

STATUS REPORT

This Report (and any revisions thereto) is issued for the sole benefit of the Purchaser of this Report identified in the Order No. referenced below. Title Guaranty of Hawaii, Inc.'s responsibility for any actual loss incurred by reason of any incorrectness herein is limited to the lesser of \$3,500 or two times the amount paid for this Report.

SCHEDULE A

Title Guaranty of Hawaii, Inc. hereby reports as follows as to the title of the Parties named in Schedule A in and to the title to land described in Schedule C, subject to the matters set forth in Schedule B, based solely upon an abstract and examination of the following Indices in the State of Hawaii: (a) the Office of the Clerks of the Circuit Court of the Judicial Circuit within which the land is located; (b) the Office of the Clerk of the District Court of the United States for the District of Hawaii; (c) the Office of the Registrar of Conveyances; and (d) the Office of the Real Property Tax Assessment Division of the County within which the land is located.

KEALIA PROPERTIES, LLC,
a Delaware limited liability company,
as Fee Owner

This report is subject to the Conditions and Stipulations set forth in Schedule D and is dated as of September 14, 2017 at 8:00 a.m.

Inquiries concerning this report
should be directed to
RYAN SAWAI.
Email rsawai@tghawaii.com
Fax (808) 521-0288
Telephone (808) 533-5601.
Refer to Order No. 201745015.

EXHIBIT "4"

**SCHEDULE B
EXCEPTIONS**

1. Real Property Taxes, if any, that may be due and owing.

Tax Key: (4) 4-7-004-001 Area Assessed: 1072.619 acres

-Note:- Attention is invited to the fact that the premises covered herein may be subject to possible rollback or retroactive property taxes.

2. Mineral and water rights of any nature.
3. Any and all matters not shown in the Indices described in Schedule A.
4. Any and all existing roadways, trails, easements, rights of way, flumes and irrigation ditches.
5. The terms and provisions hereinafter set forth, and as contained in that certain instrument dated August 29, 1955, recorded in Liber 3015 at Page 326, regarding those certain easements referred to in Schedule C, to-wit:
 - A. That the maintenance, repair, replacement and operation of the easements shall be subject to such laws, rules, regulations and requirements as are or may be in force from time to time for the protection of highways and shall meet all safety requirements of the Territorial Highway Engineer or other duly authorized officers of the GRANTEE.

SCHEDULE B CONTINUED

- B. That the GRANTOR shall repair or restore at its own cost and expense all damage to the roadway or to the surface of the land resulting from any such maintenance, repair, replacement or operation of the easements herein, and shall indemnify and save harmless the GRANTEE, its successors and assigns, against all losses, damages or injury to the persons or property of others caused by the act of the GRANTOR, its successors, assigns, employees, contractors and agents, in the operation, use or enjoyment of the easements reserved herein or incidental to the maintenance, repair or replacement thereof.
- C. That the easements herein reserved shall cease and terminate when not used in connection with agricultural and sugar cane growing purposes."

6. GRANT

TO : KEALIA IRRIGATION COMPANY, INC., a Hawaii non-profit corporation, CORNERSTONE HAWAII HOLDINGS LLC, a Colorado limited liability company, and KEALIA MAKAI OWNERS ASSOCIATION, a Hawaii non-profit corporation

DATED : June 26, 2001

RECORDED : Document No. 2001-097106

GRANTING : a non-exclusive easement over Segment B Infrastructure Easement 3 (30 ft. wide for irrigation purposes); and Upper Spalding Sump Pipeline Easement 2 (for irrigation purposes); said easements being more particularly described therein

RELEASE OF EASEMENTS dated July 22, 2015, recorded as Document No. A-56830438.

7. All rights, claims and/or interest of others which exist or might arise by virtue of the kuleana described in Schedule C.
8. The terms and provisions contained in the following:

SCHEDULE B CONTINUED

INSTRUMENT : DECLARATION OF RESTRICTIVE COVENANTS

DATED : July 15, 2002

RECORDED : Document No. 2002-134930

9. Free flowage of streams as shown on survey map prepared by James R. Thompson, Land Surveyor, with Walter P. Thompson, Inc., dated August 4, 2005, last updated February 21, 2006.
10. Designation of Easement 1 (area = 2.563 acres) as shown on map prepared by Dennis M. Esaki, Land Surveyor, with Esaki Surveying & Mapping, Inc., dated April 5, 2005, and on survey map prepared by James R. Thompson, Land Surveyor, with Walter P. Thompson, Inc., dated August 4, 2005, last updated February 21, 2006.
11. Proposed Easements W-7 and W-8 for access and waterline purposes and Easement A for access purposes as shown on survey map prepared by Dennis M. Esaki, Land Surveyor, with Esaki Surveying & Mapping, Inc., dated May 20, 2005, and as shown on survey map prepared by James R. Thompson, Land Surveyor, with Walter P. Thompson, Inc., dated August 4, 2005, last updated February 21, 2006.
12. The terms and provisions contained in the following:

INSTRUMENT : NOTICE OF DEDICATION TO AGRICULTURE

DATED : April 3, 2003 (effective January 1, 2004)

RECORDED : Document No. 2003-065299

PARTIES : KEALIA PLANTATION COMPANY, LLC

RE : for a term of ten (10) years

SCHEDULE B CONTINUED

-NOTE: Portions of Tax Map Key (4) 4-7-004-001 have been removed from the above Notice of Dedication To Agriculture by unrecorded Notice of Cancellation dated October 10, 2006. The only remaining portions of Tax Map Key (4) 4-7-004-001 still dedicated to agriculture are identified as Lot 23E (105.502 acres) as shown on map filed with the unrecorded Notice of Cancellation dated October 10, 2006.

13. The effect of the following matters shown on the Archaeological Reconnaissance Survey Report, prepared by Scientific Consultant Services Inc., revised July 2005 (the "Report"):

- A. Remnant Archaeological Terraces Site TS-18;
- B. Possible Religious Site TS-2;
- C. Burial Disinterment and Debris Deposition Site TS-26;
- D. Historic Japanese Cemetery Site TS-13;
- E. Spalding Monument Site TS-32;
- F. Railroad Bridge Site TS-7; and
- G. Kealia School Site TS-23.

14. Any mitigation measures and easements recommended by the Report or arising or required by federal, state, or county laws or regulations, in connection with the matters referred to in Item No. 12.

15. GRANT

TO : KEALIA WATER COMPANY HOLDINGS LLC, a Delaware limited liability company

DATED : December 22, 2004

RECORDED : Document No. 2006-044972

SCHEDULE B CONTINUED

GRANTING : for the limited purposes set forth in Paragraph 2 therein, four (4) express, perpetual, appurtenant easements solely in the locations shown on the Survey and described in Exhibit "D" attached thereto

16. GRANT

TO : CORNERSTONE HAWAII HOLDINGS LLC, a Colorado limited liability company

DATED : December 22, 2004

RECORDED : Document No. 2006-044973

GRANTING : for the limited purposes set forth in Paragraph 2 therein, one (1) express, perpetual, appurtenant non-exclusive easement solely in the location shown on the survey attached thereto as Exhibit "D" and described in Exhibit "E" attached thereto

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

18. Any unrecorded leases and matters arising from or affecting the same.

19. Any lien (or claim of lien) for services, labor or material arising from an improvement or work related to the land described in Schedule C herein.

END OF SCHEDULE B

SCHEDULE C

All of that certain parcel of land (being all of Royal Patent Number 7149, Land Commission Award 10689 to Puukuakahi and Royal Patent Number 6814, Land Commission Award 10660 to Pakaa and being portions of Grant 3158 to E. Krull and Royal Patent 5680, Land Commission Award 11216, Apana 6 to M. Kekauonohi, situate, lying and being on the westerly side of Kuhio Highway, on the northerly side of Kealia (Government) Road and on the southerly boundary of the land of Kamalomalo at Kealia and Kumukumu, Kawaihau, Island and County of Kauai, State of Hawaii, and thus bounded and described as follows:

Beginning at a pipe the northeast corner of this parcel of land, the same being on the boundary of the lands of Kealia and Kamalomalo and on the westerly side of Kuhio Highway, Federal Aid Project No. F-31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 10,480.38 feet south and 9,951.24 feet east and thence running by azimuths measured clockwise from true South:

1. Along the westerly side of Kuhio Highway, (F.A.P. No. F-31 →1←) on a curve to the right with a radius of 3930.00 feet, the radial azimuth to the point of curvature being 258° 29' 14" and to the point of tangency being 263° 13' 10", the chord azimuth and distance being:

350°	51'	12"	324.50	feet;
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2. 263° 13' 10" 20.00 feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31 →1←);

SCHEDULE C CONTINUED

3. Thence along the westerly side of Kuhio Highway, F.A.P. No. F-31
→1←) on a curve to the right
with a radius of 3950.00 feet,
the radial azimuth at the point
of curvature being 263° 13' 10"
and the point of tangency being
271° 48' 50", the chord azimuth
and distance being:

357° 31' 591.95 feet;
4. 91° 48' 50" 10.00 feet along the westerly side of
Kuhio Highway, (F.A.P. No. F-31
→1←);
5. Thence along the westerly side of Kuhio Highway, (F.A.P. No. F-31
→1←) on a curve to the right
with a radius of 3940.00 feet,
the radial azimuth at the point
of curvature being 271° 48' 50"
and at the point of tangency
being 280° 51', the chord
azimuth and distance being:

6° 19' 55" 620.73 feet;
6. 10° 51' 317.79 feet along the westerly side of
Kuhio Highway, (F.A.P. No. F-31
→1←);
7. 280° 51' 20.00 feet along the westerly side of
Kuhio Highway, (F.A.P. No. F-31
→1←);
8. 10° 51' 1600.00 feet along the westerly side of
Kuhio Highway (F.A.P. No. F-31
→1←);
9. 100° 51' 10.00 feet along the westerly side of
Kuhio Highway (F.A.P. No. F-31
→1←);

SCHEDULE C CONTINUED

10.	10°	51'		450.00	feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31 →1←);
11.	100°	51'		20.00	feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31 →1←);
12.	10°	51'		400.00	feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31 →1←);
13.	280°	51'		10.00	feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31 →1←);
14.	10°	51'		200.00	feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31 →1←);
15.	280°	51'		10.00	feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31 →1←);
16.	10°	51'		582.76	feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31 →1←);
17.	Thence along the westerly side of Kuhio Highway, (F.A.P. No. F-31 →1←) on a curve to the right with a radius of 5950.00 feet, the chord azimuth and distance being:				
	14°	27'	45"	749.80	feet;
18.	18°	04'	30"	910.64	feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31 →1←);
19.	108°	04'	30"	20.00	feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31 →1←);
20.	18°	04'	30"	500.62	feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31 →1←);

SCHEDULE C CONTINUED

21. 120° 45' 389.29 feet along Kaao Road and Lots 17, 18, 19, 20 and 21 File Plan 505, Kealia Town Tract, Block A;

22. Thence along Lot 21, a 10-ft wide drainage right-of-way, Lots 22, 23, 24, and a portion of a 40-ft wide roadway, File Plan 505, Kealia Town Tract, Block A on a curve to the right with a radius of 280.00 feet, the chord azimuth and distance being:

146° 07' 30" 239.98 feet;

23. 171° 30' 387.47 feet along a 40-ft. wide roadway and Lots 25, 26, 27 and 28, File Plan 505, Kelia Town Tract, Block A;

24. Thence along Lots 28, 29, 30 and 31, File Plan 505, Kealia Town Tract, Block A on a curve to the left with a radius of 360.00 feet, the chord azimuth and distance being:

148° 30' 50" 281.17 feet;

25. 215° 31' 40" 140.00 feet along Lot 36, File Plan 505, Kealia Town Tract, Block A and along Hopoe Road;

26. Thence along Hopoe Road on a curve to the left with a radius of 500.00 feet, the chord azimuth and distance being:

123° 14' 09" 39.99 feet;

27. 30° 56' 38" 10.00 feet along Hopoe Road;

28. Thence along Hopoe Road on a curve to the left with a radius of 490.00 feet, the chord azimuth and distance being:

SCHEDULE C CONTINUED

- 104° 28' 19" 277.88 feet;
29. 88° 00' 2.57 feet along Hopoe Road;
30. Thence along Hopoe Road on a curve to the right with a radius of 25.00 feet, the chord azimuth and distance being:
- 138° 16' 30" 38.46 feet;
31. 98° 33' 30.00 feet along Kealia Road;
32. 8° 33' 27.51 feet along Kealia Road;
33. 136° 28' 173.31 feet along Kealia Road;
34. Thence along Kealia Road on a curve to the left with a radius of 270.00 feet, the chord azimuth and distance being:
- 116° 11' 30" 187.12 feet;
35. 95° 55' 123.53 feet along Kealia Road;
36. Thence along Kealia Road on a curve to the right with a radius of 355.00 feet, the chord azimuth and distance being:
- 116° 19' 247.49 feet;
37. 136° 43' 159.07 feet along Kealia Road;
38. Thence along Kealia Road on a curve to the left with a radius of 270.00 feet, the chord azimuth and distance being:
- 113° 18' 214.60 feet;
39. 89° 53' 28.19 feet along Kealia Road;
40. Thence along Kealia Road on a curve to the right with a radius of 380.00 feet, the chord azimuth and distance being:

SCHEDULE C CONTINUED

- | | | | | | |
|-----|---|-----|-----|--------|-------------------------|
| | 104° | 42' | 30" | 194.46 | feet; |
| 41. | 119° | 32' | | 376.71 | feet along Kealia Road; |
| 42. | Thence along Kealia Road on a curve to the right of 455.00 feet,
the chord azimuth and distance
being: | | | | |
| | 145° | 32' | 30" | 399.04 | feet; |
| 43. | 171° | 33' | | 15.86 | feet along Kealia Road; |
| 44. | Thence along Kealia Road on a curve to the left with a radius of
420.00 feet, the chord azimuth
and distance being: | | | | |
| | 155° | 41' | | 299.66 | feet; |
| 45. | 139° | 49' | | 77.80 | feet along Kealia Road; |
| 46. | Thence along Kealia Road on a curve to the left with a radius of
520.00 feet, the chord azimuth
and distance being: | | | | |
| | 133° | 12' | 30" | 119.69 | feet; |
| 47. | 126° | 36' | | 99.62 | feet along Kealia Road; |
| 48. | Thence along Kealia Road on a curve to the right with a radius of
1480.00 feet, the chord azimuth
and distance being: | | | | |
| | 138° | 16' | 30" | 598.99 | feet; |
| 49. | 149° | 57' | | 165.80 | feet along Kealia Road; |
| 50. | Thence along Kealia Road on a curve to the left with a radius of
1220.00 feet, the chord azimuth
and distance being: | | | | |
| | 144° | 32' | | 230.33 | feet; |
| 51. | 139° | 07' | | 290.14 | feet along Kealia Road; |

SCHEDULE C CONTINUED

52. Thence along Kealia Road on a curve to the right with a radius of 980.00 feet, the chord azimuth and distance being:
141° 03' 30" 66.41 feet;
53. 143° 00' 167.22 feet along Kealia Road;
54. Thence along Kealia Road on a curve to the left with a radius of 720.00 feet, the chord azimuth and distance being:
132° 12' 30" 269.62 feet;
55. 121° 25' 322.68 feet along Kealia Road;
56. Thence along Kealia Road on a curve to the right with a radius of 480.00 feet, the chord azimuth and distance being:
131° 22' 30" 166.01 feet;
57. 141° 20' 252.22 feet along Kealia Road;
58. Thence along Kealia Road on a curve to the left with a radius of 620.00 feet, the chord azimuth and distance being:
126° 46' 311.87 feet;
59. 112° 12' 35.63 feet along Kealia Road;
60. Thence along Kealia Road on a curve to the right with a radius of 9980.00 feet, the chord azimuth and distance being:
114° 04' 650.17 feet;
61. 115° 56' 767.16 feet along Kealia Road;

SCHEDULE C CONTINUED

62. Thence along Kealia Road on a curve to the right with a radius of 580.00 feet, the chord azimuth and distance being:
- 130° 47' 30" 297.46 feet;
63. 145° 39' 172.06 feet along Kealia Road;
64. Thence along Kealia Road on a curve to the left with a radius of 2020.00 feet, the chord azimuth and distance being:
- 140° 04' 30" 392.48 feet;
65. 134° 30' 59.16 feet along Kealia Road;
66. Thence along Kealia Road on a curve to the left with a radius of 1370.00 feet, the chord azimuth and distance being:
- 128° 41' 277.69 feet;
67. 122° 52' 157.68 feet along Kealia Road;
68. Thence along Kealia Road on a curve to the right with radius of 580.00 feet, the chord azimuth and distance being:
- 131° 26' 172.79 feet;
69. 140° 00' 400.66 feet along Kealia Road;
70. Thence along Kealia Road on a curve to the left with a radius of 2020.00 feet, the chord azimuth and distance being:
- 136° 36' 239.60 feet;
71. 133° 12' 120.78 feet along Kealia Road;

SCHEDULE C CONTINUED

72. Thence along Kealia Road on a curve to the left with a radius of 2020.00 feet, the chord azimuth and distance being;

127° 23' 30" 408.85 feet;

73. 121° 35' 106.04 feet along Kealia Road;

74. Thence along Kealia Road on a curve to the right with a radius of 480.00 feet, the radial azimuth at the point of curvature being 31° 35', the radial azimuth at the point of reverse curve being 60° 59' 02", the chord azimuth and distance being:

136° 17' 01" 243.61 feet;

75. Thence along Kealia Road on a curve to the left with a radius of 220.00 feet, the radial azimuth at the point of reverse curve being 240° 59' 02" and the radial azimuth at the point of reverse curve being 216° 44' 14", the chord azimuth and distance being:

138° 51' 38" 92.41 feet;

76. Thence along Kelia Road on a curve to the right with a radius of 30.00 feet, the radial azimuth at the point of reverse curve being 36° 44' 14" and the radial azimuth at the point of tangency being 118° 50', the chord azimuth and distance being:

167° 47' 07" 39.40 feet;

SCHEDULE C CONTINUED

77.	208°	50'	609.99	feet along Old Government Road;
78.	Thence along Old Government Road on a curve to the right with a radius of 1085.00 feet, the chord azimuth and distance being:			
	216°	35'	292.62	feet;
79.	224°	20'	442.06	feet along Old Government Road;
80.	Thence along Old Government Road on a curve to the right with a radius of 1485.00 feet, the chord azimuth and distance being:			
	228°	10'	198.56	feet;
81.	232°	00'	79.21	feet along Old Government Road;
82.	Thence along Old Government Road on a curve to the left with a radius of 1015.00 feet, the chord azimuth and distance being:			
	230°	17' 30"	60.52	feet;
83.	228°	35'	212.26	feet along Old Government Road;
84.	Thence along Old Government Road on a curve to the right with a radius of 285.00 feet, the chord azimuth and distance being:			
	247°	47' 30"	187.53	feet along Old Government Road;
85.	267°	00'	27.78	feet along Old Government Road;

SCHEDULE C CONTINUED

86.	Thence along Old Government Road			on a curve to the left with a radius of 565.00 feet, the chord azimuth and distance being:
	247°	34'	375.96	feet;
87.	228°	08'	313.32	feet along Old Government Road;
88.	270°	19'	56.25	feet along the Government Land of Kamalomalo;
89.	265°	34'	635.30	feet along the Government Land of Kamalomalo;
90.	287°	46'	205.50	feet along the Government Land of Kamalomalo;
91.	310°	40'	30"	1006.10 feet along the Government Land of Kamalomalo;
92.	255°	59'	30"	805.30 feet along the Government Land of Kamalomalo;
93.	281°	50'	428.60	feet along the Government Land of Kamalomalo;
94.	307°	57'	351.80	feet along the Government Land of Kamalomalo;
95.	293°	03'	391.30	feet along the Government Land of Kamalomalo;
96.	279°	29'	249.90	feet along the Government Land of Kamalomalo;
97.	273°	37'	331.40	feet along the Government Land of Kamalomalo;
98.	265°	55'	440.30	feet along the Government Land of Kamalomalo;
99.	296°	02'	1097.00	feet along the Government Land of Kamalomalo;

SCHEDULE C CONTINUED

100.	311°	02'	163.00	feet along the Government Land of Kamalomalo;
101.	288°	16'	180.80	feet along the Government Land of Kamalomalo;
102.	298°	32'	899.60	feet along the Government Land of Kamalomalo;
103.	297°	54'	498.30	feet along the Government Land of Kamalomalo;
104.	283°	02'	540.50	feet along the Government Land of Kamalomalo;
105.	267°	57'	279.83	feet along the Government Land of Kamalomalo to the point of beginning and containing a gross area of 1075.599 acres, more or less.

Excluding therefrom Royal Patent 7149, Land Commission Award 10689 to Puukuakahi containing an are of 2.980 acres, and leaving a net are of 1072.619 acres, more or less.

TOGETHER WITH easements as shown on the Right-of-Way Map of the Kauai Belt Road, Federal Aid Project No. F 31 (1), filed in the Office of the Superintendent of Public Works of the State of Hawaii; as reserved in that certain instrument dated August 29, 1955, recorded in Liber 3015 at Page 326, said easements being more particularly described as follows:

- (A) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award Number 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being at Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 4 for concrete Siphon, under and across Kauai Belt Road, being a strip of land 10.00 feet wide, and extending for a distance of 5.00 feet on each side of the centerline, and thus bounded and described as follows:

SCHEDULE C CONTINUED

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 17,295.47 feet south and 8,899.79 feet east, thence running by azimuth measured clockwise from true South:

1. 108° 04' 30" 140.00 feet and containing an area of 1,400 square feet, more or less.

- (B) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award Number 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being at Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 5 for Industrial Track crossing, trucking and other means of vehicular transportation, over and across Kauai Belt Road, being a strip of land 20.00 feet wide, and extending for a distance of 10.00 feet on each side of the centerline, and thus bounded and described as follows:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 17,023.07 feet south and 8,967.66 feet east, thence running by azimuth measured clockwise from true South:

1. 108° 04' 30" 100.00 feet and containing an area of 2,000 square feet, more or less.

SCHEDULE C CONTINUED

- (C) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award Number 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being at Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 6 for Industrial Track crossing, trucking and other means of vehicular transportation, over and across Kauai Belt Road, being a strip of land 20.00 feet wide, and extending for a distance of 10.00 feet on each side of the centerline, and thus bounded and described as follows:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 16,477.10 feet south and 9,145.85 feet east, thence running by azimuth measured clockwise from true South:

- | | | | |
|----|----------|--------|----------------------------------|
| 1. | 125° 30' | 104.81 | feet and containing an area of |
| | | | 2,096 square feet, more or less. |

- (D) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award Number 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being at Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 7 for concrete Siphon, under and across Kauai Belt Road, being a strip of land 10.00 feet wide, and extending for a distance of 5.00 feet on each side of the centerline, and thus bounded and described as follows:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 16,272.06 feet south and 9,212.77 feet east, thence running by azimuth measured clockwise from true South:

- | | | | |
|----|--------------|--------|----------------------------------|
| 1. | 108° 04' 30" | 100.00 | feet and containing an area of |
| | | | 1,000 square feet, more or less. |

SCHEDULE C CONTINUED

- (E) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award Number 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being at Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 8, for Industrial Track crossing, trucking and other means of vehicular transportation, over and across Kauai Belt Road, and thus bounded and described as follows:

Beginning at the southeast corner of this piece of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 15,801.15 feet south and 9,347.31 feet east, thence running by azimuths measured clockwise from true South:

1. On a curve to the right with a radius of 560.00 feet, the chord azimuth and distance being:

59° 08' 32" 141.33 feet;
2. Thence along the Northwest side of Kauai Belt Road, Project No. F 31 (1), on a curve to the left with a radius of 5950.00 feet, the chord azimuth and distance being:

194° 21' 01" 48.75 feet;
3. Thence on a curve to the left with a radius of 522.41 feet, the chord azimuth and distance being:

234° 44' 26" 151.90 feet;
4. Thence along the Southeast side of Kauai Belt Road, Project No. F 31 (1), on a curve to the right with a radius of 6050.00 feet, the chord azimuth and distance being:

SCHEDULE C CONTINUED

13° 19' 38" 64.18 feet to the point of beginning
and containing an area of 5,516
square feet, more or less.

- (F) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award Number 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being at Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 9 for concrete Siphon, under and across Kauai Belt Road, being a strip of land 10.00 feet wide, and extending for a distance of 5.00 feet on each side of the centerline, and thus bounded and described as follows:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 15,452.56 feet south and 9,421.38 feet east, thence running by azimuth measured clockwise from true South:

1. 100° 51' 100.00 feet and containing an area of
1,000 square feet, more or
less.

- (G) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Grant Number 3158 to E. Krull) situate, lying and being at Kumukumu, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 10 for drainage purposes, under and across Kauai Belt Road, being a strip of land 10.00 feet wide, and extending for a distance of 5.00 feet on each side of the centerline, and thus bounded and described as follows:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 14,443.45 feet south and 9,624.97 feet east, thence running by azimuth measured clockwise from true South:

SCHEDULE C CONTINUED

1. 141° 00' 143.91 feet and containing an area of 1,450 square feet, more or less.

(H) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Grant Number 3158 to E. Krull) situate, lying and being at Kumukumu, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 11 for concrete Siphon, under and across Kauai Belt Road, being a strip of land 10.00 feet wide, and extending for a distance of 5.00 feet on each side of the centerline, and thus bounded and described as follows:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 14,061.76 feet south and 9,677.76 feet east, thence running by azimuth measured clockwise from true South:

1. 133° 40' 107.09 feet and containing an area of 1,071 square feet, more or less.

(I) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Grant Number 3158 to E. Krull) situate, lying and being at Kumukumu, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 12 for Industrial Track crossing, trucking and other means of vehicular transportation, over and across Kauai Belt Road, and thus bounded and described as follows:

Beginning at the southeast corner of this piece of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 13,785.93 feet south and 9,730.63 feet east, thence running by azimuths measured clockwise from true South:

1. 143° 10' 108.19 feet;
2. 190° 51' 42.04 feet along the Northwest side of Kauai Belt Road, Project No. F 31 (1);

SCHEDULE C CONTINUED

- | | | | |
|----|----------|--------|---|
| 3. | 323° 10' | 108.19 | feet; |
| 4. | 10° 51' | 42.04 | feet along the Southeast side of Kauai Belt Road, Project No. F 31 (1) to the point of beginning and containing an area of 3,364 square feet, more or less. |

- (J) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Grant Number 3158 to E. Krull) situate, lying and being at Kumukumu, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 13 for concrete Siphon, under and across Kauai Belt Road, being a strip of land 10.00 feet wide, and extending for a distance of 5.00 feet on each side of the centerline, and thus bounded and described as follows:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 13,514.93 feet south and 9,782.57 feet east, thence running by azimuth measured clockwise from true South:

- | | | | |
|----|----------|-------|---|
| 1. | 100° 51' | 80.00 | feet and containing an area of 800 square feet, more or less. |
|----|----------|-------|---|

- (K) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award Number 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)), situate, lying and being at Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 14 for concrete Siphon, under and across Kauai Belt Road, being a strip of land 10.00 feet wide, and extending for a distance of 5.00 feet on each side of the centerline, and thus bounded and described as follows:

SCHEDULE C CONTINUED

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 12,774.70 feet south and 9,924.45 feet east, thence running by azimuth measured clockwise from true South:

1. 100° 51' 80.00 feet and containing an area of 800 square feet, more or less.

- (L) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award Number 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being at Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 15 for Industrial Track crossing, trucking and other means of vehicular transportation, over and across Kauai Belt Road, being a strip of land 20.00 feet wide, and extending for a distance of 10.00 feet on each side of the centerline, and thus bounded and described as follows:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 12,386.47 feet south and 9,998.86 feet east, thence running by azimuth measured clockwise from true South:

1. 100° 51' 80.00 feet and containing an area of 1,600 square feet, more or less.

