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Tax Map Key Nos. (3) 7-4-8-13, -74, -76, -77, -78, and -79

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
STORM WATER AND SURFACE WATER RUN-OFF**

THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR STORM WATER AND SURFACE WATER RUN-OFF (this "Declaration") is executed by WEST HAWAII BUSINESS PARK LLC, a Hawaii limited liability company ("Declarant"), as of the date set forth on the signature page hereof.

**ARTICLE I
RECITALS**

1.1 Declarant is the owner of certain real property which is the site of the West Hawaii Business Park, described on Exhibit "A" attached hereto and incorporated herein by reference (the "Property").

1.2 This Declaration is required by the LUC Conditions (as defined below) and imposes certain covenants, conditions and restrictions upon the Property in order to contain spills and prevent materials associated with industrial uses attributable to operations of the Property, including petroleum products, chemicals, or other pollutants, from leaching or draining into the ground or subsurface storm drain collection areas.

1.3 Pursuant to the LUC Conditions, Declarant is required to establish an owners' association "...with the power to oversee and report violations as a second line of defense against pollution violations."

ARTICLE II **DEFINITIONS**

2.1 “Association” – An association of Owners of Units established by Declarant pursuant to the LUC Order, which association may be incorporated as a Hawaii non-profit corporation, and its successors.

2.2 “Board of Directors” or “Board” – The body responsible for administration of the Association, generally serving the same role as the board of directors under Hawaii corporate law.

2.3 “Common Area” – All real and personal property, including easements, which the Association owns, leases or otherwise holds possessory or other rights in for the common use and enjoyment of the Owners. For purposes of this Declaration, Common Area shall not include any portion of a Unit that an Owner thereof may designate as a common area for any purpose or in any other document unless such other document specifically declares such common area to be a Common Area within the scope of this Declaration, and Declarant or the Association accepts such area as a Common Area by an executed instrument recorded in the Public Records.

2.4 “Declarant”. West Hawaii Business Park LLC, a Hawaii limited liability company, or any one or more successor, who takes title to any portion of the Property described on Exhibit “A” for the purpose of development and/or sale and who is designated as the Declarant or Co-Declarant in a recorded instrument executed by the immediately preceding Declarant.

2.5 “Declarant Control Period” – The period of time during which the Declarant is entitled to appoint at least a majority of the members of the Board.

2.6 “DOH” - Department of Health of the State of Hawaii.

2.7 “Existing Quarry Permit” - That certain Conservation District Use Permit (“CDUP”) dated July 13, 1966, issued by the Department of Land and Natural Resources to J.M. Tanaka Construction Inc.

2.8 “HAR” - Hawaii Administrative Rules, as the same may be amended from time to time.

2.9 “HRS” - Hawaii Revised Statutes, as the same may be amended from time to time.

2.10 “KAHO National Park” - Certain real property owned by the United States of America known as the Kaloko-Honokohau National Historical Park (“KAHO National Park”) which is located directly west of the Property, seaward of Queen Ka’ahumanu Highway, and operated and managed by the NATIONAL PARK SERVICE, a Bureau of the United States Department of the Interior (“NPS”).

2.11 “LUC Conditions” - The conditions set out in the LUC Order, as such conditions may be amended from time to time. The conditions of the Original LUC Order are set out in that certain Certificate of Conditions recorded in the Public Records as Document No. 2004-032728.

2.12 “LUC Order” - That certain Decision and Order dated June 16, 2003, and entered on September 26, 2003 (the “Original LUC Order”), issued by the Land Use Commission of the State of Hawaii, as part of its Stipulated Findings of Fact, Conclusions of Law, and Decision and Order for a State Land Use District Boundary Amendment in Docket No. A00-730, as amended by Order Granting Motion to Amend Conditions and Extend Time for Compliance adopted on January 31, 2008, as such order may be further amended from time to time.

