. Nobriga, Corbett Aaron Kamohaikiokalani Kalama, and Micah A. Kane Trustees of the Estate of Bernice Pauahi Bishop

The estate or interest in the land hereinafter described or referred to covered by this Report is:

A Fee.

The Land referred to herein is described as follows:

(See attached Legal Description)

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

1. Real property tax assessments for the fiscal year 2013-2014:

Tax Map Key No.: (1) 9-6-004-024-0000  
Class No.: 5

First Installment: \$61,073.63, PAID, (8/20)  
Second Installment: \$61,073.62, PAID, (2/20)

Note: Possible roll back taxes for real property classified as Class 5 or 6.

2. Title to all mineral and metallic mines reserved to the State of Hawaii.
3. All customary and traditional rights, of native Hawaiians as provided for by law, for subsistence, cultural and religious purposes, which rights may involve access to the subject property.
4. Rights of Native Tenants as contained in Land Commission Award 7713, Apanas 46 and 48, and Royal Patent No. 4475.

5. The following items, as shown on Tax Map, affecting Tax Map Key No. (1) 9-6-004-024.
- (i) The free flowage of water in Waiawa Stream.
  - (ii) Reservoirs No. 1-A, 2-A, 2-B, 3 and 4.
  - (iii) Stream bed to and from Reservoir No. 3.
  - (iv) Any and all access rights in favor of the owners of Tax Map Key: (1) 9-6-4-3 over and across the land herein described, to a public road, if any, which parcel is landlocked.

6. Easement Tract WR-8, as described in or disclosed by the Declaration of Taking, Civil No. 705 recorded as Book 1973 Page 206 of Official Records.

Said easement was conveyed to the State of Hawaii by Quitclaim Deed recorded June 20, 1985 as Book 18721 Page 536 of Official Records.

7. A Grant of Easement for underground communication cable and incidental purposes, in favor of United State of America, recorded as Book 2026 Page 182, as amended, of Official Records.
8. A Grant of Easement for underground communication cable and incidental purposes, in favor of United State of America, recorded as Book 3240 Page 149 of Official Records.

The foregoing instrument was partially reconveyed to the Trustees of the Estate of Bernice Pauahi Bishop by that certain instrument recorded as Book 5173 Page 246 of Official Records.

9. A Grant of Easement for utility and incidental purposes, in favor of Hawaiian Electric Company, Limited, a Hawaii corporation, recorded as Book 4091 Page 428 of Official Records.
10. A lease dated December 2, 1964, Lease No. 14,748 executed by Trustees under the will and of The Estate of Bernice Pauahi Bishop, deceased, as Lessor, and Hawaiian Telephone Company, a Hawaii corporation (now Hawaiian Telcom, Inc.), and American Telephone and Telegraph Company, a New York corporation, as Lessee, for a term 65 years commencing September 1, 1964, recorded as Book 5117 Page 381 of Official Records.
11. A Grant of Easement for infiltration tunnel and incidental purposes, in favor of United States of America, acting by and through the Department of the Navy, recorded as Book 5192 Page 423 of Official Records.
12. A Grant of Easement for utility and incidental purposes, in favor of Hawaiian Electric Company, Limited, a Hawaii corporation, recorded as Book 7153 Page 358, as amended and supplemented, of Official Records.

Partial Cancellation of Easement recorded July 8, 1997 as Regular System Document No. 97-089976 of Official Records.

13. Limited access permitted over and across a portion of Course 13 for use of the roadway under the grade separation structure of Interstate Highway F.A.P. No. I-H1-1(14), as set forth in that certain Final Order of Condemnation recorded as Book 9160 Page 305 of Official Records.
14. Restriction of access rights over and across Courses 1 to 26, inclusive, and portion of Course 27 with limited access permitted into Interstate Highway F.A.P. No. I-H1-1(14), as acquired by Judgment and Final Order of Condemnation recorded as Book 9160 Page 305 of Official Records.

15. A Grant of Easement for slope maintenance and incidental purposes, in favor of City and County of Honolulu, a municipal corporation of the State of Hawaii, recorded as Book 13472 Page 230 of Official Records.
16. A Grant of Easement for water pipeline and incidental purposes, in favor of City and County of Honolulu, a municipal corporation of the State of Hawaii, and the Board of Water Supply, recorded April 8, 1983 as Book 16964 Page 83 of Official Records.
17. Terms, provisions, reservations, covenants, conditions and restrictions, but deleting any of the aforementioned indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, marital status, ancestry, source of income or disability, to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes or Chapter 515 of the Hawaii Revised Statutes, as contained in the Declaration of Conditions Imposed by Land Use Commission recorded July 19, 1988 as Book 22151 Page 250 and Land Court Document No. 1565292, as amended, of Official Records.
18. A Grant of Easement for utility and incidental purposes, in favor of Hawaiian Electric Company, Limited, a Hawaii corporation, recorded December 13, 1996 as Regular System Document No. 96-175593 of Official Records.
19. The terms and provisions contained in the Unilateral Agreement and Declaration for Conditional Zoning recorded December 3, 1997 as Regular System Document No. 97-168626 and Land Court Document No. 2423720 of Official Records.  
  
The foregoing instrument was amended by Amendment to Unilateral Agreement and Declaration for Conditional Zoning recorded November 24, 1998 as Regular System Document No. 98-176077 and Land Court Document No. 2501839 of Official Records.
20. A lease dated June 8, 1999, Lease of Easement No. 28,889 executed by Trustees under the will and of The Estate of Bernice Pauahi Bishop, deceased, as Lessor, and GTE Hawaiian Telephone Company Incorporated, a Hawaii corporation (now Hawaiian Telcom, Inc.), as Lessee, for a term 35 years commencing as of June 8, 1999, recorded June 25, 1999 as Regular System Document No. 99-102567 Thru 99-102568, as amended, of Official Records.
21. The terms and provisions contained in the Unilateral Agreement and Declaration for Conditional Zoning recorded January 28, 2003 as Regular System Document No. 2003-015986 of Official Records.
22. Notice of Termination (and of Rights and Obligations that Survive Termination) and Quitclaim recorded August 25, 2009 Regular System Document No. 2009-129931 and Land Court Document No. 3891022 of Official Records.
23. A notice of Notice of Surrender, executed by Waiawa Ridge Development, LLC, a Hawaii limited liability company, Gentry Investment Properties, a Hawaii limited partnership, Micah A. Kane, Janeen-Ann Ahulani Olds, Lance Keawe Wilhelm, James Douglas Keauhou, and Corbett Aaron Kamohaikiokalani Kalama, as Trustees of the Estate of Bernice Pauahu Bishop, a charitable educational trust, recorded August 31, 2012 as Regular System Document No. A-46260711 and Land Court Document No. T-8278443 of Official Records.

24. Any and all leases, subleases and/or tenancy agreements, the rights thereunder and encumbrances thereto.
25. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
26. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

**LEGAL DESCRIPTION**

Real property in the County of Honolulu, State of Hawaii, described as follows:

ALL OF THAT CERTAIN PARCEL OF LAND BEING PORTIONS OF ROYAL PATENT NUMBER 4475, LAND COMMISSION AWARD NUMBER 7713, APANA 46 TO V. KAMAMALU, CERTIFICATE OF BOUNDARY NO. 73, SITUATE AT WAIAWA, DISTRICT OF EWA, ISLAND AND COUNTY OF HONOLULU, STATE OF HAWAII, BEARING TAX MAP KEY NO. (1) 9-6-004-024, CONTAINING AN AREA OF 1,566.977 ACRES, MORE OR LESS.

EXCEPTING AND RESERVING THAT PORTION CONTAINING AN AREA OF 2.220 ACRES, MORE OR LESS (SLOPE EASEMENT 1), AS CONDEMNED AND MORE PARTICULARLY DESCRIBED IN FINAL ORDER OF CONDEMNATION DATED FEBRUARY 4, 1976, REOCRDED AS BOOK PAGE 136 OF OFFICIAL RECORDS.

BEING A PORTION OF THE PREMISES CONVEYED BY EXCHANGE DEED RECORDED JULY 1, 1986 AS BOOK 19633 PAGE 415 OF OFFICIAL RECORDS.

GRANTOR: CASTLE & COOKE, INC., A HAWAII CORPORATION

GRANTEE: RICHARD LYMAN, JR., MATSUO TAKABUKI, MYRON BENNETT THOMPSON, WILLIAM SHAW RICHARDSON AND HENRY HAALILIO PETERS, TRUSTEES OF THE ESTATE OF BERNICE PAUAAHI BISHOP

TMK(S): (1) 9-6-004-024-0000





*First American Title*

## **First American Title Company, Inc.**

**1177 Kapiolani Boulevard**

**Honolulu, HI 96814**

May 02, 2014

Onaona P. Thoene  
Carlsmith Ball LLP  
Carlsmith Ball LLP  
Honolulu, HI 96813  
Phone: (808)523-2596  
Fax: (808)523-0842  
Customer Reference:

Title Officer:	Mila Wright
Phone:	(808)457-3827
Fax No.:	(866)823-6167
E-Mail:	mqwright@firstam.com
Order Number:	4600070

Buyer:	TO BE DETERMINED
Owner:	The Estate of Bernice Pauahi Bishop
Property:	An address has not yet been assigned

### **PRELIMINARY REPORT**

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Exhibit A attached. *The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.* Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.

Dated as of April 25, 2014 at 8:00 A.M.

The form of Policy of title insurance contemplated by this report is:

TO BE DETERMINED

A specific request should be made if another form or additional coverage is desired.

Title to said estate or interest at the date hereof is vested in:

Janeen-Ann Ahulani Olds, Lance Keawe Wilhelm, Robert K.W.H. Nobriga, Corbett Aaron Kamohaikiokalani Kalama, and Micah A. Kane, Trustees of the Estate of Bernice Pauahi Bishop

The estate or interest in the land hereinafter described or referred to covered by this Report is:

A Fee.

The Land referred to herein is described as follows:

(See attached Legal Description)

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

1. Real property tax assessments for the fiscal year 2013-2014:  

Tax Map Key No.:	(1) 9-6-004-025-0000
Class No.:	4
First Installment:	\$19,643.46, PAID, (8/20)
Second Installment:	\$19,643.46, PAID, (2/20)
2. Title to all mineral and metallic mines reserved to the State of Hawaii.
3. Lack of recorded access to a public street or highway.
4. Terms, provisions, reservations, covenants, conditions and restrictions, but deleting any of the aforementioned indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, marital status, ancestry, source of income or disability, to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes or Chapter 515 of the Hawaii Revised Statutes, as contained in the Declaration of Conditions Imposed by the Land Use Commission recorded July 19, 1988 as Book 22151 Page 250 and Land Court Document No. 1565292, as amended, of Official Records.

5. The terms and provisions contained in the Unilateral Agreement and Declaration for Conditional Zoning recorded December 03, 1997 as Regular System Document No. 97-168626 and Land Court Document No. 2423720 of Official Records.

The foregoing instrument was amended by Amendment to Unilateral Agreement and Declaration for Conditional Zoning recorded November 24, 1998 as Regular System Document No. 98-176077 and Land Court Document No. 2501839 of Official Records.

6. Notice of Termination (and of Rights and Obligations that Survive Termination) and Quitclaim recorded August 25, 2009 Regular System Document No. 2009-129931 and Land Court Document No. 3891022 of Official Records.
7. A Notice of Surrender, executed by Waiawa Ridge Development, LLC, a Hawaii limited liability company, Gentry Investment Properties, a Hawaii limited partnership, Micah A. Kane, Janeen-Ann Ahulani Olds, Lance Keawe Wilhelm, James Douglas Keauhou, and Corbett Aaron Kamohaikiokalani Kalama, as Trustees of the Estate of Bernice Pauahu Bishop, a charitable educational trust, recorded August 31, 2012 as Regular System Document No. A-46260711 and Land Court Document No. T-8278443 of Official Records.
8. Any and all leases, subleases and/or tenancy agreements, the rights thereunder and encumbrances thereto.
9. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
10. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

**LEGAL DESCRIPTION**

Real property in the County of Honolulu, State of Hawaii, described as follows:

ALL OF THAT CERTAIN PARCEL OF LAND (BEING A PORTION ROYAL PATENT 4475, LAND COMMISSION AWARD 7713, APANA 46 TO V. KAMAMALU), SITUATED APPROXIMATELY 1,900 FEET EASTERLY FROM INTERSTATE HIGHWAY, F.A.P. NO. I-H2-1 (3), AT WAIAWA, DISTRICT OF EWA, HONOLULU, CITY AND COUNTY OF HONOLULU, STATE OF HAWAII, BEING LOT 2-A, BEING ALSO A PORTION OF LOT 2, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE NORTHERLY CORNER OF THIS PIECE OF LAND, BEING ALSO THE WESTERLY CORNER OF LOT 2-B, ON THE SOUTHEASTERLY BOUNDARY OF LOT 4205-B, AS SHOWN ON MAP 652, OF LAND COURT APPLICATION NO. 1000, AND ON THE BOUNDARY BETWEEN THE LANDS OF WAIPIO AND WAIAWA, THE COORDINATES OF SAID POINT OF BEGINNING REFERRED TO GOVERNMENT SURVEY TRIANGULATION STATION "EWA CHURCH", BEING 1,213.39 FEET NORTH AND 2,614.44 FEET WEST, AND RUNNING BY AZIMUTHS MEASURED CLOCKWISE FROM TRUE SOUTH:

ALONG LOT 2-B, ON A CURVE TO THE RIGHT WITH A RADIUS OF 2,074.41 FEET, THE CHORD AZIMUTH AND DISTANCE BEING:

1. 293° 21' 41" 775.50 FEET;

THENCE ALONG LOT 2-B, ON A CURVE TO THE RIGHT WITH A RADIUS OF 2,000.00 FEET, THE CHORD AZIMUTH AND DISTANCE BEING:

2. 310° 12' 47" 423.57 FEET;

3. 316° 17' 30" 1,548.25 FEET ALONG LOT 2-B;

4. 46° 17' 30" 72.00 FEET ALONG LOT 2-C;

THENCE ALONG LOT 2-C, ON A CURVE TO THE RIGHT WITH A RADIUS OF 30.00 FEET, THE CHORD AZIMUTH AND DISTANCE BEING:

5. 1° 17' 30" 42.43 FEET;

6. 46° 17' 1,009.61 FEET ALONG LOT 2-C;

THENCE ALONG LOT 2-C, ON A CURVE TO THE RIGHT WITH A RADIUS OF 1,551.00 FEET, THE CHORD AZIMUTH AND DISTANCE BEING:

7. 51° 14' 46" 267.90 FEET;

8. 137° 15' 2,131.77 FEET ALONG LOT 2-C;

9. 95° 27' 25" 86.20 FEET ALONG LOT 2-C;

10. 210° 09' 1,162.35 FEET ALONG LOT 4205-B, AS SHOWN ON MAP 652 OF LAND COURT APPLICATION NO. 1000, ALONG THE LAND OF WAIPIO, TO THE POINT OF BEGINNING AND CONTAINING AN AREA OF 76.241 ACRES, MORE OR LESS, AS PER SURVEY OF PATRICK M. CUMMINS, LICENSED PROFESSIONAL LAND SURVEYOR, CERTIFICATE NO. 5078, DATED MARCH 1, 2000.

