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STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED

December 29, 2011 8:01 AM

Doc No(s) A-43800694



1 1/2 KKA
B-31990957

/s/ NICKI ANN THOMPSON
REGISTRAR

Conveyance Tax: \$1637.80

LAND COURT SYSTEM

REGULAR SYSTEM

After Recordation Return To:

By Mail (X)

Pickup ()

Jennifer L. Zelko, Esq.
Torkildson, Katz, Moore,
Hetherington & Harris
120 Pauahi Street, Ste. 312
Hilo, HI 96720

TITLE GUARANTY OF HAWAII HAS
FILED THIS DOCUMENT FOR RECORD
AS AN ACCOMMODATION ONLY. THIS
DOCUMENT HAS NOT BEEN
REVIEWED OR IN ANY WAY EXAMINED
AS TO ITS EFFECT ON REAL PROPERTY.

TGA: 4330870

Total Pages: 13

TAX MAP KEY NO.:
(3) 7-5-010:085

WARRANTY DEED

THIS INDENTURE, made effective the 14th day of October, 2011, by and between **AEKO HAWAII**, a Hawaii non-profit corporation, whose address is 6001 Egan Dr., Ste. 100, Savage, Minnesota 55378, referred to as "Grantor," and **KA 'OHANA WAIAHA**, a Hawaii non-profit corporation, whose address is 75-581 Kuakini Highway #102, Kailua-Kona, Hawaii 96740-2199, hereinafter referred to as "Grantee,"

WITNESSETH:

That Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00), and other valuable consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey unto Grantee, as Tenant in Severalty forever, the property, situated on the Island of Hawaii, County of Hawaii, State of Hawaii, and described in Exhibit A attached hereto and by reference made a part hereof.

TO HAVE AND TO HOLD the same, together with all buildings and improvements thereon, all rights, privileges, and easements held or enjoyed in connection therewith, all rents, issues and profits therefrom, or appurtenant thereto, and all of the estate, right, title and interest of Grantor therein and thereto, unto Grantee, Grantee's successors and assigns, forever.

EXHIBIT 2a

AND Grantor does hereby covenant and agree with Grantee, Grantee's successors and assigns, that Grantor is lawfully seised in fee simple of the premises hereby conveyed; that Grantor has good right to sell and convey the same as aforesaid; that the same are free and clear from all encumbrances, except non-delinquent real property taxes and as may be described in Exhibit A; and that Grantor will, and Grantor's successors and assigns shall, forever WARRANT AND DEFEND the title to the land against the lawful claims and demands of all persons whomsoever, except as aforesaid.

AT ALL TIMES HEREIN the terms "Grantor" and "Grantee" or any pronouns used in place thereof, shall mean and include the masculine or feminine, singular or plural number, and individuals, firms or corporations, and their and each of their respective successors and assigns, according to the context thereof, and the covenant of any two or more persons herein shall be joint and several.

IN WITNESS WHEREOF, the parties have signed this instrument as of the day and year first above written.

GRANTOR:

AEKO HAWAII,
a Hawaii nonprofit corporation,

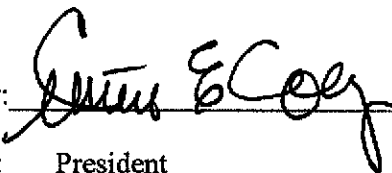
By: 

Warren J. Israelson

Its:

GRANTEE:

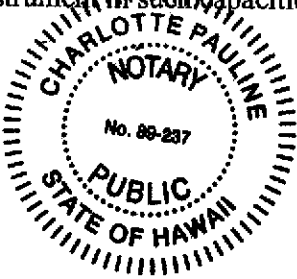
KA 'OHANA WAI'AHU,
a Hawaii nonprofit corporation,

By: 

Its: President

State of Hawaii)
)
County of Hawaii) SS:

On October 14, 2011, before me personally appeared, **Warren J. Israelson**, to me personally known or satisfactorily proven, 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.