2.13 “Owner”. One or more Persons who hold the record title to any Unit (including Declarant, if Declarant holds record title to any Unit), but excluding in all cases any party holding an interest merely as security for the performance of an obligation. If a Unit is sold under a recorded agreement of sale, and the contract specifically so provides, the purchaser (rather than the fee owner) will be considered the Owner. In no event shall any Unit have, individually or collectively, more than one Owner for purposes of this Declaration, provided, however, that where an Owner consists of more than one Person, each such Person shall be jointly and severally liable for the performance of the Owner’s obligations under this Declaration and notice to one such Person shall be deemed notice to all such Persons. If a Unit is submitted to a condominium property regime, all of the “unit owners” thereof as defined in Hawaii Revised Statutes Chapter 514B, as the same may be amended from time to time, shall collectively be the Owner, and any notice to the condominium association shall be deemed notice to all such unit owners.

2.14 “Person” - A natural person, a corporation, a partnership, a limited liability company, a trustee, or any other legal entity.

2.15 “Pollution Prevention Plan”. That certain Pollution Prevention Plan West Hawai‘i Business Park dated June 2008, prepared by Masa Fujioka & Associates, and that certain Declaration Regarding Pollution Prevention Plan for West Hawaii Business Park dated as of June 18, 2008, and recorded in the Public Records as Document No. 2008-102908, as the same may be amended from time to time.

2.16 “Property”. The real property described in Exhibit “A” attached hereto and made a part hereof.

2.17 “Public Records” - The Bureau of Conveyances of the State of Hawaii or such other place which is designated as the official location for recording of deeds and similar documents affecting title to real estate.

2.18 “Unit” or “Units” - A portion or portions of the Property, whether improved or unimproved, which are legally subdivided and may be independently owned and conveyed (but not any units in a condominium project) and which is intended for development, including the construction of improvements, occupancy and use in a trade or business. In the case of a portion of the Property intended and suitable for subdivision but as to which no final lot subdivision map has been filed, such property shall be deemed to be a single Unit until such time as a final lot

subdivision map is filed of record with respect to all or a portion of the property. The term "Unit" shall refer to the land which is part of the Unit as well as any improvements thereon. The development of a condominium project on any Unit shall not, by reason thereof, convert such Unit into separate Units.

ARTICLE III
STORM WATER AND SURFACE WATER RUN-OFF COVENANTS, CONDITIONS
AND RESTRICTIONS

NOW THEREFORE, Declarant declares, covenants and agrees, by and for itself, its successors and assigns, and its successors in interest, and all persons claiming under or through them, that the Property shall be held, transferred, encumbered, used, sold, conveyed, leased, improved, and occupied subject to the covenants, conditions and restrictions hereinafter set forth.

3.1 To the extent possible, all storm and surface water runoff shall be captured on the Property, including the individual Units. To the extent possible, all such runoff entering the ground shall be first treated to remove all industrial waste so that no industrial pollutants will reach KAHO National Park or enter the water table.

3.2 The Declarant or the Association shall obtain all required permits and construct required improvements for storm water discharge on and from the portions of the Property comprising the Common Area. Each Owner shall obtain all required permits and construct required improvements for storm water discharge on and from the Owner's Unit. All improvements shall be subject to the provisions of this Article and other applicable sections of this Declaration.

3.3 Except for uses permissible under the Existing Quarry Permit, prior to the occupancy of any portion of the Property comprising the Common Area, Declarant or the Association shall engineer, construct (or require to be constructed) and maintain surface water/storm water containment systems that ensure no Federal, State or County of Hawaii water quality standards will be violated.

3.4 Except for uses permissible under the Existing Quarry Permit, prior to the occupancy of any Unit, Owner shall engineer, construct (or require to be constructed) and maintain surface water/storm water containment systems that ensure no Federal, State or County of Hawaii water quality standards will be violated.

3.5 No injection well shall be constructed as an element of a surface water/storm water containment system on the Property, including the individual Units, unless, prior to the start of any construction, appropriate requirements of HAR Chapter 11-23 are satisfied and the DOH issues a UIC (Underground Injection Control) permit. Contaminants shall be monitored and removed with best efforts prior to entering injection wells pursuant to the monitoring protocols for injection wells established in the Pollution Prevention Plan. All monitoring records shall be maintained for a period of ten years or such other period of time as may be required by DOH and made available to the DOH, the County of Hawaii and NPS, upon request.

3.6 If a large void, such as a lava tube or solution cavity, is encountered during drilling, where the drill rod drops more than three feet, measures shall be taken to prevent

migration of the injected fluids to KAHU National Park to the satisfaction of the DOH as described in HAR § 11-23-09(f).

