



R-626

STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED
MAR 10, 2011 11:00 AM

Doc No(s) 2011-041387



/s/ NICKI ANN THOMPSON
REGISTRAR
CONVEYANCE TAX: \$0.00

25 1/1 Z2

LAND COURT SYSTEM

REGULAR SYSTEM

Return by Mail () Pickup (x) To:

DEPARTMENT OF FINANCE
County of Maui
200 South High Street
Wailuku, Maui, Hawaii 96793

Tax Key: (2) 2-3-066-022

Total No. of Pages: 25

DEED

KNOW ALL MEN BY THESE PRESENTS:

That KULAMALU LLC, a Hawaii limited liability company, whose address is 2005 Main Street, Wailuku, Hawaii 96793, hereinafter called the "Grantor," in consideration of the sum of Ten Dollars (\$10.00) to it paid by the COUNTY OF MAUI, a political subdivision of the State of Hawaii, whose address is 200 S. High Street, Wailuku, Hawaii 96793, hereinafter called the "Grantee," the receipt whereof is hereby acknowledged, does hereby grant, convey and dedicate unto the Grantee, and its

legal successors and assigns, for the public use forever, all of its 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 any improvements thereon and the rights, easements, privileges, and appurtenances thereunto belonging or appertaining unto the Grantee, its legal successors and assigns, forever.

AND the Grantor covenants with the Grantee that the former is now seised in fee simple of the property granted; that the latter shall enjoy the same without any lawful disturbance; that the same is free from all encumbrances, except the liens and encumbrances hereinbefore mentioned, and except also the liens and encumbrances created or permitted by the Grantee after the date hereof; and that the Grantor will WARRANT AND DEFEND the Grantee against the lawful claims and demands of all persons claiming the whole or any part of the above bargained and granted lands and premises.

AND THE GRANTEE, by accepting this conveyance, acknowledges that the premises described herein are subject to that certain Agreement Regarding Park Dedication dated August 18, 2005, recorded in the said Bureau of Conveyances as Document No. 2005-191606, more particularly described in said Exhibit

"A", the provisions of which are incorporated herein by reference, which Grantee acknowledges that it has read, and Grantee further covenants with Grantor to comply with, abide by and be bound by the provisions of said Agreement.

AND THE GRANTEE, for itself and its legal successors and assigns, by accepting this conveyance, does hereby further agree that the property shall be used for public park purposes and as a police substation.

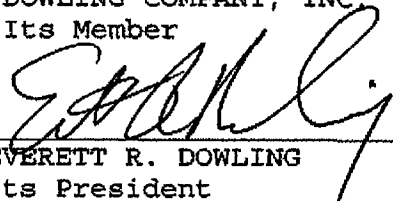
The terms "Grantor" and "Grantee", as and when used hereinabove or hereinbelow shall mean and include the masculine or feminine, the singular or plural number, individuals, trustees, or corporations, and their and each of their respective successors in interest, heirs, representatives, administrators and permitted assigns, according to the context thereof, and the use herein of the singular in reference to a party shall include the plural and the use of a pronoun of any gender shall include all genders. If these presents shall be signed by two or more Grantors or by two or more Grantees, all covenants of such parties shall be and for all purposes deemed to be joint and several.

IN WITNESS WHEREOF, the Grantor has executed this instrument as of the 8 day of FEBRUARY, 2011.

KULAMALU LLC

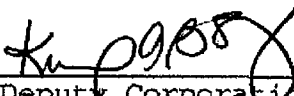
By MAUI QUEST LLC
Its Managing Member

By DOWLING COMPANY, INC
Its Member

By 
EVERETT R. DOWLING
Its President

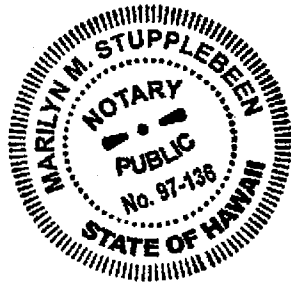
Grantor

APPROVED AS TO FORM
AND LEGALITY:


Deputy Corporation Counsel
County of Maui

STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

On this 8th day of February, 2011, before me personally appeared EVERETT R. DOWLING, 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.



Marilyn M. Stuppelbeen
Print Name: Marilyn M. Stuppelbeen
Notary Public, State of Hawaii.