Charlotte Pauline

Name (print): Charlotte Pauline
Notary Public, State of Hawaii
My commission expires: April 26, 2013

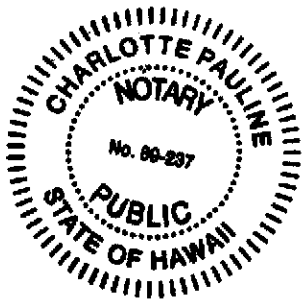
NOTARY CERTIFICATION

Document Identification or Description: Warranty Deed

Doc. Date: October 14, 2011

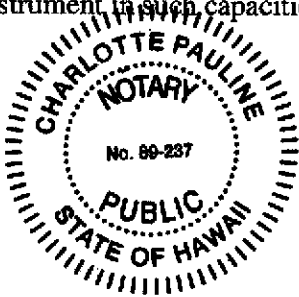
No. of Page(s): _____ Jurisdiction: Third Circuit

Charlotte Pauline October 14, 2011
Signature of Notary Date of Certificate
Name (print): Charlotte Decker



State of Hawaii)
County of Hawaii) SS:

On October 14, 2011, before me personally appeared, Christine Colby, to me personally known or satisfactorily proven, 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.



Charlotte Pauline
Name (print): Charlotte Pauline
Notary Public, State of Hawaii
My commission expires: April 26, 2013

NOTARY CERTIFICATION

Document Identification or Description: Warranty Deed

Doc. Date: October 14, 2011

No. of Page(s): _____ Jurisdiction: Third Circuit

Charlotte Pauline

October 14, 2011

Signature of Notary

Date of Certificate

Name (print): Charlotte Pauline

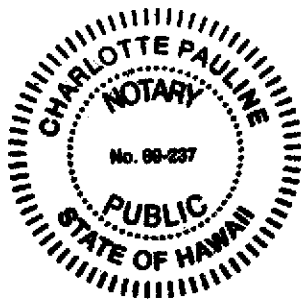


EXHIBIT A

All of that certain parcel of land (being portion of the land(s) described in and covered by Royal Patent Number 1930 to Asa Thurston on a portion of Land Commission Award Number 387, Part 4, Section 2, No. 3 to American Board of Commissioners for Foreign Missions) situate, lying and being on the easterly side of Kuakini Highway, Project No. SS-229(1), and on the westerly side of Lot B and Hualalai Road (Kailua-Keauhou Middle Road), at Waiaha 1st, District of North Kona, Island and County of Hawaii, State of Hawaii, being LOT "A", same being a portion of Lot "B", and thus bounded and described as per survey dated April 4, 2001, revised December 20, 2001, to-wit:

Beginning at the northerly corner of this parcel of land at the Great Wall of Kuakini, being the southeast corner of Lot 7, TMK: 7-5-18:28, being the existing northeast corner of TMK: 7-5-18:73 and the existing northwest corner of TMK 7-5-17:07, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAILUA" (North Meridian) being 4,301.12 feet south and 3,245.12 feet east and running by azimuths measured clockwise from True South:

1. 258° 38' 49" 419.30 feet to a point;
2. 265° 41' 49" 603.40 feet to a point;
3. 269° 49' 49" 229.50 feet to a point;
4. 261° 25' 49" 329.20 feet to a point;
5. 258° 35' 49" 269.50 feet to a point;
6. 265° 37' 49" 77.10 feet to a point;

Thence, along Lot B, along a curve to the left having a radius of 500.00 feet, the chord azimuth and distance being;

7. 325° 39' 31" 184.00 feet to a point;
8. 315° 03' 20" 145.67 feet along Lot B to a point;

Thence, along Lot B, along a curve to the right having a radius of 900.00 feet, the chord azimuth and distance being;

9. 322° 59' 20" 248.44 feet to a point;

EXHIBIT A CONTINUED

- 10. 240° 55' 18" 92.44 feet along Lot B to a point;
- 11. 179° 04' 30" 10.85 feet along Lot B to a point;
- 12. 269° 04' 30" 20.28 feet along Lot B to a point;
- 13. 240° 55' 18" 144.12 feet along Lot B to a point;

Thence, along Lot B, along a curve to the left having a radius of 160.00 feet, the chord azimuth and distance being;

- 14. 217° 00' 44" 129.69 feet to a point;
- 15. 193° 06' 10" 33.04 feet to a point;

Thence, along Lot B, along a curve to the right having a radius of 100.00 feet, the chord azimuth and distance being;

- 16. 215° 47' 40" 77.15 feet to a point;

Thence, along Lot B, along a curve to the right having a radius of 50.00 feet, the chord azimuth and distance being:

- 17. 271° 35' 47" 54.62 feet to a point;

Thence, along the southwesterly to the westerly side of Hualalai Road (Queen Kaahumanu Highway Extension) Hawaii Belt Road for the following five (5) courses;

- 18. 304° 42' 24" 138.61 feet to a point;
- 19. 302° 00' 00" 134.71 feet to a point;
- 20. 311° 15' 00" 21.71 feet to a point;
- 21. 334° 11' 04" 337.35 feet to a point;
- 22. 71° 47' 48" 37.57 feet to a point;
- 23. 76° 50' 39" 150.56 feet along Lots 29 and 26 of Kona Hillcrest Subdivision to a point;