3.7 All injection wells established in the Property, including injection wells established in the individual Units, shall be operated in such a manner that they do not violate any of the DOH's administrative rules under Title 11 HAR, regulating various aspects of water quality and pollution, and chapters 342-B, 342-D, 342-F, 342-H, 342-J, 342-L and 342-N, HRS. Relevant HAR sections include, but are not limited to: (i) Chapter 11-20, "Rules Relating to Potable Water Systems"; (ii) Chapter 11-62, "Wastewater Systems"; and (iii) Chapter 11-55, "Water Pollution Control."

3.8 The operator of any injection well or wells in the Property, including the operator of an injection well in the individual Units, shall keep detailed records of the operation of the well or wells, including, but not limited to, the type and quantity of injected fluids, and the method and rate of injection for each well. Such records will be maintained for a period of ten years or such other period of time as may be required by DOH and made available for inspection or review by the DOH as specified under appropriate sections of HAR Chapter 11-28.

3.9 Any Person who violates any of these conditions shall be subject to penalties as prescribed in appropriate chapters of HRS and HAR as they relate to (but are not limited to): Potable Water Systems; Wastewater Systems; Water Pollution Control; Safe Drinking Water; and Underground Injection Control.

3.10 The Declarant shall ensure that all drainage injection wells or subsurface drainage structures on the portions of the Property comprising the Common Area be designed with an appropriate size debris catch basin to allow the detention and periodic removal of rubbish and sediments deposited by runoff. Each Owner shall ensure that all drainage injection wells or subsurface drainage structures on the Owner's Unit be designed with an appropriate size debris catch basin to allow the detention and periodic removal of rubbish and sediments deposited by runoff. Storm water runoff shall first enter the debris catch basin before flowing into the drainage well. The debris catch basin shall be periodically inspected and cleaned accordingly. Oil/water separators shall be utilized where petroleum products are used.

3.11 Declarant and the Association shall have the power to oversee and report violations of this Declaration to DOH or other governmental authority having jurisdiction over the violation as a second line of defense against pollution violations.

ARTICLE IV **ENFORCEMENT**

4.1 The Association, acting through the Board, and the Declarant during the Declarant Control Period, shall have the exclusive right to enforce this Declaration.

4.2 Only the Board and Declarant may impose sanctions for violation of this Declaration. The Board's actions shall be subject to its compliance with any applicable approval, notice and hearing procedures that may be set out in the Association's articles of incorporation, bylaws and other governing documents. Such sanctions may include, without limitation:

(a) imposing reasonable monetary fines which shall constitute a lien upon the Unit of the violator (In the event that any employee, lessee, occupant, invitee, client, customer or guest of a Unit violates this Declaration, and a fine is imposed, the fine shall first be assessed against the occupant; provided however, if the fine is not paid by the occupant within the time period set by the Board, the Owner shall pay the fine upon notice from the Board.);

(b) filing liens in the Public Records for nonpayment of any assessments or fees;

(c) filing notices of violations in the Public Records providing record notice of any violation of this Declaration; and

(d) levying assessments against the Owner of a Unit to cover costs incurred in bringing a Unit into compliance.

In addition, Declarant or the Board may elect to enforce any provision of this Declaration by entering the Unit and exercising self-help (specifically including, but not limited to, the correction of any maintenance, construction or other violation of this Declaration) or by suit at law or in equity to enjoin any violation or to recover monetary damages or both.

All remedies set forth in this Declaration shall be cumulative of any remedies available at law or in equity. In any action or remedy taken by the Association or the Declarant to enforce the provisions of this Declaration, if the Association or the Declarant, as the case may be, prevails, it shall be entitled to recover, to the maximum extent permissible, all costs, including, without limitation, attorneys fees and court costs, reasonably incurred in such action.

The Association may, but shall not be obligated to, take action to enforce any covenant, restriction, or rule in this Declaration. Any such determination shall not be construed as a waiver of the right of the Association to enforce such provision under any circumstances or estop the Association from enforcing any other covenant, restriction or rule. The Declarant similarly may, but shall not be obligated to, take action to enforce any covenant, restriction, or rule in this Declaration. Any such determination shall not be construed as a waiver of the right of the Declarant to enforce such provision under any circumstances or estop the Declarant from enforcing any other covenant, restriction or rule.