My commission expires: 04.17.2013

Doc. Date: 02-08-11 # Pages: 25
Marilyn M. Stuppelbeen Second Circuit
Doc. Description: Deed
Marilyn M. Stuppelbeen 02-08-11
Notary Signature Date
NOTARY CERTIFICATION

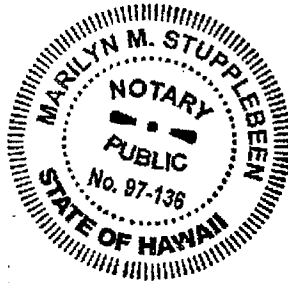


EXHIBIT "A"

All of that certain parcel of land (being portion of the land(s) described in and covered by Royal Patent Grant Number 1167 to Aui) situate, lying and being at Kohoilo, District of Kula, Island and County of Maui, State of Hawaii, being LOT 22-A of the "KULAMALU COMMERCIAL SUBDIVISION", being also a portion of Lot 22 of the "KULAMALU COMMERCIAL SUBDIVISION" and thus bounded and described as per survey dated September 22, 2004:

Beginning at the northeast corner of this parcel of land, being also the southeast corner of Lot 7 of Kulamalu Mauka Subdivision, and on the west side of Kula Highway F.A.P. BF-037-1(1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA", being 482.83 feet south and 13,611.47 feet east and running by azimuths measured clockwise from true South:

1. 338° 57' 47" 535.28 feet along the west side of Kula Highway (F.A.P. BF-037-1(1));
2. 68° 57' 47" 20.00 feet along the same;
3. 338° 57' 47" 625.00 feet along the same;
4. 68° 57' 47" 21.23 feet along the same;

Thence along the top of the gulch for the next eight (8) courses the direct azimuths and distances between points on said top of gulch being:

5. 39° 00' 00" 50.34 feet;
6. 88° 00' 00" 126.00 feet;
7. 102° 38' 00" 41.50 feet;
8. 127° 21' 30" 57.86 feet;
9. 151° 57' 00" 125.00 feet;

- 10. 150° 02' 00" 106.50 feet;
- 11. 131° 18' 00" 77.30 feet;
- 12. 114° 00' 00" 93.49 feet;
- 13. 158° 59' 00" 640.72 feet along Lot 21-A of
Kulamalu Commercial
Subdivision, along the
remainder of Grant 1167 to
Aui;

Thence along Roadway Lot 24-A ('Ohi'a Ku Street) of
Kulamalu Commercial
Subdivision, along the
remainder of Grant 1167 to
Aui, on a curve to the right
with a radius of 30.00 feet,
the chord azimuth and
distance being:

- 14. 228° 10' 14" 21.32 feet;
- 15. 248° 59' 00" 40.07 feet along the same;
- 16. 158° 59' 00" 60.00 feet along the same;
- 17. 248° 59' 00" 342.31 feet along Lot 1, Roadway Lot
14, and Lots 12 and 7 of
Kulamalu Mauka Subdivision,
along the remainder of Grant
1167 to Aui, to the point of
beginning and containing an
area of 9.231 acres, more or
less.

TOGETHER WITH non-exclusive, perpetual easements for
vehicular and pedestrian access and for the maintenance,
operation, repair, and replacement of an access roadway, wires
and lines for electricity, telephone, cable TV and other
utilities, over the following roadway lots:

(a) Roadway Lots 24-A, 23, 13 and 14, being more
particularly described in Kulamalu Town Center Declaration of
Non-Exclusive Perpetual Easements for Roadway Purposes (Roads
Within Kulamalu Commercial Subdivision) made by the Grantor

dated as of June 24, 2004, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 2004-172948, and Exhibit "A" attached thereto, as amended by First Amendment of Declaration of Non-Exclusive Perpetual Easements for Roadway Purposes (Roads Within Kulamalu Commercial Subdivision) dated as of October 5, 2005, recorded as Document No. _____; and

(b) Non-exclusive perpetual easements for roadway purposes over A'apueo Parkway of the Kulamalu Commercial Subdivision as described in the Non-Exclusive Perpetual Easement for Roadway Purposes Over A'apueo Parkway of the Kulamalu Commercial Subdivision dated as of June 24, 2004, recorded in the said Bureau of Conveyances as Document No. _____;

PROVIDED, HOWEVER, that if and when any road lots shall be conveyed to or acquired by any governmental authority as a public highway, then all private easement rights granted hereby in said road lots shall automatically terminate.