EXHIBIT A CONTINUED

24. 75° 03' 00" 404.68 feet along Lots 26, 24, 23, 22, 21 and 20 of Kona Hillcrest Subdivision to a point;
25. 78° 26' 08" 2,213.85 feet along TMK: 7-5-017:6, along Grant 5327 to Samuel Liftee to a point;
26. 68° 38' 00" 105.50 feet along TMK: 7-5-17:6, along Grant 5327 to Samuel Liftee to a point;

Thence, along the easterly side of Kuakini Highway, along a curve to the right having a radius of 2,824.79 feet, the chord azimuth and distance being;

27. 143° 26' 35" 838.99 feet to a point;
28. 151° 59' 00" 321.64 feet along the easterly side of Kuakini Highway to a point;
29. 265° 01' 00" 424.15 feet along Lot 7, Land Court Application 1659, Map 4 to the point of beginning and containing a gross area of 57.047 acres, more or less, and a net area of 56.597 acres excluding the two (2) Water Tank Sites (TMK: 7-5-17:13 and 15).

Together with a perpetual and non-exclusive easement over Easement "79" (50-foot wide) for roadway and utility purposes, affecting Lot 1-B as shown on Map 15 filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1066 of the Roman Catholic Church in the State of Hawaii as described in Land Court Order No. 143824, as granted by GRANT OF EASEMENT, dated November 23, 2001, filed as Land Court Document No. 2762460, recorded as Document No. 2001-198862; and subject to the terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained therein.

EXHIBIT A CONTINUED

Together with Easement "R-1" (Part 1) 50 feet wide, for roadway and utility purposes, as granted by GRANT OF EASEMENT, dated November 23, 2001, filed as Land Court Document No. 2762460, recorded as Document No. 2001-198862; and subject to the terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained therein, more particularly described as follows:

EASEMENT R-1 (PART 1) 50 FEET WIDE
For Roadway and Utility Purposes

Easement situated on the westerly side of Lot B
Adjoining the easterly side of Lot C
on the westerly side of Hualalai Road

as Puaa 2nd & 3rd, North Kona, Hawaii, Hawaii

Being a portion of Lot B, a portion of Grant 1744
to Kahunaele and a portion of Lot 1
Land Court Application 1666 - Map 1

Beginning at the northerly corner of THIS EASEMENT being the northerly corner of Lot B, also being the easterly corner of Lot C on the southwesterly side of Hualalai Road, the coordinates of said point beginning referred to Government Survey Triangulation Station "KAILUA" (North Meridian) being 3,519.30 feet south and 5,165.02 feet east and running by azimuths measured clockwise from True South:

Thence, along the southwesterly side of Hualalai Road for the following three (3) courses:

1. 313° 50' 49" 36.33 feet to a point;
2. 314° 26' 49" 100.60 feet to a point;
3. 305° 57' 29" 12.10 feet to a point;

Thence, along the remainder of Lot B for the following four (4) courses:

4. 35° 57' 49" 20.84 feet to a point;

Thence, along a curve to the left having a radius of 60.00 feet, the chord azimuth and distance being:

8

EXHIBIT A CONTINUED

5. 84° 54' 19" 78.82 feet to a point;

Thence, along a curve to the left having a radius of 275.00 feet,
the chord azimuth and distance being:

6. 31° 22' 51" 118.72 feet to a point;

7. 76° 47' 49" 46.25 feet along the remainder of Lot B,
the remainder of Easement R-1 and
Land Court Lot 1-B and Easement R-3
to a point;

8. 81° 43' 49" 10.67 feet along the remainder of Lot B,
the remainder of Easement R-1 and
Land Court Lot 1-B and Easement R-3
to a point;

Thence, along Lot C, along a curve to the right having a radius
of 325.00 feet, the chord azimuth and
distance being:

9. 208° 46' 48.5" 168.96 feet to a point;

Thence, along Lot C, along a curve to the right having a radius
of 60.00 feet, the chord azimuth and
distance being:

10. 178° 50' 49" 84.85 feet to a point;

11. 223° 50' 49" 19.57 feet along Lot C to the point of
beginning and containing an area of
0.342 acre, more or less.