BEING A PORTION OF THE PREMISES CONVEYED BY EXCHANGE DEED RECORDED JULY 1, 1986 AS BOOK 19633 PAGE 415 OF OFFICIAL RECORDS.

GRANTOR: CASTLE & COOKE, INC., A HAWAII CORPORATION

GRANTEE: RICHARD LYMAN, JR., MATSUO TAKABUKI, MYRON BENNETT THOMPSON, WILLIAM SHAW RICHARDSON AND HENRY HAALILIO PETERS, TRUSTEES OF THE ESTATE OF BERNICE PAUAHI BISHOP

TMK(S): (1) 9-6-004-025-0000



*First American Title*

## **First American Title Company, Inc.**

**1177 Kapiolani Boulevard**

**Honolulu, HI 96814**

May 02, 2014

Onaona P. Thoene  
Carlsmith Ball LLP  
1001 Bishop Street, Suite 2100  
Honolulu, HI 96813  
Phone: (808)523-2596  
Fax: (808)523-0842  
Customer Reference:

Title Officer:	Mila Wright
Phone:	(808)457-3827
Fax No.:	(866)823-6167
E-Mail:	mqwright@firstam.com
Order Number:	4600067

Buyer:	TO BE DETERMINED
Owner:	Bishop Estate
Property:	An address has not yet been assigned

### **PRELIMINARY REPORT**

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Exhibit A attached. *The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.* Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.



Dated as of April 25, 2014 at 8:00 A.M.

The form of Policy of title insurance contemplated by this report is:

TO BE DETERMINED

A specific request should be made if another form or additional coverage is desired.

Title to said estate or interest at the date hereof is vested in:

Janeen-Ann Ahulani Olds, Lance Keawe Wilhelm, Robert K.W.H. Nobriga, Corbett Aaron Kamohaikiokalani Kalama, and Micah A. Kane, as Trustees of the Estate of Bernice Pauahi Bishop, a charitable educational trust

The estate or interest in the land hereinafter described or referred to covered by this Report is:

A Fee.

The Land referred to herein is described as follows:

(See attached Legal Description)

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

1. Real property tax assessments for the fiscal year 2013-2014:

Tax Map Key No.: (1) 9-6-004-026-0000

Class No.: 6

First Installment: \$2,890.93, PAID, (8/20)

Second Installment: \$2,890.92, PAID, (2/20)

Note: Possible roll back taxes for real property classified as Class 5 or 6.

2. The rights to all ground irrigation systems above the 650 foot elevation, including all ditches, siphons, dams, reservoirs, intake adits, pumps and pipelines having conveyed to Waiahole Water Company, Limited, a Hawaii corporation, as set forth or disclosed by the Bill of Sale recorded as Book 426 Page 294 of Official Records.

According to the public records, the foregoing document was assigned to Waiahole Irrigation Company, Limited, a Hawaii corporation, by assignment recorded September 29, 1970 as Book 7213 Page 338 of Official Records.

3. Title to all mineral and metallic mines reserved to the State of Hawaii.

4. Terms, provisions, reservations, covenants, conditions and restrictions, but deleting any of the aforementioned indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, marital status, ancestry, source of income or disability, to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes or Chapter 515 of the Hawaii Revised Statutes, as contained in the Declaration of Conditions Imposed by the Land Use Commission recorded July 19, 1988 as Book 22151 Page 250 and Land Court Document No. 1565292, as amended of Official Records.
5. The terms and provisions contained in the Unilateral Agreement and Declaration for Conditional Zoning recorded December 03, 1997 as Regular System Document No. 97-168626 and Land Court Document No. 2423720 of Official Records.

The foregoing instrument was amended by Amendment to Unilateral Agreement and Declaration for Conditional Zoning recorded November 24, 1998 as Regular System Document No. 98-176077 and Land Court Document No. 2501839 of Official Records.

6. Notice of Termination (and of Rights and Obligations that Survive Termination) and Quitclaim recorded August 25, 2009 Regular System Document No. 2009-129931 and Land Court Document No. 3891022 of Official Records.
7. The terms and provisions contained in the Agreement recorded August 31, 2012 as Regular System Document No. A-46260713B and Land Court Document No. T-8278445B of Official Records.
8. A Notice of Surrender, executed by Waiawa Ridge Development, LLC, a Hawaii limited liability company, Gentry Investment Properties, a Hawaii limited partnership, Micah A. Kane, Janeen-Ann Ahulani Olds, Lance Keawe Wilhelm, James Douglas Keauhou, and Corbett Aaron Kamohaikiokalani Kalama, as Trustees of the Estate of Bernice Pauahu Bishop, a charitable educational trust, recorded August 31, 2012 as Regular System Document No. A-46260711 and Land Court Document No. T-8278443 of Official Records.
9. Any and all leases, subleases and/or tenancy agreements, the rights thereunder and encumbrances thereto.
10. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
11. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

### LEGAL DESCRIPTION

Real property in the County of Honolulu, State of Hawaii, described as follows:

ALL OF THAT CERTAIN PARCEL OF LAND (BEING PORTION(S) OF THE LAND(S) DESCRIBED IN AND COVERED BY ROYAL PATENT 4475, LAND COMMISSION AWARD 7713, APANA 46 TO V. KAMAMALU) SITUATE, LYING AND BEING APPROXIMATELY 1,900 FEET EASTERLY FROM INTERSTATE HIGHWAY, F.A.P. NO. I-H2-1(3), AT WAIAWA, DISTRICT OF EWA, HONOLULU, CITY AND COUNTY OF HONOLULU, STATE OF HAWAII, LOT 2-B, BEING ALSO A PORTION OF LOT 2, AND THUS BOUNDED AND DESCRIBED AS PER SURVEY DATED NOVEMBER 5, 2001, TO-WIT:

BEGINNING AT A POINT AT THE WESTERLY CORNER OF THIS PIECE OF LAND, BEING ALSO THE NORTHERLY CORNER OF LOT 2-A, ON THE SOUTHEASTERLY BOUNDARY OF LOT 4205-B, AS SHOWN ON MAP 652, OF LAND COURT APPLICATION NO. 1000, AND ON THE BOUNDARY BETWEEN THE LANDS OF WAIPIO AND WAIAWA, THE COORDINATES OF SAID POINT OF BEGINNING REFERRED TO GOVERNMENT SURVEY TRIANGULATION STATION "EWA CHURCH", BEING 1,213.39 FEET NORTH AND 2,614.44 FEET WEST, AND RUNNING BY AZIMUTHS MEASURED CLOCKWISE FROM TRUE SOUTH:

1. 201° 09' 67.48 FEET ALONG LOT 4205-B, AS SHOWN ON MAP 652 OF LAND COURT APPLICATION 1000, ALONG THE LANDS OF WAIPIO AND WAIAWA;

THENCE ALONG LOT 2-C, ON A CURVE TO THE RIGHT WITH A RADIUS OF 2,072.00 FEET, THE CHORD AZIMUTH AND DISTANCE BEING:

2. 295° 11' 54" 938.39 FEET;
3. 214° 08' 04" 617.98 FEET ALONG LOT 2-C;
4. 281° 34' 45" 763.47 FEET ALONG LOT 2-C;
5. 270° 00' 448.63 FEET ALONG LOT 2-C;
6. 350° 54' 25" 1,250.79 FEET ALONG LOT 2-C;
7. 46° 17' 30" 704.46 FEET ALONG LOT 2-C;
8. 136° 17' 30" 1,548.25 FEET ALONG LOT 2-A;

THENCE ALONG LOT 2-A, ON A CURVE TO THE LEFT WITH A RADIUS OF 2,000.00 FEET, THE CHORD AZIMUTH AND DISTANCE BEING:

9. 130° 12' 47" 423.57 FEET;

THENCE ALONG LOT 2-A, ON A CURVE TO THE LEFT WITH A RADIUS OF 2,074.41 FEET, THE CHORD AZIMUTH AND DISTANCE BEING:

10. 113° 21' 41" 775.50 FEET TO THE POINT OF BEGINNING AND CONTAINING AN AREA OF

47.036 ACRES, MORE OR LESS.

BEING ALL OF THE PREMISES CONVEYED BY DEED RECORDED AUGUST 31, 2012 AS REGULAR SYSTEM DOCUMENT NO. A-46260713A OF OFFICIAL RECORDS.

GRANTOR: WAIAWA RIDGE DEVELOPMENT LLC, A HAWAII LIMITED LIABILITY COMPANY  
GRANTEE: MICAH A. KANE, JANEEN-ANN AHULANI OLDS, LANCE KEAWE WILHELM, JAMES DOUGLAS KEAUKOU ING AND CORBETT AARON KAMOHAIKIOKALANI KALAMA, AS TRUSTEES OF THE ESTATE OF BERNICE PAUHI BISHOP, A CHARITABLE EDUCATIONAL TRUST

TMK(S): (1) 9-6-004-026-0000



*First American Title*

## **First American Title Company, Inc.**

**1177 Kapiolani Boulevard**

**Honolulu, HI 96814**

April 21, 2014

Onaona P. Thoene  
Carlsmith Ball LLP  
1001 Bishop Street, Suite 2100  
Honolulu, HI 96813  
Phone: (808)523-2596  
Fax: (808)523-0842  
Customer Reference:

Title Officer:	Mila Wright
Phone:	(808)457-3827
Fax No.:	(866)823-6167
E-Mail:	mqwright@firstam.com
Order Number:	4600071

Buyer:	TO BE DETERMINED
Owner:	Estate of Bernice Pauahi Bishop
Property:	94-670 Kam Highway Waipahu, Hawaii 96797

### **PRELIMINARY REPORT**

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Exhibit A attached. *The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.* Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.

Dated as of April 11, 2014 at 8:00 A.M.

The form of Policy of title insurance contemplated by this report is:

TO BE DETERMINED

A specific request should be made if another form or additional coverage is desired.

Title to said estate or interest at the date hereof is vested in:

Janeen-Ann Ahulani Olds, Lance Keawe Wilhelm, Robert K.W.H. Nobriga, Corbett Aaron Kamohaikiokalani Kalama, and Micah A. Kane, Trustees of the Estate of Bernice Pauahi Bishop

The estate or interest in the land hereinafter described or referred to covered by this Report is:

A fee.

The Land referred to herein is described as follows:

(See attached Legal Description)

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

1. Real property tax assessments for the fiscal year 2013-2014:

Tax Map Key No.: (1) 9-6-005-001-0000

Class No.: 0

First Installment: \$59,416.70, PAID, (8/20)

Second Installment: \$59,416.70, PAID, (2/20)

Note: The above referenced Tax Assessment reflects an adjustment in the amount of \$51,299.63 for 1st half installment and amount of \$51,299.62 for 2nd half installment.

2. Title to all mineral and metallic mines reserved to the State of Hawaii.
3. Rights of others thereto entitled in and to the continued uninterrupted flow of the Waiawa Stream.
4. Flume, Reservoir No. 45, and Adit B situate upon said Land.
5. Road(s) and/or Rights-of-Way running over, across, upon and through said land.



6. Rights of Native Tenants as contained in Land Commission Award 7713, Apana 46 and 48, and Royal Patent No. 4475.
7. A Grant of Easement for the construction and use of a tunnel, conduit or water course, shafts, etc., in favor of Waiahole Water Company, Limited, a Hawaiian Corporation, recorded as Book 388 Page 460 of Official Records.

By mesne assignments, the foregoing easement rights were assigned to Agribusiness Development Corporation, a public instrumentality of the State of Hawaii, by Quitclaim Assignment recorded July 9, 1999 as Regular System Document No. 99-109934 and Land Court Document No. 2558831 of Official Records.

8. The Rights of all ground irrigation systems above the 650 foot elevation including all ditches, syphons, dams, reservoirs, intake adits, pumps, and pipelines, having been conveyed to Waiahole Water Company, Limited, a Hawaii Corporation, by that certain Bill of Sale recorded as Book 426, Page 294 of Official Records.

The foregoing rights to property were conveyed to the Waiahole Irrigation Company, Limited, a Hawaii Corporation by certain Instrument recorded Book 7213, Page 338 of Official Records.