TOGETHER ALSO WITH a nonexclusive easement for access and utility purposes over and across Lot 5-B of the Kulamalu Subdivision, which easement shall terminate automatically upon dedication of Lot 5-B to the County of Maui, said Lot 5-B being more particularly described as follows:

All of that certain parcel of land (being portions(s) of the land(s) described in and covered by Royal Patent Grant Number 1167 to Aui, Royal Patent Grant Number 1829, Apana 1 to Keawe, and Royal Patent Grant Number 1222 to Kauuku) situate, lying and being at A'apueo-nui, Kohoilo, Kula, Island and County of Maui, State of Hawaii, being ROADWAY LOT 5-B, being also portions of Lots 3, 4, and 5 of the "KULAMALU SUBDIVISION", and thus bounded and described:

Beginning at the northeast corner of this piece of land, along the westerly side of Kula Highway (F.A.P. BF-037-1 (1)) the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU-O-KOHA", being 254.48 feet north and 13,327.51 feet east and running by azimuths measured clockwise from true South:

1. 338° 58' 40" 190.00 feet along Kula Highway (F.A.P. BF-037-1(1));

Thence along Lot 3-A of the Kulamalu Subdivision on a curve to the left having a

radius of 30.00 feet, the
direct chord azimuth and
distance being:

2. 113° 58' 40" 42.43 feet;

3. 68° 58' 40" 67.05 feet along same;

Thence along same on a curve to the right having a radius
of 1080.00 feet, the direct
chord azimuth and distance
being:

85° 14' 20" 604.83 feet;

5. 101° 30' 212.86 feet along same;

Thence along Lot 3-A and Lot 5-A of the Kulamalu
Subdivision, on a curve to
the left having a radius of
2720.00 feet, the direct
chord azimuth and distance
being:

6. 86° 11' 15" 1436.61 feet;

7. 70° 52' 30" 201.38 feet along Lot 5-A of the
Kulamalu Subdivision;

Thence along same on a curve to the right having a radius
of 2255.00 feet, the direct
chord azimuth and distance
being:

8. 73° 22' 15" 196.40 feet;

9. 165° 52' 80.00 feet along Lot 4-A of the
Kulamalu Subdivision;

Thence along same on a curve to the left having a radius
of 2175.00 feet, the direct
chord azimuth and distance
being:

10. 253° 22' 15" 189.43 feet;

11. 250° 52' 30" 201.38 feet along same;
 Thence along same on a curve to the right having a radius of 2800.00 feet, the direct chord azimuth and distance being:
12. 260° 02' 20" 891.85 feet;
13. 179° 12' 10" 10.00 feet along same;
14. 269° 21' 20" 15.05 feet along same;
15. 359° 30' 35" 10.00 feet along same;
 Thence along same on a curve to the right having a radius of 2800.00 feet, the direct chord azimuth and distance being:
16. 275° 30' 17.5" 584.89 feet;
17. 281° 30' 212.86 feet along same;
 Thence along same on a curve to the left having a radius of 1000.00 feet, the direct chord azimuth and distance being:
18. 265° 14' 20" 560.03 feet;
19. 248° 58' 40" 57.05 feet along same;
 Thence along same on a curve to the left having a radius of 30.00 feet, the direct chord azimuth and distance being:
20. 203° 58' 40" 42.43 feet;
21. 158° 58' 40" 50.00 feet along same;
22. 248° 58' 40" 10.00 feet along Kula Highway (F.A.P. BF-037-1(1)), to the

point of beginning and
containing an area of 5.118
acres, more or less.

TOGETHER ALSO WITH a nonexclusive easement for the installation, operation, maintenance, repair and replacement of a sewer line over and under Easements S-2, S-3, and S-4, more particularly described as follows; said easements shall automatically terminate upon the grant of these easements to Pukalani STP Co., Ltd. or its successors in interest as the provider of sewer services to the above described property:

EASEMENT "S-2"

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 1829, Apana 2 to Keawe, and Royal Patent Grant Number 1220 to Keawe) situate, lying and being at Aapueo-nui, Kohoilo, Makaehu, Kula, Island and County of Maui, State of Hawaii, being EASEMENT "S-2", for sewer purposes, affecting Lot 4-A-1, of the "KULAMALU SUBDIVISION", and thus bounded and described as per survey of Erik Kaneshiro, Licensed Professional Land Surveyor with Austin, Tsutsumi & Associates, Inc., to-wit:

Beginning at the west corner of this easement, along the east side of Aina Lani Drive being also 198° 00' and 26.73 feet from the west corner of Lot 4-A-1 the coordinates of said point of beginning referred to Government Survey Triangulation Station "Manini" being 1,370.49 feet north and 5,371.25 feet east, thence running by true azimuths measured clockwise from South:

- | | | | | |
|----|------|-----|-----|---|
| 1. | 198° | 00' | | 15.00 feet along the east side of Aina Lani Drive; |
| 2. | 288° | 00' | | 6.86 feet along the remainder of Lot 4-A-1 of the Kulamalu Subdivision; |
| 3. | 289° | 46' | 20" | 201.57 feet along same; |
| 4. | 311° | 43' | 25" | 222.13 feet along same; |
| 5. | 322° | 02' | 30" | 146.97 feet along same; |
| 6. | 296° | 22' | 30" | 138.09 feet along same; |

- | | | | | |
|-----|------|-----|-----|--|
| 7. | 278° | 05' | 50" | 250.63 feet along same; |
| 8. | 290° | 53' | 05" | 238.52 feet along same; |
| 9. | 301° | 11' | | 489.00 feet along same; |
| 10. | 64° | 54' | | 18.03 feet along Lot 4-A-2 of the
Kulamalu Subdivision; |
| 11. | 121° | 11' | | 477.64 feet along the remainder of
Lot 4-A-1 of the Kulamalu
Subdivision; |
| 12. | 110° | 53' | 05" | 235.48 feet along same; |
| 13. | 98° | 05' | 50" | 251.37 feet along same; |
| 14. | 116° | 22' | 30" | 143.92 feet along same; |
| 15. | 142° | 02' | 30" | 149.03 feet along same; |
| 16. | 131° | 43' | 25" | 217.87 feet along same; |
| 17. | 109° | 46' | 20" | 198.43 feet along same; |
| 18. | 108° | 00' | | 6.63 feet along same, to the point
of beginning and containing
an area of 25,303 square
feet, more or less. |

Easement "S-3"

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 1220 to Keawe and Royal Patent Grant Number 1222 to Kauuku) situate, lying and being at Aapueo-nui, Kohoilo, Makaehu, Kula, Island and County of Maui, State of Hawaii, being EASEMENT "S-3", for sewer purposes, affecting Lot 4-A-2, of the "KULAMALU SUBDIVISION", and thus bounded and described as per survey of Erik Kaneshiro, Licensed Professional Land Surveyor with Austin, Tsutsumi & Associates, Inc., to-wit:

Beginning at the west corner of this easement, being also 244° 54' and 259.29 feet from the south corner of Lot 4-A-1 the coordinates of said point of beginning referred to Government Survey Triangulation Station "Manini", being 608.22 feet north and 6,824.99 feet east, thence running by true azimuths measured clockwise from South:

- | | | | | |
|-----|------|-----|-----|---|
| 1. | 244° | 54' | | 18.03 feet along Lot 4-A-1 of the
Kulamalu Subdivision; |
| 2. | 301° | 11' | | 110.28 feet along the remainder of
Lot 4-A-2 of the Kulamalu
Subdivision; |
| 3. | 280° | 04' | 15" | 347.12 feet along same; |
| 4. | 257° | 41' | 45" | 698.44 feet along same; |
| 5. | 256° | 27' | 45" | 350.96 feet along same; |
| 6. | 272° | 13' | 30" | 148.11 feet along same; |
| 7. | 303° | 04' | | 203.94 feet along same; |
| 8. | 331° | 10' | 10" | 181.43 feet along same; |
| 9. | 1° | 44' | 35" | 246.96 feet along same; |
| 10. | 00° | 23' | 40" | 87.30 feet along same; |
| 11. | 276° | 13' | 40" | 182.92 feet along same; |
| 12. | 284° | 04' | 50" | 344.94 feet along same; |
| 13. | 286° | 35' | 30" | 340.44 feet along same; |
| 14. | 280° | 45' | 35" | 342.60 feet along same; |
| 15. | 272° | 05' | | 344.45 feet along same; |
| 16. | 262° | 58' | 40" | 332.31 feet along same; |
| 17. | 254° | 20' | 25" | 105.80 feet along same; |

