

TSUKAZAKI YEH & MOORE  
A Limited Liability Law Company

ORIGINAL

THOMAS L.H. YEH  
100 Pauahi Street, Suite 204  
Hilo, Hawaii 96720  
Telephone No.: 808/961-0055

2000 JUN -8 A 9:24  
LAND USE COMMISSION  
STATE OF HAWAII

Attorneys for Petitioners  
DAVID EARL GREER and  
DORIS ROCHELLE GREER

BEFORE THE LAND USE COMMISSION

STATE OF HAWAII

In the Matter of the Petition of	)	DOCKET NO. A92-680
	)	
C. BREWER PROPERTIES, INC.,	)	SUPPLEMENT TO MOTION TO
a Hawaii corporation	)	WITHDRAW LAND USE COMMISSION
	)	APPROVALS AND REVERT LAND USE
To Amend the Land Use District	)	DISTRICT BOUNDARY CLASSIFICATION
Boundary of Certain Lands situated at	)	TO AGRICULTURE; EXHIBIT "A";
Puueo, Island of Hawaii, State of Hawaii,)	)	CERTIFICATE OF SERVICE
Consisting of approximately 288.240	)	
acres from the Agricultural to the Urban	)	
District.	)	
_____	)	

SUPPLEMENT TO MOTION TO WITHDRAW  
LAND USE COMMISSION APPROVALS AND REVERT LAND USE  
DISTRICT BOUNDARY CLASSIFICATION TO AGRICULTURE

DAVID E. GREER and DORIS R. GREER, Petitioners herein, respectfully submit this Supplement Motion To Withdraw Land Use Commission Approvals And Revert Land Use District Boundary Classification To Agriculture, pursuant to §15-15-70, Land Use Commission Rules ("LCR"). Petitioners respectfully state as follows:

1. Petitioners Motion To Withdraw Land Use Commission Approvals And Revert Land Use District Boundary Classification To Agriculture; Memorandum In Support Of Motion; Affidavit of David Earl Greer; Affidavit of Doris R. Greer was filed

herein on May 15, 2000. By letter dated May 31, 2000, the Land Use Commission advised Petitioners' counsel that their Motion should include as an exhibit to the motion a true copy of the deed or other document conveying to the Petitioners a property interest in the subject property.

2. Petitioners have been further advised that Petitioners' Motion, filed herein on May 15, 2000, should be served on any person that may have a property interest in the subject property, including persons with easement interests, as recorded in the County of Hawaii's real property tax records at the time that the Motion was filed.

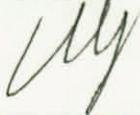
3. Petitioners therefore hereby supplement their Motion To Withdraw Land Use Commission Approvals And Revert Land Use District Boundary Classification To Agriculture; Memorandum In Support Of Motion; Affidavit Of David Earl Greer; Affidavit Of Doris R. Greer by providing a true copy of the deed conveying to the Petitioners the ownership interest in the subject property, which copy is attached hereto as Exhibit "A".

4. Petitioners further serve a copy of this Supplement Motion To Withdraw Land Use Commission Approvals And Revert Land Use District Boundary Classification To Agriculture, together with the Motion to Withdraw Land Use Commission Approvals And Revert Land Use District Boundary Classification To Agriculture; Memorandum In Support Of Motion; Affidavit Of David Earl Greer; Affidavit Of Doris Rochelle Greer, filed herein on May 15, 2000, to the parties listed on the attached Certificate Of Service.

DATED: Hilo, Hawaii, June 7, 2000.

TSUKAZAKI YEH & MOORE

By

  
\_\_\_\_\_  
THOMAS L.H. YEH  
Attorneys for Petitioners  
DAVID EARL GREER and  
DORIS ROCHELLE GREER



**TITLE GUARANTY OF HAWAII**

INCORPORATED

235 QUEEN STREET HONOLULU, HAWAII 96813

PHONE: (808) 533-6261 FAX: (808) 521-0221

157447

R HAWAII LAND FARMING CO INC  
E GREER DAVID E TR  
E GREER DORIS R TR

TITLE GUARANTY OF HAWAII, INCORPORATED  
HEREBY CERTIFIES THAT THIS IS A TRUE COPY  
OF THE ORIGINAL DOCUMENT RECORDED  
REGULAR SYSTEM DOCUMENT NO. **99-157447**  
ON **SEPTEMBER 30, 1999** AT 8:01 A.M.

DATE OF RECORDING : SEPTEMBER 30, 1999  
DESCRIPTION : LOT 4 OF GR 23 & C \$2200.00  
DOCUMENT TYPE : D

FILE 392793

BY:

*Cheryl M. Ayuba*

EXHIBIT "A"

LAND COURT SYSTEM

REGULAR SYSTEM

After recordation return by ( ) or pickup

LAW OFFICES OF PETER STARN  
Grosvenor Center, Mauka Tower  
737 Bishop Street, Suite 1740  
Honolulu, Hawaii 96813

TG: 392793  
TGE: 991011740  
GLEN Y AJIMINE

THIS DOCUMENT CONTAINS 46 PAGES

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TITLE OF DOCUMENT:

LIMITED WARRANTY DEED

PARTIES TO DOCUMENT:

Grantor: Hawaii Land & Farming Company, Inc., a Delaware corporation

Grantees: David Earl Greer and Doris Rochelle Greer, Trustees under the unrecorded Greer 1979 Trust Agreement, dated May 1, 1979

TAX MAP KEY: (3) 2-6-8 parcels 17, 26-29, 31-34, 36-39  
(3) 2-6-29 parcels 14-15

THIS DEED, made this 16<sup>th</sup> day of September, 1999 by Hawaii Land & Farming Company, Inc., a Delaware corporation, whose address is 255 A-East Waiko Road, Wailuku, Hawaii, ("Grantor"), in favor of David Earl Greer and Doris Rochelle Greer, as trustees under the unrecorded Greer 1979 Trust Agreement, dated May 1, 1979, and not individually, whose address is 1544 Washington Blvd., Fremont, CA 94539, (collectively "Grantees").

WITNESSETH:

That for ONE DOLLAR and other valuable consideration paid by the Grantees, the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey unto the Grantee and its successors and assigns:

ALL of those certain parcels of land situate at Puueo, South Hilo, Island and County of Hawaii, State of Hawaii, more fully described in Exhibit "A" attached hereto and made a part hereof, subject, however, to the encumbrances mentioned in said Exhibit "B" (the "Land");

AND the reversions, remainders, rents, issues and profits thereof, together with all buildings, improvements, tenements, rights, easements, privileges and appurtenances to the same belonging or appertaining or held and enjoyed therewith, and all of the estate, right, title and interest of the Grantor both at law and in equity therein and thereto (all of which shall collectively be called the "Property");

TO HAVE AND TO HOLD the same in fee simple unto the Grantee and its successors and assigns, forever, subject to the encumbrances mentioned in said Exhibit "B";

AND for the consideration aforesaid, the Grantor hereby covenants with the Grantee that the Grantor is seized of the Land herein described in fee simple; that said Land is free and clear of and from all liens and encumbrances, except for the lien of real property taxes not yet by law required to be paid; and except those listed in Exhibit B. Grantor makes no covenants, representations or warranties as to that portion of tax map key parcel 2-6-008-031 being a portion of Royal Patent Number 4666, Land Commission Award Number 4659, Apana 1 to Papa ("LCA 4659") and hereby quitclaims its interest in LCA 4659 to Grantee. Grantor makes no other warranties with respect to the Property and the Property is being conveyed "AS IS" "WHERE IS" and "WITH ALL FAULTS."

The terms "Grantor" and "Grantees," as and when used herein, or any pronouns used in place thereof, shall mean and include the masculine, feminine or neuter, the singular or plural number, individuals, partnerships, trustees or corporations and their and each of their respective successors, heirs, personal representatives, successors in trust and assigns, according to the context thereof. All covenants and obligations undertaken by two or more persons shall be deemed to be joint and several unless a contrary intention is clearly expressed elsewhere herein.

IN WITNESS WHEREOF, the Grantor has executed these presents the day and year first above written.

HAWAII LAND & FARMING COMPANY, INC.



By: Scott K. Okada  
Its: Interim President



By: Richard K. Prahler  
Its: Vice President

STATE OF HAWAII

)  
)  
)

SS:

COUNTY OF MAUI

On this 16th day of September 1999, before me personally appeared Scott K. Okada and Richard K. Prahler, to me personally known, who being by me duly sworn, did say that they are the Interim President and Vice President of Hawaii Land & Farming Company, Inc., a Delaware corporation, that the seal affixed to the instrument is the corporate seal of said corporation or the corporation has no seal, and that said instrument was signed and sealed (if the corporation has a seal) on behalf of said corporation by authority of its Board of Directors, and he/she acknowledged the instrument to be the free act and deed of said corporation.

LS

Jeannie L. Hashimoto  
Notary Public, State of Hawaii  
Jeannie L. Hashimoto  
My commission expires: 6-14-2000

EXHIBIT A

-ITEM I:- (TMK 2-6-008-017 (3))

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 23 to Benjamin Pitman) situate, lying and being at Puueo, District of South Hilo, Island and County of Hawaii, State of Hawaii, being LOT 4, bearing Tax Key designation 2-6-008-017 (3), and containing an area of 19,861 square feet, more or less.