9. A Grant of Easement a 25 feet wide, for utility purposes, in favor of Hawaiian Electric Company, Limited, a Hawaii Corporation, recorded as Book 4091 Page 428 of Official Records.

Consent thereto given by Instrument recorded as Book 4091 Page 432 and 435 of Official Records.

10. A Grant of Easement for the discharge of storm waters, in favor of City and County of Honolulu, a Municipal Corporation, recorded as Book 5246 Page 319 of Official Records.

11. Easement Tract WR-8, as described in or disclosed by the Declaration of Taking, Civil No. 705 recorded as Book 1973 Page 206 of Official Records.

Said easement was conveyed to the State of Hawaii by Quitclaim Deed recorded June 20, 1985 as Book 18721 Page 536 of Official Records.

12. A Grant of Easement for underground communication cable and incidental purposes, in favor of United State of America, recorded as Book 3240 Page 149 of Official Records.

The foregoing instrument was partially reconveyed to the Trustees of the Estate of Bernice Pauahi Bishop by that certain instrument recorded as Book 5173 Page 246 of Official Records.

13. A Grant of Easement for underground communication cable and incidental purposes, in favor of United State of America, recorded as Book 2026 Page 182, as amended, of Official Records.

14. A Grant of Easement for utility purposes, in favor of Hawaiian Electric Company, Inc., a Hawaii Corporation, and Oahu Sugar Company, Limited, a Hawaii Corporation "Tenant", recorded as Book 6053 Page 1, as supplemented of Official Records.

15. Terms, provisions, reservations, covenants, conditions and restrictions, but deleting any of the aforementioned indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, marital status, ancestry, source

of income or disability, to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes or Chapter 515 of the Hawaii Revised Statutes, as contained in the Declaration of Conditions Imposed by the Land Use Commission recorded July 19, 1988 as Book 22151 Page 250 of Official Records.

16. The terms and provisions contained in the Unilateral Agreement and Declaration for Conditional Zoning recorded December 03, 1997 as Regular System Document No. 97-168626 and Land Court Document No. 2423720 of Official Records.

The foregoing instrument was amended by Amendment to Unilateral Agreement and Declaration for Conditional Zoning recorded November 24, 1998 as Regular System Document No. 98-176077 and Land Court Document No. 2501839 of Official Records.

17. Notice of Termination (and of Rights and Obligations that Survive Termination) and Quitclaim recorded August 25, 2009 Regular System Document No. 2009-129931 and Land Court Document No. 3891022 of Official Records.
18. A Notice of Surrender, executed by Waiawa Ridge Development, LLC, a Hawaii limited liability company, Gentry Investment Properties, a Hawaii limited partnership, Micah A. Kane, Janeen-Ann Ahulani Olds, Lance Keawe Wilhelm, James Douglas Keauhou, and Corbett Aaron Kamohaikiokalani Kalama, as Trustees of the Estate of Bernice Pauahu Bishop, a charitable educational trust, recorded August 31, 2012 as Regular System Document No. A-46260711 and Land Court Document No. T-8278443 of Official Records.
19. Any and all leases, subleases and/or tenancy agreements, the rights thereunder and encumbrances thereto.
20. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
21. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

**LEGAL DESCRIPTION**

Real property in the County of Honolulu, State of Hawaii, described as follows:

ALL OF THAT CERTAIN PARCEL OF LAND (PORTION OF THE LAND DESCRIBED IN AND COVERED BY ROYAL PATENT NUMBER 4475, LAND COMMISSION AWARD NUMBER 7713, APANAS 46 AND 48 TO V. KAMAMALU) (CERTIFICATE OF BOUNDARY NO. 73), SITUATE AT WAIAWA, DISTRICT OF EWA, CITY AND COUNTY OF HONOLULU, STATE OF HAWAII, BEARING TAX KEY DESIGNATION 9-6-5-1 AND CONTAINING AN AREA OF 763.954 ACRES, MORE OR LESS.

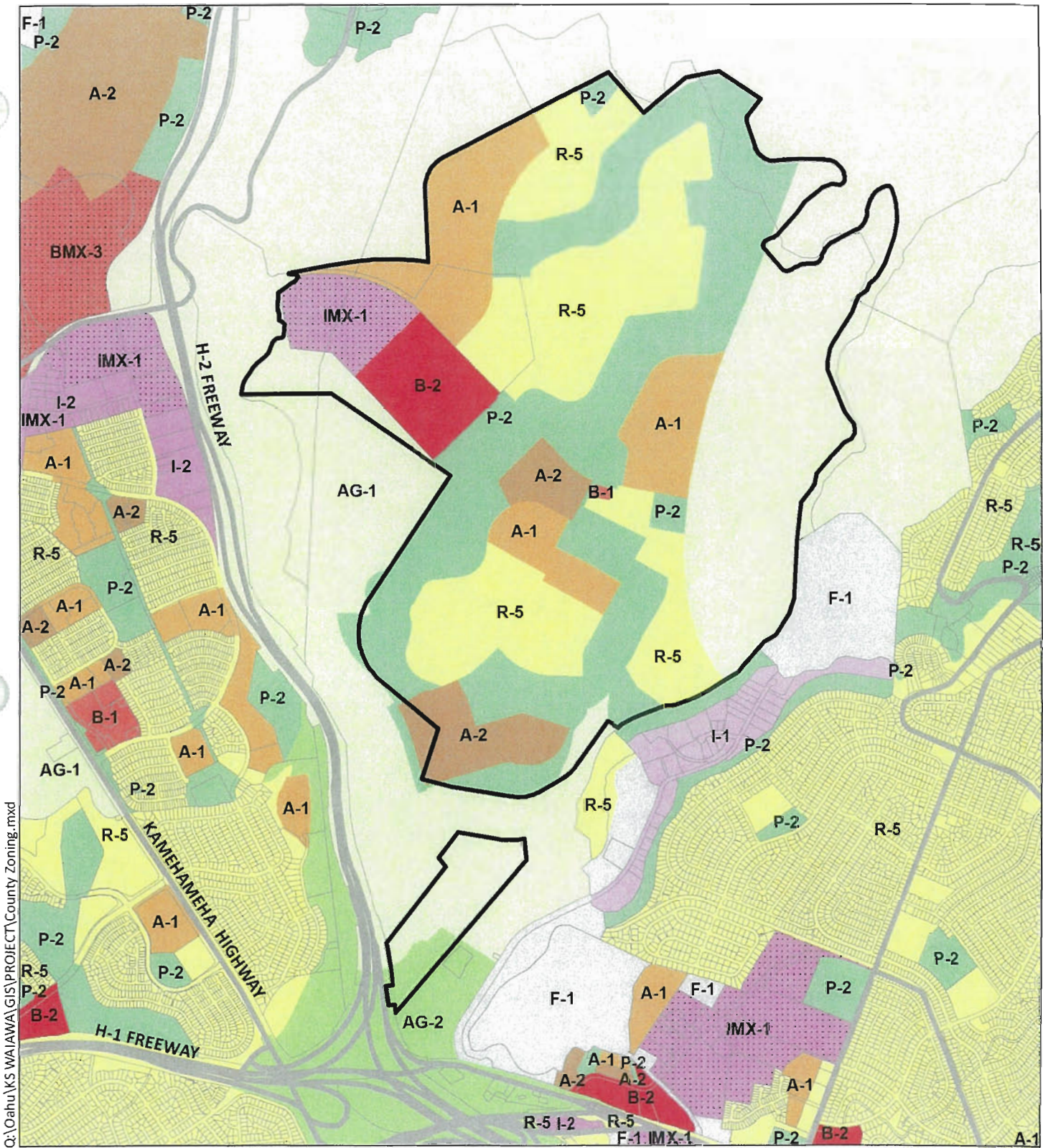
BEING A PORTION OF THE PREMISES CONVEYED BY EXCHANGE DEED RECORDED JULY 01, 1986 AS BOOK 19633 PAGE 415 OF OFFICIAL RECORDS.

GRANTOR: CASTLE AND COOKE, INC., A HAWAII CORPORATION

GRANTEE: RICHARD LYMAN, JR., MATSUO TAKABUKI, MYRON BENNETT THOMPSON, WILLIAM SHAW RICHARDSON AND HENRY HAALILIO PETERS, TRUSTEES OF THE ESTATE OF BERNICE PAUHI BISHOP

TMK(S): (1) 9-6-005-001-0000





Q:\Oahu\KS WAIAWA\GIS\PROJECT\County Zoning.mxd

DATE: 5/6/2014

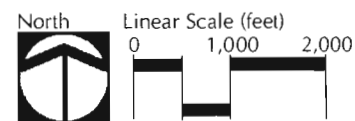
**LEGEND**

KS Waiawa Property (SLU Urban, Docket A87-610)

- |      |     |       |       |
|------|-----|-------|-------|
| AG-1 | R-5 | B-1   | F-1   |
| AG-2 | A-1 | B-2   | I-1   |
| P-2  | A-2 | BMX-3 | I-2   |
|      |     |       | IMX-1 |

**KS Exhibit 4  
County Zoning**

**KAMEHAMEHA SCHOOLS WAIAWA  
MOTION TO AMEND**



Island of O'ahu

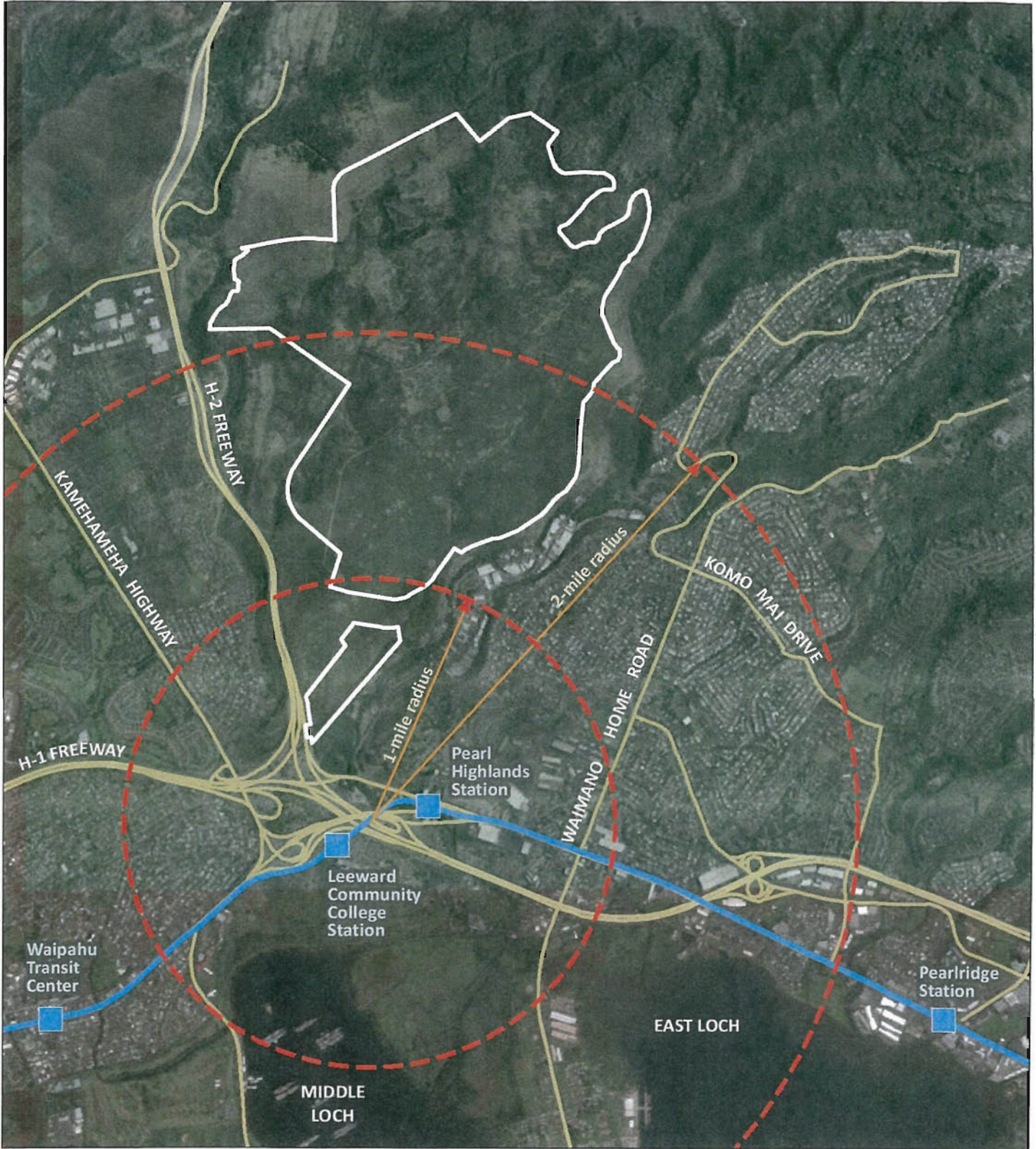


Source: City and County of Honolulu (2014)  
Disclaimer: This Graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.








Q:\Oahu\KS WAIAWA\GIS\PROJECT\Distance to Transit.mxd



DATE: 5/6/2014

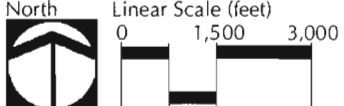

**LEGEND**

-  KS Waiawa Property (SLU Urban, Docket A87-610)
-  Rail Transit Stations
-  Rail Transit Guideway

**KS Exhibit 5**  
**Distance to Rail Transit Stations**  
**KAMEHAMEHA SCHOOLS WAIAWA**  
**MOTION TO AMEND**

North Linear Scale (feet) Island of O'ahu

0 1,500 3,000

Source: City and County of Honolulu (2014)  
 Disclaimer: This Graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.