- (M) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award Number 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)), situate, lying and being at Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 16 for concrete Siphon, under and across Kauai Belt Road, being a strip of land 10.00 feet wide, and extending for a distance of 5.00 feet on each side of the centerline, and thus bounded and described as follows:

SCHEDULE C CONTINUED

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 12,198.71 feet south and 10,055.21 feet east, thence running by azimuth measured clockwise from true South:

1. 100° 51' 120.00 feet and containing an area of 1,200 square feet, more or less.

- (N) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award Number 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1) situate, lying and being at Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 17 for drainage purposes, under and across Kauai Belt Road, being a strip of land 10.00 feet wide, and extending for a distance of 5.00 feet on each side of the centerline, and thus bounded and described as follows:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 11,695.61 feet south and 10,137.39 feet east, thence running by azimuth measured clockwise from true South:

1. 96° 05' 30" 120.00 feet and containing an area of 1,200 square feet, more or less.

- (O) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award Number 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being at Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 18 for Industrial Track crossing, trucking and other means of vehicular transportation, over and across Kauai Belt Road, being a strip of land 20.00 feet wide, and extending for a distance of 10.00 feet on each side of the centerline, and thus bounded and described as follows:

SCHEDULE C CONTINUED

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 11,670.36 feet south and 10,140.01 feet east, thence running by azimuth measured clockwise from true South:

1. 95° 44' 120.00 feet and containing an area of 2,400 square feet, more or less.

- (P) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award Number 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being at Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 19 for Industrial Track crossing, trucking and other means of vehicular transportation, over and across Kauai Belt Road, being a strip of land 20.00 feet wide, and extending for a distance of 10.00 feet on each side of the centerline, and thus bounded and described as follows:

Beginning at the east end of the center line of this strip of land, on the east side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 10,853.73 feet south and 10,139.46 feet east, thence running by azimuth measured clockwise from true South:

1. 110° 00' 122.59 feet and containing an area of 2,452 square feet, more or less.

- (Q) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award Number 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)), situate, lying and being at Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 20 for concrete Siphon, under and across Kauai Belt Road, being a strip of land 10.00 feet wide, and extending for a distance of 5.00 feet on each side of the centerline, and thus bounded and described as follows:

SCHEDULE C CONTINUED

Beginning at the east end of the center line of this strip of land, on the east side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 10,816.46 feet south and 10,135.49 feet east, thence running by azimuth measured clockwise from true South:

1.	124° 30'	174.01	feet and containing an area of
			1,740 square feet, more or
			less.

- (R) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award Number 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being at Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 21 for Industrial Track crossing, trucking and other means of vehicular transportation, over and across Kauai Belt Road, being a strip of land 20.00 feet wide, and extending for a distance of 10.00 feet on each side of the centerline, and thus bounded and described as follows:

Beginning at the east end of the center line of this strip of land, on the east side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 10,751.45 feet south and 10,127.74 feet east, thence running by azimuth measured clockwise from true South:

1.	90° 00'	131.09	feet and containing an area of
			2,622 square feet, more or
			less.

TOGETHER WITH an express, non-exclusive, appurtenant easement, as granted by GRANT OF EASEMENTS dated June 26, 2001, recorded as Document No. 2001-097106, and as assigned by instrument dated as of March 24, 2006, recorded as Document No. 2006-056603, subject to the terms and provisions, contained therein, over the following:

-FIRST:-

SCHEDULE C CONTINUED

Portion of Segment A Easement, which description includes:

- A. Segment A Infrastructure Easement 1 (40 ft. wide for irrigation purposes).
- B. Segment A Infrastructure Easement 1-A (for irrigation purposes).
- C. Segment A Infrastructure Easement 1-B (for irrigation purposes).
- D. Segment A Infrastructure Easement 1-C (for irrigation purposes).
- E. Segment A Infrastructure Easement 1-D (for irrigation purposes).
- F. Segment A Infrastructure Easement 2 (40 ft. wide for irrigation purposes).
- G. Kaneha Reservoir Easement (for irrigation purposes).
- H. Kaneha Reservoir Access Easement A (15 ft. wide for access purposes).
- I. Kaneha Reservoir Access Easement B (15 ft. wide for access purposes).
- J. Kaneha Reservoir Access Easement C (15 ft. wide for access purposes).
- K. Upper Spalding Sump Easement (for irrigation purposes).
- L. Upper Spalding Sump Pipeline Easement 1 (30 ft. wide for irrigation purposes).
- M. Kealia Ditch Headgate Easement (for irrigation purposes).

All of said easements are more particularly described in Exhibit "F" attached to said Grant.

-SECOND:-

SCHEDULE C CONTINUED

Portion of Segment A Easement between the Kealia Ditch Headgate upstream to the Infrastructure Origination Point, at a width described as 30 feet on either side of the bank of Kealia Stream, as described in said Grant.

NOTE: No insurance is provided with respect to any right to withdraw water as provided in 4(E) of said Grant of Easements.

BEING THE PREMISES ACQUIRED BY LIMITED WARRANTY DEED

GRANTOR : CANPARTNERS REALTY HOLDING COMPANY IV KEALIA LLC, a
Delaware limited liability company

GRANTEE : KEALIA PROPERTIES, LLC, a Delaware limited
liability company

DATED : December 10, 2010

RECORDED : Document No. 2010-194789

END OF SCHEDULE C

GENERAL NOTES

1. There is hereby omitted from any covenants, conditions and reservations contained herein any covenant or restriction based on race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law. Lawful restrictions under state or federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.

SCHEDULE D

CONDITIONS AND STIPULATIONS

1. This Status Report (which term shall include any revisions thereto) is a report of the record title only, based solely upon an abstract and examination of the Indices described in Schedule A as of the date of the Report. No responsibility is assumed for (a) matters which may affect the title but either were not disclosed or were incorrectly disclosed in said indices at the date hereof; or (b) matters created, suffered, assumed, or agreed to by Purchaser; or (c) matters not shown herein but actually know to Purchaser. Title Guaranty of Hawaii, Incorporated (the "Company") makes no representation as to the legal effect, validity or priority of matters shown or referred to herein.
2. If the Report is incorrect in any respect, the responsibility of the Company shall be limited to the resulting actual loss, including any attorney's fees and legal costs, but in no event shall exceed the lesser of \$3,500 or two times the amount paid for the Report. Upon payment of any loss hereunder, the Company shall be subrogated to all rights the Purchaser may have against any person or property as a result of such loss.
3. If the Purchaser of this Report shall suffer an actual loss by reason of the incorrectness of the Report, the Purchaser shall promptly notify the Company in writing. After receipt of such notice, the Company shall be allowed a reasonable time in which to investigate the claim. At its sole option, the Company may litigate the validity of the claim, negotiate a settlement or pay to Purchaser the amount the Company is obligated to pay under this Report. The Company's responsibility hereunder constitutes indemnity only and nothing herein shall obligate the Company to assume the defense of the Purchaser with respect to any claim made hereunder.
4. This report is the entire contract between the Purchaser and the Company and any claim by Purchaser against the Company, arising hereunder, shall be enforceable only in accordance with the provisions herein.
5. Notice required to be given the Company shall include the Order Number of this Report and shall be addressed to Title Guaranty of Hawaii, Inc., P.O. Box 3084, Honolulu, HI 96802, Attention: Legal Department.

DATE PRINTED: 9/20/2017

STATEMENT OF ASSESSED VALUES AND REAL PROPERTY TAXES DUE

TAX MAP KEY

DIVISION ZONE SECTION PLAT PARCEL HPR NO.
(4) 4 7 004 001 0000

CLASS: AGRICULTURAL

AREA ASSESSED: 1072.619 AC

ASSESSED VALUES FOR CURRENT YEAR TAXES: 2017

The records of this division show the assessed values and taxes on the property designated by Tax Key shown above are as follows:

TOTAL ASSESSED VALUE \$ 455,900 AGRICULTURAL USE VALUE
TOTAL EXEMPTION \$ 0
TOTAL NET VALUE \$ 455,900

Installment (1 - due 8/20; 2 - due 2/20) Tax Info As Of - 7/01/2017

Tax Year	Installment	Tax Amount	Penalty Amount	Interest Amount	Other Amount	Total Amount	
2017	2	1,538.66				1,538.66	PENDING
2017	1	1,538.67				1,538.67	PENDING
2016	2	1,538.66				1,538.66	PAID
2016	1	1,538.67				1,538.67	PAID
2015	2	1,538.66				1,538.66	PAID
2015	1	1,538.67				1,538.67	PAID

Total Amount Due: 3,077.33

Penalty and Interest Computed to: 7/01/2017

The real property tax information provided is based on information furnished by the respective counties, is deemed reliable but not guaranteed, and no warranties are given express or implied. Billing and tax collection details may have changed. Please refer to the appropriate county real property tax offices for any further information or updates for the subject property.



R-126 STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED
DEC 16, 2010 08:01 AM
Doc No(s) 2010-194789



/s/ NICKI ANN THOMPSON
REGISTRAR
CONVEYANCE TAX: \$209990.00

45 2/3 Z1

LAND COURT SYSTEM

REGULAR SYSTEM

AFTER RECORDATION, RETURN TO: BY: MAIL ☒ PICKUP ☐
Case Lombardi & Pettit
737 Bishop Street, Suite 2600
Honolulu, Hawaii 96813
Attention: Lauren R. Sharkey, Esq.

FNTIC

FNTIC 10010291-FTHA151
TGES T0-101-2953
BARBARA PAULO

Total number of pages: 45

Tax Map Key No.: (4) 4-7-3:2, (4) 4-7-3:6, (4) 4-7-4:1, (4) 4-7-4:9

LIMITED WARRANTY DEED

CANPARTNERS REALTY HOLDING COMPANY IV KEALIA LLC, a Delaware limited liability company ("Grantor"), having an address at 2000 Avenue of the Stars, 11th Floor, Los Angeles, California 90067 for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which consideration are hereby acknowledged, has Granted, Sold, and Conveyed, and by these presents does Grant, Sell, and Convey, to KEALIA PROPERTIES, LLC, a Delaware limited liability company ("Grantee"), having an address at c/o Leonard Green & Partners, L.P., 1111 Santa Monica Boulevard, Suite 2000, Los Angeles, California 90025, all that certain real property situated in the County of Kauai, State of Hawaii, and more particularly described on Exhibit A attached hereto and made a part hereof for all purposes, together with all improvements now or

hereafter situated thereon, together with all of the right, title and interest in and to the easements in anywise appertaining or belonging thereto (collectively, the "Property").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances belonging in any way to the Property, subject to the matters shown on Exhibit B, attached hereto and made a part hereof, to the extent (but no further) that same are valid and subsisting as of the date hereof and affect title to the Property (collectively, the "Permitted Encumbrances"), unto the said Grantee, its successors and assigns forever, and Grantor binds itself and its successors and assigns to warrant and forever defend all and singular the Property, subject to the Permitted Encumbrances, to Grantee, its successors and assigns, against every person lawfully claiming or to claim all or any part of the Property, by, through or under Grantor, but not otherwise.

All ad valorem taxes and assessments for the Property for the year in which this deed is executed have been prorated by the parties hereto as of the effective date of this deed, and Grantee by its acceptance of this deed hereby expressly assumes liability for the payment of all ad valorem taxes and assessments for said year and subsequent assessments for prior years due to change in land usage or ownership.

3

EXHIBIT A

LEGAL DESCRIPTION

- ITEM I: - (4) 4-7-003-006

All of that certain parcels of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award Number 11216, Apana 6 to M. Kekauonohi) situate, lying and being at Kealia, Kawaihau, Island and County of Kauai, State of Hawaii, being LOT A, and thus bounded and described as per survey of James R. Thompson, Land Surveyor, with Walter P. Thompson, Inc., dated November 22, 2010 to-wit:

Beginning at the south corner of this parcel of land, the same being the north corner of the intersection of Kealia Road (Government Road) and Kuhio Highway Federal Aid Project No. F-31(1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 18,827.66 feet South and 8,284.02 feet East and thence running by azimuths measured clockwise from true South:

1. 162 ° 10' 95.38 feet along the east side of Kealia Road (Government Road);

Thence along the east side of Kealia Road (Government Road) on a curve to the left with a radius of 920.00 feet, the chord azimuth and distance being
2. 159 ° 50' 74.91 feet;
3. 157 ° 30' 403.00 feet along the east side of Kealia Road (Government Road);

Thence along the east side of Kealia Road (Government Road) on a curve to the right with a radius of 240.00 feet, the chord azimuth and distance being
4. 177 ° 59' 167.97 feet;
5. 198 ° 28' 22.00 feet along the east side of Kealia Road (Government Road) to the centerline of a drainage ditch;
6. 286 ° 18' 229.00 feet along the centerline of a drainage ditch along Lot B, along the remainder of R. P. 5680, L.C. Aw. 11216, Ap. 6 to Kekauonohi;
7. 315 ° 16' 172.12 feet along the centerline of a drainage ditch along Lot B, along the remainder of R. P. 5680, L.C. Aw. 11216, Ap. 6 to Kekauonohi to the westerly side of Kuhio Highway (F.A.P. No. F-31 [1]);

8. 18 ° 04' 30" 22.75 feet along the westerly side of Kuhio Highway (F.A.P. No. F-31 [1]);
9. 288 ° 04' 30" 20.00 feet along the westerly side of Kuhio Highway (F.A.P. No. F-31 [1]);
10. 18 ° 04' 30" 200.00 feet along the westerly side of Kuhio Highway (F.A.P. No. F-31 [1]);
11. 288 ° 04' 30" 20.00 feet along the westerly side of Kuhio Highway (F.A.P. No. F-31 [1]);
12. 18 ° 04' 30" 327.63 feet along the westerly side of Kuhio Highway (F.A.P. No. F-31 [1]) to the point of beginning and containing an area of 3.199 acres, more or less.