-ITEM II:- (TMK 2-6-008-026 (3))

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 185, Apna 2 to Benjamin Pitman, Royal Patent Grant Number 23 to Benjamin Pitman, and Deed of Commissioners of Crown Lands to Thomas Spencer, dated August 3, 1870, recorded in Liber 30 at Page 384) situate, lying and being on the southwest side of Wainaku Street and on the north side of Amauulu street, at Puueo, District of South Hilo, Island and County of Hawaii, State of Hawaii, being LOT 2, of the "PUUEO FARM LOTS", and thus bounded and described as per survey of Russell Figueiroz, Registered Professional Surveyor, with R. M. Towill Corporation, dated October 26, 1984, to-wit:

Beginning at the northeast corner of this parcel of land, on the southwest side of Wainaku Street, and being the southeast corner of Lot 1, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 4,851.64 feet north and 1,559.40 feet East and thence running by azimuths measured clockwise from true South:

- |    |      |     |        |  |
|----|------|-----|--------|--|
| 1. | 141° | 40' | 313.19 | feet along the southwest side of Wainaku Street;   |
| 2. | 94°  | 00' | 367.64 | feet along Clem Akina (Puueo) Park, being a portion of Commissioners of Crown Lands to Thomas Spencer (Liber 30: 384); |

EXHIBIT A

3.	343°	45'		238.10	feet along Clem Akina (Puueo) Park, being a portion of Commissioners of Crown Lands to Thomas Spencer (Liber 30: 384);
4.	42°	22'		26.90	feet along Lot 2, being a portion of Commissioners of Crown Lands to Thomas Spencer (Liber 30: 384);
5.	7°	59'	30"	27.00	feet along Lot 2, being a portion of Commissioners of Crown Lands to Thomas Spencer (Liber 30: 384);
6.	360°	00'		67.35	feet along Lot 2, being a portion of Commissioners of Crown Lands to Thomas Spencer (Liber 30: 384);
7.	67°	48'		64.80	feet along Lot 2, being a portion of Commissioners of Crown Lands to Thomas Spencer (Liber 30: 384);
8.	101°	45'		106.90	feet along Lot 1, being a portion of Commissioners of Crown Lands to Thomas Spencer (Liber 30: 384);
9.	88°	57'		184.00	feet along a portion of Grant 185, Ap. 2 to B. Pitman;
10.	351°	37'		275.45	feet along a portion of Grant 185, Ap. 2 to B. Pitman;
11.	88°	39'	20"	622.58	feet along the north side of Anauulu Road;
12.	180°	00'		1069.45	feet along Lot 3, being portions of Grant 23 to B. Pitman and Grant 185, Ap. 2 to B. Pitman to the middle of stream;

EXHIBIT A

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Thence following along the middle of stream and portion of Grant 185, Ap. 2 to B. Pitman for the next three (3) courses, the direct azimuths and distances between points on said middle of stream being:

13. 306°	00'	135.00	feet;
14. 246°	00'	150.00	feet;
15. 323°	34'	253.05	feet;
16. 341°	40'	38.70	feet along Lot 1, being portions of Grant 185, Ap. 2 to B. Pitman, Commissioners of Crown Lands to Thomas Spencer (Liber 30: 384) and R.P. 4587, L.C.Aw. 4809, Ap. 2 to Moses Lo;
17. 262°	27'	731.94	feet along Lot 1, being portions of Grant 185, Ap. 2 to B. Pitman, Commissioners of Crown Lands to Thomas Spencer (Liber 30: 384) and R.P. 4587, L.C.Aw. 4809, Ap. 2 to Moses Lo to the point of beginning and containing an area of 18.57 acres, more or less.

-ITEM III:- (TMK 2-6-008-027 (3))

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 185, Ap. 2 to Benjamin Pitman, and Royal Patent Grant Number 23 to Benjamin Pitman) situate, lying and

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being on the north side of Amaulu Road, approximately 1700 feet west from the intersection of Wainaku Street and Amaulu Road, at Puueo, District of South Hilo, Island and County of Hawaii, State of Hawaii, being LOT 3, of the "PUUEO FARM LOTS", and thus bounded and described as per survey of Russell Figueiroa, Registered Professional Surveyor, with R. M. Towill Corporation, dated October 26, 1984, to-wit:

Beginning at the southeast corner of this parcel of land, on the north side of Amaulu Road and being the southwest corner of Lot 2, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 3,944.68 feet north and 425.11 feet east and thence running by azimuths measured clockwise from true South:

- |    |      |     |     |        |   |
|----|------|-----|-----|--------|---|
| 1. | 88°  | 39' | 20" | 539.61 | feet along the north side of Amaulu Road;   |
| 2. | 167° | 18' | 30" | 152.55 | feet along Exclusion 2, being a portion of Grant 23 to B. Pitman;                   |
| 3. | 87°  | 11' | 30" | 307.48 | feet along Exclusion 2, being a portion of Grant 23 to B. Pitman;                   |
| 4. | 180° | 00' |     | 505.07 | feet along Lot 4, being a portion of Grant 23 to B. Pitman;                         |
| 5. | 173° | 10' |     | 535.89 | feet along Lot 4, being a portion of Grant 23 to B. Pitman to the middle of stream; |

Thence following along the middle of stream and portion of Grant 23 to B. Pitman and Grant 185, Ap. 2 to B. Pitman for the next five (5) courses, the direct azimuths and distances between points on said middle of stream being:

- |    |      |     |  |        |       |
|----|------|-----|--|--------|-------|
| 6. | 280° | 37' |  | 328.07 | feet; |
| 7. | 295° | 26' |  | 199.00 | feet; |

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8.	233°	08'	142.00	feet;
9.	304°	14'	174.00	feet;
10.	249°	15'	197.00	feet;
11.	0°	00'	1,069.45	feet along Lot 2, being portions of Grant 185, Ap. 2 to S. Pitman and Grant 23 to B. Pitman to the point of beginning and containing an area of 21.11 acres, more or less.

-ITEM IV:- (TMK 2-6-008-028 (3))

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 23 to Benjamin Pitman) situate, lying and being at Puueo, District of South Hilo, Island and County of Hawaii, State of Hawaii, being portion of LOT 4, bearing Tax Key designation 2-6-008-028 (3), and containing an area of 27.080 acres, more or less.

-ITEM V:- (TMK 2-6-008-029 (3))

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 23 to Benjamin Pitman) situate, lying and being at Puueo, District of South Hilo, Island and County of Hawaii, State of Hawaii, being LOT 37, of the "PUUEO FARM LOTS", bearing Tax Key designation 2-6-008-029 (3), and containing an area of 30.32 acres, more or less.

-ITEM VI:- (TMK 2-6-008-031 (3))

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 4666, Land Commission Award Number 4659, Apana 1 to Papa, Royal Patent Number 4687, Land Commission Award Number 4809, Apana 2 to Moses Lo, Deed of Commissioners of Crown Lands

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to Thomas Spencer dated August 3, 1870, recorded in Liber 30 at Page 384, Royal Patent Grant Number 23 to Benjamin Pitman, and Royal Patent Grant Number 185, Apana 2 to Benjamin Pitman) situate, lying and being on the west side of Wainaku Street, at Puuao, District of South Hilo, Island and County of Hawaii, State of Hawaii, being LOT 7, of the "PUUO FARM LOTS", and thus bounded and described as per survey of Russell Figueiroa, Registered Professional Surveyor, with R. M. Towill Corporation, dated October 26, 1984, to-wit:

Beginning at the northeast corner of this parcel of land, on the southwest side of Wainaku Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 5,101.35 feet north and 1,476.70 feet east, and thence running by azimuths measured clockwise from true South:

- |    |      |     |        |  |
|----|------|-----|--------|--|
| 1. | 341° | 42' | 74.05  | feet along the southwest side of Wainaku Street;   |
| 2. | 94°  | 00' | 777.32 | feet along portions of R.P. 4687, L.C.Aw. 4809, Ap. 2 to Moses Lo, Commissioners of Crown Lands to Thomas Spencer (Liber 30: 384) and along Lot 1, being portions of R.P. 4687, L.C.Aw. 4809, Ap. 2 to Moses Lo, Commissioners of Crown Lands to Thomas Spencer (Liber 30: 384) and Grant 185, Ap. 2 to B. Pitman; |
| 3. | 341° | 40' | 308.74 | feet along Lot 1, being portions of R.P. 4687, L.C.Aw. 4809, Ap. 2 to Moses Lo, Commissioners of Crown Lands to Thomas Spencer (Liber 30: 384) Grant 185, Ap. 2 to B. Pitman to the middle of stream;  |
- Thence following along the middle of stream and Lots 2 and 3, being portions of Grant 185, Ap. 2 to B. Pitman and Grant 23 to B. Pitman for the next eight

EXHIBIT A

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(8) courses, the direct azimuths and distances between points on the middle of said stream being:

4.	143°	34'	253.05	feet;
5.	66°	00'	150.00	feet;
6.	126°	00'	135.00	feet;
7.	69°	15'	197.00	feet;
8.	124°	14'	174.00	feet;
9.	53°	08'	142.00	feet;
10.	115°	26'	199.00	feet;
11.	100°	37'	328.07	feet;
12.	169°	04'	673.00	feet along Lots 4 and 5, being portion of Grant 23 to B. Pitman to the middle of Pukihae Stream;