## I. Project Team

From initial site evaluation to final system activation, dozens of dedicated SunEdison staff will be involved in the proposed projects for HECO. Below are some of the individuals whose efforts will be indispensable in project development and will be committed to this project through commercial operations.

### **SUNEDISON**

#### *Tim Lasocki, Vice President North America Project Development*

Tim Lasocki is the Vice President of SunEdison's North America Solar Development team, which is advancing over 1,000MW of projects in early, mid, and late stage development. Solar projects which Mr. Lasocki has led through full permitting and the commencement of construction include Colorado State University (5.3MWac), Austin Energy (30MWac), Tucson Electric Power (20MWac), and Bryan Texas Utilities (10MWac), with a collective value of close to \$300MM.

Mr. Lasocki joined SunEdison in September 2011 following the SunEdison acquisition of Fotowatio Renewable Ventures' USA assets and team. Prior to FRV, LLC, Mr. Lasocki was the Director of Commercial Transactions at Clipper Windpower where he negotiated multi-year turbine sale contracts valued at over \$4BN. Mr. Lasocki also previously worked for GE Wind Energy where he held roles in sales, development, and strategic marketing and negotiated \$1BN worth of wind turbine and wind project purchases.

Mr. Lasocki holds a Master of Business Administration and Master of Environmental Management from Yale University and a Bachelor of Arts in economics from Carleton College.

#### *Nicola Doss, Senior Manager Project Development – Hawai'i*


Nicola will be HECO's main liaison during the procurement process and PPA negotiations. Nicola Doss is a Senior Manager of Project Development for SunEdison, based in Honolulu, and leading business development and project development efforts for utility scale solar projects across emerging markets, mainly Hawaii. Nicola has been in the solar industry for going on 6 years including her previous role as Manager Power Marketing covering Hawaii and business development at solar development company Axio Power, acquired by SunEdison in June 2011. Nicola has past experience in project management and environmental consulting for government and property development clients and has worked for local government doing urban and environmental planning.

Nicola received her MBA in General Management and Sustainability from the Australian Graduate School of Management in Sydney, Australia and her Master's of Applied Science degree in Natural Resource Management from James Cook University in Townsville, Australia.

#### *Ricardo Graf, Senior Development Manager*

Ricardo's background includes real estate acquisitions and permitting of utility-scale (large scale) ground mounted solar projects throughout the United States. Ricardo's primary markets include Hawai'i, Puerto Rico and California. He will typically be the first person of the SunEdison team to engage on a project






and is responsible for managing and facilitating the underwriting of new solar assets. Recently he successfully negotiated a real estate transaction to secure 34.7 acres for a 5MW facility in the Mililani Solar Park on the Island of Oahu. Since June of 2011 Ricardo has surveyed, analyzed and acquired seven project sites (Mililani, Kamehameha Schools and five bilateral projects) for SunEdison which are all now currently in discussions with HECO.

*Bhaskar Ray, Senior Director of Engineering and Design*

Bhaskar Ray is currently employed as a Senior Director of Engineering & Design at SunEdison. In his current leadership role, Bhaskar manages interconnection efforts and T&D engineering activities for all SunEdison renewable projects (utility scale and DG projects) in the North America pipeline (including Hawaii and Puerto Rico). Most recently Bhaskar was with Solar Trust of America where he was the Senior Director of Transmission. In this role he managed all transmission and interconnection related activities of their utility-scale solar projects and provided necessary regulatory support. As an electric transmission Subject Matter Expert, Bhaskar has over 22 years of electric utility experience in transmission system planning, grid interconnection contracts, renewable energy, power procurement, operations, dynamics & control area of power industry.

Prior to joining Solar Trust, Bhaskar was with Southern California Edison (SCE) for several years where his recent work assignment included working with Senior Energy Advisors from California Governor's Office as the SCE Project Leader during 2010 to lead a cross functional stakeholder team for supporting large scale renewable projects in California seeking American Reinvestment & Recovery Act (ARRA) funding. He has also worked in Pacific Gas & Electric Company (PG&E) and Xcel Energy for over fifteen years. Bhaskar received his Master of Science in Electrical Engineering from Iowa State University. He has numerous power industry publications and is currently a Senior Member of Institute of Electrical & Electronics Engineers (IEEE).




*Dan Ryan, Utility Development Engineer*

Dan will provide technical support to the SunEdison team during all stages of project development in Hawaii. Dan has experience in utility scale solar development, project design, and energy production simulations. He works closely with utilities, manufacturers, and independent engineers to identify, develop, and construct solar projects for SunEdison. Prior to SunEdison, he was a Senior Engineer at AWS Truepower, LLC and provided engineering consulting services to various players in the solar industry. Dan holds a BS in Mechanical Engineering and a Masters of Engineering Management from Cornell University.

*Curtis Seymour, Director of Government Affairs*

Curtis Seymour is Director of Government Affairs for SunEdison where he leads state-level regulatory and legislative efforts on the West Coast, including Hawaii. SunEdison develops, finances, owns and operates solar power plants across the United States and the world. Curtis previously worked for Q-Cells in Berlin, Germany where he focused on utility scale project development. Curtis also spent several years at the California Public Utilities Commission where he was responsible for California's distributed generation policies and programs including the California Solar Initiative, net energy metering, the small renewable feed-in tariff and the Renewable Auction Mechanism. Curtis is currently serving as the state committee Chair for the Solar Energy Industries Association (SEIA) in California.



# NICOLA DOSS

2987 Kalakaua Street, Suite 104; Honolulu HI 96815

Email: [NDoss@sunedison.com](mailto:NDoss@sunedison.com) · Office: +1 808 888 0314 · Cell: +1 949 439 3349

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## PROFESSIONAL EXPERIENCE

### 2011 - Present SUNEDISON

*A global solar developer with over 1,000 MW constructed that develops, finances, constructs, operates and maintains solar projects worldwide, ranging from utility scale projects to customer rooftops.*

#### 2013 – Present Senior Manager Project Development Honolulu, HI

- Manage project development of utility-scale and distributed generation portfolio across the Hawaiian Islands. Key account manager for Hawaiian Electric Company, MECO, HELCO and KIUC.
- Project development manager for the 50 MW Waiawa project responsible for managing internal team and team of external local consultants to develop the project. Responsible for site acquisition and site control, permitting at the Federal, State and local level, PPA negotiation, financial analysis, schedule and budget management, interconnection and storage solutions.

#### 2011 – 2013 Regional Sales Manager – Utility Sales Costa Mesa, CA

- Manage full range of utility-scale business development activities for emerging markets: developing relationships with key utility, government and local project development contacts to find new leads; evaluating new market and project opportunity economics with financial pro forma; preparing and submitting competitive customer proposals and creating value through margin upside plans for projects
- Work closely with local and internal legal counsel to negotiate all commercial aspects of utility-scale PPA or EPC contracts with utility customers through to execution, with a focus on ensuring financeability for investors and flexibility for financial structure
- Have personally brought in over 100MW of opportunities and moved them to late stage PPA or EPC contract negotiations
- Key account manager for Hawaiian Electric Company (Oahu), negotiating over 30MW of PPA contracts and acting as project developer for large Hawaii pipeline; managing project budgets, schedules, and all key interconnection, permitting and land development activities to advance projects while minimizing at-risk development capital
- Former key account manager for Arizona Public Service, managing responses to all solicitations; short listing and PPA negotiations for 15 MW PPA contract
- Managed internal deal team for 10 MW US Virgin Islands RFP response; developed all key legal, land, and development relationships locally on island; lead negotiations as key account manager for USVI Water and Power Authority
- Have also worked on opportunities and/or managed key accounts in Oregon, Idaho, New Mexico, Florida, and Georgia

### 2010 - June 2011 AXIO POWER

#### Business Development Manager

Costa Mesa, CA

*A privately held solar developer that developed and financed utility-scale solar projects.*

- Supported expansion of our Canadian operations from Toronto in response to award of 90 MW of Ontario Feed-in Tariff contracts, including managing some key permitting and community engagement activities
- Managed competitive RFP responses for 20 MW throughout the Northeast and initiated bilateral discussions with electric cooperatives across Massachusetts to develop over 15 MW of new business
- Bid/sold SREC contracts in MA and became company resource for evaluating Northeast SREC markets
- Helped coordinate investor due diligence process, working closely with internal and external deal team to prepare the company for acquisition (ultimately by SunEdison) and finalize acquisition documents

#### 2009 – 2010 Special Projects Coordinator

San Juan Capistrano, CA

- Identified and evaluated new project opportunities, conducted pricing analysis and wrote and prepared all company RFP bid proposals - successfully shortlisted for over 25 MW of projects
- Successful at bidding 10MW project into Southern California Edison RFP resulting in executed PPA
- Supported fundraising activities for Series A and Series B capital raise; managed investor due diligence

**2007 - 2009      GRIER & ASSOCIATES**

*Niche consultancy providing environmental solutions to the property development industry and government.*

2007 – 2008      **Project Manager**      *Townsville and Sydney, Australia*

- Developed proposals, site layouts and plans for climate responsive and energy efficient developments
- Consulted on projects for water sensitive urban design in subtropical environments
- Facilitated negotiations between Ergon Energy and local government for federal Solar Cities project

**2004 - 2007      TOWNSVILLE CITY COUNCIL**

2005 – 2007      **Coordinator, Technical Support Unit**      *Townsville, Australia*

- Managed a team of 6, numerous external consultants, 15 projects, and annual budget over AUD\$1 million
- Developed operational, business and personal performance plans, reporting to the Director of Planning
- Coordinated ecological baseline studies and managed negotiations between diverse stakeholders to create policy and a master plan for the sustainable satellite city of Rocky Springs (pop. 50,000)
- Coordinated the creation of priority infrastructure plans for Townsville in order to secure developer contributions for the city for all major infrastructure services through to 2021

2004 – 2005      **Strategic Planning Officer, Planning and Development**      *Townsville, Australia*

- Coordinated CBD Taskforce and Management Group regarding impact of major proposed developments
- Researched, developed and proposed sustainable and affordable housing policies and initiatives
- Assessed compliance of proposed developments with existing environmental and social policies

2004 – 2005      **Cities for Climate Protection Program Coordinator**      *Townsville, Australia*

- Achieved key milestones through the International Council for Local Environmental Initiative (ICLEI), including a successful council resolution for a 2010 carbon reduction goal for Townsville

**2003 - 2004      OCEAN FUTURES SOCIETY**

*Jean-Michel Cousteau's non-profit organization conducting advocacy and research for the protection of the world's oceans.*

**Executive Administration**      *Santa Barbara, CA*

- Organized expeditions, coordinated meetings, attended conferences and developed grant proposals

## **EDUCATION**

2009      MBA, Graduated April 2009, Australian Graduate School of Management, UNSW      *Sydney, Australia*

2009      MBA Exchange Program, Schulich School of Business, York University      *Toronto, Canada*

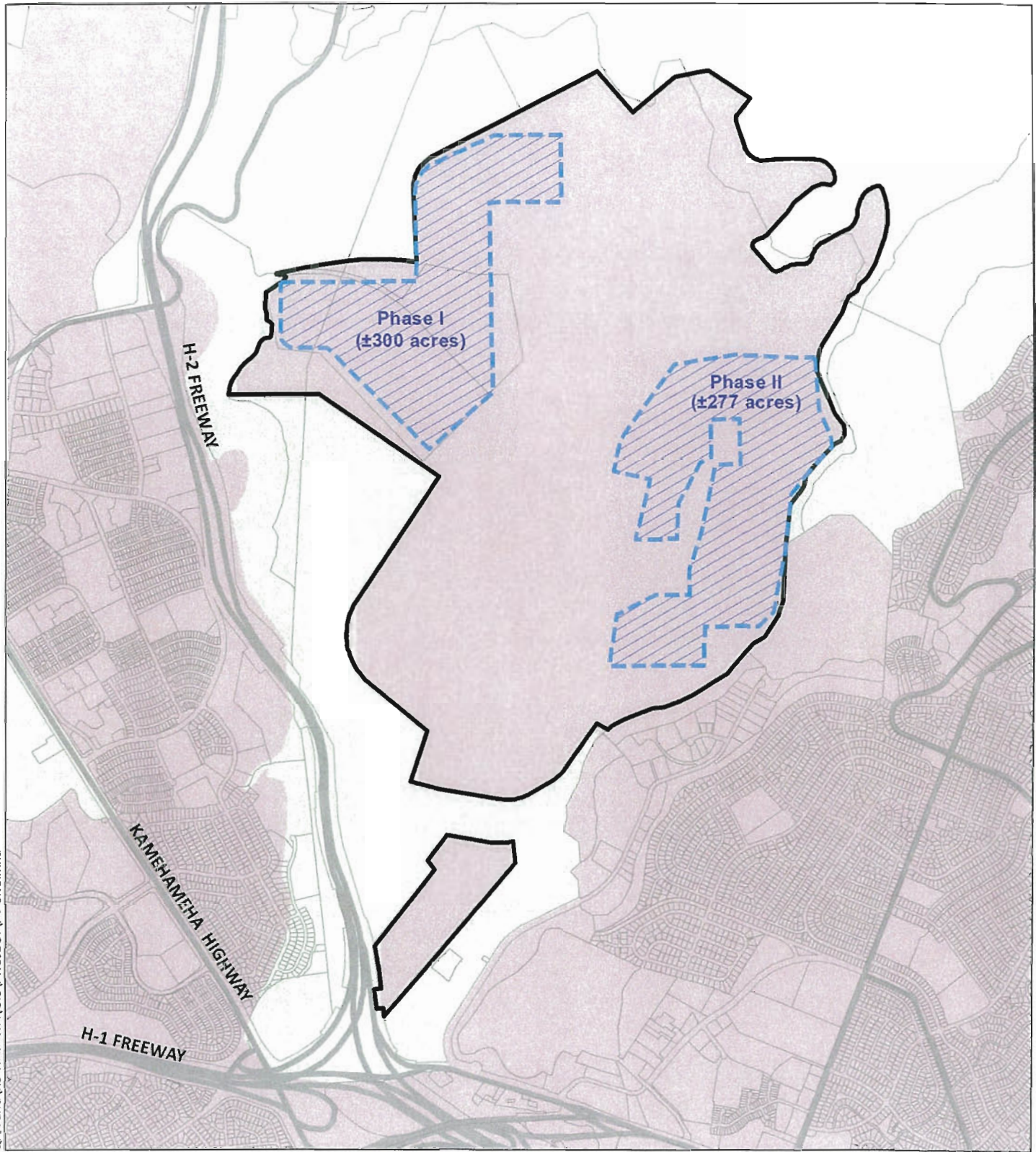
2005      Masters of Applied Science, Natural Resource Management, James Cook University *Townsville, Australia*

