



R-400

STATE OF HAWAII  
BUREAU OF CONVEYANCES  
RECORDED  
MAY 21, 2004 08:01 AM

Doc No(s) 2004-102439



20 214 23

/s/ CARL T. WATANABE  
REGISTRAR OF CONVEYANCES

CONVEYANCE TAX: \$2700.00

LAND COURT SYSTEM

REGULAR SYSTEM

Return by Mail ( ) Pickup (X) To:

Central Pacific Bank  
220 S. King St. 2nd Floor  
Honolulu Hawaii 96813

TG: 200400359 - 5

TGE: A4-201-0009  
Dorie Ann Schoepner

RS-2

Tax Key: (2) 3-3-002-001 (Por.) Total No. of Pages: 10

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

That WAILUKU AGRIBUSINESS CO., INC., successor in interest to Wailuku Sugar Company, a Hawaii corporation, whose address is 255 East Waiko Road, Wailuku, Maui, Hawaii 96793, hereinafter called the "Grantor," for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor paid by HALE MUA PROPERTIES, LLC, a Hawaii limited liability company, whose address is 187 Haulani St., Pukalani, Maui, Hawaii 96768, hereinafter called the "Grantee," the receipt whereof is hereby acknowledged, does

hereby give, grant, convey, release and forever quitclaim unto the said Grantee, as a tenant in severalty, all of Grantor's right, title and interest in and to the real property described in Exhibit "A" attached hereto and by this reference incorporated herein; subject, however, to all encumbrances noted on said Exhibit "A".

TO HAVE AND TO HOLD the same, together with all buildings and other improvements, rights, easements, privileges and appurtenances thereon or thereunto belonging or in anywise appertaining or held and enjoyed therewith, unto the said Grantee, forever.

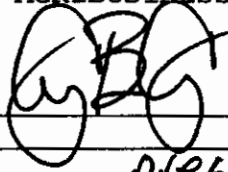
The terms "Grantor" and "Grantee", as and when used herein, or any pronouns used in place thereof, shall mean and include the masculine or feminine, or neuter, the singular or plural number, individuals or corporations, and their and each of their respective successors, heirs, personal representatives, and permitted assigns, according to the context hereof. If these presents shall be signed by two or more Grantors or by two or more Grantees, all covenants of such parties shall for all purposes be joint and several.

IN WITNESS WHEREOF, the Grantor and the Grantee have  
executed these presents on this 12th day of May, 2004 .

APPROVED AS TO FORM:  
MANCINI, WELCH & GEIGER

By Peter A. Horovitz

WAILUKU AGRIBUSINESS CO., INC.

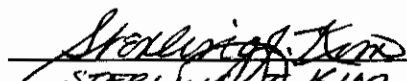
By   
Its AVERY B. Chumbley  
president

By W.K. Tallett  
W.K. TALLETT  
Its Vice President

Successor in interest to Wailuku  
Sugar Company

Grantor

HALE MUA PROPERTIES, LLC

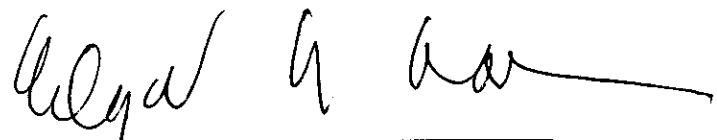
By   
STERLING D. KIM  
Its MANAGER

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

Grantee

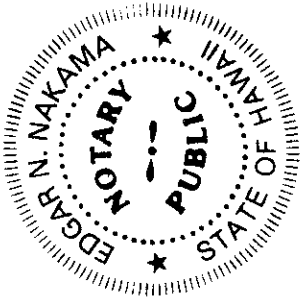
STATE OF HAWAII )  
 ) SS.  
COUNTY OF MAUI )

On this 12th day of May, 2004, before me personally appeared Avery B. Chumbley, to me personally known, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable, in the capacities shown, having been duly authorized to execute such instrument in such capacities.



Print Name: Edgar N. Nakama  
Notary Public, State of Hawaii.

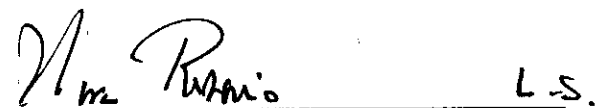
My commission expires: 6-17-2004



STATE OF HAWAII )  
 ) SS.  
COUNTY OF MAUI- HAWAII )

*W.K. Tallett*

On this 13th day of May, 2004, before me personally appeared W.K. TALLETT, to me personally known, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable, in the capacities shown, having been duly authorized to execute such instrument in such capacities.