Thence following along the middle of Pukihae Stream and R.P. 4475, L.C.A.W. 7713, Ap. 13 to V. Kamamalu for the next four (4) courses, the direct azimuths and distances between points on the middle of said stream being:

13.	282°	08'	478.00	feet;
14.	237°	44'	294.61	feet;
15.	290°	52'	862.78	feet;
16.	285°	52'	107.24	feet;
17.	26°	50'	396.48	feet along portion of Commissioners of Crown Lands to Thomas Spencer

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18. 274° 00'

664.24

(Liber 30: 384) and portion of Grant 185, Ap. 2 to B. Pitman;

feet along portion of Grant 185, Ap. 2 to B. Pitman, Commissioners of Crown Lands to Thomas Spencer (Liber 30: 384) and R.P. 4687, L.C.Aw. 6309, Ap. 2 to Moses Lo;

19. 217° 50'

22.27

feet along a portion of Commissioners of Crown Lands to Thomas Spencer (Liber 30: 384) to the point of beginning and containing a gross area of 23.584 acres and a net area of 21.98 acres after deducting 1.604 acres of Exclusion 5 which is more fully described below:

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent 4666, Land Commission Award Number 4659, Apana 1 to Papa) situate, lying and being at Puueo, District of South Hilo, Island and County of Hawaii, State of Hawaii, being EXCLUSION 5, and thus bounded and described as per survey of said Russell Figueiroz, Registered Professional Surveyor, with R. M. Towill Corporation, dated October 26, 1964, to-wit:

Beginning at the northwest corner of this Exclusion, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HAI'AI" being 5,532.23 feet north and 168.40 feet west and thence running by azimuths measured clockwise from true South:

1. 288° 15'

440.27

feet along remainder of Grant 185, Ap. 2 to B. Pitman;

2. 348° 00'

175.00

feet along remainder of Grant 185, Ap. 2 to B. Pitman;

3. 104° 00'

385.25

feet along remainder of R.P. 4666, L.C.Aw. 4659:1 to Papa;

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4. 159° 30'

210.45 Feet along remainder of Grant 23 to B. Pitman to the point of beginning and containing an area of 1.604 acres, more or less.

-Note:- The portion of TMK 2-6-008-031, being a portion of Royal Patent Number 4666, Land Commission Award Number 4659, Apana 1 to Papa has been conveyed to C. BREWER HOMES, INC. by WARRANTY DEED dated December 15, 1993, recorded as Document No. 93-208056; however, no insurance with respect to said portion can be provided.

-ITEM VII:- (TMK 2-6-008-012 (3))

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 23 to Benjamin Pitman) situate, lying and being at the west end of Amakulu Road, at Puuoa, District of South Hilo, Island and County of Hawaii, State of Hawaii, being LOT 8, of the "PUUHO FARM LOTS", and thus bounded and described as per survey of Russell Siqueiros, Registered Professional Surveyor, with R. M. Towill Corporation, dated October, 26, 1984, to-wit:

Beginning at the northwest corner of this parcel of land, being also the northwest corner of Easement "A" (For Roadway and Utilities) and the southwest corner of Lot 6, the coordinates of said point of beginning referred to Government Survey Triangulation Station "SALAI" being 4,246.15 feet north and 2,473.33 feet west and thence running by azimuths measured clockwise from true south:

- 1. 283° 13' 270.50 Feet along Lot 6, being a portion of Grant 23 to B. Pitman;
- 2. 279° 55' 1,024.06 Feet along Lots 5 and 4, being a portion of Grant 23 to B. Pitman;
- 3. 8° 26' 55" 60.02 Feet across the west end of Amakulu Road;

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4. 276° 58' 30" 376.95 Feet along the south side of Anauulu Road;
5. Thence along Exclusion 1, being a portion of Grant 23 to B. Pitman, on a curve to the left with a radius of 20.00 feet, the chord azimuth and distance being:
- 52° 44' 15" 27.81 Feet;
6. 8° 30' 115.07 Feet along Exclusion 1, being a portion of Grant 23 to B. Pitman;
7. 278° 30' 200.24 Feet along Exclusion 1, being a portion of Grant 23 to B. Pitman;
8. 183° 05' 125.38 Feet along Exclusion 1, being a portion of Grant 23 to B. Pitman;
9. Thence along Exclusion 1, being a portion of Grant 23 to B. Pitman, on a curve to the left with a radius of 20.00 feet, the chord azimuth and distance being:
- 138° 35' 28.05 Feet;
10. 274° 04' 237.29 Feet along the south side of Anauulu Road;
11. 267° 37' 50.06 Feet along the south side of Anauulu Road;
12. Thence along Lot 5 of Exclusion 4, same being a portion of Grant 23 to B. Pitman, on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:
- 324° 07' 33.36 Feet;
13. 20° 37' 97.84 Feet along Lot 5 of Exclusion 4, same being a portion of Grant 23 to B. Pitman;

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14. 357° 00'

142.27 feet along Lot 5 of Exclusion 4, same being a portion of Grant 23 to B. Pitman;

15. Thence along Lot 5 of Exclusion 4, same being a portion of Grant 23 to B. Pitman, on a curve to the right with a radius of 10.00 feet, the chord azimuth and distance being:

42° 00'

14.14 feet;

16. 87° 00'

10.00 feet along Lot 5 of Exclusion 4, same being a portion of Grant 23 to B. Pitman;

17. 357° 00'

20.00 feet along Lot 5 of Exclusion 4, same being a portion of Grant 23 to B. Pitman;

18. 267° 00'

10.00 feet along Lot 5 of Exclusion 4, same being a portion of Grant 23 to B. Pitman;

19. Thence along Lot 5 of Exclusion 4, same being a portion of Grant 23 to B. Pitman, on a curve to the right with a radius of 10.00 feet, the chord azimuth and distance being:

312° 00'

14.14 feet;

20. 357° 00'

10.00 feet along Lot 5 of Exclusion 4, same being a portion of Grant 23 to B. Pitman;

21. 267° 00'

15.00 feet along Lot 5 of Exclusion 4, same being a portion of Grant 23 to B. Pitman;

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22. 357° 00'

36.73 feet along Lot 4 of Exclusion 4, same being a portion of Grant 23 to B. Pitman;

23. 276° 00'

133.20 feet along Lot 4 of Exclusion 4, same being a portion of Grant 23 to B. Pitman;

24. 36° 50'

60.00 feet along Lot 9 and Easement "B" (For Roadway and Utilities); same being portion of Grant 23 to B. Pitman, and Grant 185, Ap. 2 to B. Pitman;

25. Thence along Lot 9 and Easement "B" (For Roadway and Utilities), same being a portion of Grant 23 to B. Pitman and Grant 185, Ap. 2 to B. Pitman, on a curve to the right with a radius of 120.00 feet, the chord azimuth and distance being:

61° 23' 30"

99.75 feet;

26. 85° 57'

80.00 feet along Lot 9 and Easement "B" (For Roadway and Utilities), same being portions of Grant 23 to B. Pitman and Grant 185, Ap. 2 to B. Pitman;

27. Thence along Lot 9 and Easement "B" (For Roadway and Utilities), being portions of Grant 23 to B. Pitman and Grant 185, Ap. 2 to B. Pitman, on a curve to the left with a radius of 200.00 feet, the chord azimuth and distance being:

67° 47' 30"

124.66 feet;

28. 229° 38'

79.16 feet along Lot 9 and Easement "B" (For Roadway and Utilities), being portion of Grant 23 to B. Pitman;

EXHIBIT A

Pitman and Grant 185, Ap. 2 to B. Pitman to the middle of Kaaua Gulch;

Thence following along the middle of Kaaua Gulch and Kamehameha IV to Thomas Miller (Liber 9: 434-435) For the next six (6) courses, the direct azimuths and distances between points on the middle of gulch being:

29. 120°	31'	232.80	Feet;
30. 138°	18'	177.00	Feet;
31. 83°	42'	412.00	feet;
32. 100°	03'	238.00	feet;
33. 108°	45'	427.00	feet;
34. 120°	27'	503.00	feet;
35. 173°	34'	354.71	Feet along Grant 185, Ap. 1 to B. Pitman to the point of beginning and containing an area of 22.15 acres, more or less.

-ITEM VIII:- (TMK 2-6-008-033 (3))

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 185, Apna 2 to Benjamin Pitman, Royal Patent Grant Number 23 to Benjamin Pitman, and Deed of Commissioners of Crown Lands to Thomas Spencer, dated August 3, 1870, recorded in Liber 30 at Page 384) situate, lying and being at Puueo, District of South Hilo, Island and County of Hawaii, State of Hawaii, being LOT 63, of the "PUUEO FARM LOTS", bearing Tax Key designation 2-6-008-033 (3), and containing an area of 25.11 acres, more or less.