2003      Bachelor of Arts (Honors), Conservation Biology      *Santa Barbara, CA*  
College of Creative Studies, University Of California, Santa Barbara

## **ADDITIONAL INFORMATION**

- Project Lead, The Smith Family Non-Profit Management Consultancy Project, AGSM (2008-2009)
- Vice President, Corporate Social Responsibility Club Australian Graduate School of Management (2008-09)
- Workshop Coordinator, LEAD Business Mentorship Program for Australian School of Business (2008)
- Elected Undergraduate Representative, Shoreline Preservation Fund, UCSB Board of Directors (2001–02)
- Water Watch Program Coordinator, California Public Interest Group (CALPIRG), UCSB (2001–2003)
- Chapter Program Founder, Blue Water Task Force, Surfrider Foundation, Isla Vista Chapter (2001–2002)











Q:\Oahu\KS WAIAWA\GIS\PROJECT\VP Site.mxd

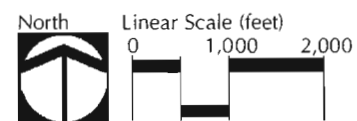
DATE: 5/7/2014

**LEGEND**

-  KS Waiawa Property (SLU Urban, Docket A87-610)
-  Photovoltaic Locations
-  Agricultural District
-  Rural District
-  Conservation District
-  Urban District

**KS Exhibit 8  
Phasing Plan**

**KAMEHAMEHA SCHOOLS WAIAWA  
MOTION TO AMEND**



Island of O'ahu



Source: SunEdison (2014), State Land Use Commission (2014)  
 Disclaimer: This Graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.





1. Existing view



2. View simulation with photovoltaic panels



**KS Exhibit 9**  
**Visual Analysis - Ka Uka Boulevard**  
**KAMEHAMEHA SCHOOLS WAIAWA**  
**MOTION TO AMEND**

Island of O'ahu

Source: Photographs and view simulations provided by SunEdison.

Disclaimer: This Graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.



1. Existing view



2. View simulation with photovoltaic panels



**KS Exhibit 9  
Visual Analysis - Pacific Palisades  
KAMEHAMEHA SCHOOLS WAIAWA  
MOTION TO AMEND**

Island of O'ahu

Source: Photographs and view simulations provided by SunEdison.  
Disclaimer: This Graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.





1. Existing view



2. View simulation with photovoltaic panels



**KS Exhibit 9**  
**Visual Analysis - Waipio Sports Park**  
**KAMEHAMEHA SCHOOLS WAIAWA**  
**MOTION TO AMEND**

Island of O'ahu

Source: Photographs and view simulations provided by SunEdison.  
Disclaimer: This Graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.





1. Existing view




2. View simulation with photovoltaic panels



**KS Exhibit 9**  
**Visual Analysis - Waipio Uka Street**  
**KAMEHAMEHA SCHOOLS WAIAWA**  
**MOTION TO AMEND**

Island of O'ahu

Source: Photographs and view simulations provided by SunEdison.  
 Disclaimer: This Graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.

	<b>Owner's Policy of Title Insurance</b>
	ISSUED BY <b>First American Title Insurance Company</b>
<b>Owner's Policy</b>	POLICY NUMBER <b>5011415-3549</b>

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at the address shown in Section 18 of the Conditions.

**COVERED RISKS**

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, **FIRST AMERICAN TITLE INSURANCE COMPANY**, a California corporation (the "Company") insures as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
  - (a) A defect in the Title caused by
    - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
    - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
    - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
    - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
    - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
    - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
    - (vii) a defective judicial or administrative proceeding.
  - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
  - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.

(Covered Risks Continued on Page 2)

In Witness Whereof, First American Title Insurance Company has caused its corporate name to be hereunto affixed by its authorized officers as of Date of Policy shown in Schedule A.

**First American Title Insurance Company**

Issued by:



*Dennis J. Gilmore*

Dennis J. Gilmore  
President

*Timothy Kemp*

Timothy Kemp  
Secretary



**Title Guaranty of Hawaii Inc**  
235 Queen Street  
Honolulu Hawaii 96813  
Telephone (808) 533-6261  
Fax (808) 521-0221  
Email title@tghawaii.com

This Policy is valid only when Schedules A and B are attached)

This jacket was created electronically and constitutes an original document

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KS Exhibit 10

REVISED 12/13/12

SCHEDULE A

Premium: \$8,547.50  
Amount of Insurance: \$2,350,000.00  
Date of Policy: August 31, 2012 at 8:01 a.m.  
Policy No.: FJ6-000003549  
Agent's No.: 201238946A

ALTA Owner's Policy (06-17-06) (with Hawaii modification)  
-----

1. Name of Insured:

MICAH A. KANE, JANEEN-ANN AHULANI OLDS, LANCE KEAWE WILHELM,  
JAMES DOUGLAS KEAUFHOU ING, and CORBETT AARON KAMOHAIKIOKALANI  
KALAMA, as Trustees of the Estate of Bernice Pauahi Bishop, a  
charitable educational trust, with full powers to sell, mortgage,  
lease or otherwise deal with the land, as Fee Owner

2. The estate or interest in the land that is insured by this policy  
is:

FEE SIMPLE

3. Title is vested in:

THE NAMED INSURED

4. The land referred to in this policy is described as follows:

See Schedule C.



## SCHEDULE C

-----

The land referred to in this policy is described as follows:

## -ITEM I:-

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent 4475, Land Commission Award 7713, Apana 46 to V. Kamamalu) situate, lying and being approximately 1,900 feet easterly from Interstate Highway, F.A.P. No. I-H2-1(3), at Waiawa, District of Ewa, Honolulu, City and County of Honolulu, State of Hawaii, being LOT 2-B, being also a portion of Lot 2, and thus bounded and described as per survey dated November 5, 2001, to-wit:

Beginning at a point at the westerly corner of this piece of land, being also the northerly corner of Lot 2-A, on the southeasterly boundary of Lot 4205-B, as shown on Map 652, of Land Court Application No. 1000, and on the boundary between the lands of Waipio and Waiawa, the coordinates of said point of beginning referred to Government Survey Triangulation Station "EWA CHURCH", being 1,213.39 feet north and 2,614.44 feet west, and running by azimuths measured clockwise from true South:

1. 201° 09' 67.48 feet along Lot 4205-B, as shown on Map 652 of Land Court Application 1000, along the lands of Waipio and Waiawa;

Thence along Lot 2-C, on a curve to the right with a radius of 2,072.00 feet, the chord azimuth and distance being:

2. 295° 11' 54" 938.39 feet;
3. 214° 08' 04" 617.98 feet along Lot 2-C;
4. 281° 34' 45" 763.47 feet along Lot 2-C;

SCHEDULE C CONTINUED

5. 270° 00' 448.63 feet along Lot 2-C;
6. 350° 54' 25" 1,250.79 feet along Lot 2-C;
7. 46° 17' 30" 704.46 feet along Lot 2-C;
8. 136° 17' 30" 1,548.25 feet along Lot 2-A;

Thence along Lot 2-A, on a curve to the left with a radius of 2,000.00 feet, the chord azimuth and distance being:

9. 130° 12' 47" 423.57 feet;

Thence along Lot 2-A, on a curve to the left with a radius of 2,074.41 feet, the chord azimuth and distance being:

10. 113° 21' 41" 775.50 feet to the point of beginning and containing an area of 47.036 acres, more or less.

-ITEM II:-

All of that certain parcel of land situate at Waipio, District of Ewa, City and County of Honolulu, State of Hawaii, described as follows:

LOT 16462, area 2.564 acres, more or less, as shown on Map 1057, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1000 of John Ii Estate, Limited.

Being land(s) described in Transfer Certificate of Title No. 1,047,298 issued to the TRUSTEES OF THE ESTATE OF BERNICE PAUHI BISHOP, a charitable educational trust, with full powers to sell, mortgage, lease or otherwise deal with the land.

SCHEDULE C CONTINUED

-Note:- Lot 16462 is portion of "Lot 2-B" as shown on the map approved by the Department of Planning and Permitting, City and County of Honolulu, 1999/SUB 248, on December 16, 1999, and together constitute one lot for purposes of use as permitted under the laws, ordinances, rules and regulations of the City and County of Honolulu applicable therein, as set forth by Land Court Order No. 144521, filed January 10, 2010.

BEING THE PREMISES ACQUIRED BY DEED AND AGREEMENT

GRANTOR : WAIAWA RIDGE DEVELOPMENT LLC, a Hawaii limited liability company

GRANTEE : MICAH A. KANE, JANEEN-ANN AHULANI OLDS, LANCE KEAWE WILHELM, JAMES DOUGLAS KEAHOU ING, and CORBETT AARON KAMOHAIKIOKALANI KALAMA, as Trustees of the Estate of Bernice Pauahi Bishop, a charitable educational trust, with full powers to sell, mortgage, lease or otherwise deal with the land trust

DATED : August 31, 2012 (the "Effective Date")

FILED : Land Court Document Nos. T-8278445A through T-8278445B

RECORDED : Document No. A-46260713A through A-46260713B

END OF SCHEDULE C

E N D O R S E M E N T   N O .   4

Issued by

FIRST AMERICAN TITLE INSURANCE COMPANY

Attached to Policy No. FJ6-000003549  
dated August 31, 2012 at 8:01 a.m.

The Company insures against loss or damage sustained by the Insured by reason of the failure of the Land to have a right of access to a public roadway.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

Dated: August 31, 2012 at 8:01 a.m.

By Title Guaranty of Hawaii, Inc.,  
its Authorized Agent

TG 509-06 - access (6-06)



**TABLE 21-3  
MASTER USE TABLE**

In the event of any conflict between the text of this Chapter and the following table, the text of the Chapter shall control. The following table is not intended to cover the Waikiki Special District; please refer to Table 21-9.6(A).

**KEY** Ac = Special accessory use subject to standards in Article 5  
 Cm = Conditional Use Permit-minor subject to standards in Article 5; no public hearing required (see Article 2 for exceptions)  
 C = Conditional Use Permit-major subject to standards in Article 5; public hearing required  
 P = Permitted Use  
 P/c = Permitted use subject to standards in Article 5  
 PRU = Plan Review Use

ZONING DISTRICTS																						
USES (Note: Certain uses are defined in Article 10.)	P-2	AG-1	AG-2	Country	R-20, R-10	R-7.5, R-5, R-3.5	A-1	A-2	A-3	AMX-1	AMX-2	AMX-3	Resort	B-1	B-2	BMX-3	BMX-4	I-1	I-2	I-3	IMX-1	
Schools, vocational, which do not involve the operation of woodwork shops, machine shops or other similar features														P	P	P	P	P				P
Theaters														P	P	P	P	P				P <sup>1</sup>
Universities, colleges	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU
<b>TRANSPORTATION AND PARKING</b>																						
Airports	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	PRU	
Automobile service stations														Cm	P	P	P	P	P	P		P
Car washing, mechanized														P/c	P/c	P/c	P/c	P/c	P/c	P/c		P/c
Commercial parking lots and garages										P/c <sup>1</sup>	P/c <sup>1</sup>	P/c <sup>1</sup>	P	P	P	P	P	P	P		P	
Heliports																					P	
Helistops		C	C										C		C	C	C	C	C	P	P	C
Joint use of parking facilities				Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm
Off-site parking facilities				Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm
Truck terminals																				P	P	
<b>UTILITIES AND COMMUNICATIONS</b>																						
Antennas, broadcasting	Cm	Cm	Cm																C	C	C	C
Antennas, receive-only	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac
Broadcasting stations													P		P	P	P	P	P	P	P	P
Utility installations, Type A	P/c	P/c	P/c	P	P	P	P	P/c	P/c	P	P/c	P/c	P/c	P/c	P/c	P/c	P/c	P/c	P/c	P/c	P/c	P/c
Utility installations, Type B	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm
Wind machines		Cm	Cm	Cm	Cm	Cm								Cm	Cm				Cm	Cm		Cm
		Ac	Ac	Ac																		
<b>MISCELLANEOUS</b>																						
Historic structures, use of	Cm	Cm	Cm	C	C	C	C	C	C	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm
Joint development	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm



**PEARL CITY NEIGHBORHOOD BOARD NO. 21**

C/O NEIGHBORHOOD COMMISSION OFFICE • 530 SO. KING STREET, RM. 406 • HONOLULU, HAWAII 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov>

**Board Officers:**

**Chair:**  
Cruz J. Vina Jr.

**Vice-Chair:**  
Larry Veray

**Secretary:**  
Baybee Hufana-Ablan

**Treasurer:**  
Miles Murakami

**Board Members:**  
Sol-Ray Duncan  
Roger Clement  
Blake Yokotake  
Myrtle Nyuha  
Mitsuko Hayahawa  
Kelsey Poaha

Three vacant position

**RESOLUTION IN SUPPORT OF SUNEDISON'S PLANNED SOLAR ENERGY FACILITY IN WAIAWA**

**WHEREAS**, increasing local renewable energy production greatly benefits Hawai'i's local economy through direct and indirect investment and local job creation; and

**WHEREAS**, the Waiawa Solar project will be located on land reclassified or zoned Urban by the State Land Use Commission and the City & County of Honolulu; and

**WHEREAS**, the Waiawa Solar project will result in reduced energy rates for all of Oahu's ratepayers, saving ratepayers approximately \$145 Million over the 25 year term of the project; and

**WHEREAS**, the Waiawa Solar project is offering significantly lower power pricing than conventional generation and passing through over \$50 Million in Federal tax incentives to Hawai'i ratepayers should the project be placed in service by December 31, 2016; and

**WHEREAS**, utility-scale solar energy facilities can generate clean energy with little environmental impacts compared to conventional generation supporting a greener and more sustainable future for Hawai'i; and

**WHEREAS**, SunEdison has been selected by HECO to develop a 50-megawatt utility-scale solar energy generation facility known as the "Waiawa Solar Project"; now therefore,

**BE IT RESOLVED** that Pearl City Neighborhood Board No. 21 supports SunEdison's 50 MW Waiawa Solar Project, providing that the project does not preempt any existing agricultural operations, and providing that the solar energy equipment is decommissioned and removed within 12 months of the conclusion of operation and the site is returned to its original condition; and

**BE IT FURTHER RESOLVED** that copies of this resolution be transmitted to the Governor of the State of Hawaii; area Legislators; the Director of the Department of Business, Economic Development and Tourism; the Mayor of the City & County of Honolulu; all Honolulu City Council members; the City & County of Honolulu Department of Planning and Permitting; SunEdison; Kamehameha Schools; all members of the Pearl City Neighborhood Board No. 21; and all neighborhood board chairs.