TOGETHER WITH easements for Industrial Track crossing, trucking and other means of vehicular transportation over and across Kauai Belt Road, being Easements 1 and 2, as shown on the Right-of-Way Map of the Kauai Belt Road, Federal Aid Project No. F 31 (1), filed in the Office of the Superintendent of Public Works of the State of Hawaii; as reserved in that certain instrument dated August 29, 1955, recorded in Liber 3015 at Page 326, said easements being more particularly described as follows:

- (A) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award Number 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1) situate, lying and being at Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 1, being a strip of land 20.00 feet wide, and extending for a distance of 10.00 feet on each side of the centerline, and thus bounded and described:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "Kikoo" being 18,892.75 feet South and 8,346.93 feet East, thence running by azimuths measured clockwise from true South:

1. On a curve to the left with a radius of 140.00 feet, the chord azimuth and distance being
144 ° 56' 40" 50.00 feet;
2. 134 ° 39' 30" 44.73 feet and containing an area of 1900 square feet, more or less.

- (B) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award Number 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1) situate, lying and being at Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 2, being a strip of land 20.00 feet wide, and extending for a distance of 10.00 feet on each side of the centerline, and thus bounded and described as follows:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "Kikoo" being 18,793.83 feet South and 8,379.22 feet East and thence running by azimuths measured clockwise from true South:

1. On a curve to the right with a radius of 180.00 feet, the chord azimuth and distance being
83 ° 43' 10" 87.82 feet and containing an area of 1,774 square feet, more or less.

- ITEM II: - (4) 4-7-004-009

All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award Number 11216, Apana 6 to M. Kekauonohi) situate, lying and being at Kealia, Kawaihau, Island and County of Kauai, State of Hawaii, being LOT B, and thus bounded and described as per survey of James R. Thompson, Land Surveyor, with Walter P. Thompson, Inc., dated November 22, 2010, to-wit:

Beginning at the northeast corner of this parcel of land, the same being the south corner of Lot 16, File Plan 505, Kealia Town Tract, Block A and on the westerly side of Kuhio Highway, Federal Aid Project No. F-31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 17,815.04 feet South and 8,582.95 feet East and thence running by azimuths measured clockwise from true South:

1. 18 ° 04' 30" 127.76 feet along the westerly side of Kuhio Highway (F.A.P. No. F-31 [1]);
2. 108 ° 04' 30" 10.00 feet along the westerly side of Kuhio Highway (F.A.P. No. F-31 [1]);
3. 18 ° 04' 30" 377.25 feet along the westerly side of Kuhio Highway (F.A.P. No. F-31 [1]);
4. 135 ° 16' 172.12 feet along the centerline of a drainage ditch, along Lot A, along the remainder of R. P. 5680, L. C. Aw. 11216, Ap. 6 to M. Kekauonohi;
5. 106 ° 18' 229.00 feet along the centerline of a drainage ditch, along Lot A, along the remainder of R. P. 5680, L. C. Aw. 11216, Ap. 6 to M. Kekauonohi;
6. 198 ° 28' 117.00 feet along the east side of Kealia Road (Government Road);

Thence along the east side of Kealia Road (Government Road) on a curve to the left with a radius of 290.00 feet, the chord azimuth and distance being

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7. 168 ° 38' 288.54 feet;
8. 138 ° 48' 83.00 feet along the east side of Kealia Road (Government Road);

Thence along the east side of Kealia Road (Government Road) on a curve to the right with a radius of 460.00 feet, the chord azimuth and distance being
9. 159 ° 15' 321.44 feet;
10. 179 ° 42' 157.00 feet along the east side of Kealia Road (Government Road);

Thence along the east side of Kealia Road (Government Road) on a curve to the left with a radius of 500.00 feet, the chord azimuth and distance being
11. 168 ° 36' 192.52 feet;
12. 157 ° 30' 112.85 feet along the east side of Kealia Road (Government Road);

Thence along the east side of Kealia Road (Government Road) on a curve to the right with a radius of 780.00 feet, the chord azimuth and distance being
13. 167 ° 22' 30" 267.54 feet;
14. 267 ° 15' 4.46 feet along the east side of Kealia Road (Government Road);
15. 349 ° 34' 69.11 feet along Lot 1, File Plan 505, Kealia Town Tract, Block A;
16. 336 ° 42' 217.42 feet along Lots 2, 3 and 4, File Plan 505, Kealia Town Tract, Block A;
17. 315 ° 44' 53.79 feet along Lot 4, File Plan 505, Kealia Town Tract, Block A;
18. 343 ° 30' 101.02 feet along Lots 4 and 5, File Plan 505, Kealia Town Tract, Block A;
19. 354 ° 03' 99.82 feet along Lot 5, File Plan 505, Kealia Town Tract, Block A;

- | | | | |
|-----|---------------|-------------|--|
| 20. | 3 ° 29' | 163.05 feet | along Lot 6, File Plan 505, Kealia Town Tract, Block A; |
| 21. | 338 ° 56' 30" | 193.15 feet | along Lots 7 and 8, File Plan 505, Kealia Town Tract, Block A; |
| 22. | 305 ° 25' 30" | 121.26 feet | along Lots 9 and 10, File Plan 505, Kealia Town Tract, Block A; |
| 23. | 271 ° 37' 30" | 157.50 feet | along Lots 10, 11 and a 10-ft. wide drainage right-of-way, File Plan 505, Kealia Town Tract, Block A; |
| 24. | 324 ° 54' | 115.41 feet | along Lots 11 and 12, File Plan 505, Kealia Town Tract, Block A; |
| 25. | 300 ° 45' | 319.25 feet | along Lots 12, 13, 14, 15 and 16, File Plan 505, Kealia Town Tract, Block A to the point of beginning and containing an area of 6.523 acres. |

- ITEM III: - (4) 4-7-003-002

MAKEE

DESCRIPTION OF MAKEE SUBDIVISION

Land situated on the westerly side of Kuhio Highway, on the southerly side of Kealia (Government) Road and on the northerly boundary of the land of kapaa
At Kealia, Kawaihau, Kauai, Hawaii

Being portions of Royal Patent 5680,
Land Commission Award 11216, Apana 6 to M. Kekauonohi

Royal Patent 3919, Land Commission Award 3413-B to Kaaki
And being all of the following:

Royal Patent 6386, Land Commission Award 8834 Apanas 1 and 2 to Kalawaia

Royal Patent 6387, Land Commission Award 1980, Apanas 1 and 2 to Puali

Royal Patent 6686, Land Commission Award 8060 to Huliolo

Royal Patent 6735, Land Commission Award 10149, Apana 1 to Makuahine

Royal Patent 6801, Land Commission Award 10906, Apanas 1 and 2 to Umiumi

Royal Patent 6905, Land Commission Award 10148, Apanas 1 and 2 to Mamaki

Royal Patent 6919, Land Commission Award 7966 to Keaonui

Royal Patent 7360, Land Commission Award 8833, Apanas 1 and 2 to Kiaipa

Royal Patent 7361, Land Commission Award 10628, Apanas 1 and 2 to Puhi

Royal Patent 7610, Land Commission Award 10907, Apanas 1 and 2 to Naumiumi

Royal Patent 8357, Land Commission Award 8842, Apanas 1 and 2 to Kaawapupuole

And being also a portion of Certificate of Boundaries No. 1

Subdivided into Lots 1 through 47, inclusive, Lots MA, MB, MC And MD

Designation of Easements M-1 to M-95, inclusive

Designation of Restriction of Vehicular Access rights affects Lots 2,

7, 8, 10 and 11 and portions of Lots 1, 9, 39, 40, 41 and 42.

Total Area = 935.451 Acres

Beginning at a pipe the south corner of this parcel of land, the same being the intersection of Kuhio Highway, Federal Aid Project No. F 12(20) and the northerly bank of the Kapaa River, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 20,419.47 feet South and 7,743.46 feet East and thence running by azimuths measured clockwise from true South:

Along the northerly bank of the Kapaa River in all meandering for the next eight (8) courses, the direct azimuth and distance between point being:

- | | | | |
|-----|-----------|---------------|------------------------|
| 1. | 79 ° 00' | 1058.00 feet; | |
| 2. | 163 ° 30' | 986.50 feet; | |
| 3. | 160 ° 43' | 855.00 feet; | |
| 4. | 63 ° 54' | 956.50 feet; | |
| 5. | 119 ° 42' | 1271.00 feet; | |
| 6. | 134 ° 00' | 1037.50 feet; | |
| 7. | 144 ° 38' | 952.80 feet; | |
| 8. | 147 ° 39' | 487.24 feet; | |
| 9. | 240 ° 04' | 17.33 feet | along Lot 3-B; |
| 10. | 149 ° 19' | 152.19 feet | along Lot 3-B; |
| 11. | 143 ° 43' | 90.00 feet | along Lot 3-B; |
| 12. | 132 ° 33' | 120.00 feet | along Lot 3-B; |
| 13. | 127 ° 30' | 370.48 feet | along Lot 3-B and 3-A; |

14.	213 ° 35'	44.96 feet	along the remainder of R.P. 5680, L.C. Aw. 11216, Ap. 6 to M. Kekauonohi;
15.	142 ° 43' 30"	25.41 feet	along the remainder of R.P. 5680, L.C. Aw. 11216, Ap. 6 to M. Kekauonohi;
16.	146 ° 52'	143.88 feet	along the remainder of R.P. 5680, L.C. Aw. 11216, Ap. 6 to M. Kekauonohi;
17.	123 ° 07'	116.60 feet	along the remainder of R.P. 5680, L.C. Aw. 11216, Ap. 6 to M. Kekauonohi;
18.	120 ° 07'	97.02 feet	along the remainder of R.P. 5680, L.C. Aw. 11216, Ap. 6 to M. Kekauonohi;
19.	113 ° 07'	111.54 feet	along the remainder of R.P. 5680, L.C. Aw. 11216, Ap. 6 to M. Kekauonohi;
20.	105 ° 37'	128.04 feet	along the remainder of R.P. 5680, L.C. Aw. 11216, Ap. 6 to M. Kekauonohi;
21.	99 ° 37'	71.28 feet	along the remainder of R.P. 5680, L.C. Aw. 11216, Ap. 6 to M. Kekauonohi;
22.	58 ° 02'	166.32 feet	along the remainder of R.P. 5680, L.C. Aw. 11216, Ap. 6 to M. Kekauonohi;
23.	51 ° 47'	66.00 feet	along the remainder of R.P. 5680, L.C. Aw. 11216, Ap. 6 to M. Kekauonohi;
24.	40 ° 07'	137.90 feet	along the remainder of R.P. 5680, L.C. Aw. 11216, Ap. 6 to M. Kekauonohi;
25.	23 ° 37'	312.59	feet along the remainder of R.P. 5680, L.C. Aw. 11216, Ap. 6 to M. Kekauonohi to the centerline of the Kapaa River and passing over a pipe at 271.00 feet;
26.	101 ° 43'	151.27	feet along the centerline of the Kapaa River and along the Kealia and Kapaa boundary;
27.	86 ° 53'	209.79 feet	along the centerline of the Kapaa River and along the Kealia and Kapaa boundary;
28.	43 ° 16'	165.09 feet	along the centerline of the Kapaa River and along the Kealia and Kapaa boundary to an existing concrete crossing;
29.	99 ° 45'	30.00 feet	along the Kealia and Kapaa boundary and along Government Land;

- | | | | |
|-----|---------------|--------------|--|
| 30. | 64 ° 30' | 238.00 feet | along the Kealia and Kapaa boundary and along Government Land; |
| 31. | 41 ° 30' | 675.54 feet | along the Kealia and Kapaa boundary and along Government Land and crossing over a paved road; |
| 32. | 136 ° 30' | 26.44 feet | along the remainder of R.P. 5680, LC. Aw. 11216, Ap. 6 to M. Kekauonohi and crossing a paved road; |
| | | | Thence along Roadway Parcel "C" on a curve to the right with a radius of 85.00 feet, the chord azimuth and distance being |
| 33. | 92 ° 05' | 121.43 feet; | |
| 34. | 137 ° 40' | 191.22 feet | along Roadway Parcel "C"; |
| | | | Thence along Roadway Parcel "C" on a curve to the left with a radius of 290.00 feet, the chord azimuth and distance being |
| 35. | 124 ° 01' | 136.87 feet; | |
| 36. | 110 ° 22' | 64.55 feet | along Roadway Parcel "C"; |
| | | | Thence along Roadway Parcel "C" on a curve to the right with a radius of 485.00 feet, the chord azimuth and distance being |
| 37. | 119 ° 11' | 148.68 feet; | |
| 38. | 128 ° 00' | 66.65 feet | along Roadway Parcel "C" |
| | | | Thence along Roadway Parcel "C" on a curve to the right with a radius of 135.00 feet, the chord azimuth and distance being |
| 39. | 155 ° 02' 30" | 122.75 feet; | |
| 40. | 182 ° 05' | 171.19 feet | along Roadway Parcel "C"; |
| | | | Thence along Roadway Parcel "C" on a curve to the left with a radius of 765.00 feet, the chord azimuth and distance being |
| 41. | 166 ° 49' 30" | 402.65 feet; | |
| 42. | 151 ° 34' | 35.43 feet | along Roadway Parcel "C"; |
| | | | Thence along Roadway Parcel "C" on a curve to the right with a radius of 485.00 feet, the chord azimuth and distance being |

43.	169 ° 20'	295.99 feet;	
44.	187 ° 06'	87.37 feet	along Roadway Parcel "C";
			Thence along Roadway Parcel "C" on a curve to the left with a radius of 2015.00 feet, the chord azimuth and distance being
45.	185 ° 37'	104.32 feet;	
46.	184 ° 08'	68.44 feet	along Roadway Parcel "C";
			Thence along Roadway Parcel "C" on a curve to the right with a radius of 1985.00 feet, the chord azimuth and distance being
47.	187 ° 54'	260.80 feet;	
48.	191 ° 40'	172.77 feet	along Roadway Parcel "C";
			Thence along Roadway Parcel "C" on a curve to the left with a radius of 265.00 feet, the chord azimuth and distance being
49.	175 ° 35'	146.83 feet;	
50.	159 ° 30'	50.51 feet	along Roadway Parcel "C";
			Thence along Roadway Parcel "C" on a curve to the left with a radius of 515.00 feet, the chord azimuth and distance being
51.	148 ° 35'	195.06 feet;	
52.	137 ° 40'	57.88 feet	along Roadway Parcel "C";
			Thence along Roadway Parcel "C" on a curve to the right with a radius of 60.00 feet, the chord azimuth and distance being
53.	179 ° 55'	80.68 feet;	
54.	222 ° 10'	108.98 feet	along Roadway Parcel "C";
			Thence along Roadway Parcel "C" on a curve to the left with a radius of 365.00 feet, the chord azimuth and distance being
55.	199 ° 10'	285.23 feet;	
56.	176 ° 10'	52.26 feet	along Roadway Parcel "C";

