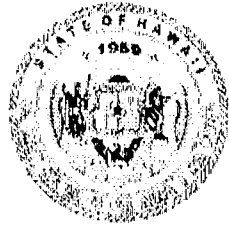


44AW  
A0775-B  
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I hereby certify that this is  
a true copy from the records  
of the Bureau of Conveyances,

**Registrar of Conveyances  
Assistant Registrar, Land Court  
State of Hawaii**



**STATE OF HAWAII  
BUREAU OF CONVEYANCES  
RECORDED**  
August 27, 2021 12:59 PM  
Doc No(s) A - 79090780

Pkg 11853289 KEO

/s/ LESLIE T KOBATA  
REGISTRAR

LAND COURT SYSTEM

REGULAR SYSTEM

AFTER RECORDATION: RETURN BY MAIL (X) PICK UP ( )

CURTIS T. TABATA, ESQ.  
Matsubara, Kotake & Tabata  
888 Mililani Street, Suite 308  
Honolulu, Hawai'i 96813  
Telephone: (808) 526-9566



TITLE OF DOCUMENT: FIRST AMENDMENT TO DECLARATION OF  
CONDITIONS

Total Pages: 5

FIRST AMENDMENT TO DECLARATION OF CONDITIONS

**A&B PROPERTIES HAWAII, LLC, SERIES T**, a Hawaii limited liability  
company the business address of which is 822 Bishop Street, Honolulu, Hawaii, 96813,  
as Petitioner of that certain Petition For District Boundary Amendment in Docket No.  
A07-772 of the Land Use Commission of the State of Hawaii, affecting those certain  
lands, approximately 94.352 acres, situate at Waiakoa, Island and County of Maui, State  
of Hawaii, Tax Map Key No. 3-8-04:portion of 2, portion of 22 and portion of 30,



(hereinafter referred to as "Property"), does hereby certify pursuant to Section 15-15-92 ,  
Hawaii Administrative Rules, as follows:

THAT by Findings Of Fact, Conclusions Of Law, And Decision And  
Order, entered February 20, 2009, in Docket No. A07-772, the Land Use Commission  
reclassified approximately 94.352 acres of land in the State Land Use Agricultural  
District to the State Land Use Urban District.

AND THAT Petitioner recorded its Declaration of Conditions pursuant to  
the Findings of Fact, Conclusions of Law, And Decision and Order entered February 20,  
2009 on April 6, 2009 as Document Number 2009-051059.

AND THAT on November 17, 2020, Petitioner A&B Properties Hawaii,  
LLC, Series T ("Petitioner") filed its Motion for Order Granting Time Extension  
("Motion") to request: 1) recognizing A&B Properties Hawaii, LLC, Series T's standing  
to seek relief requested herein as successor Petitioner; and 2) granting a time extension  
for Conditions 22 and 23 in the Decision and Order.

AND THAT by Findings of Fact, Conclusions of Law and Decision and  
Order Granting Petitioner's Motion For Order Granting Time Extension entered and  
effective as of July 6, 2021, it was further ordered that the reclassification from the  
Agricultural District to the Urban District shall be subject to the following conditions as  
amended:

Condition 22 - Infrastructure Deadline - Petitioner shall complete construction of the proposed backbone infrastructure, including the primary roadways and access point, residential internal roadways, and water supply, sewage and electrical infrastructure by April 28, 2031.

Condition 23 - Order to Show Cause. If Petitioner fails to complete proposed backbone infrastructure by April 28, 2031, the Commission may issue and serve upon Petitioner an Order to Show Cause and the Petitioner shall appear before the Commission to explain why the Petition Area should not revert to its previous State Land Use Agricultural District classification or be changed to a more appropriate classification.

All other conditions to this Commission's 2009 Decision and Order filed February 20, 2009 shall continue in full force and effect.

Dated: Honolulu, Hawai'i, August 3, 2021.

A & B PROPERTIES HAWAII, LLC,  
SERIES T

By   
**LANCE K. PARKER**

Its **PRESIDENT**

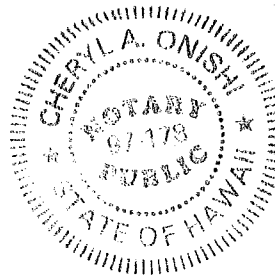
By   
**CHARLES W. LOOMIS**

Its **VICE PRESIDENT**

STATE OF HAWAII )  
 )  
 ) SS:  
CITY & COUNTY OF HONOLULU )

On this 3<sup>rd</sup> day of August, 2021, before me personally appeared LANCE K. PARKER, to me known, who, being by me duly sworn, did say that: he/she is the PRESIDENT of A & B PROPERTIES HAWAII, LLC, SERIES T, and that said instrument was signed on behalf of said company by authority of its Board of Directors, and said declarant acknowledged said instrument to be the free act and deed of company.

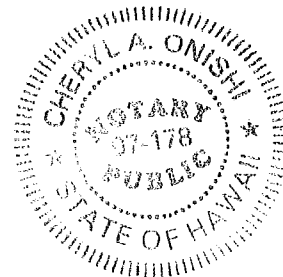
*Ceryl A. Onishi*  
Name: CHERYL A. ONISHI  
Notary Public, State of Hawaii  
My Commission Expires: APR 17 2025



STATE OF HAWAII NOTARY CERTIFICATION

Doc. Description: First Amendment to Declaration of Conditions  
Date of Document: 8/3/21 # Pages: 5  
Date of Notarization: 8/3/21

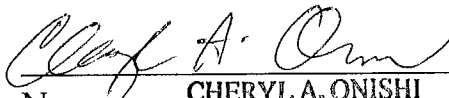
*Ceryl A. Onishi*  
Notary Public Signature  
Print Name: CHERYL A. ONISHI  
Notary Public, State of Hawaii, First Circuit  
Notary Commission No. 97-178  
*My commission expires:* APR 17 2025

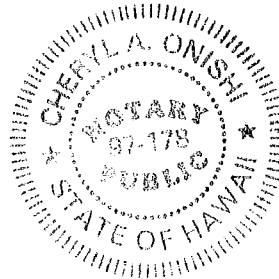


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STATE OF HAWAII )  
 )  
 ) SS:  
CITY & COUNTY OF HONOLULU )

On this 3<sup>rd</sup> day of August, 2021, before me personally appeared CHARLES W. LOOMIS, to me known, who, being by me duly sworn, did say that: he/she is the VICE PRESIDENT of A & B PROPERTIES HAWAII, LLC, SERIES T, and that said instrument was signed on behalf of said company by authority of its Board of Directors, and said declarant acknowledged said instrument to be the free act and deed of company.

  
Name: CHERYL A. ONISHI  
Notary Public, State of Hawaii  
My Commission Expires: APR 17 2025

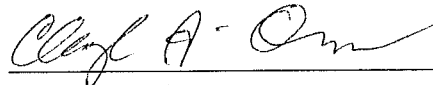


STATE OF HAWAII NOTARY CERTIFICATION

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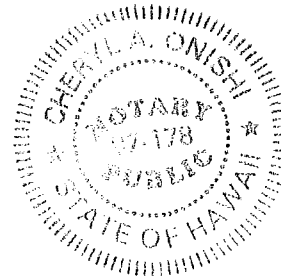
  
Notary Public Signature

Print Name: CHERYL A. ONISHI

Notary Public, State of Hawaii, First Circuit

Notary Commission No. 97-178

My commission expires: APR 17 2025



(Stamp or Seal)