*Adopted by Pearl City Neighborhood Board No. 21 at its regular meeting of April 22, 2014, by a vote of 9-0-0.*

Cruz J. Vina Jr.  
Chair  
Pearl City Neighborhood Board #21





**MILILANI/ WAIPIO/ MELEMANU NEIGHBORHOOD BOARD NO. 25**

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov>

**RESOLUTION IN SUPPORT OF SUNEDISON'S PLANNED SOLAR ENERGY FACILITY IN WAIAWA**

**WHEREAS**, increasing local renewable energy production greatly benefits Hawai'i's local economy through direct and indirect investment and local job creation; and

**WHEREAS**, the Waiawa Solar project will be located on land reclassified or zoned Urban by the State Land Use Commission and the City & County of Honolulu; and

**WHEREAS**, the Waiawa Solar project will result in reduced energy rates for all of Oahu's ratepayers, saving ratepayers approximately \$145 Million over the 25 year term of the project; and

**WHEREAS**, the Waiawa Solar project is offering significantly lower power pricing than conventional generation and passing through over \$50 Million in Federal tax incentives to Hawai'i ratepayers should the project be placed in service by December 31, 2016; and

**WHEREAS**, utility-scale solar energy facilities can generate clean energy with little environmental impacts compared to conventional generation supporting a greener and more sustainable future for Hawai'i; and

**WHEREAS**, SunEdison has been selected by HECO to develop a 50-megawatt utility-scale solar energy generation facility known as the "Waiawa Solar Project"; now therefore,

**BE IT RESOLVED** that Mililani-Waipio-Melemanu Neighborhood Board No. 25 supports SunEdison's 50 MW Waiawa Solar Project, providing that the project does not preempt any existing agricultural operations, and providing that the solar energy equipment is decommissioned and removed within 12 months of the conclusion of operation and the site is returned to its original condition; and

**BE IT FURTHER RESOLVED** that copies of this resolution be transmitted to the Governor of the State of Hawaii; area Legislators; the Director of the Department of Business, Economic Development and Tourism; the Mayor of the City & County of Honolulu; all Honolulu City Council members; the City & County of Honolulu Department of Planning and Permitting; SunEdison; Kamehameha Schools; all members of the Mililani Mauka/Launani Valley Neighborhood Board No. 35; and all neighborhood board chairs.

*Adopted by Mililani-Waipio-Melemanu Neighborhood Board No. 25 at its regular meeting of March 26, 2014, by a vote of 17-0-1.*

Richard G. Poirier, Chair



Oahu's Neighborhood Board system – Established 1973

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 7<sup>TH</sup> FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 768-8000 • FAX: (808) 768-6041  
DEPT. WEB SITE: [www.honolulu.gov](http://www.honolulu.gov) • CITY WEB SITE: [www.honolulu.gov](http://www.honolulu.gov)

RECEIVED  
KAMEHAMEHA SCHOOLS  
CENTRAL FILES  
2014 MAY -1 P 1:59

KIRK CALDWELL  
MAYOR



GEORGE I. ATTA, FAICP  
DIRECTOR

ARTHUR D. CHALLACOMBE  
DEPUTY DIRECTOR

2014/ELOG-461 (EK)

April 29, 2014

Mr. Keith Chang  
Kamehameha Schools  
567 South King Street  
Honolulu, Hawaii 96813

CU-LAD

Dear Mr. Chang:

**SUBJECT:** Environmental Impact Statement Determination  
Waiawa Solar Project  
Tax Map Keys 9-4-6: 34-37; 9-6-4: 24-26; and 9-6-5: 1

This is in response to your request, received March 17, 2014, for a determination regarding the requirements of the Environmental Impact Statement (EIS) Law [Hawaii Revised Statutes (HRS) Chapter 343] for a proposed solar farm on portions of the subject parcels. Specifically, you requested the Department of Planning and Permitting (DPP) to make a determination as to whether the project is subject to HRS Chapter 343, and if so, whether a Supplemental EIS will be required. We have determined that the project is not subject to HRS Chapter 343 and, therefore, no environmental documents are required.

On March 6, 1987, the Department of General Planning (now the DPP) accepted an EIS for the Waiawa Development, which was required in advance of a Development Plan amendment and a State Land Use (SLU) Map Amendment (from Agriculture to Urban District). The large-scale proposal involved the development of 7,900 residential units, 115 acres of retail, commercial, and industrial uses, two golf courses, an elementary school, and a public park. The anticipated population of the area was 18,873 people. The SLU map was amended and a zone change was granted for the area.

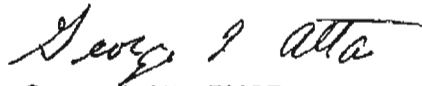
The Waiawa Development has yet to be initiated, and there is no date-certain for its initiation. For this reason, Kamehameha Schools is planning to allow SunEdison to develop a 300-acre portion of the subject parcels with a utility installation Type B (solar farm) for approximately 25 years. The question for which you are seeking clarity is whether the Waiawa Development EIS applies to the proposed use of the land as a solar farm since this is the first proposed development after the map amendments and zone changes were approved for the area. We have determined that the proposed utility installation does not constitute a change to the original proposal; it is a new proposal, unrelated to the original Waiawa Development plan. As such, the HRS Chapter 343 requirements for the solar farm project are independent of the previous EIS for development of the site. A utility installation for a solar farm on private land

Mr. Keith Chang  
April 29, 2014  
Page 2

does not trigger HRS Chapter 343 whether it is in the SLU Agriculture or Urban Districts. Even if the SLU map amendments and zone changes had never occurred, a solar farm would not have triggered HRS Chapter 343. Furthermore, utility installations are allowed in both the SLU Agriculture and Urban Districts, and in all zoning districts. Therefore, the use can be pursued whether or not the map amendments and zone changes had occurred. Furthermore, an interim use of the land that does not involve any irreversible development (like roadway and infrastructure improvements) does not constitute a change to the large-scale development project reviewed under the EIS.

In conclusion, the proposed utility installation is totally separate from the Waiawa Development plan. It is designed to generate electricity for the region, not for the future Waiawa Development, and we understand its proposed "lifespan" is only 25 years. Therefore, the project is not subject to the requirements of HRS Chapter 343, nor is a Supplemental EIS required. Please contact Elizabeth Krueger of our Land Use Approval Branch at 768-8017 if you have any questions.

Very truly yours,



George T. Atta, FAICP  
Director

GIA:nw



JOHN WAIHEE  
GOVERNOR OF HAWAII



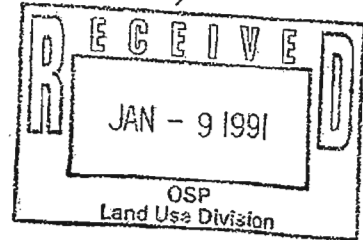
JOHN C. LEWIN, M.D.  
DIRECTOR OF HEALTH

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P. O. BOX 3378  
HONOLULU, HAWAII 96801

In reply, please refer to:  
EMD / SDWB

January 2, 1991

10,368



MEMORANDUM

TO: The Honorable Harold Masumoto  
Director, Office of State Planning *Harold*

FROM: Director, Department of Health

SUBJECT: Docket No. A87-610  
Tom Gentry and Gentry-Pacific, Ltd.  
Waiawa Ridge Development Project

Transmitted herewith is our revised report (two copies) on the delineation of the hydrologic zone of contribution for the U.S. Navy Waiawa Shaft and a second copy of the map of the Central Oahu/Pearl Harbor area showing the following:

1. Location of the U.S. Navy Waiawa Shaft.
2. Boundaries of the surface area equivalent to a 22 MGD (million gallons per day) recharge for the operation of the Waiawa Shaft. The 22 MGD is based on a 20 MGD pumpage from the source with a 10 per cent tolerance of 2 MGD to account for any margin of error that might be inherent from the recharge study. Although the State Commission on Water Resources has given the U.S. Navy a preserved use of 18 MGD for Waiawa Shaft, the U.S. Navy may need to pump additional water from the shaft during emergencies or for such increased demand as the berthing of the battleship, U.S.S. Missouri at Pearl Harbor.

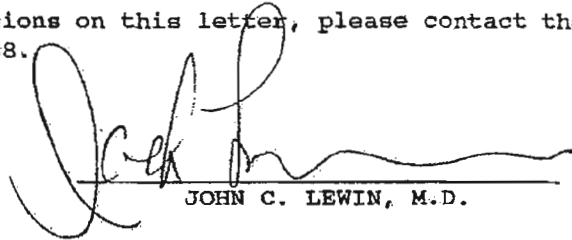
We recommend that any future potential development within the recharge area be subject to careful review and approval to ensure that groundwater supplies are not adversely impacted. We also forward for your information the following letters:

1. A letter dated December 17, 1990 from the Commanding Officer, U.S. Navy Public Works Center, concurring with our recommendations on the recharge area for Waiawa Shaft.

The Honorable Harold Masumoto  
Page 2  
January 2, 1991

2. A letter dated December 27, 1989 with our comments to the U.S. Navy on the draft final report on the "Assessment of the Potential for Groundwater Contamination Due to Proposed Urban Development in the Vicinity of the Navy's Waiawa Shaft, Pearl Harbor, Hawaii." (The final report dated March 1990 has been published by the Water Resources Research Center, University of Hawaii at Manoa.

Should you have any questions on this letter, please contact the Safe Drinking Water Branch at 543-8258.



JOHN C. LEWIN, M.D.

Attachments

cc: Commanding Officer,  
U.S. Public Works Center



DEC 21 1990

RECEIVED  
SAFE DRINKING WATER BRANCH  
JAN 2 1991

DEPARTMENT OF THE NAVY

COMMANDER  
NAVAL BASE PEARL HARBOR  
BOX 110  
PEARL HARBOR, HAWAII 96860-5020

IN REPLY REFER TO:

5090  
Ser 00F(1141)/4203

17 DEC 1990



Bruce Anderson, Ph.D.  
Deputy Director for Environmental  
Programs  
State of Hawaii  
Department of Health  
Five Waterfront Plaza  
500 Ala Moana Blvd.  
Honolulu, HI 96813

Dear Dr. Anderson:

We recently received a copy of the State Department of Health Report to the Office of State Planning on the Delineation of the Hydrologic Zone of Contribution for the U.S. Navy Waiawa Shaft dated September 1990.

We reviewed the report and concur with the study's methodology and the zone of contribution for Waiawa Shaft. The Navy strongly recommends that no development be permitted within this zone of contribution.

The Navy appreciates your Department's continued support in ensuring a safe and protected groundwater source at Waiawa Shaft. As you are well aware, the Navy's Waiawa Shaft is the primary potable water source which serves the entire Pearl Harbor Complex, Hickam Air Force Base and other military installations. We cannot afford to contaminate this valuable water resource.

We will continue to work closely with your staff on this matter.

Sincerely,

A handwritten signature in cursive script that reads "D. J. Nash".