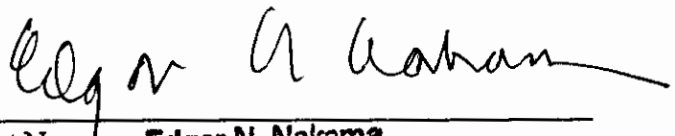


Print Name: Nora Rosario  
Notary Public, State of Hawaii.

My commission expires: 12-13-2006

STATE OF HAWAII )  
 ) SS.  
COUNTY OF MAUI )

On this 14<sup>th</sup> day of May, 2004, before me personally appeared STERLING KIM, to me personally known, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable, in the capacities shown, having been duly authorized to execute such instrument in such capacities.



Print Name: Edgar N. Nakama  
Notary Public, State of Hawaii.

My commission expires: JUN 17 2004

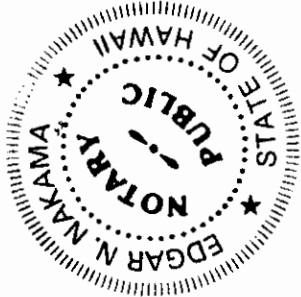


EXHIBIT "A"

All of that certain parcel of land situate, lying at Waiehu and Wailuku, Island and County of Maui, State of Hawaii, being LOT C of the IAO VALLEY LARGE-LOT SUBDIVISION, shown on subdivision map prepared by Erik S. Kaneshiro, Land Surveyor, LUCA File No. 3.1865, approved August 6, 2002, containing an area of 240.087 acres more or less, and bearing Tax Key designation (2) 3-3-002-portion 001. Said LOT C may be made up of all or portions of the following historical lots referenced below:

Portion(s) of the lands described in and covered by Deed of Kamehameha IV to C. Brewer and Company, James Robinson and Company, Thomas Cummins and Josiah Fuller, dated April 21, 1863 and recorded in Liber 16 at Page 374; Royal Patent Number \_\_\_\_\_, Land Commission Award Number 8559-B, Apana 20 (Boundary Certificate No. 204) to Wm. C. Lunailo; Land Commission Award 1806, Royal Patent 6073, Apana 1, to Makalawelawe; Land Commission Award 1806, Royal Patent 6073, Apana 3, to Makalawelawe; Land Commission Award 1806, Royal Patent 6073, Apana 4, to Makalawelawe; Land Commission Award 2426, Royal Patent 6362, to Kaiwi; Land Commission Award 2447, Royal Patent 6164, Apana 1, to Kaawa; Land Commission Award 2451, Royal Patent 5978, Apana 1, to Kaelepulu; Land Commission Award 2526, Royal Patent 6167, Apana 1, to Makanui; Land Commission Award 2572, Royal Patent 8051, Apana 2 & 3, to Naheana; Land Commission Award 3275-T, Royal Patent 5178, to Kahookano; Land Commission Award 3275-U, Royal Patent 6126, to Kaiolani; Land Commission Award 3275-X, Royal Patent 6327, to Puula; Land Commission Award 3275-V, Royal Patent 6758, to Keaole; Land Commission Award 3327, Royal Patent 5444, Apana 1, to Naialoalao; Land Commission Award 3374, Royal Patent 6756, to Paele; Land Commission Award 3432, Royal Patent 5171, Apana 1 & 2, to Kula; Land Commission Award 3436, Royal Patent 6094, to Kapahi; Land Commission Award 3437, Royal Patent 6091, Apana 1 & 2, to Kailiula; Land Commission Award 3441, Royal Patent 6092, Apana 1, to Kapaula; Land Commission Award 3444, Royal Patent 6757, Apana 2, to Kalopa; and Poalima).

Together with a strip of land 10.00 feet wide easement being more particularly described in Exchange Deed dated October 24, 1973, recorded in Liber 9654 at Page 326, to wit:

An easement through Parcels 3 and 4 for the operation, maintenance and repair of a concrete culvert: being A strip of land 10.00 feet wide and extending 5.00 feet on each side of the following described centerline:

Beginning at the west end of this easement, and on the west boundary of Parcel 3, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 7,948.98 feet north and 2,132.58 feet west, thence running by azimuths measured clockwise from the true south:

1. 271° 53' 40.79 feet through Parcels 3 and 4 to the east boundary of Parcel 4 and containing an area of 408 square feet."