18.	345°	52'		15.01 feet along Roadway Lot 5-B (A'apueo Parkway) of the Kulamalu Subdivision;
19.	74°	20'	25"	106.54 feet along the remainder of Lot 4-A-2 of the Kulamalu Subdivision;
20.	82°	58'	40"	334.64 feet along same;
21.	92°	05'		346.79 feet along same;
22.	100°	45'	35"	344.50 feet along same;
23.	106°	35'	30"	340.88 feet along same;
24.	104°	04'	50"	343.58 feet along same;
25.	96°	13'	40"	195.44 feet along same;
26.	180°	23'	40"	101.02 feet along same;
27.	181°	44'	35"	243.04 feet along same;
28.	151°	10'	10"	173.57 feet along same;
29.	123°	04'		196.05 feet along same;
30.	92°	13'	30"	141.89 feet along same;
31.	76°	27'	45"	349.04 feet along same;
32.	77°	41'	45"	701.56 feet along same;
33.	100°	04'	15"	352.88 feet along same;
34.	121°	11'		123.09 feet along same, to the point of beginning and containing an area of 65,759 square feet, more or less.

EASEMENT "S-4"

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 1167 to Aui, Royal Patent Grant Number 1829, Apana 1 to Keawe, and Royal Patent Grant Number 1222 to Kauuku) situate, lying and being at Aapueo-nui, Kohoilo, Makaehu, Kula, Island and County of Maui, State of Hawaii, being EASEMENT "S-4", for sewer purposes, over and across all of Lot 5-B, of the "KULAMALU SUBDIVISION", and thus bounded and described as per survey of Erik Kaneshiro, Licensed Professional Land Surveyor with Austin, Tsutsumi & Associates, Inc., to-wit:

Beginning at the northeast corner of this easement, being also the northeast corner of Lot 5-B of the Kulamalu Subdivision along the westerly side of Kula Highway (F.A.P. BF-037-1(1)) the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA", being 254.48 feet north and 13,327.51 feet east, thence running by true azimuths measured clockwise from South:

1. 338° 58' 40" 190.00 feet along Kula Highway (F.A.P. BF-037-1(1));

Thence along Lot 3-A of the Kulamalu Subdivision on a curve to the left having a radius of 30.00 feet, the direct chord azimuth and distance being:

2. 113° 58' 40" 42.43 feet;
3. 68° 58' 40" 67.05 feet along same;

Thence along same on a curve to the right having a radius of 1080.00 feet, the direct chord azimuth and distance being:

4. 85° 14' 20" 604.83 feet;
5. 101° 30' 212.86 feet along same;

Thence along Lot 3-A and Lot 5-A of the Kulamalu Subdivision, on a curve to the left having a radius of

2720.00 feet, the direct
chord azimuth and distance
being:

6. 86° 11' 15" 1436.61 feet;

7. 70° 52' 30" 201.38 feet along Lot 5-A of the
Kulamalu Subdivision;

Thence along same on a curve to the right having a radius
of 2255.00 feet, the direct
chord azimuth and distance
being:

8. 73° 22' 15" 196.40 feet;

9. 165° 52' 80.00 feet along Lot 4-A-2 of the
Kulamalu Subdivision;

Thence along same on a curve to the right having a radius
of 2175.00 feet, the direct
chord azimuth and distance
being:

10. 253° 22' 15" 448.66 feet;

11. 250° 52' 30" 201.38 feet along same;

Thence along same on a curve to the right having a radius
of 2800.00 feet, the direct
chord azimuth and distance
being:

12. 260° 02' 20" 891.85 feet;

13. 179° 12' 10" 10.00 feet along same;

14. 269° 21' 20" 15.05 feet along same;

15. 359° 30' 35" 10.00 feet along same;

Thence along Lots 4-A-2 and 4-A-3 of the Kulamalu
Subdivision, on a curve to
the right having a radius of
2800.00 feet, the direct

chord azimuth and distance
being:

16. 275° 30' 17.5" 584.89 feet;
17. 281° 30' 212.86 feet along Lots 4-A-3 and
4-A-4 of the Kulamalu
Subdivision;

Thence along Lot 4-A-4 of the Kulamalu Subdivision on a
curve to the left having a
radius of 1000.00 feet, the
direct chord azimuth and
distance being:

18. 265° 14' 20" 560.03 feet;
19. 248° 58' 40" 57.05 feet along same;

Thence along same on a curve to the left having a radius of
30.00 feet, the direct chord
azimuth and distance being:

20. 203° 58' 40" 42.43 feet;
21. 158° 58' 40" 50.00 feet along same;
22. 248° 58' 40" 10.00 feet along Kula Highway
(F.A.P. BF-037-1(1)) to the
point of beginning and
containing an area of 5.118
acres, more or less.