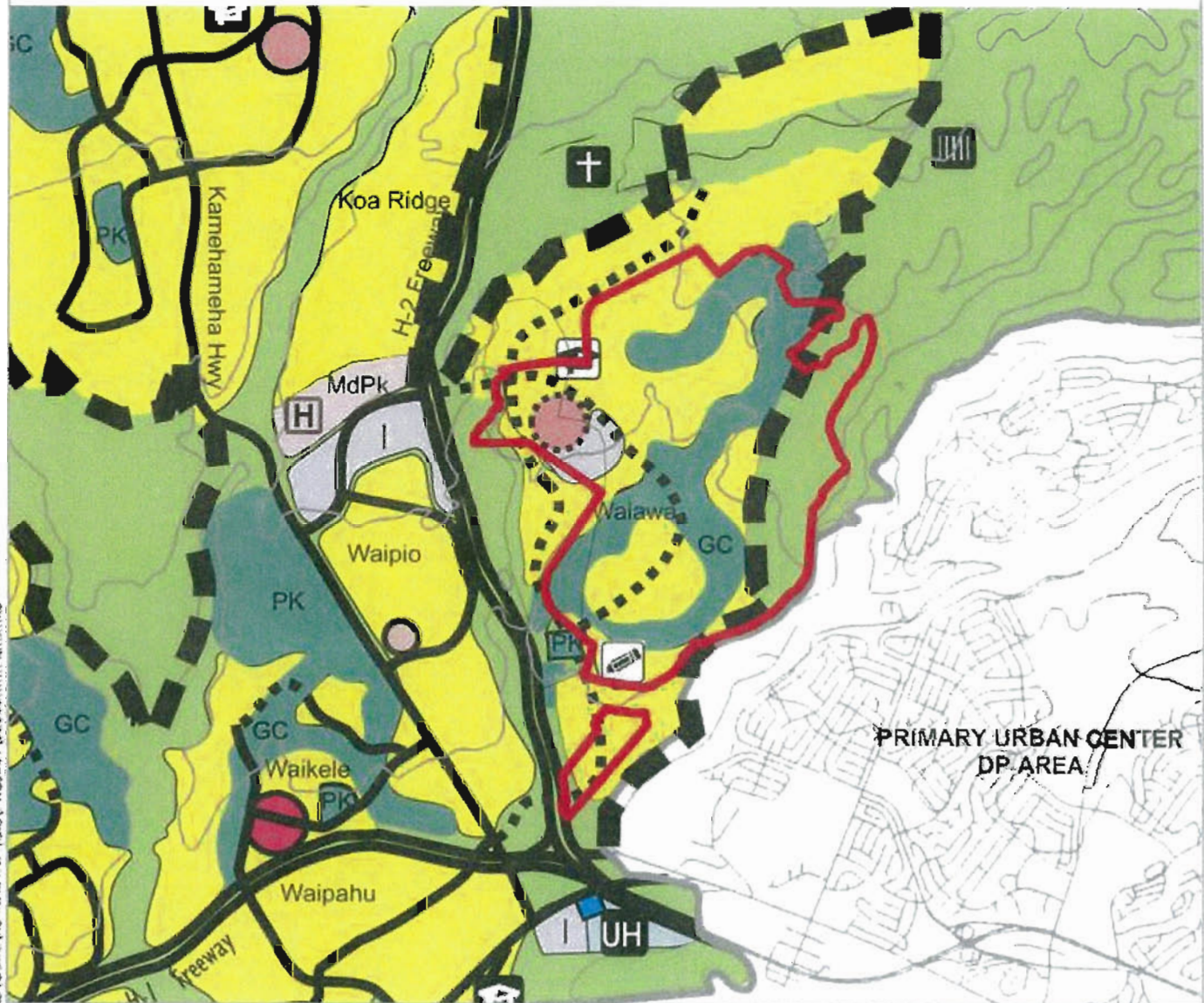
D. J. NASH  
Captain, CEC, U.S. Navy  
Base Civil Engineer  
By direction of  
the Commander

Copy to:  
Office of State Planning  
State Capitol Building  
Honolulu, HI 96813

- Residential and Low Density Apartment
- MdPk Medical Park
- Industrial
- PK&GC Parks and Golf Courses
- Agriculture and Preservation Areas
- Institutional
- Urban Community Boundary

- EXISTING FUTURE**
- Community Commercial Center
  - Major Community Commercial Center
  - Regional Commercial Center
  - Highways, Arterial & Major Collector Streets
  - Transit Node (Medium Density Res. and Comm.)

- EXISTING FUTURE**
- High School
  - Hospital
  - Cemetery
  - Correctional Facility
  - U.H. Leeward Comm. College



Q:\Oahu\KS WAIAWA\GIS\PROJECT\SusCommPlan.mxd

DATE: 5/13/2014

**LEGEND**

KS Waiawa Property (SLU Urban, Docket A87-610)

**KS Exhibit 16  
Central Oahu  
Sustainable Communities Plan  
KAMEHAMEHA SCHOOLS WAIAWA  
MOTION TO AMEND**



(Not to Scale)



Source: City and County of Honolulu (2002)  
Disclaimer: This Graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.



## Learning About Solar Power Student Guide Grades 6-8

### Photovoltaic Energy Systems: Hands-on Exploration of Energy Conversion and Conservation

#### Solar Energy Student Guide - Grades 6-8 - Best for Science Classes

#### The questions...do you know the answers? If not, you will!

- Do you know the difference between a renewable and non-renewable energy resource, and why this difference matters?
- Have you ever seen a solar panel on top of a house or building and wondered how it works?
- Do you know how to generate and convert energy yourself, using solar cells?

#### Background:

You have probably heard a lot of talk lately about energy – the rising price of fuel, shortages in oil supply, and some of the impacts this is having locally and globally. In your own home, a parent may encourage you regularly to turn off the lights or the TV so you're not wasting electricity and the utility bill isn't too high. Perhaps you have also heard about the connection between energy generation and the health of our environment - and about the important issue of climate change.

Energy is at the center of everything we do today. Fossil fuels such as coal, oil and natural gas currently supply the fuel to run our motor vehicles and most of the electricity we depend on to power our country's homes and buildings. However, there are increasing concerns about the negative environmental and public health consequences of digging up and burning fossil fuels to supply our energy needs. Scientists, businesses and others across the world have been exploring renewable energy sources that could provide cleaner, more widely available, local alternatives, and there are a growing number of renewable energy applications in place today.

One renewable energy solution involves using electricity from the sun, in the form of photovoltaic (PV) technology. The following activities will help you better understand PV technology in a hands-on way. Perhaps you will be part of the solution someday, as a scientist, engineer, building system designer, architect, or policymaker.

#### About solar energy:

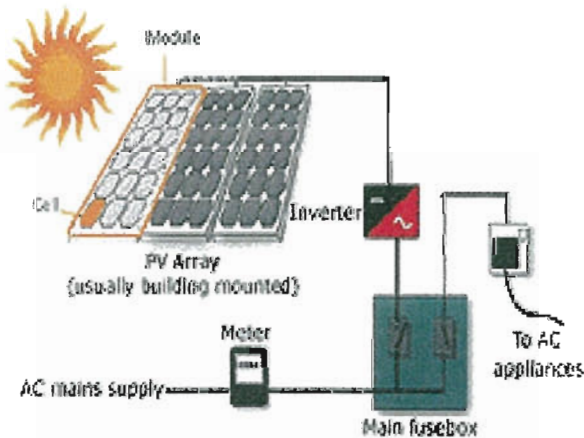
Solar energy from the ancient past is stored in fossil fuels, such as coal and petroleum. These sources of energy take very long periods of time to form – *millions of years* – and once depleted are nonrenewable within our lifetime. In other words, when we use a gallon of oil or a ton of coal it's gone forever. However, many of the Earth's energy

resources are available on a continual basis. These include solar, wind, water, and geothermal energy (energy using heat from inside the earth). Other energy sources can be replenished over relatively short periods of time. These include wood and other biomass (“bio” means “life” or “living,” so biomass energy is energy from living sources such as corn or switch grass). All of these are considered renewable because their source of energy is replaced as soon as we use it, or not long after.

**Solar power** is a synonym of solar energy and refers specifically to the *conversion of sunlight into electricity*. Solar energy technologies take advantage of the sun’s power as an energy resource for homes and buildings, and more applications are being researched.

**Solar cells or photovoltaic (PV) cells** convert solar energy into electricity using the photovoltaic, or “*light energy*,” effect. When light strikes the cell, electrons are dislodged and travel along wires placed within the cell. This flow of electrons is electricity. The PV cell is the building block of solar modules that can be linked together in photovoltaic arrays to supply enough electricity to power whatever load is attached, such as a motor, light, or home appliance.

**Major parts of a PV energy system include:**



1. Sun – energy source
2. Photovoltaic Modules (series of connected PV cells) — these convert sunlight directly into electric current. Like batteries, the current they produce is direct current, or DC.
3. Inverter — the inverter changes the DC electricity produced by the modules into alternating current, or AC, electricity for use in a home or building.
4. Transformer (not pictured) — the transformer changes the voltage of the electricity coming from the inverter to match the voltage of electricity that is used in the building.

5. Electrical Distribution Panel (see Main Fusebox) — the electrical energy produced by the solar electric system is connected with the home or building’s electric system at the distribution panel. This allows solar energy to be used for lighting, computers, and other electric loads.
6. Electric meter – the electric meter keeps track of the amount of electrical energy produced by the solar photovoltaic system. Electrical energy is measured in *kilowatt-hours*. If more electricity is produced than is needed by the home or building, and the system is connected to the grid, then the electricity can be sold back to the electric utility!

### **Activity 1: Create a physical representation of a photovoltaic energy system**

Your task will be to take what you have learned about a PV energy system and its major parts and create, together with a team, a physical representation of one of these systems. You will then share your model with the class and explain the role that each component plays within the system.



### Directions:

1. Review the major parts of a photovoltaic system above.
2. Your teacher will break the class into groups.
3. Work together for 15-20 minutes to create a physical representation of how a PV energy system works. Depending on the materials available to you, this could be done as a physical role play with props, a drawing or computer graphics representation, or 3-D model that you construct.
4. Take turns presenting your system to your class, giving an opportunity for everyone on your team to participate.


### Materials that could be used to create a diagram of a photovoltaic energy system:

*Your teacher will provide some or all of the materials below.*

- Writing surface such as poster board, white board
- Writing utensils such as markers for paper and/or white board
- Colored paper for any cut-outs for diagram
- Scissors and glue sticks
- Computer with graphics-capable software
- Cardboard paper / boxes
- String or other electrical wire representation

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### Activity 2: Build a photovoltaic energy system and see the science in action



You will have the opportunity to assemble your own PV energy system and power a small energy load, such as a fan or music unit. You will then test your device in the sunshine under several different conditions. Questions for your scientific investigation are listed below.

#### Materials

- Photovoltaic cells (PV cells)
- Propellers
- Data sheets
- Motors

#### Method

1. Attach propeller to motor. Some kits contain additional items that may be attached to and powered by the motor.
2. Attach red wire from motor to red wire on PV cell.
3. Attach black wire from motor to black wire on PV cell.
4. Place solar energy system in sunlight.

#### Questions for your scientific investigation:

1. What happens when the solar panel is turned over away from the light?
2. Observe the rotation of the propeller blades. Which way are they turning?
3. What happens to the propeller when the wires are attached red to black?
4. Does the angle of the cell in relation to the sun make a difference in how fast the propeller turns?
5. What would happen if several cells were hooked together?



### Sources for more information:

About photovoltaic energy systems:

- [www.fsec.ucf.edu/en/consumer/solar\\_electricity/basics/types\\_of\\_pv.htm](http://www.fsec.ucf.edu/en/consumer/solar_electricity/basics/types_of_pv.htm)
- [www.fsec.ucf.edu/en/consumer/solar\\_electricity/basics/how\\_pv\\_system\\_works.htm](http://www.fsec.ucf.edu/en/consumer/solar_electricity/basics/how_pv_system_works.htm)
- [www.wattsonschoools.com/systems.htm](http://www.wattsonschoools.com/systems.htm)
- [www.cogeneration.net/illust\\_pv\\_blockdiagram.gif](http://www.cogeneration.net/illust_pv_blockdiagram.gif)
- <http://gsanara.rem-systems.com/>

General background:

- Solar: <http://www.eia.doe.gov/kids/energyfacts/sources/renewable/solar.html>
- Solar cells: [http://www1.eere.energy.gov/solar/solar\\_cell\\_materials.html](http://www1.eere.energy.gov/solar/solar_cell_materials.html)
- Photovoltaics: [http://www1.eere.energy.gov/solar/pv\\_basics.html](http://www1.eere.energy.gov/solar/pv_basics.html)
- Ancient solar history:  
<http://www.azsolarcenter.com/education/renewable011199.html>

City Tour for Solar Partners:





Learning About Solar Power  
Teacher Guide  
Grades 9-12


**Photovoltaic Solar Energy:  
Exploring the Science and its Potential as a Renewable Energy Resource**

**Solar Energy Teacher Guide - Grades 9-12 - Best for Earth and Physical Science Classes**

**Background:**

Energy costs and supplies affect every aspect of our lives. Your students feel the impacts of the rising costs of gasoline, but food, consumer goods, and housing costs are also increasing due to the importance of oil in the United States economy.

In addition, there has been an increasing amount of public dialogue about the connection between fossil fuel-generated energy sources and our local and global environment, especially related to carbon emissions and climate change. Your students may not understand the difference between energy related to electricity (which serves buildings and mechanical and digital needs) and energy that supports transportation, power our motor vehicles. Your students may be feeling the effects of these issues in their daily lives and be confused about how we got to this point. They may be interested to know how science is playing a role in harnessing renewable energy resources to address some of the issues.



The activities below will help your students better understand one of the renewable energy technologies, photovoltaic (PV) technology, in a hands-on way. This lesson plan will encourage them to grapple with some of the challenges of solar technology and explore the opportunities together with their peers.

Definitions of renewable energy, solar power, PV cells, and a breakdown of a photovoltaic energy system's major components are provided in the parallel student guide.