EXHIBIT A

-ITEM IX:- (TMK 2-6-008-034 (3))

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 185, Apana 2 to Benjamin Pitman, and Royal Patent Grant Number 23 to Benjamin Pitman) situate, lying and being at Puuoa, District of South Hilo, Island and County of Hawaii, State of Hawaii, being AMAUULU ROAD, and thus bounded and described:

Beginning at the Northeast corner of this (Amauulu Road), South side of Lot 1 and Northwest side of Government Road (Amauulu Road), the coordinates of said point of beginning referred to Government Survey Triangulation Station "Halai" being 3,356.10 feet North and 1,239.29 feet East and running by azimuths measured clockwise from true South:

- |    |      |     |        |  |
|----|------|-----|--------|--|
| 1. | 357° | 31' | 50.00  | feet along Government Road (Amauulu Road);   |
| 2. | 87°  | 14' | 30.19  | feet along Lot 9, portion of Grant 185:2 to B. Pitman;   |
| 3. | 177° | 20' | 19.10  | feet along portion of Grant 185:2 to B. Pitman;  |
| 4. | 88°  | 57' | 161.37 | feet along portion of Grant 185:2 to B. Pitman;  |
| 5. | 158° | 57' | 7.51   | feet along portion of Grant 185:2 to B. Pitman;  |
| 6. | 98°  | 39' | 20"    | 980.76 feet along Lot 9, portion of Grant 185:2 to B. Pitman and portion of Grant 23 to B. Pitman; |
| 7. | 216° | 50' | 10.68  | feet along Lot 1, portion of Grant 23 to B. Pitman;  |

EXHIBIT A

8.	87°	37'		527.87	feet along Lot 1, portion of Grant 23 to B. Pitman;
9.	94°	04'		282.21	feet along Lot 8, portion of Grant 23 to B. Pitman;
					Thence along the south side of Anauulu Road on a curve to the right with a radius of 2,025.00 feet, the chord azimuth and distance being:
10.	95°	31'	15"	102.78	feet;
11.	96°	58'	30"	376.95	feet along Lot 8, portion of Grant 23 to B. Pitman;
12.	188°	26'	45"	60.02	feet along Lot 8, portion of Grant 23 to B. Pitman;
13.	276°	58'	30"	375.41	feet along Lot 4, portion of Grant 23 to B. Pitman;
					Thence along the south side of Lot 4 on a curve to the left with a radius of 1,965.00 feet, the chord azimuth and distance being:
14.	275°	31'	15"	99.73	feet;
15.	274°	04'		277.46	feet along Lot 4, portion of Grant 23 to B. Pitman;
16.	356°	49'	30"	20.17	feet along portion of Grant 23 to B. Pitman;
17.	267°	37'		338.52	feet along portion of Grant 23 to B. Pitman;
18.	167°	18'	30"	5.10	feet along portion of Grant 23 to B. Pitman;
19.	268°	39'	20"	1,162.19	feet along Lot 3, portion of Grant 23 to B. Pitman and Lot 2, portion of Grant 185:2 to B. Pitman;

EXHIBIT A

20. 351° 37'

21. 268° 57'

22. 267° 14'

7.55 Feet along portion of  
Grant 189:2 to B. Pitman;

164.00 feet along portion of  
Grant 185:2 to B. Pitman;

26.74 feet along Lot 1 to the  
point of beginning and  
containing an area of  
2.825 acres, more or less.

-ITEM X:- (TMR 2-6-008-036 (3))

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Kamehameha IV Deed to Thomas Miller, recorded in Liber 9 at Page 434, and Royal Patent Grant Number 185, Amana 1 to Benjamin Pitman) situate, lying at Puueo, District of South Hilo, Island and County of Hawaii, State of Hawaii, being LOT 33, of the "PUUEO FARM LOTS", bearing Tax Key designation 2-6-008-036 (3), and containing an area of 25.75 acres, more or less.

EXHIBIT A

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-ITEM XI:- (TMK 2-6-008-037 (3))

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Kamehameha IV Deed to Thomas Miller, recorded in Liber 9 at Page 434) situate, lying at Puueo, District of South Hilo, Island and County of Hawaii, State of Hawaii, being LOT 34, of the "PUUEO FARM LOTS", bearing Tax Key designation 2-6-008-037 (3), and containing an area of 26.16 acres, more or less.

-ITEM XII:- (TMK 2-6-008-038 (3))

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Kamehameha IV Deed to Thomas Miller, recorded in Liber 9 at Page 434) situate, lying at Puueo, District of South Hilo, Island and County of Hawaii, State of Hawaii, being LOT 35, of the "PUUEO FARM LOTS", bearing Tax Key designation 2-6-008-038 (3), and containing an area of 22.36 acres, more or less.

-ITEM XIII:- (TMK 2-6-008-039 (3))

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Kamehameha IV Deed to Thomas Miller, recorded in Liber 9 at Page 434, and Royal Patent Grant Number 185, Apana 1 to Benjamin Pitman) situate, lying at Puueo, District of South Hilo, Island and County of Hawaii, State of Hawaii, being LOT 36, of the "PUUEO FARM LOTS", bearing Tax Key designation 2-6-008-039 (3), and containing an area of 27.59 acres, more or less.

EXHIBIT A

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## -ITEM XIV:- (TMK 2-6-029-014 (3))

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 185, Apana 1 to Benjamin Pitman, and Royal Patent Grant Number 23 to Benjamin Pitman) situate, lying and being at Puueo, District of South Hilo, Island and County of Hawaii, State of Hawaii, being LOT 38, of the "PUUEO FARM LOTS", bearing Tax Key designation 2-6-029-014 (3), and containing an area of 20.09 acres, more or less.

## -ITEM XV:- (TMK 2-6-029-015 (3))

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 185, Apana 1 to B. Pitman, and Royal Patent Grant Number 23 to B. Pitman) situate, lying and being at Puueo, District of South Hilo, Island and County of Hawaii, State of Hawaii, being LOT 39, of the "PUUEO FARM LOTS", and thus bounded and described as per survey of Russell Figueiroa, Registered Professional Surveyor with R. M. Towill Corporation, dated December 1, 1986, to-wit:

Beginning at the southwest corner of this parcel of land, being also the northeast corner of Lot 52 of Puueo Farm Lots, same being a portion of Commissioners of Crown Lands to Thomas Spencer, the coordinates of said point of beginning referred to Government Survey Triangulation Station "EALAI" being 4,195.48 feet north and 3,482.12 feet west, and thence running by azimuths measured clockwise from true South:

1. 190° 05' 482.47 feet along Lot 41 of Puueo Farm Lots, same being a portion of Commissioners of Crown Lands to Thomas Spencer;
2. Thence along Lot 41 of Puueo Farm Lots, same being a portion of Commissioners of Crown Lands to Thomas Spencer and portion of Grant 185, Ap. 1 to B. Pitman, on a curve to the left with a radius of 250.00 feet, the chord azimuth and distance being:

EXHIBIT A

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157° 34' 00"  
 3. 125° 02'

236.63 feet;

214.60 feet along Lots 41 and 40 of Puueo Farm Lots, same being a portion of Commissioners of Crown Lands to Thomas Spencer and portion of Grant 185, Ap. 1 to B. Pitman;

4. Thence along Lot 40 of Puueo Farm Lots, same being a portion of Commissioners of Crown Lands to Thomas Spencer and portion of Grant 185, Ap. 1 to B. Pitman, on a curve to the right with a radius of 190.00 feet, the chord azimuth and distance being:

161° 04' 17"

223.56 feet;

Thence following along the middle of Eukihae Stream, being also the south boundary of R.P. 4475, L.C.Aw. 7713, Ap. 17 to v. Kamamalu for the next three (3) courses, the direct azimuths and distances between points along said middle of stream being:

5. 269° 47'

425.18 feet;

6. 216° 01'

296.99 feet;

7. 225° 47'

550.86 feet;

8. 358° 00'

1,590.68 feet along Lot 38 of Puueo Farm Lots, same being portions of Grant 23 to B. Pitman and of Grant 185, Ap. 1 to B. Pitman

EXHIBIT A

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9. Thence along Lot 36 of Puueo Farm Lots, same being portions of Grant 23 to B. Pitman and of Grant 185, Ap. 1 to B. Pitman, on a curve to the left with a radius of 1000.00 feet, the chord azimuth and distance being:

89° 59' 41" 105.64 Feet;

10. 85° 58' 628.80 feet along Lot 36 of Puueo Farm Lots, same being portions of Grant 23 to B. Pitman and of Grant 185, Ap. 1 to B. Pitman to the point of beginning and containing an area of 22.60 acres, more or less.

BEING THE PREMISES ACQUIRED BY WARRANTY DEED

GRANTOR : MAONA KEA AGRIBUSINESS CO., INC., a Hawaii corporation  
 GRANTEE : C. BREWER HOMES, INC., a Hawaii corporation  
 DATED : December 15, 1993  
 RECORDED : Document No. 93-208056

AS TO ITEM VI, title to Royal Patent Number 4687, Land Commission Award Number 4809, Apiana 2 to Moses Lo, was confirmed in the above grantee by JUDGMENT dated January 14, 1997, filed in the Circuit Court of the Third Circuit, State of Hawaii, Civil No. 96-352, on January 14, 1997, recorded as Document No. 97-008075, on January 16, 1997.