RESERVING to Kulamalu LLC, a Hawaii limited liability
company, and its successors and assigns, non-exclusive easements
for the construction, operation, maintenance, repair and
replacement of a roadway, cul-de-sac, underground and overhead
utility services and landscaping over, across and under
Easements A-1, A-2, L-11 and L-12, and as further set forth in
the Declaration of Non-Exclusive Perpetual Easements for Roadway
Purposes (Roads Within Kulamalu Commercial Subdivision) dated
June 24, 2004, recorded in the said Bureau of Conveyances as
Document No. 2004-172948, as amended by First Amendment of
Declaration of Non-Exclusive Perpetual Easements for Roadway
Purposes (Roads Within Kulamalu Commercial Subdivision) dated as
of October 5, 2005, recorded as Document No. _____,

said Easements A-1, A-2, L-11 and L-12 being more particularly described as follows:

Easement A-1
(For Access and Utility Purposes)

Being a portion of Lot 22-A of Kulamalu Commercial Subdivision, being also a portion of Grant 1167 to Aui, situate at Kohoilo, Kula, Maui, Hawaii.

Beginning at the Northwest corner of this easement, being also the Northeast corner of Roadway Lot 24-A ('Ohi'a Ku Street) of Kulamalu Commercial Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA", being 605.64 feet South and 13,291.71 feet East and running by azimuths measured clockwise from true South:

1. 248° 59' 00" 218.97 feet along Lot 1, Roadway Lot 14 and Lot 12 of Kulamalu Mauka Subdivision;

Thence along the remainder of Lot 22-A of Kulamalu Commercial Subdivision, on a curve to the right with a radius of 52.00 feet, the chord azimuth and distance being:

2. 293° 59' 00" 73.54 feet;

Thence along the same, on a curve to the right with a radius of 52.00 feet, the chord azimuth and distance being:

3. 57° 32' 30" 101.93 feet;

Thence along the same, on a curve to the left with a radius of 20.00 feet, the chord azimuth and distance being:

4. 102° 32' 30" 22.11 feet;

5. 68° 59' 00" 152.64 feet along the same;

6. 158° 59' 00" 60.00 feet along Roadway Lot 24-A ('Ohi'a Ku Street) of Kulamalu Commercial Subdivision, to the point of beginning and containing an area of 0.439 of an acre.

Easement A-2
(For Access Purposes)

Being a portion of Lot 22-A of Kulamalu Commercial Subdivision, being also a portion of Grant 1167 to Aui, situate at Kohoilo, Kula, Maui, Hawaii.

Beginning at the Northwest corner of this easement, being also the Northeast corner of Easement A-1 ('Ohi'a Ku Place) of Kulamalu Commercial Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA", being 527.08 feet South and 13,496.12 feet East and running by azimuths measured clockwise from true South:

1. 248° 59' 00" 56.08 feet along Lots 12 and 7 of Kulamalu Mauka Subdivision;
2. 343° 28' 30" 52.16 feet along the remainder of Lot 22-A of Kulamalu Commercial Subdivision;

Thence along Easement A-1 along the remainder of Lot 22-A of Kulamalu Commercial Subdivision, on a curve to the left with a radius of 52.00 feet, the chord azimuth and distance being:

3. 113° 59' 00" 73.54 feet to the point of beginning and containing an area of 686 square feet.

Easement L-11
(For Landscape and Waterline Purposes)

Being a portion of Lot 22-A of Kulamalu Commercial Subdivision, being also a portion of Grant 1167 to Aui, situate at Kohoilo, Kula, Maui, Hawaii.

Beginning at the Northwest corner of this easement, and on the South side of Roadway Lot 24-A ('Ohi'a Ku Street) of Kulamalu Commercial Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA", being 699.26 feet South and 13,293.44 feet East and running by azimuths measured clockwise from true South:

1. 248° 59' 00" 48.00 feet along the South side of Roadway Lot 24-A ('Ohi'a Ku Street) and the remainder of Lot 22-A of Kulamalu Commercial Subdivision;
2. 338° 59' 00" 5.00 feet along the remainder of Lot 22-A of Kulamalu Commercial Subdivision;
3. 68° 59' 00" 48.00 feet along the same;
4. 158° 59' 00" 5.00 feet along the same to the point of beginning and containing an area of 240 square feet.

Easement L-12
(For Landscape and Waterline Purposes)

Being a portion of Lot 22-A of Kulamalu Commercial Subdivision, being also a portion of Grant 1167 to Aui, situate at Kohoilo, Kula, Maui, Hawaii.