Thence along Roadway Parcel "C" on a curve to the right with a radius of 185.00 feet, the chord azimuth and distance being

57. 200 ° 43' 153.73 feet;

58. 225 ° 16' 204.44 feet along Roadway Parcel "C";

Thence along Roadway Parcel "C" on a curve to the left with a radius of 465.00 feet, the chord azimuth and distance being

59. 208 ° 15' 272.04 feet;

60. 191 ° 15' 393.09 feet along Roadway Parcel "C";

Thence along Roadway Parcel "C" on a curve to the right with a radius of 2185.00 feet, the chord azimuth and distance being

61. 198 ° 50' 576.70 feet;

62. 206 ° 25' 363.05 feet along Roadway Parcel "C";

Thence along Roadway Parcel "C" on a curve to the left with a radius of 3015.00 feet, the chord azimuth and distance being

63. 202 ° 31' 410.13 feet;

64. 198 ° 37' 76.44 feet along Roadway Parcel "C";

Thence along Roadway Parcel "C" on a curve to the left with a radius of 615.00 feet, the chord azimuth and distance being

65. 183 ° 53' 312.81 feet;

66. 169 ° 09' 93.15 feet along Roadway Parcel "C";

Thence along Roadway Parcel "C" on a curve to the right with a radius of 985.00 feet, the chord azimuth and distance being

67. 176 ° 19' 30" 246.05 feet;

68. 183 ° 30' 62.40 feet along Roadway Parcel "C";

Thence along Roadway Parcel "C" on a curve to the left with a radius of 1315.00 feet, the chord azimuth and distance being

69. 174 ° 36' 406.89 feet;
70. 165 ° 42' 491.64 feet along Roadway Parcel "C";
- Thence along Roadway Parcel "C" on a curve to the right with a radius of 185.00 feet, the chord azimuth and distance being
71. 187 ° 16' 136.01 feet;
72. 208 ° 50' 124.64 feet along Roadway Parcel "C" to Roadway Parcel "A";
- Thence along Roadway Parcel "A" on a curve to the right with a radius of 30.00 feet, the radial azimuth at the point of curvature being 118 ° 50', the radial azimuth at the point of compound curvature being 222 ° 04' 56", the chord azimuth and distance being
73. 260 27' 28" 47.04 feet;
74. Thence along Roadway Parcel "A" on a curve to the right with a radius of 180.00 feet, the radial azimuth at the point of compound curvature being 222 ° 04' 56", the radial azimuth at the point of reverse curvature being 240 ° 59' 02", the chord azimuth and distance being: 321 ° 32' 02" 59.12 feet;
75. Thence along Roadway Parcel "A" on a curve to the left with a radius of 520.00 feet, the radial azimuth at the point of reverse curvature being 60 ° 59' 02", the radial azimuth at the point of tangency being 31 ° 35', the chord azimuth and distance being: 316 ° 17' 01" 263.91 feet;
76. 301 ° 35' 106.04 feet along Roadway Parcel "A";
77. Thence along Roadway Parcel "A" on a curve to the right with a radius of 1980.00 feet, the chord azimuth and distance being: 307 ° 23' 30" 400.76 feet;
78. 313 ° 12' 120.78 feet along Roadway Parcel "A";
79. Thence along Roadway Parcel "A" on a curve to the right with a radius of 1980.00 feet, the chord azimuth and distance being: 316 ° 36' 234.85 feet;
80. 320 ° 00' 400.66 feet along Roadway Parcel "A";

				Thence along Roadway Parcel "A" on a curve to the left with a radius of 620.00 feet, the chord azimuth and distance being
81.	311 ° 26'		184.71 feet;	
82.	302 ° 52'		157.68 feet	along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the right with a radius of 1330.00 feet, the chord azimuth and distance being
83.	308 ° 41'		269.58 feet;	
84.	314 ° 30'		59.16 feet	along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the right with a radius of 1980.00 feet, the chord azimuth and distance being
85.	320 ° 04'	30"	384.71 feet	along Roadway Parcel "A";
86.	325 ° 39'		172.06 feet	along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the left with a radius of 620.00 feet, the chord azimuth and distance being
87.	310 ° 47'	30"	317.97 feet;	
88.	295 ° 56'		767.16 feet	along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the left with a radius of 10020.00 feet, the chord azimuth and distance being
89.	294 ° 04'		652.78 feet;	
90.	292 ° 12'		35.63 feet	along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the right with a radius of 580.00 feet, the chord azimuth and distance being
91.	306 ° 46'		291.75 feet;	
92.	321 ° 20'		252.22 feet	along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the left with a radius of 520.00 feet, the chord azimuth and distance being

93.	311 ° 22'	30"	179.85 feet;	
94.	301 ° 25'		322.68 feet	along Roadway Parcel "A"; Thence along Roadway Parcel "A" on a curve to the right with a radius of 680.00 feet, the chord azimuth and distance being
95.	312 ° 12'	30"	254.64 feet;	
96.	323 ° 00'		167.22 feet	along Roadway Parcel "A"; Thence along Roadway Parcel "A" on a curve to the left with a radius of 1020.00 feet, the chord azimuth and distance being
97.	321 ° 03'	30"	69.12 feet;	
98.	319 ° 07'		290.14 feet	along Roadway Parcel "A"; Thence along Roadway Parcel "A" on a curve to the right with a radius of 1180.00 feet, the chord azimuth and distance being
99.	324 ° 32'		222.78 feet;	
100.	329 ° 57'		165.80 feet	along Roadway Parcel "A" Thence along Roadway Parcel "A" on a curve to the left with a radius of 1520.00 feet, the chord azimuth and distance being
101.	318 ° 16'	30"	615.17 feet;	
102.	306 ° 36'		99.62 feet	along Roadway Parcel "A"; Thence along Roadway Parcel "A" on a curve to the right with a radius of 480.00 feet, the chord azimuth and distance being
103.	313 ° 12'	30"	110.48 feet;	
104.	319 ° 49'		77.80 feet	along Roadway Parcel "A"; Thence along Roadway Parcel "A" on a curve to the right with a radius of 380.00 feet, the chord azimuth and distance being
105.	335 ° 41'		207.78 feet;	

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106.	351 ° 33'	15.86 feet	along Roadway Parcel "A";
			Thence along Roadway Parcel "A" on a curve to the left with a radius of 495.00 feet, the chord azimuth and distance being
107.	325 ° 32' 30"	434.12 feet;	
108.	299 ° 32'	376.71 feet	along Roadway Parcel "A";
			Thence along Roadway Parcel "A" on a curve to the left with a radius of 420.00 feet, the chord azimuth and distance being
109.	284 ° 42' 30"	214.93 feet;	
110.	269 ° 53'	28.19 feet	along Roadway Parcel "A";
			Thence along Roadway Parcel "A" on a curve to the right with a radius of 230.00 feet, the chord azimuth and distance being
111.	293 ° 18'	182.81 feet;	
112.	316 ° 43'	159.07 feet	along Roadway Parcel "A";
			Thence along Roadway Parcel "A" on a curve to the left with a radius of 395.00 feet, the chord azimuth and distance being
113.	296 ° 19'	275.37 feet;	
114.	275 ° 55'	123.53 feet	along Roadway Parcel "A";
			Thence along Roadway Parcel "A" on a curve to the right with a radius of 230.00 feet, the chord azimuth and distance being
115.	296 ° 11' 30"	159.40 feet;	
116.	316 ° 28'	130.88 feet	along Roadway Parcel "A";
			Thence along Roadway Parcel "A" on a curve to the right with a radius of 180.00 feet, the chord azimuth and distance being
117.	336 ° 51' 30"	125.44 feet;	
118.	357 ° 15'	194.59 feet	along Roadway Parcel "A";

				Thence along Roadway Parcel "A" on a curve to the left with a radius of 820.00 feet, the chord azimuth and distance being
119.	347 ° 22'	30"	281.26 feet;	
120.	337 ° 30'		112.85 feet	along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the right with a radius of 460.00 feet, the chord azimuth and distance being
121.	348 ° 36'		177.12 feet;	
122.	359 ° 42'		157.00 feet	along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the left with a radius of 500.00 feet, the chord azimuth and distance being
123.	339 ° 15'		349.39 feet;	
124.	318 ° 48'		83.00 feet	along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the right with a radius of 250.00 feet, the chord azimuth and distance being
125.	348 ° 38'		248.74 feet;	
126.	18 ° 28'		139.00 feet	along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the left with a radius of 280.00 feet, the chord azimuth and distance being
127.	357 ° 59'		195.96 feet;	
128.	337 ° 30'		403.00 feet	along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the right with a radius of 880.00 feet, the chord azimuth and distance being
129.	339 ° 50'		71.65 feet;	
130.	342 ° 10'		150.62 feet	along Roadway Parcel "A";
131.	18 ° 04'	30"	954.17 feet	along the westerly side of Kuhio Highway, (F.A.P. No. F-31[1]) and (F.A.P. No. F-12[20]);

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|------|---------------|-------------|--|
| 132. | 108 ° 04' 30" | 10.00 feet | along the westerly side of Kuhio Highway, (F.A.P. No. F-31[1]) and (F.A.P. No. F-12[20]); |
| 133. | 18 ° 04' 30" | 150.00 feet | along the westerly side of Kuhio Highway, (F.A.P. No. F-31[1]) and (F.A.P. No. F-12[20]); |
| 134. | 288 ° 04' 30" | 10.00 feet | along the westerly side of Kuhio Highway, (F.A.P. No. F-12[20]); |
| 135. | 18 ° 04' 30" | 340.00 feet | along the westerly side of Kuhio Highway, (F.A.P. No. F-12[20]); |
| 136. | 69 ° 25' | 25.61 feet | along the westerly side of Kuhio Highway, (F.A.P. No. F-12[20]); |
| 137. | 18 ° 04' 30" | 152.61 feet | along the westerly side of Kuhio Highway, (F.A.P. No. F-12[20]) to the point of beginning and containing a gross area of 935.451 acres |

EXCLUDING THEREFROM the following land and areas:

Royal Patent 7360, Land Commission Award 8833, Apana 1 to Kiaipa containing 0.220 acre.
 Royal Patent 7360, Land Commission Award 8833, Apana 2 to Kiaipa containing 0.660 acre.
 Royal Patent 6735, Land Commission Award 10149, Apana 1 to Makuahine containing an area of 1.00 acre.
 Royal Patent 8357, Land Commission Award 8842, Apana 1 to Kaawapupuole containing an area of 0.590 acre.
 Royal Patent 8357, Land Commission Award 8842, Apana 2 to Kaawapupuole containing an area of 0.400 acre.
 Royal Patent 6387, Land Commission Award 1980, Apana 2 to Puali containing an area of 1.210 acre.
 Royal Patent 7361, Land Commission Award 10628, Apana 1 to Puhi containing an area of 0.510 acre.
 Royal Patent 7361, Land Commission Award 10628, Apana 2 to Puhi containing an area of 0.510 acre.
 Royal Patent 6905, Land Commission Award 10148, Apana 1 to Mamaki containing an area of 0.510 acre.
 Royal Patent 6905, Land Commission Award 10148, Apana 2 to Mamaki containing an area of 1,070.510 acre.

And leaving a net area of 928.771 acres.

Together with the following:

An express, non-exclusive, appurtenant easement, as granted by GRANT OF EASEMENTS dated June 26, 2001, recorded in the Bureau of Conveyances of the State of Hawaii, Document No. 2001-097106, subject to the terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained therein, over the following:

FIRST:

Portion of Segment A Easement, which description includes:

- A. Segment A Infrastructure Easement 1 (40 ft. wide for irrigation purposes).
- B. Segment A Infrastructure Easement 1-A (for irrigation purposes).
- C. Segment A Infrastructure Easement 1-B (for irrigation purposes).
- D. Segment A Infrastructure Easement 1-C (for irrigation purposes).
- E. Segment A Infrastructure Easement 1-D (for irrigation purposes).
- F. Segment A Infrastructure Easement 2 (40 ft. wide for irrigation purposes).
- G. Kaneha Reservoir Easement (for irrigation purposes).
- H. Kaneha Reservoir Access Easement A (15 ft. wide of access purposes).
- I. Kaneha Reservoir Access Easement B (15 ft. wide of access purposes).
- J. Kaneha Reservoir Access Easement C (15 ft. wide of access purposes).
- K. Upper Spalding Sump Easement (for irrigation purposes).
- L. Upper Spalding Sump Pipeline Easement 1 (30 ft. wide for irrigation purposes).
- M. Kealia Ditch Headgate Easement (for irrigation purposes).

All of said easements are more particularly described in Exhibit "F" attached to said Grant.

SECOND:

Portion of Segment A Easement between the Kealia Ditch Headgate upstream to the Infrastructure Origination Point, at a width described as 30 feet on either side of the bank of Kealia Stream, as described in said Grant.