EXHIBIT A

## EXHIBIT B

1. (A) Prorated Real Property Taxes for the Fiscal Year July 1, 1999 -  
June 30, 2000.
- |                          |   |
|--------------------------|---|
| Tax Key: 2-6-008-017 (3) | Area assessed: 19,861 sq. ft.<br>- covers ITEM I  |
| Tax Key: 2-6-008-026 (3) | Area assessed: 18.570 acres<br>- covers ITEM II   |
| Tax Key: 2-6-008-027 (3) | Area assessed: 21.110 acres<br>- covers ITEM III  |
| Tax Key: 2-6-008-028 (3) | Area assessed: 33.900 acres<br>- covers ITEM IV   |
| Tax Key: 2-6-008-029 (3) | Area assessed: 30.320 acres<br>- covers ITEM V    |
| Tax Key: 2-6-008-031 (3) | Area assessed: 21.910 acres<br>- covers ITEM VI   |
| Tax Key: 2-6-008-032 (3) | Area assessed: 22.600 acres<br>- covers ITEM VII  |
| Tax Key: 2-6-008-033 (3) | Area assessed: 25.130 acres<br>- covers ITEM VIII |
| Tax Key: 2-6-008-034 (3) | Area assessed: 2.825 acres<br>- covers ITEM IX    |
| Tax Key: 2-6-008-036 (3) | Area assessed: 25.750 acres<br>- covers ITEM X    |
| Tax Key: 2-6-008-037 (3) | Area assessed: 26.160 acres<br>- covers ITEM XI   |
| Tax Key: 2-6-008-038 (3) | Area assessed: 22.360 acres<br>- covers ITEM XII  |
| Tax Key: 2-6-008-039 (3) | Area assessed: 27.590 acres<br>- covers ITEM XIII |
| Tax Key: 2-6-029-014 (3) | Area assessed: 20.090 acres<br>- covers ITEM XIV  |
| Tax Key: 2-6-029-015 (3) | Area assessed: 22.600 acres<br>- covers ITEM XV   |

EXHIBIT B

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2. -AS TO ITEM I (TMK 2-6-008-017 (3)):-

(A) Reservation in favor of the State of Hawaii of all mineral and metallic mines.

(B) The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the following:

INSTRUMENT : DECLARATION OF CONDITIONS

DATED : February 25, 1994

RECORDED : Document No. 94-036384

PARTIES : C. BREWER HOMES, INC., a Hawaii corporation, formerly known as C. BREWER PROPERTIES, INC.

Said Declaration was amended by instrument dated August 26, 1996, recorded as Document No. 96-124026.

3. -AS TO ITEM II (TMK 2-6-008-026 (3)):-

(A) Reservation in favor of the State of Hawaii of all mineral and metallic mines.

(B) Rights of native tenants as reserved in Royal Patent Grant Number 185.

(C) LEASE

IN FAVOR OF: GTE HAWAIIAN TELEPHONE COMPANY INCORPORATED and HAWAII ELECTRIC LIGHT COMPANY, INC.

DATED : October 24, 1968

RECORDED : Liber 6302 Page 23

LEASING : a right of way in the nature of an easement to build, maintain, operate and repair a pole and wire line, etc.

TERM : 30 years commencing October 1, 1968

(D) Rights of others entitled thereto to use the roadways as shown on survey map prepared by Russell Figueiroa, Land Surveyor, with R. M. Towill Corporation, dated October 26, 1984.

EXHIBIT B

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(E) Free flowage of streams and/or rivers as shown on survey map survey map prepared by Russell Figueiroa, Land Surveyor, with R. M. Towill Corporation, dated October 26, 1984.

(F) The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the following:

INSTRUMENT : DECLARATION OF CONDITIONS

DATED : February 25, 1994

RECORDED : Document No. 94-036384

PARTIES : C. BREWER HOMES, INC., a Hawaii corporation, formerly known as C. BREWER PROPERTIES, INC.

Said Declaration was amended by instrument dated August 26, 1996, recorded as Document No. 96-124026.

4. -AS TO ITEM III (TMR 2-6-008-027 (3)):-

(A) Reservation in favor of the State of Hawaii of all mineral and metallic mines.

(B) Rights of native tenants as reserved in Royal Patent Grant Number 185.

(C) CRANT

TO : KIICHI OKAMOTO and YAEKO K. OKAMOTO, husband and wife, as Tenants by the Entirety

DATED : September 15, 1959

RECORDED : Liber 3726 Page 292

GRANTING : a non-exclusive easement for sanitary sewer lines

(D) LEASE

IN FAVOR OF: GTE HAWAIIAN TELEPHONE COMPANY INCORPORATED and HAWAII ELECTRIC LIGHT COMPANY, INC.

EXHIBIT B

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DATED : October 24, 1968  
 RECORDED : Liber 6302 Page 23  
 LEASING : a right of way in the nature of an easement  
 to build, maintain, operate and repair a  
 pole and wire line, etc.  
 TERM : 30 years commencing October 1, 1968

(E) GRANT

TO : HAWAII ELECTRIC LIGHT COMPANY, INC. and GTE  
 HAWAIIAN TELEPHONE COMPANY INCORPORATED

DATED : March 7, 1986  
 RECORDED : Liber 19590 Page 397  
 GRANTING : a nonexclusive right and easement to build,  
 construct, rebuild, reconstruct, repair,  
 maintain, operate and remove pole and wire  
 lines and/or underground lines, etc.

(F) Rights of others entitled thereto to use the roadways  
 as shown on survey map prepared by Russell Figueiroa,  
 Land Surveyor, with R. M. Towill Corporation, dated October  
 26, 1984.

(G) Free flowage of streams and/or rivers as shown on  
 survey map prepared by Russell Figueiroa, Land  
 Surveyor, with R. M. Towill Corporation, dated October 26,  
 1984.

(H) The terms and provisions, including the failure to  
 comply with any covenants, conditions and  
 reservations, contained in the following:

INSTRUMENT : DECLARATION OF CONDITIONS

DATED : February 25, 1994  
 RECORDED : Document No. 94-036384  
 PARTIES : C. BREWER HOMES, INC., a Hawaii corporation,  
 formerly known as C. BREWER PROPERTIES, INC.

Said Declaration was amended by instrument dated August 26,  
 1996, recorded as Document No. 96-124026.

EXHIBIT B

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5. -AS TO ITEM IV (TMK 2-6-008-028 (3)):-

(A) Reservation in favor of the State of Hawaii of all mineral and metallic mines.

(B) GRANT

TO : HAWAII ELECTRIC LIGHT COMPANY, INC. and GTE  
HAWAIIAN TELEPHONE COMPANY INCORPORATED

DATED : March 7, 1986

RECORDED : Liber 19590 Page 397

GRANTING : a nonexclusive right and easement to build, construct, rebuild, reconstruct, repair, maintain, operate and remove pole and wire lines and/or underground lines, etc.

(C) Rights of others entitled thereto to use the roadways as shown on tax map.

(D) Free flowage of streams and/or rivers as shown on tax map.

(E) The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the following:

INSTRUMENT : DECLARATION OF CONDITIONS

DATED : February 25, 1994

RECORDED : Document No. 94-036384

PARTIES : C. BREWER HOMES, INC., a Hawaii corporation,  
formerly known as C. BREWER PROPERTIES, INC.

Said Declaration was amended by instrument dated August 26, 1996, recorded as Document No. 96-124026.

6. -AS TO ITEM V (TMK 2-6-008-029 (3)):-

(A) Reservation in favor of the State of Hawaii of all mineral and metallic mines.

EXHIBIT B

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(B) GRANT

TO : HAWAII ELECTRIC LIGHT COMPANY, INC. and GTE  
HAWAIIAN TELEPHONE COMPANY INCORPORATED

DATED : March 7, 1986  
RECORDED : Liber 19590 Page 397  
GRANTING : a nonexclusive right and easement to build,  
construct, rebuild, reconstruct, repair,  
maintain, operate and remove pole and wire  
lines and/or underground lines, etc.

(C) Rights of others entitled thereto to use the roadways  
as shown on tax map.

(D) Free flowage of streams and/or rivers as shown on tax  
map.

(E) The terms and provisions, including the failure to  
comply with any covenants, conditions and  
reservations, contained in the following:

INSTRUMENT : DECLARATION OF CONDITIONS

DATED : February 25, 1994

RECORDED : Document No. 94-036384

PARTIES : C. BREWER HOMES, INC., a Hawaii corporation,  
Formerly known as C. BREWER PROPERTIES, INC.

Said Declaration was amended by instrument dated August 26,  
1996, recorded as Document No. 96-124026.

7. -AS TO ITEM VI (TMK 2-6-008-031 (3)):-

(A) Reservation in favor of the State of Hawaii of all  
mineral and metallic mines.

(B) Rights of native tenants as reserved in Royal Patent  
Grant Number 185.

EXHIBIT B

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(C) Road and Utility Easement "D" more particularly described as follows:

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Commissioners of Crown Lands to Thomas Spencer (Liber 30: 384), and Royal Patent Number 4687, Land Commission Award Number 4809, Apana 2 to Moses Lo) situate, lying and being at Puueo, District of South Hilo, Island and County of Hawaii, State of Hawaii, being EASEMENT "D" for roadway and utility purposes, and thus bounded and described as per survey of Russell Figueiroa, Registered Professional Surveyor, with R. M. Towill Corporation, dated October 26, 1984, to-wit:

Beginning at the northeast corner of this parcel of land, on the southwest side of Wainaku Street, being also the northeast corner of Lot 7, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 5,101.35 feet north and 1,476.70 feet east and thence running by azimuths measured clockwise from true South:

- |    |          |        |  |
|----|----------|--------|--|
| 1. | 341° 42' | 74.05  | feet along the southwest side of Wainaku Street;   |
| 2. | 94° 00'  | 435.00 | feet along portion of R.P. 4687, L.C.Aw. 4809, Ap. 2 to Moses Lo and Commissioners of Crown Lands to Thomas Spencer (Liber 30: 384); |
| 3. | 184° 00' | 50.00  | feet along portion of Commissioners of Crown Lands to Thomas Spencer (Liber 30: 384);  |
| 4. | 274° 00' | 394.50 | feet along portion of Commissioners of Crown Lands to Thomas Spencer (Liber 30: 384) and R.P. 4687, L.C.Aw. 4809, Ap. 2 to Moses Lo; |

EXHIBIT B

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5. 217° 50' 22.27 feet along a portion of Commissioners of Crown Lands to Thomas Spencer (Liber 30: 384) to the point of beginning and containing an area of 21,421 square feet or 0.492 acre, more or less.