EXHIBIT A CONTINUED

BEING THE PREMISES ACQUIRED BY WARRANTY DEED

GRANTOR : GOMES FAMILY LIMITED PARTNERSHIP, a Hawaii limited
partnership

GRANTEE : PACU BENCORP, INC., a Hawaii corporation

DATED : July 31, 2000

RECORDED : Document No. 2000-112926

EXHIBIT A CONTINUED

SUBJECT, HOWEVER, to the following:

1. Mineral and water rights of any nature in favor of the State of Hawaii.
2. The Great Wall of Kuakini as shown on tax map.
3. Matters arising out of, including any utility and access rights in favor of Tax Map Keys (3) 7-5-017-013 and 015 located within the subject land.
4. Waterline easement (6 feet wide) as shown on tax map.

GRANT

TO : HAWAIIAN TELEPHONE COMPANY, a Hawaii corporation,
now known as HAWAIIAN TELCOM, INC., and HILO
ELECTRIC LIGHT COMPANY, LIMITED, a Hawaii
corporation

DATED : August 12, 1969

RECORDED : Liber 6724 Page 257

GRANTING : a perpetual right and easement for utility purposes

Restriction of abutter's right of vehicle access, appurtenant to the remainder of the land of which Parcel 49, is a part, into and from Hawaii Belt Road, FAP Route 11, Project No. 11A-03-69, Palani Road to Kilohana Subdivision over and across course 3 of the above described Parcel 49 and over an across the boundaries designated as Boundaries "29" and "30" more particularly described as follows:

BOUNDARY "29"

EXHIBIT A CONTINUED

Being the common boundary between Hualalai Road (Kailua-Holualoa Road) and a portion of R. P. 1930 to Asa Thurston, L.C. Award 387 Part 4 Section 2 No. 3 to American Board of Commissioners for Foreign Missions.

Beginning at the southeast end of this right-of-way boundary, on the southwest side of Hawaii Belt Road, FAP Route 11, Project No. 11A-03-69, Palani Road to Kilohana Subdivision, being also the southwesterly side of Hualalai Road (Kailua-Holualoa Road) and at the end of Course 3 of the above described Parcel 49, thence running azimuths measured clockwise from true south:

- | | | | |
|----|----------|--------|--|
| 1. | 131° 15' | 21.71 | feet along a portion of L.C. Award 387 Part 4 Section 2 No. 3 to American Board of Commissioners for Foreign Missions; |
| 2. | 122° 00' | 134.71 | feet along same; |
| 3. | 124° 00' | 114.75 | feet along same; |
| 4. | 127° 00' | 35.36 | feet along same to the northwest end of this right-of-way boundary and having a total length of 306.53 feet. |

BOUNDARY "30"

Being the common boundary between Lot 103 of "Kona Hillcrest Subdivision" (File Plan 1124) and R.P. 1930 to Asa Thurston, L.C. Award 387 Part 4 Section 2 No. 3 to American Board of Commissioners for Foreign Missions.

Beginning at the east end of this right-of-way boundary, on the southwest side of Hawaii Belt Road, FAP Route 11, Project No. 11A-03-069, Palani Road to Kilohana Subdivision, and at the end of Course 2 of the above described Parcel 49, thence running by azimuth measured clockwise from true south:

- | | | | |
|----|---------|-------|--|
| 1. | 76° 24' | 31.12 | feet along a portion of L.C. Award 387 Part 4, Section 2, No. 3 to |
|----|---------|-------|--|

EXHIBIT A CONTINUED

American Board of
Commissioners for Foreign
Missions to the west end
of this right-of-way
boundary and having a
length of 31.12 feet.

GRANT

TO : WATER BOARD OF THE COUNTY OF HAWAII

DATED : February 25, 2003

RECORDED : Document No. 2003-179095

GRANTING : the right in the nature of a perpetual easement
over Waterline Easements "W-4", area 0.386 acre or
16,824 square feet, more particularly described
therein

5. The terms and provisions contained in the following:

INSTRUMENT : DECLARATION OF CONDITIONS APPLICABLE TO AN
AMENDMENT OF DISTRICT BOUNDARY FROM AGRICULTURAL TO
URBAN

DATED : August 14, 2003

RECORDED : Document No. 2003-171988

6. Filed with the Department of Commerce and Consumer Affairs of the
State of Hawaii (Business Registration, is the name change of
PACU BENCORP to U OF N BENCORP on November 9, 2000.
7. The name of U OF N BENCORP was changed to AEKO HAWAII by
instrument dated May 18, 2005, filed as Land Court Order No.
162969.
8. 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.

END OF EXHIBIT A

Tax Map Key No.: (3) 7-5-010:085