4.3 The Association may exercise any right or privilege given to it expressly by this Declaration, or reasonably implied from or reasonably necessary to effectuate any such right or privilege. Except as otherwise specifically provided in this Declaration, or the articles of incorporation or bylaws of the Association, or by law, all rights and powers of the Association may be exercised by the Board without a vote of the membership.

ARTICLE V

DECLARANT'S RIGHTS

Any or all of the special rights and obligations of the Declarant set forth in this Declaration, may be transferred or assigned from time to time, in whole or in part, to a successor Declarant or the Association, which will assume the position of Declarant pertaining to the

particular rights, powers, easements and reservations assigned, provided that the transfer shall not reduce an obligation nor enlarge a right beyond that which the Declarant has under this Declaration. No such transfer or assignment shall be effective unless it is in a written instrument signed by the Declarant and duly recorded in the Public Records.

This Article may not be amended without the written consent of the Declarant. The rights contained in this Article shall terminate upon the earlier of (a) the expiration of the Declarant Control Period, or (b) upon recording by Declarant of a written statement that all sales activity has ceased.

ARTICLE VI

COVENANTS TO RUN WITH THE LAND

This Declaration is designed to create equitable servitudes and covenants appurtenant to the Property and running with the Property. Declarant hereby declares that all of the Property shall be held, transferred, encumbered, used, sold, conveyed, leased, improved, and occupied subject to the covenants, conditions, restrictions and equitable servitudes contained herein, all of which are for the purposes of uniformly enhancing or protecting the value, attractiveness and desirability of the Property. The covenants, conditions, restrictions, reservations, equitable servitudes, liens and charges set forth herein shall run with the title to the Property and shall be binding upon all Persons having any right, title or interest in the Property, or any part thereof, their heirs, successors and assigns, shall inure to the benefit of each owner of every portion of the Property and its successors and assigns and successors in interest; and shall be binding upon and shall inure to the benefit of the Declarant and the Association.

ARTICLE VII

MISCELLANEOUS

7.1 **Effective Date.** The covenants, conditions and restrictions contained in this Declaration shall become effective upon execution by a duly authorized representative of Declarant.

7.2 **Modification.** This Declaration may be modified, terminated or rescinded, in whole or in part, in a written instrument duly executed and acknowledged by Declarant or the Association, and duly recorded in the Public Records, pursuant to any order of the Land Use Commission of the State of Hawaii. This Declaration may not otherwise be modified, terminated or rescinded, in whole or in part, except by a written instrument duly executed and acknowledged by Declarant, after consultation with the Superintendent of KAHU National Park, and duly recorded in the Public Records.

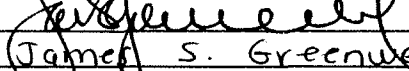
7.3 **Governing Law.** This Declaration shall be governed by and construed in accordance with the laws of the State of Hawaii.

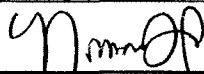
7.4 **Severability.** The invalidity or inability to enforce any provision of this Declaration with respect to a particular set of circumstances shall not in any way affect the validity and enforceability of any other provision hereof, or the same provision when applied to a different set of circumstances.

7.5 Captions. The captions and paragraph headings set forth herein are for convenience only and shall not be referred to or considered in resolving questions as to the interpretation or construction of this Declaration.

IN WITNESS WHEREOF, the undersigned have executed this Declaration as of the 26 day of August 2008.

WEST HAWAII BUSINESS PARK LLC,
a Hawaii limited liability company

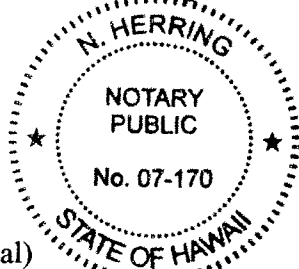
By: 
Name: James S. Greenwell
Title: President

By: 
Name: Norman S. Horn
Title: Vice President

(DECLARANT)

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

On this 26 day of August 2008, before me personally appeared James S. Greenwell and Norman S. Ham, to me known, who, being by me duly sworn or affirmed, did say that such persons executed the foregoing instrument as the free act and deed of such persons and if applicable in the capacities shown, having been duly authorized to execute such instrument in such capacities.