(D) Rights of others entitled thereto to use the roadways as shown on survey map prepared by Russell Figueiroa, Land Surveyor, with R. M. Towill Corporation, dated October 26, 1984.

(E) Free flowage of streams and/or rivers as shown on survey map prepared by Russell Figueiroa, Land Surveyor, with R. M. Towill Corporation, dated October 26, 1984.

(F) A right-of-way for ingress and egress purposes in favor of Tax Map Key 2-6-008-024 located entirely within the land described herein.

(G) A right-of-way for ingress and egress purposes in favor of Royal Patent Number 4687, Land Commission Award Number 4809, Apana 2 to Moses Lo, located entirely within the land described herein.

(H) The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the following:

INSTRUMENT : DECLARATION OF CONDITIONS

DATED : February 25, 1994

RECORDED : Document No. 94-036384

PARTIES : C. BREWER HOMES, INC., a Hawaii corporation,  
formerly known as C. BREWER PROPERTIES, INC.

Said Declaration was amended by instrument dated August 26, 1996, recorded as Document No. 96-124026.

EXHIBIT B

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(I) GRANT

TO : HAWAII ELECTRIC LIGHT COMPANY, INC. and GTE  
HAWAIIAN TELEPHONE COMPANY INCORPORATED

DATED : May 5, 1997

RECORDED : Document No. 97-087697

GRANTING : a perpetual right and easement to build,  
construct, reconstruct, rebuild, repair,  
maintain and operate underground lines and  
transformer vaults, etc., over, upon across,  
through and under said Lot 7

(J) A portion of Royal Patent Number 4666, Land  
Commission Award Number 4659, Apana 1 to Papa has  
been conveyed, as set forth in the Limited Warranty Deed.

8. -AS TO ITEM VII (TMK 2-6-008-032 (3)):-

(A) Reservation in favor of the State of Hawaii of all  
mineral and metallic mines.

(B) Road and Utility Easement "A", more particularly  
described as follows:

All of that certain parcel of land (being  
portion(s) of the land(s) described in and covered by Royal  
Patent Grant Number 23 to B. Pitman) situate, lying and  
being at Puuoa, District of South Hilo, Island and County  
of Hawaii, State of Hawaii, being EASEMENT "A" for roadway  
and utility purposes, over and across Lot 8, and thus  
bounded and described as per survey of Russell Figueroa,  
Registered Professional Surveyor, with R. M. Towill  
Corporation, dated October 26, 1984, to-wit:

Beginning at the northwest corner of this  
easement, being also the northwest corner of Lot 8 and the  
southwest corner of Lot 6, the coordinates of said point of  
beginning referred to Government Survey Triangulation  
Station "HALAI" being 4,246.15 feet north and 2,473.33 feet  
west and thence running by azimuths measured clockwise from  
true South:

EXHIBIT B

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1.	283°	13'	270.54	feet along Lot 6, being a portion of Grant 23 to B. Pitman;
2.	279°	55'	1,024.06	feet along Lots 5 and 4, being a portion of Grant 23 to B. Pitman;
3.	8°	26' 45"	60.02	feet across the west end of Amaulu Road;
4.	99°	55'	1,027.33	feet along remainder of Grant 23 to B. Pitman;
5.	103°	13'	250.81	feet along remainder of Grant 23 to B. Pitman;
6.	173°	34'	63.71	feet along Grant 185, Ad. 1 to B. Pitman to the point of beginning and containing an area of 1.772 acres, more or less.

(C) Unlocated easement for sanitary sewer line purposes, granted by instruments dated August 7, 1959, recorded in Liber 3666 at Page 118, and dated September 15, 1959, recorded in Liber 3726 at Page 292.

(D) Rights of others entitled thereto to use the roadways as shown on survey map prepared by Russell Figueiroa, Land Surveyor, with R. M. Towill Corporation, dated October 26, 1984.

(E) Free flowage of streams and/or rivers as shown on survey map prepared by Russell Figueiroa, Land Surveyor, with R. M. Towill Corporation, dated October 26, 1984.

(F) The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the following:

INSTRUMENT : DECLARATION OF CONDITIONS

EXHIBIT B

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DATED : February 25, 1994  
RECORDED : Document No. 94-036384  
PARTIES : C. BREWER HOMES, INC., a Hawaii corporation,  
formerly known as C. BREWER PROPERTIES, INC.

Said Declaration was amended by instrument dated August 26, 1996, recorded as Document No. 96-124026.

9. -AS TO ITEM VIII (TMK 2-6-008-033 (3)):-

(A) Reservation in favor of the State of Hawaii of all mineral and metallic mines.

(B) Rights of native tenants as reserved in Royal Patent Grant Number 185.

(C) GRANT

TO : COUNTY OF HAWAII

DATED : January 9, 1940  
RECORDED : Liber 1558 Page 132  
GRANTING : a perpetual right-of-way five (5) feet wide, for the purpose of laying, maintaining, operating, repairing and removing a thirty-six (36) inch circular concrete pipe to be used for the diversion of flood waters

(D) GRANT

TO : HAWAII ELECTRIC LIGHT COMPANY, INC.

DATED : May 7, 1940  
RECORDED : Liber 1566 Page 308  
GRANTING : an easement of a perpetual right-of-way (20 feet wide) for the purpose of constructing, maintaining, repairing and operating a pipe line and/or penstock, for the transportation of water

(E) Road and Utility Easement "B" (area 1.163 acres) as shown on tax map.

EXHIBIT B

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(F) Rights of others entitled thereto to use the roadways as shown on tax map.

(G) Free flowage of streams and/or rivers as shown on tax map.

(H) The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the following:

INSTRUMENT : DECLARATION OF CONDITIONS

DATED : February 25, 1994  
RECORDED : Document No. 94-036384  
PARTIES : C. BREWER HOMES, INC., a Hawaii corporation,  
formerly known as C. BREWER PROPERTIES, INC.

Said Declaration was amended by instrument dated August 26, 1996, recorded as Document No. 96-124026.

10. -AS TO ITEM IX (TMR 2-6-008-034 (3)):-

(A) Reservation in favor of the State of Hawaii of all mineral and metallic mines.

(B) Rights of native tenants as reserved in Royal Patent Grant Number 185.

(C) LEASE

IN FAVOR OF: GTE HAWAIIAN TELEPHONE COMPANY INCORPORATED  
and HAWAII ELECTRIC LIGHT COMPANY, INC.

DATED : October 24, 1968  
RECORDED : Liber 6302 Page 23  
LEASING : a right of way in the nature of an easement  
to build, maintain, operate and repair a pole  
and wire line, etc.  
TERM : 30 years commencing October 1, 1968

EXHIBIT B

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(D) GRANT

TO : HAWAII ELECTRIC LIGHT COMPANY, INC. and GTE  
HAWAIIAN TELEPHONE COMPANY INCORPORATED

DATED : March 7, 1986  
RECORDED : Liber 19590 Page 397  
GRANTING : a nonexclusive right and easement to build,  
construct, rebuild, reconstruct, repair,  
maintain, operate and remove pole and wire  
lines and/or underground lines, etc.

(E) Rights of others who may have easement or access  
rights in said parcel.

(F) The terms and provisions, including the failure to  
comply with any covenants, conditions and  
reservations, contained in the following:

INSTRUMENT : DECLARATION OF CONDITIONS

DATED : February 25, 1994  
RECORDED : Document No. 94-036384  
PARTIES : C. BREWER HOMES, INC., a Hawaii corporation,  
formerly known as C. BREWER PROPERTIES, INC.

Said Declaration was amended by instrument dated August 26,  
1996, recorded as Document No. 96-124026.

(G) The terms and provisions, including the failure to  
comply with any covenants, conditions and  
reservations, contained in GRANT OF EASEMENT dated August  
11, 1997, recorded as Document No. 97-114483, by and  
between C. BREWER HOMES, INC., a Delaware corporation,  
"Grantor", DELILIA P. NOTLEY, unmarried, Trustee under that  
certain unrecorded Trust dated January 8, 1996, "Grantee";  
granting a perpetual non-exclusive road easement for access  
purposes in favor of Tax Map Key Nos. 2-6-7-40 and 2-6-7-39.

11. -AS TO ITEM X (TMK 2-6-008-036 (3)):-

(A) Reservation in favor of the State of Hawaii of all  
mineral and metallic mines.

EXHIBIT B

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(B) Rights of native tenants as reserved in Royal Patent Grant Number 185.

(C) GRANT

TO : HAWAII ELECTRIC LIGHT COMPANY, INC.