**Objectives:** *Students will:*

- Learn about the concept of renewable and non-renewable energy resources
- Explore solar energy as one renewable energy resource with emphasis on photovoltaic technology and electricity generation
- Understand the science behind photovoltaic technology and how it generally works in a system
- Build their own photovoltaic energy system and perform a scientific investigation to understand what conditions influence the electrical output of solar cells
- Learn how solar energy fits into today's U.S. electricity supply and how energy supply influences their daily lives – discuss advantages, drawbacks, challenges, and opportunities of the technology

**Curriculum addressed:**

- Energy in the earth system
- Renewable and non-renewable energy resources
- Scientific investigation
- Science and technology – in local, national and global challenges
- Personal and social perspectives around natural resources

**Activities in brief:** *Each of the following activities is scalable based on the time you have to cover this topic; however, a minimum of one 1-hour class is recommended for each activity, with a total of 4 hours being optimal – in particular, to allow a thorough scientific investigation (Activity 1).*

1. **Activity 1: Scientific investigation of conditions that influence PV cell performance**
2. **Activity 2: Our Energy Sources - Cooperative online research and group presentations**
3. **Additional Activities: Activity alternatives and lesson extensions**

## 1. Activity 1: Scientific investigation of conditions that influence PV cell performance

Scientific investigation of PV cells to explore how various conditions impact electrical output. This activity was developed by the National Energy Education Development program, and all procedural worksheets can be found at [www.NEED.org](http://www.NEED.org).

*Timeframe:* To enable all students to conduct an experiment on all conditions below could take 2-3 1-hour class periods. Alternatively, you could divide up the scientific investigations and assign them to individual groups. Each group would then report out on their initial hypothesis, materials used, procedure, and respective findings.

### Directions:

Worksheets and complete teacher and student guidance for this activity can be found at [www.need.org](http://www.need.org):

- Student guide: [www.need.org/needpdf/PhotovoltaicsStudent.pdf](http://www.need.org/needpdf/PhotovoltaicsStudent.pdf)
- Teacher guide: [www.need.org/needpdf/PhotovoltaicsTeacher.pdf](http://www.need.org/needpdf/PhotovoltaicsTeacher.pdf)

### Students conduct trials to address – Additional trials can be found in the NEED Teacher Guide:

- How does the angle of a PV panel to a light source affect the electrical output?
- How does the distance from a light source affect the electrical output of a PV cell?
- How does placing part of a PV cell in shadow affect its electrical output?
- How does the color of the light affect the electrical output of a PV cell?
- How does concentrating the light from a light source affect the electrical output of a PV cell?
- How does air temperature affect the electrical output of a PV cell?

### Materials needed to conduct the trials above:

- PV panel
- Multimeter
- Light source
- Protractor
- Lamp
- Tape Measure
- Piece of dark cardboard or construction paper
- Color filters
- Magnifying lens
- Thermometer
- Light source and hair dryer
- Alligator connectors

### Materials costs and a few suppliers:

- Solar education kits containing all materials for Activity 1: \$350 for an entire classroom kit from [www.NEED.org](http://www.NEED.org)
- Other solar kits ranging from \$8 - \$25 each can be purchased directly from:
  - Electronics Express: [www.elexp.com](http://www.elexp.com) or 1-800-972-2225
  - NADA Scientific: [www.nadascientific.com](http://www.nadascientific.com) or 1-800-799-6232

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## 2. Activity 2: Cooperative online research of energy sources and group presentation of findings

Examine all US electricity sources and learn how renewable energy, and solar energy in particular, fit into this context. To help your students develop a personal and social perspective on solar energy, invite them to build a figurative picture together of: the U.S. electricity supply and solar energy's part in it; the challenges and opportunities of PV technology; and the implications for the future.

*Timeframe and materials:* If students have ample access to computers and the Internet, this can be completed in one 1-hour class. If you do not have access to enough computers in your school for this exercise, this research can be done as overnight homework individually or in groups. Assigning the research as homework could also allow students time to prepare an actual presentation, complete with charts and other visual illustrations, as appropriate to the question.

### Process:


- Break students into small groups to conduct 15-20 minutes of online research on the following 5 questions. Additional questions are provided below, if necessary. Assign 1 question below to each group, dividing the questions up to address all 5. If there are more or alternative questions your class would like to investigate about solar energy, please use them!
- Have students annotate their findings, including the source and year of any numbers (as applicable). Encourage use of government and other 3<sup>rd</sup> party data, when available.



- Have each group present its findings to the class in 2-3 minutes, in the order that they've been asked below.

**The questions:** *Sample answers provided below are not intended to be exhaustive.*

1. What is the percentage breakdown of fuels supplying the United States' current electricity needs? How much is coming in total from fossil fuel sources? Nuclear? Renewable resources? Solar specifically?
  - Be sure the students look at electricity and not energy generally
  - Answers will vary depending on how current the data is
  - EIA is a good source for some of this information
  - Students may find it difficult to locate the solar numbers, as it is less than 2.4% of the nation's electric supply. Photovoltaic power currently supplies 190 MW of electricity to a global electricity supply of 1,090 GW – roughly 0.017%.
2. Why does the US burn fossil fuels to meet the majority of its electricity needs? What do we know today about the effects of burning fossil fuels that wasn't known when they first emerged on the scene in the late 1800's?
  - Fossil fuels, including coal, oil and natural gas were initially found in ample supply (with coal still being plentiful) and led to the formation of energy-dependent systems and infrastructures. They were responsible in part for the Industrial Revolution. Renewable energy sources, widely used prior to the proliferation of cheap fossil fuels, have received renewed interest only very recently.
  - Though not known at the time, it is now understood that burning fossil fuels contributes to smog, pollution, asthma, particulate matter in the air, and greenhouse gas emissions including carbon dioxide, a key contributor to climate change.
  - Many experts predict that the world has already reached peak oil, or will very soon, a signal that oil is not as plentiful as originally speculated
3. What are the benefits and limitations of using solar power to provide electricity for our country?
  - Benefits include: grid independence, less pollution, fewer greenhouse gas emissions help address climate change, free electricity once system is paid for and, in some cases, opportunity to sell back to the grid
  - Limitations include: need for constant sun – climate/weather dependent, inability to properly store solar energy when sun is not shining, requires a complementary power system for these situations, large spaces required to install, upfront cost is prohibitive for most homeowners (more beneficial for commercial applications)
4. In what types of applications is PV energy being used today? How are solar manufacturers and service providers working to overcome some of the challenges such as the cost of PV panels, space limitations and energy conversion rate?
  - Application: Photovoltaic solar systems may be installed on the ground or on rooftops. Many buildings, including schools, stadiums, retail stores, and houses, can install solar panels on their rooftops to generate electricity. Systems installed on the ground include large arrays with many panels, and also the small panels that run traffic lights and emergency call systems along the highway.
  - Cost of PV Panels: Solar power is like any other consumer good, responding to supply and demand. As demand increases so will manufacturing capacity – which will drive down the cost of each unit of solar PV material. Solar companies are experimenting with different materials, like silicon and cadmium, and different forms for solar collection surfaces. Your students may be familiar with rectangular glass solar panels, but solar collection systems are also available in flexible plastic sheets that follow curved surfaces. Soon, solar PV materials may be sprayed on surfaces, such as exterior walls, boat and truck bodies. These applications will enable solar electricity to support more of our everyday needs, helping us move toward a sustainable energy economy more quickly.
  - Space Limitations: Solar PV materials only generate power when the sun shines, of course. Remote PV systems use this power to charge batteries for use during the night. More



commonly and importantly, solar installations from ground-mount, commercial and residential rooftops should be connected to the overall electricity grid through a system known as “standard grid interconnection.” This allows solar installations to contribute electricity to the utility grid during the hottest, most intensive energy demand periods of the day. Solar contributions can take the burden off the utility to generate or buy very expensive “peak” power to meet the extra demands of air conditioning and manufacturing during daytime periods of high electricity demand. Your home or business gets credit for contributing solar power during the day, and is allowed to draw power back from the grid at night to meet your needs. The process is seamless.

- Conversion Rate: Each type of solar PV medium converts sunlight to DC current at different rates. Cool, bright environments such as southern Colorado or California allow the best conversion – up to 17 percent of the solar power hitting PV surfaces is converted to DC electricity in these environments. Shade, fog, snow or overcast conditions reduce solar conversion rates, but there is some conversion even in ambient light or through a light covering of snow. Scientists are working to increase the amount of sunlight that is converted to electricity current.
5. What is the connection between PV electricity and energy efficiency in a home or building setting? Why is this important? What does this imply needs to be done in addition to advancing the technology of solar cells?
- Use less electricity in our homes and buildings – install energy-efficient appliances, computers, etc.
  - Increase fuel efficiency of cars and other motor vehicles. Drive less, use more public transportation.
  - Build communities that incorporate housing and work locations in one place so less commuting is required.
  - Advance additional forms of renewable energy such as wind, biomass, and more. Consider combining various forms of renewable energy to help address each source’s limitations.

**Additional questions to consider:**

- In what parts of the United States do we see the most potential for solar energy? How much of the United States’ electrical supply do experts think it could provide?
- What common and plentiful natural resource is used to build silicon-based solar cells? What other high-conducting combination of materials is being seriously explored for the creation of PV? What are the benefits and drawbacks being discussed for each?
- What electricity sources were used before coal came on the scene? Why isn’t the United States using more of these resources today?
- In addition to solar electricity, what are some of the realistic ways we can limit our use of fossil fuels and reduce our dependence on them?

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**3. Additional Activities: Activity alternatives and lesson extensions**

- Take a field trip to a building in your city that uses PV panels for some or all of its electricity. Have the facility manager talk about the system.
- Invite a PV sales representative to give a ‘sales pitch’ to the class. Afterward, ask your students if they would be willing to purchase the product based on what they heard and to defend their perspective.
- Break students into groups of 3-4 and facilitate a role play between a building owner and a solar sales representative. Have the class vote on who would buy the solar panels and who would not. Defend their answers.
- Have students survey adult attitudes in their community, individually or in groups, in order to raise student and public awareness about the use of renewable energy for the generation of electricity. Collate survey, interpret results, and present findings to class. See [http://www.energyforkeeps.org/book\\_chapters/ch5\\_activity.pdf](http://www.energyforkeeps.org/book_chapters/ch5_activity.pdf)



- Explore solar energy in the news – Have students search online newspaper articles and take notes on how the science of solar power is represented. How is the technology's potential characterized with regard to providing more electricity for our country? With regard to helping to address climate change?
- Have students build model solar energy cars as an in-class project or as part of a national competition. Kits may be found through:
  - National Renewable Energy Laboratory's Junior Solar Sprint where prices range from \$30 - \$60: <http://www.nrel.gov/education/kits.html>
  - Sun Wind Solar at a price of \$22 per kit, or \$172 for 10: [http://www.sunwindsolar.com/a\\_scripts/n\\_kits\\_sunny\\_sideup10.php](http://www.sunwindsolar.com/a_scripts/n_kits_sunny_sideup10.php)

### Resources:

Solar energy and renewable energy curriculum:

- [www.need.org/needpdf/PhotovoltaicsTeacher.pdf](http://www.need.org/needpdf/PhotovoltaicsTeacher.pdf)
- [www.cedarcreekinstitute.org/curriculum-pcci.htm](http://www.cedarcreekinstitute.org/curriculum-pcci.htm)
- [www.school.discoveryeducation.com/lessonplans/programs/energyefficiency/](http://www.school.discoveryeducation.com/lessonplans/programs/energyefficiency/)
- [www.energyforkeeps.org/teachers.html](http://www.energyforkeeps.org/teachers.html) (Book: *Energy for Keeps* from the Energy Education Group)
- [www.wattsonschoools.com/activities.htm](http://www.wattsonschoools.com/activities.htm)
- [www.fsec.ucf.edu/en/education/k-2/curricula/use/documents/USE\\_26\\_TriangleGame.pdf](http://www.fsec.ucf.edu/en/education/k-2/curricula/use/documents/USE_26_TriangleGame.pdf) (to teach solar energy terminology)
- [www.ase.org/uploaded\\_files/educatorlessonplans/fossil.pdf](http://www.ase.org/uploaded_files/educatorlessonplans/fossil.pdf) (formation of fossil fuels)

Solar information:

- For kids: [www.eia.doe.gov/kids/energyfacts/sources/renewable/solar.html](http://www.eia.doe.gov/kids/energyfacts/sources/renewable/solar.html)
- How a solar rooftop works graphic: <http://gsanara.rem-systems.com/>
- State-level PV applications and policy information: <http://www.findsolar.com/index.php?page=faq>
- kWh calculator with various conversion equivalents: [www.wattsonschoools.com/calculator.htm](http://www.wattsonschoools.com/calculator.htm)

Solar energy science projects and science fairs:

- Solar science projects: <http://jc-solarhomes.com/projects.htm>
- SMARTT Challenge - <http://www.evchallenge.org/>
- Discovery's "Young Scientist Competition" <http://youngscientist.discoveryeducation.com/>

### City Tour for Solar Partners:





BENJAMIN J. CAYETANO  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

*xc: PTL*

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CONVEYANCES  
FORESTRY AND WILDLIFE  
KAHOOLAWE ISLAND RESERVE  
COMMISSION  
HISTORIC PRESERVATION  
LAND  
STATE PARKS

June 21, 2000

RECEIVED  
JUN 23 2000

Tosh Hosoda  
Senior Vice President  
Gentry Homes, Ltd.  
P.O. Box 295  
Honolulu, HI 96809

SUBJECT: Public Access to Conservation District Lands at Waiawa, Oahu

Dear Mr. Hosoda:

As a follow-up to our meeting in May, 1999, and our recent telephone conversation, I am writing to confirm that there are no public hiking trails or hunting areas that presently require Gentry or the landowner, Kamehameha Schools, to provide public access across its Waiawa lands (TMK 1-9-6-004-004 and 1-9-6-005-003). Currently, the only feasible means of accessing the Conservation District lands is via the Waiawa Correctional Facility. In the future, the provision of public access to these lands should be reviewed as the mauka roadways within the Waiawa development are completed. Please feel free to contact me if you have any questions.

Mahalo,

Aaron J. Lowe  
Trails and Access Specialist