- ITEM IV: - (4) 4-7-004-001

KUMUKUMU

DESCRIPTION OF KUMUKUMU SUBDIVISION

Land situated on the westerly side of Kuhio Highway, on the northerly side of Kealia (Government) Road and on the southerly boundary of the land of Kamalaomalo At Kealia and Kumukumu, Kawaihau, Kauai Island, Hawaii

Being all of Royal Patent 7149, Land Commission Award 10689 to Puukaukahi and Royal Patent 6814, Land Commission Award 10660 to Pakaa And being portions of Grant 3158 to E. Krull and Royal Patent 5680, Land Commission Award 11216, Apana 6 to M. Kekauonohi

Subdivided into Lots 1 through 24, inclusive, Lots KA, KA-1, KA-2, KA-3, KB, KC, KD AND KD-1 Designation of Easements K-1 to K-86, inclusive Designation of Restriction of Vehicular Access Rights affecting Lots 2, 4 and 12 and portions of Lots 3 and 23

Total Area = 1075.599 Acres

Beginning at the northeast corner of this parcel of land, the same being on the boundary of the lands of Kealia and Kamalomalo and on the westerly side of Kuhio Highway, Federal Aid Project

No. F-31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 10,480.38 feet South and 9,951.24 feet East and thence running by azimuths measured clockwise from true South:

Along the westerly side of Kuhio Highway, F.A.P. F-31[1]) on a curve to the right with a radius of 3930.00 feet, the radial azimuth to the point of curvature being 258 ° 29' 14" and to the point of tangency being 263 ° 13' 10", the chord azimuth and distance being

1. 340 ° 51' 12" 324.50 feet;
2. 263 ° 13' 10" 20.00 feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31 [1]);

Thence along the westerly side of Kuhio Highway, (F.A.P. No. F-31 [1]) on a curve to the right with a radius of 3950.00 feet, the radial azimuth at the point of curvature being 263 ° 13' 10" and at the point of tangency being 271 ° 48' 50", the chord azimuth and distance being

3. 357 ° 31' 591.95 feet;
4. 91 ° 48' 50" 10.00 feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31 [1]);

Thence along the westerly side of Kuhio Highway, (F.A.P. No. F-31 [1]) on a curve to the right with a radius of 3940.00 feet, the radial azimuth at the point of curvature being 271 ° 48' 50" and at the point of tangency being 280 ° 51', the chord azimuth and distance being

5. 6 19' 55" 620.73 feet;
6. 10 ° 51' 317.79 feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31 [1]);
7. 280 ° 51' 20.00 feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31 [1]);
8. 10 ° 51' 1600.00 feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31 [1]);
9. 100 ° 51' 10.00 feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31 [1]);
10. 10 ° 51' 450.00 feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31 [1]);
11. 100 ° 51' 20.00 feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31 [1]);

12.	10 ° 51'	400.00 feet	along the westerly side of Kuhio Highway, (F.A.P. No. F-31 [1]);
13.	280 ° 51'	10.00 feet	along the westerly side of Kuhio Highway, (F.A.P. No. F-31 [1]);
14.	10 ° 51'	200.00 feet	along the westerly side of Kuhio Highway, (F.A.P. No. F-31 [1]);
15.	280 ° 51'	10.00 feet	along the westerly side of Kuhio Highway, (F.A.P. No. F-31 [1]);
16.	10 ° 51'	582.76 feet	along the westerly side of Kuhio Highway, (F.A.P. No. F-31 [1]);

Thence along the westerly side of Kuhio Highway, (F.A.P. No. F-31 [1]) on a curve to the right with a radius of 5950.00 feet, the chord azimuth and distance being

17.	14 ° 27' 45"	749.80 feet;	
18.	18 ° 04' 30"	910.64 feet	along the westerly side of Kuhio Highway, (F.A.P. No. F-31 [1]);
19.	108 ° 04' 30"	20.00 feet	along the westerly side of Kuhio Highway, (F.A.P. No. F-31 [1]);
20.	18 ° 04' 30"	500.62 feet	along the westerly side of Kuhio Highway, (F.A.P. No. F-31 [1]);
21.	120 ° 45'	389.29 feet	along Kaao Road and Lots 17, 18, 19, 20 and 21, File Plan 505, Kealia Town Tract, Block A;

Thence along Lot 21, a 10-ft wide drainage right-of-way, Lots 22, 23, 24 and a portion of a 40-ft wide roadway, File Plan 505, Kealia Town Tract, Block A on a curve to the right with a radius of 280.00 feet, the chord azimuth and distance being

22.	146 ° 07' 30"	239.98 feet;	
23.	171 ° 30'	387.47 feet	along a 40-ft wide roadway and Lots 25, 26, 27 and 28, File Plan 505, Kealia Town Tract, Block A;

Thence along Lots 28, 29, 30 and 31, File Plan 505, Kealia Town Tract, Block A on a curve to the left with a radius of 360.00 feet, the chord azimuth and distance being

24.	148 ° 30'	50"	281.17 feet;	
25.	215 ° 31'	40"	140.00 feet	along Lot 36, File Plan 505, Kealia Town Tract, Block A and along Hopoe Road;
				Thence along Hopoe Road on a curve to the left with a radius of 500.00 feet, the chord azimuth and distance being
26.	123 ° 14'	09"	39.99 feet;	
27.	30 ° 56'	38"	10.00 feet	along Hopoe Road;
				Thence along Hopoe Road on a curve to the left with a radius of 490.00 feet, the chord azimuth and distance being
28.	104 ° 28'	19"	277.88 feet;	
29.	88 ° 00'		2.57 feet	along Hopoe Road;
				Thence along Hopoe Road on a curve to the right with a radius of 25.00 feet, the chord azimuth and distance being
30.	138 ° 16'	30"	38.46 feet;	
31.	98 ° 33'		30.00 feet	along Roadway Parcel "A";
32.	8 ° 33'		27.51 feet	along Roadway Parcel "A";
33.	136 ° 28'		173.31 feet	along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the left with a radius of 270.00 feet, the chord azimuth and distance being
34.	116 ° 11'	30"	187.12 feet;	
35.	95 ° 55'		123.53 feet	along Roadway Parcel "A";
				Then along Roadway Parcel "A" on a curve to the right with a radius of 355.00 feet, the chord azimuth and distance being
36.	116 ° 19'		247.49 feet;	
37.	136 ° 43'		159.07 feet	along Roadway Parcel "A";

Thence along Roadway Parcel "A" on a curve to the left with a radius of 270.00 feet, the chord azimuth and distance being

38.	113 ° 18'	214.60 feet;	
39.	89 ° 53'	28.19 feet	along Roadway Parcel "A";
			Thence along Roadway Parcel "A" on a curve to the right with a radius of 380.00 feet, the chord azimuth and distance being
40.	104 ° 42' 30"	194.46 feet;	
41.	119 ° 32'	376.71 feet	along Roadway Parcel "A";
			Thence along Roadway Parcel "A" on a curve to the right with a radius of 455.00 feet, the chord azimuth and distance being
42.	145 ° 32' 30"	399.04 feet;	
43.	171 ° 33'	15.86 feet	along Roadway Parcel "A";
			Thence along Roadway Parcel "A" on a curve to the left with a radius of 420.00 feet, the chord azimuth and distance being
44.	155 ° 41'	229.66 feet;	
45.	139 ° 49'	77.80 feet	along Roadway Parcel "A";
			Thence along Roadway Parcel "A" on a curve to the left with a radius of 520.00 feet, the chord azimuth and distance being
46.	133 ° 12' 30"	119.69 feet;	
47.	126 ° 36'	99.62 feet	along Roadway Parcel "A";
			Thence along Roadway Parcel "A" on a curve to the right with a radius of 1480.00 feet, the chord azimuth and distance being
48.	138 ° 16' 30"	598.99 feet;	
49.	149 ° 57'	165.80 feet	along Roadway Parcel "A";
			Thence along Roadway Parcel "A" on a curve to the left with a radius of 1220.00 feet, the chord azimuth and distance being

50.	144 ° 32'	230.33 feet;	
51.	139 ° 07'	290.14 feet	along Roadway Parcel "A";
			Thence along Roadway Parcel "A" on a curve to the right with a radius of 980.00 feet, the chord azimuth and distance being
52.	141 ° 03' 30"	66.41 feet;	
53.	143 ° 00'	167.22 feet	along Roadway Parcel "A";
			Thence along Roadway Parcel "A" on a curve to the left with a radius of 720.00 feet, the chord azimuth and distance being
54.	132 ° 12' 30"	269.62 feet;	
55.	121 ° 25'	322.68 feet	along Roadway Parcel "A";
			Thence along Roadway Parcel "A" on a curve to the right with a radius of 480.00 feet, the chord azimuth and distance being
56.	131 ° 22' 30"	166.01 feet;	
57.	141 ° 20'	252.22 feet	along Roadway Parcel "A";
			Thence along Roadway Parcel "A" on a curve to the left with a radius of 620.00 feet, the chord azimuth and distance being
58.	126 ° 46'	311.87 feet;	
59.	112 ° 12'	35.63 feet	along Roadway Parcel "A";
			Thence along Roadway Parcel "A" on a curve to the right with a radius of 9980.00 feet, the chord azimuth and distance being
60.	114 ° 04'	650.17 feet;	
61.	115 ° 56'	767.16 feet	along Roadway Parcel "A";
			Thence along Roadway Parcel "A" on a curve to the right with a radius of 580.00 feet, the chord azimuth and distance being
62.	130 ° 47' 30"	297.46 feet;	

63. 145 ° 39' 172.06 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A" on a curve to the left with a radius of 2020.00 feet, the chord azimuth and distance being

64. 140 ° 04' 30" 392.48 feet;

65. 134 ° 30' 59.16 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A" on a curve to the left with a radius of 1370.00 feet, the chord azimuth and distance being

66. 128 ° 41' 277.69 feet;

67. 122 ° 52' 157.68 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A" on a curve to the right with a radius of 580.00 feet, the chord azimuth and distance being

68. 131 ° 26' 172.79 feet;

69. 140 ° 00' 400.66 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A" on a curve to the left with a radius of 2020.00 feet, the chord azimuth and distance being

70. 136 ° 36' 239.60 feet;

71. 133 ° 12' 120.78 feet along Roadway Parcel "A";

Thence along Kealia Road on a curve to the left with a radius of 2020.00 feet, the chord azimuth and distance being

72. 127 ° 23' 30" 408.85 feet;

73. 121 ° 35' 106.04 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A" on a curve to the right with a radius of 480.00 feet, the radial azimuth at the point of curvature being 31 ° 35', the radial at the point of reverse curve being 60 ° 59' 02", the chord azimuth and distance being

74. 136 ° 17' 01" 243.61 feet.

Thence along Roadway Parcel "A" on a curve to the left with a radius of 220.00 feet, the radial azimuth at the point of reverse curve being 240 ° 59' 02" and the radial azimuth at the point of reverse curve being 216 ° 44' 14", the chord azimuth and distance being

75. 138 ° 51' 38" 92.41 feet;

Thence along Roadway Parcel "A" on a curve to the right with a radius of 30.00 feet, the radial azimuth at the point of reverse curve being 36 ° 44' 14" and the radial azimuth at the point of tangency being 118 ° 50', the chord azimuth and distance being

76. 167 ° 47' 07" 39.40 feet;

77. 208 ° 50' 609.99 feet along Roadway Parcel "B";

Thence along Roadway Parcel "B" on a curve to the right with a radius of 1085.00 feet, the chord azimuth and distance being

78. 216 ° 35' 292.62 feet;

79. 224 ° 20' 442.06 feet along Roadway Parcel "B";

Thence along Roadway Parcel "B" on a curve to the right with a radius of 1485.00 feet, the chord azimuth and distance being

80. 228 ° 10' 198.56 feet;

81. 232 ° 00' 79.21 feet along Roadway Parcel "B";

Thence along Roadway Parcel "B" on a curve to the left with a radius of 1015.00 feet, the chord azimuth and distance being

82. 230 ° 17' 30" 60.52 feet;

83. 228 ° 35' 212.26 feet along Roadway Parcel "B"

Thence along Roadway Parcel "B" on a curve to the right with a radius of 285.00 feet the chord azimuth and distance being

84. 247 ° 47' 30" 187.53 feet;

85. 267 ° 00' 27.78 feet along Roadway Parcel "B";

Thence along Roadway Parcel "B" on a curve to the left with a radius of 565.00 feet, the chord azimuth and distance being

86.	247 ° 34'	375.96 feet;	
87.	228 ° 08'	313.32 feet	along Roadway Parcel "B";
88.	270 ° 19'	56.25 feet	along the Government Land of Kamalomalo;
89.	265 ° 34'	635.30 feet	along the Government Land of Kamalomalo;
90.	287 ° 46'	205.50 feet	along the Government Land of Kamalomalo;
91.	310 ° 40' 30"	1006.10 feet	along the Government Land of Kamalomalo;
92.	255 ° 59' 30"	805.30 feet	along the Government Land of Kamalomalo;
93.	281 ° 50'	428.60 feet	along the Government Land of Kamalomalo;
94.	307 ° 57'	351.80 feet	along the Government Land of Kamalomalo;
95.	293 ° 03'	391.30 feet	along the Government Land of Kamalomalo;
96.	279 ° 29'	249.90 feet	along the Government Land of Kamalomalo;
97.	273 ° 37'	331.40 feet	along the Government Land of Kamalomalo;
98.	265 ° 55'	440.30 feet	along the Government Land of Kamalomalo;
99.	296 ° 02'	1097.00 feet	along the Government Land of Kamalomalo;
100.	311 ° 02'	163.00 feet	along the Government Land of Kamalomalo;
101.	288 ° 16'	180.80 feet	along the Government Land of Kamalomalo;
102.	298 ° 32'	899.60 feet	along the Government Land of Kamalomalo;
103.	297 ° 54'	498.30 feet	along the Government Land of Kamalomalo;
104.	283 ° 02'	540.50 feet	along the Government Land of Kamalomalo;
105.	267 ° 57'	279.83 feet	along the Government Land of Kamalomalo to the point of beginning and containing a gross area of 1075.599 acres.

EXCLUDING THEREFROM Royal Patent 7149, Land Commission Award 10689 to Puukuakahi containing an area of 2.980 acres, and leaving a net area of 1072.619 acres.

TOGETHER WITH easements as shown on the Right-of-Way Map of the Kauai Belt Road, Federal Aid Project No. F-31 (1), filed in the Office of the Superintendent of Public Works of the State of Hawaii; as reserved in that certain instrument dated August 29, 1955, recorded in the Bureau of Conveyances of the State of Hawaii, Book 3015, Page 326, said easements being more particularly described as follows:

- (A) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 4 for concrete Syphon, under and across Kauai Belt Road, being a strip of land 10.00 feet wide, and extending for a distance of 5.00 feet on each side of the centerline, and thus bounded and described:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project F-31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 17,295.47 feet South and 8,899.79 feet East, thence running by azimuths measured clockwise from true South:

1. 108 ° 04' 30" 140.00 feet and containing an area of 1,400 square feet, more or less.