SUBJECT, HOWEVER, to the following:

1. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
2. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in Deed dated June 23, 1924, and recorded in the said Bureau of Conveyances in Liber 740 on Page 134, as amended by Agreement dated March 24, 1937, recorded in Liber 1371 on Page 227, including but not limited to water rights, easements and other rights.
3. Restrictions of abutter's rights of vehicle access into and from Waiehu Beach Road, Federal Aid Secondary Project No. S-0341 (2), (Kahekili Highway Realignment) as condemned by the State of Hawaii, by Final Order of Condemnation dated March 12, 1974, filed in the Circuit Court of the Second Circuit, State of Hawaii, Civil No. 879 on March 12, 1974, recorded in the said Bureau of Conveyances in Liber 9903 on Page 379.
4. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in Agreement dated March 29, 1976, recorded in the said Bureau of Conveyances in Liber 11357 on Page 584, by and between Alexander & Baldwin, Inc., a Hawaii corporation, "Licensor", and Board of Water Supply of the County of Maui, a board duly created and existing under the laws of the State of Hawaii, "Licensee", re: granting a perpetual right and easement to construct, reconstruct, repair, maintain, operate and remove

an 8" diameter pipeline for purposes of carrying overflow from and cleanout of that certain water storage tank to within the Spreckels Ditch right of way etc.

5. Grant to Board of Water Supply of the County of Maui dated January 19, 1977, recorded in the said Bureau of Conveyances in Liber 12285 on Page 50, granting a nonexclusive easement for waterline and road purposes to construct, reconstruct, maintain, operate, repair and remove a water pipeline or pipelines, pressure break tanks, pressure reducers and regulators and manholes with equipment and appurtenances, over, under across and through Easement B, for waterline and road, etc.

6. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in Right of Entry and Agreement dated September 27, 1977, recorded in the said Bureau of Conveyances in Liber 12815 on Page 281, by and between Wailuku Sugar Company, a Hawaii corporation, "Owner", and Board of Water Supply of the County of Maui, "Grantee", re: non-exclusive right, power and privilege, for a period of three (3) years from the date hereof, to enter upon, occupy and use for all purposes relating to the construction and installation of a water transmission line, as shown on map attached thereto.

7. Any and all existing trails, roads, easements, rights of way, flume and irrigation ditches, heiaus, grave sites and other historic sites that may exist.

8. Any and all existing transmission lines in favor of Maui Electric Company, Limited, and Hawaiian Telephone Company, now known as Verizon Hawaii, Inc. and distribution lines in favor of Maui Electric Company, Limited.

9. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in Agreement to Defer the Construction of Subdivision Improvements dated October 3, 1988, recorded in the said Bureau of Conveyances in Liber 22626 on Page 32.

10. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in Farm Dwelling Agreement dated December 5, 1988, recorded in the said Bureau of Conveyances in Liber 22650 on Page 96.



11. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in Memorandum Concerning Grant of Various Properties (acknowledged August 18, 1999 and August 19, 1999), recorded in the said Bureau of Conveyances as Document No. 99-189645.

12. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in Declaration of Covenants at Closing Between Wailuku Agribusiness Co., Inc. and CGM, LLC, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 2002-146580.

13. Grant to Ho'omalua Limited Partnership, a Hawaii limited partnership, dated November 26, 2003, recorded in the said Bureau of Conveyances as Document No. 2003-259899, granting perpetual non-exclusive easement over and across Easement B-1, for pedestrian and vehicular ingress and egress and for utility purposes, more particularly described therein.

14. Grant to Maui Electric Company, Limited and Verizon Hawaii Inc. dated March 23, 2004, recorded in the said Bureau of Conveyances as Document No. 2004-068719, granting an easement for utility purposes over Easement "3" described therein.

15. Water rights, claims or title to water, whether or not shown by the public records.

16. Matters arising out of, including but not limited to any utility and access rights in favor of, any Kuleana located within the subject land.

17. Matters arising out of the failure of a patent to have issued on Land Commission Award 8559-B, Apana 20 to W.C. Lunalilo.

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

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

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

21. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in that certain Declaration of Covenants, Conditions, Easements, Reservations and Restrictions dated between Grantor and Grantee and dated and recorded concurrently herewith.

Note: A current survey, with metes and bounds description, should be made of said premises.

END OF EXHIBIT "A"

Tax Key: (2) 3-3-002-001 (Por.)