Signature: N. Herring
Print Name: N. Herring
Notary Public, State of Hawaii

My commission expires: April 22, 2011

(Official Stamp or Seal)

NOTARY CERTIFICATION STATEMENT

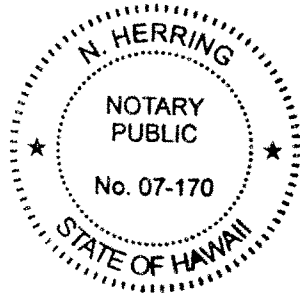
Document Identification or Description: DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR STORM WATER AND SURFACE WATER RUN-OFF

Doc. Date: 8/26/08

No. of Pages: 39 Jurisdiction: First Circuit
(in which notarial act is performed)

N. Herring 8/26/08
Signature of Notary Date of Notarization and
Certification Statement

N. Herring
Printed Name of Notary



(Official Stamp or Seal)

EXHIBIT "A"

[Legal description of Lots A-1-A, A-1-B, A-1-C, A-1-D, A-1-E and Parcel 74]

LOT A-1-A

BEING A PORTION OF ROYAL PATENT 7587, LAND COMMISSION AWARD 11216,
APANA 36 TO M. KEKAUONOHI
(CERTIFICATE OF BOUNDARIES NUMBER 138)

AT HONOKOHAU 1ST, NORTH KONA, ISLAND OF HAWAII, HAWAII

Beginning at the northwest corner of this parcel of land, same being also the north corner of Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), the coordinates of said point of beginning referred to Hawaiian Plane Coordinate Grid System, Zone 1 being 310,410.36 feet North and 321,770.62 feet East and thence running by azimuths measured clockwise from true South:

- | | | | |
|----|---|----------------|---|
| 1. | 259° 01' 40" | 593.64 | feet along Lot F, being a portion of R.P. 8214, L.C. Aw. 7715, Ap. 11 to Lota Kamehameha; |
| 2. | 349° 01' 40" | 596.91 | feet along Lot A-2, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138); |
| 3. | 260° 55' 30" | 525.68 | feet along Lot A-2, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138); |
| 4. | Thence along Lot A-2, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the left with a radius of 45.00 feet, the chord azimuth and distance being: | | |
| | | 244° 08' 46.9" | 25.98 feet; |

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SINCE 1930

EXHIBIT A

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5. Thence along Lot A-2, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the right with a radius of 45.00 feet, the chord azimuth and distance being:
- 250° 33' 58.4" 35.45 feet;
6. 170° 55' 30" 265.00 feet along Lot A-2, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);
7. 260° 55' 30" 645.08 feet along Lot A-2, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);
8. 152° 40' 40" 345.76 feet along Lot A-2, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);
9. 260° 55' 29" 367.55 feet along Lot F, being a portion of R.P. 8214, L.C. Aw. 7715, Ap. 11 to Lota Kamehameha;
10. 331° 21' 32" 3,433.20 feet along Lot B, being a portion of R.P. 7587, L.C. Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);
11. 78° 15' 10" 2,678.18 feet along Lots 14, 13, 8, 7, 6 and 5, being portions of R.P. 6855, L.C. Aw. 9971, Ap. 9 to William Pitt Leleiohoku;
12. 159° 10' 40" 362.33 feet along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);
13. Thence along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the right with a radius of 970.00 feet, the chord azimuth and distance being:
- 162° 34' 45" 115.10 feet;

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- | | | | |
|-----|--|----------------|---|
| 14. | 165° 58' 50" | 830.70 | feet along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138); |
| 15. | Thence along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the left with a radius of 1,030.00 feet, the chord azimuth and distance being: | | |
| | | 156° 23' 22.5" | 343.22 feet; |
| 16. | 146° 47' 55" | 530.13 | feet along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138); |
| 17. | Thence along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the right with a radius of 970.00 feet, the chord azimuth and distance being: | | |
| | | 157° 54' 47" | 373.97 feet; |
| 18. | 169° 01' 39" | 162.14 | feet along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138); |
| 19. | Thence along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being: | | |
| | | 213° 32' 28.5" | 42.07 feet; |
| 20. | 168° 03' 18" | 9.00 | feet along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138); |
| 21. | 170° 49' 55" | 42.05 | feet along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138); |