Beginning at the Northwest corner of this easement, true azimuth and distance from the Southeast corner of Roadway Lot 24-A ('Ohi'a Ku Street) of Kulamalu Commercial Subdivision, being 248° 59' 78.08 feet, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA", being 633.65 feet South and 13,386.11 feet East and running by azimuths measured clockwise from true South:

1. 248° 59' 00" 12.00 feet along the remainder of Lot 22-A of Kulamalu Commercial Subdivision;
2. 338° 59' 00" 3.00 feet along the same;
3. 68° 59' 00" 12.00 feet along the same;

4. 158° 59' 00" 3.00 feet along the same to the point of beginning and containing an area of 36 square feet.

Being the premises acquired by WARRANTY DEED (ROADWAY REALIGNMENT AND BOUNDARY ADJUSTMENT) between KULAMALU LIMITED PARTNERSHIP, a Hawaii limited partnership, and TRUSTEES UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUHI BISHOP, DECEASED, as Grantor, and KULAMALU LIMITED PARTNERSHIP, a Hawaii limited partnership, as Grantee, dated June 30, 2000, recorded in the said Bureau of Conveyances as Document No. 2000-091304.

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 the DECLARATION OF RESTRICTIVE COVENANTS dated August 12, 1975, recorded in the said Bureau of Conveyances in Liber 10846 on Page 127.

Said Declaration was amended by instrument dated August 25, 1975, recorded in Liber 10862 on Page 574.

3. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the SUBDIVISION AGREEMENT UNDER MCC SECTION 18.040.030(5) dated August 28, 1996, recorded in the said Bureau of Conveyances as Document No. 96-125030, by and between COUNTY OF MAUI, DEPARTMENT OF PUBLIC WORKS AND WASTE MANAGEMENT, and SPORTS SHINKO (PUKALANI) CO., LTD.

4. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the RECIPROCAL LICENSE AGREEMENT dated December 30, 1996, recorded in the said Bureau of Conveyances as Document No. 96-185564, by and between KULAMALU LIMITED PARTNERSHIP, a Hawaii limited partnership, and HENRY HAALILIO PETERS, OSWALD KOFOAD STENDER, RICHARD SUNG HONG WONG, MARION MAE LOKELANI LINDSEY and GERARD AULAMA JERVIS, as Trustees of the Estate of Bernice Pauahi Bishop.

Above Reciprocal License Agreement amended by instrument dated June 30, 2000, recorded as Document No. 2000-091307.

5. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the UNILATERAL AGREEMENT AND DECLARATION FOR CONDITIONAL ZONING dated November 19, 1997, recorded in the said Bureau of Conveyances as Document No. 97-170959, by KULAMALU LIMITED PARTNERSHIP, a Hawaii limited partnership.

6. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the UNILATERAL AGREEMENT AND DECLARATION FOR CONDITIONAL ZONING dated November 19, 1997, recorded in the said Bureau of Conveyances as Document No. 97-170960, by KULAMALU LIMITED PARTNERSHIP, a Hawaii limited partnership.

7. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the UNILATERAL AGREEMENT AND DECLARATION FOR CONDITIONAL ZONING dated November 19, 1997, recorded in the said Bureau of Conveyances as Document No. 97-170961, by KULAMALU LIMITED PARTNERSHIP, a Hawaii limited partnership.

8. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the UNILATERAL AGREEMENT AND DECLARATION FOR CONDITIONAL ZONING dated November 19, 1997, recorded in the said Bureau of Conveyances as Document No. 97-170962, by KULAMALU LIMITED PARTNERSHIP, a Hawaii limited partnership.

9. SETBACK (100 feet wide) for building purposes, along Kula Highway, as shown on subdivision map prepared by Erik S. Kaneshiro, Land Surveyor, with Austin, Tsutsumi, & Associates Inc., dated March 17, 2003, last revised July 6, 2004, approved by the County of Maui, Department of Public Works and Environmental Management, Development Services Administration on June 4, 2004, corrected on July 9, 2004

10. DESIGNATION OF EASEMENT "A-1" for access purposes, as shown on subdivision map prepared by Erik S. Kaneshiro, Land Surveyor, with Austin, Tsutsumi, & Associates Inc., dated March 17, 2003, last revised July 6, 2004, approved by the County of Maui, Department of Public Works and Environmental Management, Development Services Administration on June 4, 2004, corrected on July 9, 2004.