- (A) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 5 for Industrial Track crossing, over and across Kauai Belt Road, being a strip of land 20.00 feet wide, and extending for a distance of 10.00 feet on each side of the centerline, and thus bounded and described:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 17,023.07 feet South and 8,867.66 feet East, thence running by azimuth measured clockwise from true South:

1. 108 ° 04' 30" 100.00 feet and containing an area of 2,000 square feet, more or less.

- (C) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 6 for Industrial Track crossing, trucking and other means of vehicular transportation, over and across Kauai Belt Road, being a strip of land 20.00 feet wide, and extending for a distance of 10.00 feet on each side of the centerline, and thus bounded and described:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 16,477.10 feet South and 9,145.85 feet East, thence running by azimuths measured clockwise from true South:

1. 125 ° 30' 104.81 feet and containing an area of 2,096 square feet, more or less.

- (D) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 7 for concrete Syphon, under and across Kauai Belt Road, being a strip of land 10.00 feet wide, and extending for a distance of 5.00 feet on each side of the centerline, and thus bounded and described:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 16,272.06 feet South and 9,212.77 feet East, thence running by azimuths measured clockwise from true South:

1. 108 ° 04' 30" 100.00 feet and containing an area of 1,000 square feet, more or less.

- (E) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 8 for Industrial Track crossing, trucking and other means of vehicular transportation, over and across Kauai Belt Road, and thus bounded and described:

Beginning at the southeast corner of this piece of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F-31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 15,801.15 feet South and 9,347.31 feet East, thence running by azimuths measured clockwise from true South:

1. On a curve to the right with a radius of 560.00 feet, the chord azimuth and distance being:

59 ° 08' 32" 141.33 feet;

2. Thence along the northwest side of Kauai Belt Road, Project No. F 31 (1), on a curve to the left with a radius of 5950.00 feet, the chord azimuth and distance being:

194 ° 21' 01" 48.75 feet;

3. Thence on a curve to the left with a radius of 522.41 feet, the chord azimuth and distance being:

234 ° 44' 26" 151.90 feet;

4. Thence along the southeast side of Kauai Belt Road, Project No. F-31 (1), on a curve to the right with a radius of 6,050.00 feet, the chord azimuth and distance being:

13 ° 19' 38" 64.18 feet to the point of beginning and containing an area of 5,516 square feet, more or less.

- (F) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 9 for concrete Syphon, under and across Kauai Belt Road, being a strip of land 10.00 feet wide, and extending for a distance of 5.00 feet on each side of the centerline, and thus bounded and described:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 15,452.56 feet South and 9,421.38 feet East, thence running by azimuths measured clockwise from true South:

1. 100 ° 51' 100.00 feet and containing an area of 1,000 square feet, more or less.

- (G) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 3158 to E. Krull) situate, lying and being at Kuukumu, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 10 for drainage purposes, under and across Kauai Belt Road, being a strip of land 10.00 feet wide, and extending for a distance of 5.00 feet on each side of the centerline, and thus bounded and described:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 14,443.45 feet South and 9,624.97 feet East, thence running by azimuths measured clockwise from true South:

1. 141 ° 00' 143.91 feet and containing an area of 1,450 square feet, more or less.

- (H) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 3158 to E. Krull) situate, lying and being at Kumukumu, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 11 for concrete Syphon, under and across Kauai Belt Road, being a strip of land 10.00 feet wide, and extending for a distance of 5.00 feet on each side of the centerline, and thus bounded and described:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 14,061.76 feet South and 9,677.76 feet East, thence running by azimuths measured clockwise from true South:

1. 133 ° 40' 107.09 feet and containing an area of 1,071 square feet, more or less.

- (I) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 3158 to E. Krull) situate, lying and being at Kumukumu, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 12 for Industrial Track crossing, trucking and other means of vehicular transportation, over and across Kauai Belt Road, and thus bounded and described:

Beginning at the southeast corner of this piece of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 13,785.93 feet South and 9,730.63 feet East, thence running by azimuths measured clockwise from true South:

1. 143 ° 10' 108.19 feet;
2. 190 ° 51' 42.04 feet along the northwest side of Kauai Belt Road, Project No. F 31 (1);
3. 323 ° 10' 108.19 feet;
4. 10 ° 51' 42.04 feet along the southeast side of Kauai Belt Road, Project No. F 31 (1) to the point of beginning and containing an area of 3,364 square feet, more or less.

- (J) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 3158 to E. Krull) situate, lying and being at Kumukumu, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 13 for concrete Syphon, under and across Kauai Belt Road, being a strip of land 10.00 feet wide, and extending for a distance of 5.00 feet on each side of the centerline, and thus bounded and described as follows:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 13,514.93 feet South and 9,782.57 feet East, thence running by azimuths measured clockwise from true South:

1. 100 ° 51' 80.00 feet and containing an area of 800 square feet, more or less.

- (K) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 14 for concrete Syphon, under and across Kauai Belt Road, being a strip of land 10.00 feet wide, and extending for a distance of 5.00 feet on each side of the centerline, and thus bounded and described:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F-31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 12,774.70 feet South and 9,924.45 feet East, thence running by azimuths measured clockwise from true South:

1. 100 ° 51' 80.00 feet and containing an area of 800 square feet, more or less.

- (L) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 15 for Industrial Track crossing, trucking and other means of vehicular transportation, over and across Kauai Belt Road,

being a strip of land 20.00 feet wide, and extending for a distance of 10.00 feet on each side of the centerline, and thus bounded and described:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 12,386.47 feet South and 9,998.86 feet East, thence running by azimuths measured clockwise from true South:

1. 100 ° 51' 80.00 feet and containing an area of 1,600 square feet, more or less.

(M) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 16 for concrete Syphon, under and across Kauai Belt Road, being a strip of land 10.00 feet wide, and extending for a distance of 5.00 feet on each side of the centerline, and thus bounded and described:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 12,198.71 feet South and 10,055.21 feet East, thence running by azimuths measured clockwise from true South:

1. 100 ° 51' 120.00 feet and containing an area of 1,200 square feet, more or less.

(N) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 17 for drainage purposes, under and across Kauai Belt Road, being a strip of land 10.00 feet wide, and extending for a distance of 5.00 feet on each side of the centerline, and thus bounded and described:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F-31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 11,695.61 feet south and 10,137.39 feet east, thence running by azimuths measured clockwise from true South:

1. 96 ° 05' 30" 120.00 feet and containing an area of 1,200 square feet, more or less.

(O) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 18 for Industrial Track crossing, trucking and other means of vehicular transportation, over and across Kauai Belt Road, being a strip of land 20.00 feet wide, and extending for a distance of 10.00 feet on each side of the centerline, and thus bounded and described:

Beginning at the east end of the center line of this strip of land, on the southeast side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred

to Government Survey Triangulation Station "KIKOO" being 11,670.36 feet South and 10,140.01 feet East, thence running by azimuths measured clockwise from true South:

1. 95 ° 44' 120.00 feet and containing an area of 2,400 square feet, more or less.

(P) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 19 for Industrial Track crossing, trucking and other means of vehicular transportation, over and across Kauai Belt Road, being a strip of land 20.00 feet wide, and extending for a distance of 10.00 feet on each side of the centerline, and thus bounded and described:

Beginning at the east end of the center line of this strip of land, on the east side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 10,853.73 feet South and 10,139.46 feet East, thence running by azimuths measured clockwise from true South:

1. 110 ° 00' 122.59 feet and containing an area of 2,452 square feet, more or less.

(Q) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 20 for concrete Syphon, under and across Kauai Belt Road, being a strip of land 10.00 feet wide, and extending for a distance of 5.00 feet on each side of the centerline, and thus bounded and described:

Beginning at the east end of the center line of this strip of land, on the east side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 10,816.46 feet South and 10,135.49 feet East, thence running by azimuths measured clockwise from true South:

1. 124 ° 30' 174.01 feet and containing an area of 1,740 square feet, more or less.

(R) All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award 11216, Apana 6 to M. Kekauonohi (Certificate of Boundaries No. 1)) situate, lying and being Kealia, Puna, Island and County of Kauai, State of Hawaii, being EASEMENT 21 for Industrial Track crossing, trucking and other means of vehicular transportation, over and across Kauai Belt Road, being a strip of land 20.00 feet wide, and extending for a distance of 10.00 feet on each side of the centerline, and thus bounded and described:

Beginning at the east end of the center line of this strip of land, on the east side of Kauai Belt Road, Federal Aid Project No. F 31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 10,751.45 feet South and 10,127.74 feet East, thence running by azimuths measured clockwise from true South:

1. 90° 00' 131.09 feet and containing an area of 2,622 square feet, more or less.

Together also with the following:

An express, non-exclusive, appurtenant easement, as granted by GRANT OF EASEMENTS dated June 26, 2001, recorded in the Bureau of Conveyances of the State of Hawaii Document No. 2001-097106, subject to the terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained therein, over the following:

- FIRST: -

Portion of Segment A Easement, which description includes:

- A. Segment A Infrastructure Easement 1 (40 ft. wide for irrigation purposes).
- B. Segment A Infrastructure Easement 1-A (for irrigation purposes).
- C. Segment A Infrastructure Easement 1-B (for irrigation purposes).
- D. Segment A Infrastructure Easement 1-C (for irrigation purposes).
- E. Segment A Infrastructure Easement 1-D (for irrigation purposes).
- F. Segment A Infrastructure Easement 2 (40 ft. wide for irrigation purposes).
- G. Kaneha Reservoir Easement (for irrigation purposes).
- H. Kaneha Reservoir Access Easement A (15 ft. wide of access purposes).
- I. Kaneha Reservoir Access Easement B (15 ft. wide of access purposes).
- J. Kaneha Reservoir Access Easement C (15 ft. wide of access purposes).
- K. Upper Spalding Sump Easement (for irrigation purposes).
- L. Upper Spalding Sump Pipeline Easement 1 (30 ft. wide for irrigation purposes).
- M. Kealia Ditch Headgate Easement (for irrigation purposes).

All of said easements are more particularly described in Exhibit "F" attached to said Grant.

- SECOND: -

Portion of Segment A Easement between the Kealia Ditch Headgate upstream to the Infrastructure Origination Point, at a width described as 30 feet on either side of the bank of Kealia Stream, as described in said Grant.

Being all of the property conveyed by the following:

Mortgagee's Quitclaim Deed

Grantor:	Canpartners Realty Holding Company IV Kealia LLC, a Delaware limited liability company
Grantee:	Canpartners Realty Holding Company IV Kealia LLC, a Delaware limited liability company
Dated:	April 3, 2009
Recorded:	April 3, 2009, in the Bureau of Conveyances of the State of Hawaii, as Document No. 2009-050317.

Quitclaim Deed

Grantor: Kealia Mezz Holdings LLC, a Delaware limited liability company
Grantee: Canpartners Realty Holding Company IV Kealia LLC, a Delaware limited liability company
Dated: May 29, 2009
Recorded: June 2, 2009 in the Bureau of Conveyances of the State of Hawaii, as Document No. 2009-084492.

EXHIBIT B
EXCEPTIONS

Subject, However, to the following:

1. ITEM I: Nondelinquent property taxes, including any personal property taxes and any assessments collected with taxes.
2. ITEM II: Nondelinquent property taxes, including any personal property taxes and any assessments collected with taxes.
3. ITEM III: Nondelinquent property taxes, including any personal property taxes and any assessments collected with taxes.
4. ITEM IV: Nondelinquent property taxes, including any personal property taxes and any assessments collected with taxes.
5. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
6. AS TO ITEM I: (TAX KEY (4) 4-7-003-006)

Covenants, conditions and restrictions (deleting therefrom any restrictions indicating any preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin) as set forth in the following:

DEED

Dated: August 29, 1955
Recorded: in the Bureau of Conveyances of the State of Hawaii,
Book 3015, Page 326, regarding those certain easements referred to in Exhibit A, to-wit:

"1. That the maintenance, repair, replacement and operation of the easements shall be subject to such laws, rules, regulations and requirements as are or may be in force from time to time for the protection of highways and shall meet all safety requirements of the Territorial Highway Engineer or other duly authorized offices of the GRANTEE.

2. That the GRANTOR shall repair or restore at its own cost and expense all damage to the roadway or to the surface of the land resulting from any such maintenance, repair, replacement or operation of the easements herein, and shall indemnify and save harmless the GRANTEE, its successors and assigns, against all losses, damages or injury to the persons or property of others caused by the act of the GRANTOR, its successors, assigns, employees, contractors and agents, in the operation, use or enjoyment of the easements reserved herein or incidental to the maintenance, repair or replacement thereof.

3. That the easements herein reserved shall cease and terminate when not used in connection with agricultural and sugar cane growing purposes."

7. AS TO ITEM II: (TAX KEY (4) 4-7-007-009)

Easement 1 (15 feet wide) for waterline purposes, in favor of Lihue Plantation Company, Ltd., covering the existing waterline in Lot B, approximate area of 7,735 square feet, as shown on survey map prepared by Russell Figueiroa, Land Surveyor, with R. M. Towill Corporation, dated October 9, 1995, and on survey map prepared by James R. Thompson, Land Surveyor, with Walter P. Thompson, Inc., dated August 4, 2005, last updated November 22, 2010.