DATED : May 7, 1940

RECORDED : Liber 1566 Page 308

GRANTING : an easement of a perpetual right-of-way (20 feet wide) for the purpose of constructing, maintaining, repairing and operating a pipe line and/or penstock, for the transportation of water

(D) Road and Utility Easement "30" (area 1.284 acres) as shown on tax map.

(E) Rights of others entitled thereto to use the roadways as shown on tax map.

(F) Free flowage of streams and/or rivers as shown on tax map.

(G) The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the following:

INSTRUMENT : DECLARATION OF CONDITIONS

DATED : February 25, 1994

RECORDED : Document No. 94-036384

PARTIES : C. BREWER HOMES, INC., a Hawaii corporation, formerly known as C. BREWER PROPERTIES, INC.

EXHIBIT B

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Said Declaration was amended by instrument dated August 26, 1996, recorded as Document No. 96-124026.

12. -AS TO ITEM XI (TMK 2-6-008-037 (3)):-

(A) GRANT

TO : HAWAII ELECTRIC LIGHT COMPANY, INC.

DATED : May 7, 1940

RECORDED : Liber 1566 Page 308

GRANTING : an easement of a perpetual right-of-way (20 feet wide) for the purpose of constructing, maintaining, repairing and operating a pipe line and/or penstock, for the transportation of water

(B) Road and Utility Easement "31" (area 0.425 acre) as shown on tax map.

(C) Rights of others entitled thereto to use the roadways as shown on tax map.

(D) Free flowage of streams and/or rivers as shown on tax map.

(E) The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the following:

INSTRUMENT : DECLARATION OF CONDITIONS

DATED : February 25, 1994

RECORDED : Document No. 94-036384

PARTIES : C. BREWER HOMES, INC., a Hawaii corporation, formerly known as C. BREWER PROPERTIES, INC.

Said Declaration was amended by instrument dated August 26, 1996, recorded as Document No. 96-124026.

EXHIBIT B

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13. -AS TO ITEM XII (TMK 2-6-008-038 (3)):-

(A) GRANT

TO : HAWAII ELECTRIC LIGHT COMPANY, INC.

DATED : May 7, 1940

RECORDED : Liber 1566 Page 308

GRANTING : an easement of a perpetual right-of-way (20 feet wide) for the purpose of constructing, maintaining, repairing and operating a pipe line and/or penstock, for the transportation of water

(B) Rights of others entitled thereto to use the roadways as shown on tax map.

(C) Free flowage of streams and/or rivers as shown on tax map.

(D) The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the following:

INSTRUMENT : DECLARATION OF CONDITIONS

DATED : February 25, 1994

RECORDED : Document No. 94-036384

PARTIES : C. BREWER HOMES, INC., a Hawaii corporation, formerly known as C. BREWER PROPERTIES, INC.

Said Declaration was amended by instrument dated August 26, 1996, recorded as Document No. 96-124026.

14. -AS TO ITEM XIII (TMK 2-6-008-039 (3)):-

(A) Reservation in favor of the State of Hawaii of all mineral and metallic mines.

(B) Rights of native tenants as reserved in Royal Patent Grant Number 185.

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- (C) Road and Utility Easement "32" (area 2.267 acres) as shown on tax map.
- (D) Free flowage of streams and/or rivers as shown on tax map.
- (E) The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the following:

INSTRUMENT : DECLARATION OF CONDITIONS

DATED : February 25, 1994  
 RECORDED : Document No. 94-036384  
 PARTIES : C. BREWER HOMES, INC., a Hawaii corporation,  
 formerly known as C. BREWER PROPERTIES, INC.

Said Declaration was amended by instrument dated August 26, 1996, recorded as Document No. 96-124026.

15. -AS TO ITEM XIV (TMK 2-6-029-014 (3)):-

- (A) Reservation in favor of the State of Hawaii of all mineral and metallic mines.
- (B) Rights of native tenants as reserved in Royal Patent Grant Number 185.
- (C) GRANT
- TO : HAWAII ELECTRIC LIGHT COMPANY, INC. and GTE  
 HAWAIIAN TELEPHONE COMPANY INCORPORATED
- DATED : March 7, 1986  
 RECORDED : Liber 19590 Page 397  
 GRANTING : a nonexclusive right and easement to build, construct, rebuild, reconstruct, repair, maintain, operate and remove pole and wire lines and/or underground lines, etc.
- (D) Road and Utility Easement "33" (area 0.153 acre) as shown on tax map.

EXHIBIT B

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- (E) Rights of others entitled thereto to use the roadways as shown on tax map.
- (F) Free flowage of streams and/or rivers as shown on tax map.
- (G) The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the following:

INSTRUMENT : DECLARATION OF CONDITIONS

DATED : February 25, 1994  
 RECORDED : Document No. 94-036384  
 PARTIES : C. BREWER HOMES, INC., a Hawaii corporation,  
 formerly known as C. BREWER PROPERTIES, INC.

Said Declaration was amended by instrument dated August 26, 1996, recorded as Document No. 96-124026.

16. -AS TO ITEM XV (TMK 2-6-029-015 (3)):-

- (A) Reservation in favor of the State of Hawaii of all mineral and metallic mines.
- (B) Rights of native tenants as reserved in Royal Patent Grant Number 185.
- (C) GRANT  
 TO : HAWAII ELECTRIC LIGHT COMPANY, INC. and GTE  
 HAWAIIAN TELEPHONE COMPANY INCORPORATED  
 DATED : March 7, 1986  
 RECORDED : Liber 19590 Page 397  
 GRANTING : a nonexclusive right and easement to build, construct, rebuild, reconstruct, repair, maintain, operate and remove pole and wire lines and/or underground lines, etc.
- (D) EASEMENT "34" for road and utilities purposes, more particularly described as follows:

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All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 185, Apana 1 to B. Pitman, and Royal Patent Grant Number 23 to B. Pitman) situate, lying and being at Puueo, District of South Hilo, Island and County of Hawaii, State of Hawaii, affecting LOT 39 of the "Puueo Farm Lots", and thus bounded and described as per survey of Russell Figueiroa, Registered Professional Surveyor with R. M. Towill Corporation, dated December 1, 1986, to-wit:

Beginning at the southwest corner of this easement, being the southeast corner of Lot 41 of Puueo Farm Lots, same being portions of Grant 185, Ap. 1 to B. Pitman and Commissioners of Crown Lands to Thomas Spencer, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 4,195.48 feet north and 3,482.12 feet west and thence running by azimuths measured clockwise from true South:

1. 190° 06' 482.47 feet along Lot 41 of Puueo Farm Lots, same being portions of Grant 185, Ap. 1 to B. Pitman and Commissioners of Crown Lands to Thomas Spencer;
2. Thence along Lot 41 of Puueo Farm Lots, same being portions of Grant 185, Ap. 1 to B. Pitman and Commissioners of Crown Lands to Thomas Spencer, on a curve to the left with a radius of 250.00 feet, the chord azimuth and distance being:
 

157°	34'	00"	268.90	feet;
------	-----	-----	--------	-------
3. 125° 02' 21.460 feet along Lot 41 of Puueo Farm Lots, same being portions of Grant 185, Ap. 1 to B. Pitman and Commissioners of Crown Lands to Thomas Spencer;

EXHIBIT B

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4. Thence along Lot 41 of Puueo Farm Lots, same being portions of Grant 185, Ap. 1 to B. Pitman and Commissioners of Crown Lands to Thomas Spencer, on a curve to the right with a radius of 160.00 feet, the chord azimuth and distance being:

159° 13' 00" 179.79 feet;

5. Thence along the Land of Kalalau, being R.P. 4475, L.C.Aw. 7713, Ap. 17 to V. Kamamalu and the middle of Pukihae Stream, the direct azimuth and distance between points along said middle of stream being:

269° 47' 00" 31.08 feet;

6. Thence on a curve to the left with a radius of 130.00 feet, the chord azimuth and distance being:

340° 49' 48" 152.08 feet

7. 305° 02' 00" 214.60 feet;

8. Thence on a curve to the right with a radius of 280.00 feet, the chord azimuth and distance being:

337° 34' 00" 301.16 feet;

9. 10° 06' 379.01 feet;

10. Thence on a curve to the left with a radius of 50.00 feet, the chord azimuth and distance being:

318° 02' 00" 78.87 feet;

11. 265° 58' 585.90 feet;

EXHIBIT B

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12. Thence along a curve to the right with a radius of 1030.00 feet, the chord azimuth and distance being:
- |  |      |     |     |        |       |
|--|------|-----|-----|--------|-------|
|  | 268° | 56' | 10" | 106.71 | feet; |
|--|------|-----|-----|--------|-------|
13. 358° 00' 30.07 feet along Lot 38 of Puueo Farm Lots, same being portions of Grant 185, Ap. 1 to B. Pitman and Grant 23 to B. Pitman;
14. Thence along Lot 36 of Puueo Farm Lots, same being portions of Grant 185, Ap. 1 to B. Pitman and Kamehameha IV to T. Miller, on a curve to the left with a radius of 1000.00 feet, the chord azimuth and distance being:
- |  |     |     |     |        |       |
|--|-----|-----|-----|--------|-------|
|  | 88° | 59' | 41" | 105.65 | feet; |
|--|-----|-----|-----|--------|-------|
15. 85° 58' 628.80 feet along Lot 36 of Puueo Farm Lots, same being portions of Grant 185, Ap. 1 to B. Pitman and Kamehameha IV to T. Miller;
16. 85° 12' 59.95 feet along Lot 36 of Puueo Farm Lots, same being portions of Grant 185, Ap. 1 to B. Pitman and Kamehameha IV to T. Miller to the point of beginning and containing an area of 1.351 acres, more or less.