11. DESIGNATION OF EASEMENT "A-2" for access purposes, as shown on survey map prepared by Erik S. Kaneshiro, Land Surveyor, with Austin, Tsutsumi, & Associates Inc., dated September 9, 2004.

12. DESIGNATION OF EASEMENT "L-11" for landscape and water purposes, as shown on subdivision map prepared by Erik S. Kaneshiro, Land Surveyor, with Austin, Tsutsumi, & Associates Inc., dated March 17, 2003, last revised July 6, 2004, approved by the County of Maui, Department of Public Works and Environmental Management, Development Services Administration on June 4, 2004, corrected on July 9, 2004.

13. DESIGNATION OF EASEMENT "L-12" for landscape and water purposes, as shown on subdivision map prepared by Erik S. Kaneshiro, Land Surveyor, with Austin, Tsutsumi, & Associates Inc., dated March 17, 2003, last revised July 6, 2004, approved by the County of Maui, Department of Public Works and Environmental Management, Development Services Administration on June 4, 2004, corrected on July 9, 2004.

14. RESTRICTION OF VEHICULAR ACCESS RIGHTS along Kula Highway, as shown on subdivision map prepared by Erik S. Kaneshiro, Land Surveyor, with Austin, Tsutsumi, & Associates Inc., dated March 17, 2003, last revised July 6, 2004, approved by the County of Maui, Department of Public Works and Environmental Management, Development Services Administration on June 4, 2004, corrected on July 9, 2004.

15. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in Kulamalu Town Center Declaration of Covenants, Conditions and Restrictions dated as of April 1, 2003, restated as of June 23, 2004, recorded in the said Bureau of Conveyances as Document No. 2004-172946, as amended by First Amendment dated January 18, 2005, recorded as Document No. 2005-031788.

NOTE: Under Section 5.02 of said Declaration, Lot 22-A is automatically released from dominion and control by the Kulamalu Community Association upon its acceptance by the County of Maui by this Deed.

16. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the WATERLINE EASEMENT AGREEMENT dated --- (acknowledged October 14, 2003 and November 21, 2003), recorded

in the said Bureau of Conveyances as Document No. 2003-263269, by and between KULAMALU LLC, a Hawaii limited liability company, "Applicant", and the COUNTY OF MAUI, a political subdivision of the State of Hawaii, "County".

17. GRANT to MAUI ELECTRIC COMPANY, LIMITED and VERIZON HAWAII INC. (now known as HAWAIIAN TELCOM, INC.) dated March 2, 2004, recorded in the said Bureau of Conveyances as Document No. 2004-056124, granting a right and easement for utility purposes over, across, through and under the land more particularly described in Exhibit "A" attached thereto.

18. GRANT to COUNTY OF MAUI, a political subdivision of the State of Hawaii, through its Department of Water Supply dated March 10, 2004, recorded in the said Bureau of Conveyances as Document No. 2004-115419, granting an easement over said Easement "A-1".

19. GRANT to COUNTY OF MAUI, a political subdivision of the State of Hawaii, through its Department of Water Supply, dated March 10, 2004, recorded in the said Bureau of Conveyances as Document No. 2004-115421, granting an easement over said Easement "L-11".

20. GRANT to COUNTY OF MAUI, a political subdivision of the State of Hawaii, through its Department of Water Supply, dated March 10, 2004, recorded in the said Bureau of Conveyances as Document No. 2004-115422, granting an easement over said Easement "L-12".

21. 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.

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

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

24. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in Declaration of Non-Exclusive Perpetual Easements for Roadway Purposes (Roads Within Kulamalu Commercial

Subdivision) dated June 24, 2004, recorded in the said Bureau of Conveyances as Document No. 2004-172948, as amended by First Amendment of Declaration of Non-Exclusive Perpetual Easements for Roadway Purposes (Roads Within Kulamalu Commercial Subdivision) dated as of October 5, 2005, recorded as Document No. _____, with respect to Easements A-1, A-2, L-11 and L-12.

25. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in Agreement Regarding Park Dedication made by and between Kulamalu LLC, a Hawaii limited liability company, ("Declarant 1"), Hanohano LLC, a Hawaii limited liability company, ("Declarant 2"), and the County of Maui, acting through its Director of Parks and Recreation ("County"), dated August 18, 2005, recorded in the said Bureau of Conveyances as Document No. 2005-191606.

END OF EXHIBIT "A"

Tax Key: (2) 2-3-066-022