8. AS TO ITEM III: (TAX KEY (4) 4-7-003-002)

- A. A non-exclusive access easement over the existing Cane Haul Road, located along the southerly portion of the premises described in Exhibit A, as set forth in that certain instrument dated October 24, 1978, recorded in the Bureau of Conveyances of the State of Hawaii, Book 13408, Page 110.
- B. Easement 1 (40 feet wide) for access purposes, containing an area of 2,230 square feet, in favor of Lot 3, as shown on map prepared by Wes Thomas and Associates, Inc. dated July 6, 1978.
- C. Easement 2 for access and utility purposes, containing an area of 0.561 acre, in favor of Lots 3-A and 3-B, as shown on a map prepared by Esaki Surveying and Mapping, Inc. dated December 5, 1986.
- D. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document;

In favor of: Kealia Irrigation Company, Inc., a Hawaii nonprofit corporation, Cornerstone Hawaii Holdings LLC, a Colorado limited liability company, and Kealia Makai Owners Association, a Hawaii nonprofit corporation
Purpose: granting a non-exclusive easement over Segment B Infrastructure Easement 1 (40 ft. wide for irrigation purposes); Segment B Infrastructure Easement 2 (30 ft. wide for irrigation purposes); Halaula Reservoir Easement (for irrigation purposes); and Halaula Reservoir Access Easement (15 ft. wide for access purposes); said easements being more particularly described therein
Recorded: June 26, 2001 in the Bureau of Conveyances of the State of Hawaii, Document No. 2001-097106, dated June 26, 2001.
Affects: Land herein described

- E. Free flowage of Kapaa River, as shown on survey map prepared by James R. Thompson, Land Surveyor, with Walter P. Thompson, Inc., dated August 4, 2005, last updated November 22, 2010.
- F. Proposed Easement W-6 for access and waterline purposes, containing an area of 22,602 square feet, as shown on survey map prepared by Dennis M. Esaki, Land Surveyor, with Esaki Surveying & Mapping, Inc., dated May 20, 2005, and as shown on survey map prepared by James R. Thompson, Land Surveyor, with Walter P. Thompson, Inc., dated August 4, 2005, last updated November 22, 2010.
- G. Declaration of Subdivision (Makee Subdivision)

Dated: November 8, 2007
Recorded: November 19, 2007 in the Bureau of Conveyances
of the State of Hawaii, Document No. 2007-201556.

- H. Designation of Easements M-1 through M-91, inclusive, as disclosed in Declaration dated November 8, 2007, recorded November 19, 2007 in the Bureau of Conveyances of the State of Hawaii, Document No. 2007-201556.
- I. Designation of Restriction of Vehicular Access Rights, as disclosed in Declaration dated November 8, 2007, recorded November 19, 2007 in the Bureau of Conveyances of the State of Hawaii, Document No. 2007-201556.
- J. Condominium Map No. 4565, recorded in the Bureau of Conveyances of the State of Hawaii.

The foregoing was amended by the following:

Recorded: March 14, 2008 in the Bureau of Conveyances of
the State of Hawaii, Document No. 2008-040602.

Recorded: May 28, 2008 in the Bureau of Conveyances of the
State of Hawaii, Document No. 2008-086189.

Recorded: August 14, 2008 in the Bureau of Conveyances of
the State of Hawaii, Document No. 2008-129809.

- K. Covenants, conditions, and restrictions (deleting therefrom any restrictions indicating any preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin) as contained in the following:

Declaration of Condominium Property Regime of KEALANANI MAKEE PHASES
1 AND 2

Dated: December 18, 2007
Recorded: December 28, 2007 in the Bureau of Conveyances
of the State of Hawaii, Document No. 2007-223339.

The foregoing Declaration was amended by the following:

Recorded: January 14, 2008 in the Bureau of Conveyances of
the State of Hawaii, Document No. 2008-005564.

Amended and Restated Declaration of Condominium Property Regime dated
February 29, 2008, recorded March 14, 2008 in the Bureau of Conveyances of
the State of Hawaii, Document No. 2008-040568.

Recorded: May 28, 2008 in the Bureau of Conveyances of the
State of Hawaii, Document No. 2008-086192.

Recorded: August 14, 2008 in the Bureau of Conveyances of the State of Hawaii, Document No. 2008-129808.

- L. By-Laws of the Association of Apartment Owners of KEALANANI MAKEE PHASE 1 AND 2, dated December 17, 2007, recorded December 28, 2007 in the Bureau of Conveyances of the State of Hawaii, Document No. 2007-223340.

The foregoing By-Laws were amended by the following:

Recorded: March 14, 2008 in the Bureau of Conveyances of the State of Hawaii, Document No. 2008-040603.

- M. The terms, covenants and conditions contained in that certain unrecorded Subdivision Agreement (S-2006-45) (Kealia Makee Subdivision) dated as of December 9, 2008, by and between the County of Kauai, and Plantation Partners Kauai, LLC, a Hawaii limited liability company, DCA Hawaii, LLC, a Hawaii limited liability company, and Kealiakealanani, LLC, a Hawaii limited liability company.
- N. All rights, claims and/or interests of others which exist or might arise by virtue of those kuleana(s) described in Exhibit A.

9. AS TO ITEM IV: (TMK (4) 4-7-004-001)

- A. Covenants, conditions and restrictions (deleting therefrom any restrictions indicating any preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin) as set forth in the following:

DEED

Dated: August 29, 1955
Recorded: in the Bureau of Conveyances of the State of Hawaii, Book 3015, Page 326, regarding those certain easements referred to in Exhibit A, to-wit:

"1. That the maintenance, repair, replacement and operation of the easements shall be subject to such laws, rules, regulations and requirements as are or may be in force from time to time for the protection of highways and shall meet all safety requirements of the Territorial Highway Engineer or other duly authorized offices of the GRANTEE.

2. That the GRANTOR shall repair or restore at its own cost and expense all damage to the roadway or to the surface of the land resulting from any such maintenance, repair, replacement or operation of the easements herein, and shall indemnify and save harmless the GRANTEE, its successors and assigns, against all losses, damages or injury to the person or property of others caused by the act of the GRANTOR, its successors, assigns, employees, contractors and agents, in the operation, use or enjoyment of the easements reserved herein or incidental to the maintenance, repair or replacement thereof.

3. That the easements herein reserved shall cease and terminate when not used in connection with agricultural and sugar cane growing purposes."

- B. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document;

In favor of: Kealia Irrigation Company, Inc., a Hawaii nonprofit corporation, Cornerstone Hawaii Holdings LLC, a Colorado limited liability company, and Kealia Makai Owners Association, a Hawaii nonprofit corporation

Purpose: granting a non-exclusive easement over Segment B Infrastructure Easement 3 (30 ft. wide for irrigation purposes); and Upper Spalding Sump Pipeline Easement 2 (for irrigation purposes); said easements being more particularly described therein

Recorded: June 26, 2001 in the Bureau of Conveyances of the State of Hawaii, Document No. 2001-097106.

Affects: Land herein described

- C. Covenants, conditions and restrictions (deleting therefrom any restrictions indicating any preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin) as set forth in the following:

Declaration of Restrictive Covenants

Dated: July 15, 2002

Recorded: August 2, 2002 in the Bureau of Conveyances of the State of Hawaii, Document No. 2002-134930.

- D. Free flowage of streams as shown on survey map prepared by James R. Thompson, Land Surveyor, with Walter P. Thompson, Inc., dated August 4, 2005, last updated November 22, 2010.
- E. Designation of Easement 1, containing an area of 2.563 acres, as shown on survey map prepared by Dennis M. Esaki, Land Surveyor, with Esaki Surveying & Mapping, Inc., dated April 5, 2005, and on survey map prepared by James R. Thompson, Land Surveyor, with Walter P. Thompson, Inc., dated August 4, 2005, last updated November 22, 2010.
- F. Proposed Easements W-7 and W-8 for access and waterline purposes, and Easement A for access purposes, as shown on survey map prepared by Dennis M. Esaki, Land Surveyor, with Esaki Surveying & Mapping, Inc., dated May 20, 2005, and as shown on survey map prepared by James R. Thompson, Land Surveyor, with Walter P. Thompson, Inc., dated August 4, 2005, last updated November 22, 2010.
- G. Declaration of Subdivision (Kumukumu Subdivision)
- Dated: November 8, 2007
- Recorded: November 19, 2007 in the Bureau of Conveyances of the State of Hawaii, Document No. 2007-201557.

- H. Designation of Easements K-1 through K-93, inclusive, as disclosed in Declaration dated November 8, 2007, recorded in the Bureau of Conveyances of the State of Hawaii, Document No. 2007-201557.
- I. Designation of vehicular access rights, as disclosed in Declaration dated November 8, 2007, recorded in the Bureau of Conveyances of the State of Hawaii, Document No. 2007-201557.
- J. The terms, covenants and conditions contained in that certain unrecorded Subdivision Agreement (S-2006-46) (Kealia Kumukumu Subdivision) dated as of December 9, 2008, by and between the County of Kauai, and Plantation Partners Kauai, LLC, a Hawaii limited liability company, DCA Hawaii, LLC, a Hawaii limited liability company, and Kealiakealanani, LLC, a Hawaii limited liability company.
- K. Condominium Map No. 4564, recorded in the Bureau of Conveyances of the State of Hawaii.
- L. Covenants, conditions and restrictions (deleting therefrom any restrictions indicating any preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin) as set forth in the following:

Declaration of Condominium Property Regime of Kealanani Kumukumu Phases 1 and 2

Dated: December 18, 2007
Recorded: December 28, 2007 in the Bureau of Conveyances of the State of Hawaii, Document No. 2007-223337.

The foregoing was amended by the following:

Amended and Restated Declaration of Condominium Property Regime of Kealanani Kumukumu Phases 1 and 2

Dated: February 29, 2008
Recorded: March 14, 2008 in the Bureau of Conveyances of the State of Hawaii, Document No. 2008-040567

- M. Bylaws of the Association of Unit Owners of Kealanani Kumukumu Phases 1 and 2

Dated: December 18, 2007
Recorded: December 28, 2007 in the Bureau of Conveyances of the State of Hawaii, Document No. 2007-223338.

The foregoing was amended by the following:

Amended to Bylaws of the Association of Unit Owners of Kealanani Kumukumu Phases 1 and 2

Dated: February 29, 2008
Recorded: March 14, 2008 in the Bureau of Conveyances of
the State of Hawaii, Document No. 2008-040601

- N. All rights, claims and/or interest of others which exist or might arise by virtue of the kuleana described in Exhibit A.

10. AS TO ITEMS III AND IV: (TAX KEYS (4) 4-7-003-002 AND (4) 4-7-004-001)

- A. The terms and provisions contained in the following:

Notice of Dedication to Agriculture

Dated: April 3, 2003 (effective January 1, 2004)
Recorded: April 9, 2003 in the Bureau of Conveyances of the
State of Hawaii, Document No. 2003-065299.
Parties: Kealia Plantation Company, LLC
Re: for a term of ten (10) years

The foregoing was amended by:

Unrecorded Notice of Cancellation

Dated: effective as of January 1, 2004

- B. Covenants, conditions and restrictions (deleting therefrom any restrictions indicating any preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin) as set forth in the following:

Master Declaration of Covenants, Conditions, Restrictions and Easements for Kealanani

Dated: December 17, 2007
Recorded: December 28, 2007 in the Bureau of Conveyances
of the State of Hawaii, Document No. 2007-223336.

The foregoing Declaration was amended by the following:

Recorded: March 14, 2008 in the Bureau of Conveyances of
the State of Hawaii, Document No. 2008-040566.

Recorded: May 28, 2008 in the Bureau of Conveyances of the
State of Hawaii, Document No. 2008-086191.

Recorded: August 14, 2008 in the Bureau of Conveyances of
the State of Hawaii, Document No. 2008-129807.

11. AS TO ITEMS II, III AND IV: (TAX KEYS (4) 4-7-004-009, (4) 4-7-003-002 AND (4) 4-7-004-001)

- A. The effect of the following matters shown on the Archaeological Reconnaissance Survey Report, prepared by Scientific Consultant Services Inc., revised July 2005 (the "Report"):
1. Remnant Archaeological Terraces Site TS-18;
 2. Possible Religious Site TS-2;
 3. Burial Disinternment and Debris Deposition Site TS-26;
 4. Historic Japanese Cemetery Site TS-13;
 5. Spalding Monument Site TS-32;
 6. Railroad Bridge Site TS-7; and
 7. Kealia School Site TS-23.
- B. Any mitigation measures and easements recommended by the Report or arising or required by federal, state, or county laws or regulations, in connection with the matters referred to in Item No. 11(A).
12. The following encroachments or any other matters as shown on survey map prepared by James R. Thompson, Land Surveyor, with Walter P. Thompson, Inc., dated August 4, 2005, last updated November 22, 2010:
- A. As to Item II: (TMK: (4) 4-7-004-009)
- (1) CRM walls and pillar cross from Lot 13, File Plan 505 onto the property.
 - (2) A CRM wall crosses from Kuhio Highway onto the property.
- B. As to Item III: (TMK: (4) 4-7-003-002)
- (1) A single family dwelling crosses from TMK: (4) 4-7-003-007 onto the property.
- C. As to Item IV: (TMK: (4) 4-7-004-001)
- Several power poles, overhead powerlines and a Kauai Electric Company box cross from Kuhio Highway onto the property.
13. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document;
- | | |
|--------------|--|
| In favor of: | Kealia Water Company Holding LLC, a Delaware limited liability company |
| Purpose: | for the limited purposes set forth in Paragraph 2 therein, for (4) express, perpetual, appurtenant easements solely in the locations shown on the Survey and described on Exhibit D attached thereto |

Recorded: March 9, 2006 in the Bureau of Conveyances of the State
of Hawaii, Document No. 2006-044972, dated December 22, 2004.
Affects: Land herein described

14. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document;

In favor of: Cornerstone Hawaii Holdings LLC, a Colorado limited
liability company

Purpose: for the limited purposes set forth in Paragraph 2 therein,
one (1) express, perpetual, appurtenant non-exclusive easement solely in the location
shown on the survey attached thereto as Exhibit D and described in Exhibit E attached
thereto

Recorded: March 9, 2006 in the Bureau of Conveyances of the State
of Hawaii, Document No. 2006-044973, dated December 22, 2004.
Affects: Land herein described

15. The following qualifying language applies to any and all covenants, conditions and
restrictions (CC&R's) set forth in the numbered items above:

But omitting any covenants or restrictions, if any, based upon race, color, religion, sex,
sexual orientation, familial status, marital status, disability, handicap, national origin,
ancestry, or source of income, as set forth in applicable state or federal laws, except to
the extent that said covenant or restriction is permitted by applicable law.