(E) Rights of others entitled thereto to use the roadways as shown on survey map prepared by Russell Figueiroa, Land Surveyor, with R. M. Towill Corporation, dated December 1, 1986.

EXHIBIT B

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(F) Free flowage of streams and/or rivers as shown on survey map prepared by Russell Figueiroa, Land Surveyor, with R. M. Towill Corporation, dated December 1, 1986.

(G) The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the following:

INSTRUMENT : DECLARATION OF CONDITIONS

DATED : February 25, 1994  
 RECORDED : Document No. 94-036384  
 PARTIES : C. BREWER HOMES, INC., a Hawaii corporation,  
 formerly known as C. BREWER PROPERTIES, INC.

Said Declaration was amended by instrument dated August 26, 1996, recorded as Document No. 96-124026.

17. AS TO ITEMS I THROUGH VIII, INCLUSIVE, AND ITEMS X THROUGH XV, INCLUSIVE:-

The land has no recorded access to a public highway.

18. Claims arising out of customary and traditional rights and practices, including without limitation those exercised for subsistence, cultural, religious, access or gathering purposes, as provided for in the Hawaii Constitution or the Hawaii Revised Statutes.

19. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a survey or archaeological study would disclose.

-Note:- A current survey, with metes and bounds description should be made of Items I, IV, V, VIII, and X, XI, XII, XIII AND XIV.

EXHIBIT B

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20. All unrecorded Agricultural licenses for farming on certain portions of the property described in Exhibit A.

EXHIBIT B

Page 23 of 23

CERTIFICATE OF SERVICE

In accordance with §15-15-45(b), Service of Process, Land Use Commission Rules, I hereby certify that a copy of the foregoing document, along with Petitioners' Motion To Withdraw Land Use Commission Approvals And Revert Land Use District Boundary Classification To Agriculture; Memorandum In Support Of Motion; Affidavit Of David Earl Greer; Affidavit Of Doris Rochelle Greer, filed with the Land Use Commission on May 15, 2000, was duly served upon the following parties at their last known address by U.S. certified mail (return receipt requested), postage prepaid, on this date:

HAWAII COUNTY PLANNING DEPARTMENT  
25 Aupuni Street, Hilo HI 96720

HAWAII COUNTY PLANNING COMMISSION  
25 Aupuni Street, Hilo HI 96720

STATE OF HAWAII OFFICE OF PLANNING  
P.O. Box 2359, Honolulu HI 96804-2359


STATE OF HAWAII  
c/o Department of Land and Natural Resources  
Hawaii District Office  
Land Management Division  
75 Aupuni Street, Hilo, HI 96720

HAWAII ELECTRIC LIGHT COMPANY, INC.  
P.O. Box 1027, Hilo, Hawaii 96721-1027

GTE HAWAIIAN TELEPHONE COMPANY INCORPORATED  
P.O. Box 2200, Honolulu, Hawaii 96841

DATED: Hilo, Hawaii, June 7, 2000.

TSUKAZAKI YEH & MOORE



---

THOMAS L.H. YEH  
Attorneys for Petitioners  
DAVID EARL GREER and  
DORIS ROCHELLE GREER

TSUKAZAKI YEH & MOORE  
A Limited Liability Law Company

ORIGINAL

THOMAS L.H. YEH  
100 Pauahi Street, Suite 204  
Hilo, Hawaii 96720  
Telephone No.: 808/961-0055

Attorneys for Petitioners  
DAVID EARL GREER and  
DORIS ROCHELLE GREER

LAND USE COMMISSION  
STATE OF HAWAII  
2000 AUG 10 A 9:23

BEFORE THE LAND USE COMMISSION

STATE OF HAWAII

In the Matter of the Petition of	)	DOCKET NO. A92-680
	)	
C. BREWER PROPERTIES, INC.,	)	STIPULATION OF SUBSTITUTION
a Hawaii corporation	)	OF DAVID EARL GREER AND
	)	DORIS ROCHELLE GREER AS
To Amend the Land Use District	)	PETITIONER AND TO WITHDRAW
Boundary of Certain Lands situated at	)	LAND USE COMMISSION APPROVALS
Puueo, Island of Hawaii, State of Hawaii,	)	AND REVERT LAND USE DISTRICT
Consisting of approximately 288.240	)	BOUNDARY CLASSIFICATION TO
acres from the Agricultural to the Urban	)	AGRICULTURAL
District.	)	
	)	

STIPULATION OF SUBSTITUTION OF  
DAVID EARL GREER AND DORIS ROCHELLE GREER AS PETITIONER  
AND TO WITHDRAW LAND USE COMMISSION APPROVAL  
AND REVERT LAND USE DISTRICT BOUNDARY CLASSIFICATION  
TO AGRICULTURAL

DAVID EARL GREER and DORIS ROCHELLE GREER ("the Greers"), Petitioners,  
herein; the OFFICE OF PLANNING, STATE OF HAWAII, by its Director; and the COUNTY  
OF HAWAII, by its Planning Director, hereby stipulate to the following:

1. That the Greers, as the current owners of the subject real property in the above-referenced docket, be substituted herein as the Petitioner;
2. That all prior Land Use Commission approvals in the above-referenced

007047 2000 09:49 FAX 500 9081951 TIM AP115-A1-LA 0037003  
docket be withdrawn;

3. That the land use district boundary classification for the subject 288.240 acres revert from its current "Urban" classification to its former "Agriculture" classification;

4. That the parties hereto hereby waive the procedural requirements as set forth in Chapter 91, Hawaii Revised Statutes, pertaining to notices, hearings and proceedings, and agree that the Land Use Commission may proceed with the informal disposition of the requests herein made; and

5. That this Stipulation may be executed in counterparts, each of which shall be deemed an original, and said counterparts shall together constitute one and the same agreement, binding all of the parties hereto, notwithstanding all of the parties are not signatory to the original or the same counterparts. For all purposes, including, without limitation, recordation, filing and delivery of this instrument, duplicate unexecuted and unacknowledged pages of the counterparts may be discarded and the remaining pages assembled as one document.

DATED: this 8 day of aug, 2000.

  
\_\_\_\_\_  
DAVID EARL GREER

  
\_\_\_\_\_  
DORIS ROCHELLE GREER

OFFICE OF PLANNING, STATE OF HAWAII

By \_\_\_\_\_  
DAVID BLANE  
Its Director

docket be withdrawn;

3. That the land use district boundary classification for the subject 288.240 acres revert from its current "Urban" classification to its former "Agriculture" classification;

4. That the parties hereto hereby waive the procedural requirements as set forth in Chapter 91, Hawaii Revised Statutes, pertaining to notices, hearings and proceedings, and agree that the Land Use Commission may proceed with the informal disposition of the requests herein made; and

5. That this Stipulation may be executed in counterparts, each of which shall be deemed an original, and said counterparts shall together constitute one and the same agreement, binding all of the parties hereto, notwithstanding all of the parties are not signatory to the original or the same counterparts. For all purposes, including, without limitation, recordation, filing and delivery of this instrument, duplicate unexecuted and unacknowledged pages of the counterparts may be discarded and the remaining pages assembled as one document.

DATED: this \_\_\_\_ day of \_\_\_\_\_, 2000.

\_\_\_\_\_  
DAVID EARL GREER

\_\_\_\_\_  
DORIS ROCHELLE GREER

OFFICE OF PLANNING, STATE OF HAWAII

By \_\_\_\_\_  
DAVID BLANE  
Its Director

COUNTY OF HAWAII

By \_\_\_\_\_  
VIRGINIA GOLDSTEIN  
Its Director

APPROVED AS TO FORM AND LEGALITY:

~~Deputy Attorney General, State of Hawaii~~

Attorney for OFFICE OF PLANNING,  
STATE OF HAWAII

*Ann Ogden-Deal*  
Deputy Attorney General, State of Hawaii

Attorney for COUNTY OF HAWAII

\_\_\_\_\_  
Deputy Corporation Counsel

Attorney for LAND USE COMMISSION,  
STATE OF HAWAII

\_\_\_\_\_  
Deputy Attorney General, State of Hawaii

APPROVED AND SO ORDERED:

LAND USE COMMISSION, STATE OF HAWAII

By \_\_\_\_\_  
Its Chairperson

Upon action taken on the \_\_\_\_ day of \_\_\_\_\_,  
2000.

COUNTY OF HAWAII

By Virginia Goldstein  
VIRGINIA GOLDSTEIN  
Its Director

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Deputy Attorney General, State of Hawaii

Attorney for OFFICE OF PLANNING,  
STATE OF HAWAII

\_\_\_\_\_  
Deputy Attorney General, State of Hawaii

Attorney for COUNTY OF HAWAII

Papineo K. O'Loe  
Deputy Corporation Counsel

Attorney for LAND USE COMMISSION,  
STATE OF HAWAII

\_\_\_\_\_  
Deputy Attorney General, State of Hawaii

APPROVED AND SO ORDERED:

LAND USE COMMISSION, STATE OF HAWAII

By \_\_\_\_\_  
Its Chairperson

Upon action taken on the \_\_\_\_ day of \_\_\_\_\_,  
2000.