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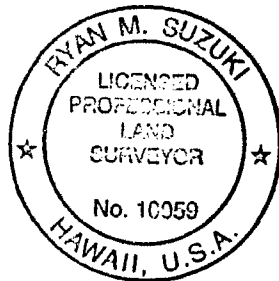
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22. 168° 03' 18" 9.00 feet along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);
23. Thence along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
123° 32' 28.5" 42.79 feet;
24. 169° 01' 39" 571.14 feet along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) to the point of beginning and containing an area of 170.886 Acres; and

SUBJECT, HOWEVER, to the following:


EASEMENT R-1 (Access and Utility Purposes) in favor of Lot A-2 as shown on map prepared by Russell Figueiroa, Subdivision Number 7874 approved on October 20, 2004.

73-5574 Maiau Street
Kailua-Kona, Hawaii 96740
August 3, 2007



R. M. TOWILL CORPORATION

Description prepared by:


Ryan M. Suzuki
Licensed Professional Land Surveyor
Certificate Number 10,059
Expiration Date: April 30, 2008

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BEING PORTIONS OF ROYAL PATENT 7587, LAND COMMISSION AWARD 11216,
APANA 36 TO M. KEKAUONOHU (CERTIFICATE OF BOUNDARIES NUMBER 138) AND
GRANT S-15096 TO LANIHAU CORPORATION, ET. AL.

Beginning at the northwest corner of this parcel of land and along the east side of Queen Kaahumanu Highway (Project Number BD-65-352), the coordinates of said point of beginning referred to Hawaiian Plane Coordinate Grid System Zone 1 being 310,073.83 feet North and 320,034.85 feet East and thence running by azimuths measured clockwise from true South:

- | | | | |
|----|--|---------------|--|
| 1. | 259° 01' 40" | 1,708.09 | feet along Lots 57 and 17 of Kaloko Light Industrial Subdivision Unit 1 (File Plan 1806), Kanalani Street, Lot A, being a portion of R.P. 8214, L.C. Aw. 7715, Ap. 11 to Lota Kamehameha, Lots 53 and 52 of Kaloko Light Industrial Subdivision Unit 1 (File Plan 1806), Lots 50-A and A, being portions of R.P. 8214, L.C. Aw. 7715, Ap. 11 to Lota Kamehameha; |
| 2. | 349° 01' 39" | 573.18 | feet along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138); |
| 3. | Thence along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being: | | |
| | | 33° 32' 28.5" | 42.07 feet; |
| 4. | 348° 03' 18" | 9.00 | feet along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138); |

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SINCE 1930

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5. 350° 49' 55" 42.05 feet along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);

6. 348° 03' 18" 9.00 feet along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);

7. Thence along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

303° 32' 28.5" 42.79 feet;

8. 349° 01' 39" 160.11 feet along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);

9. Thence along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the left with a radius of 1,030.00 feet, the chord azimuth and distance being:

337° 54' 47" 397.11 feet;

10. 326° 47' 55" 530.13 feet along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);

11. Thence along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the right with a radius of 970.00 feet, the chord azimuth and distance being:

336° 23' 22.5" 323.23 feet;

12. 345° 58' 50" 231.27 feet along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);

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- | | | | |
|-----|---|--------------|--|
| 13. | 81° 04' | 589.92 | feet along Lot A-1-D (Cultural Preservation Purposes), being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 14. | 73° 20' | 334.00 | feet along Lot A-1-D (Cultural Preservation Purposes), being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 15. | 111° 22' | 60.00 | feet along Lot A-1-D (Cultural Preservation Purposes), being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 16. | 69° 22' | 89.00 | feet along Lot A-1-D (Cultural Preservation Purposes), being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 17. | 3° 32' | 54.00 | feet along Lot A-1-D (Cultural Preservation Purposes), being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 18. | 72° 51' | 823.00 | feet along Lot A-1-D (Cultural Preservation Purposes), being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 19. | Thence along the east side of Queen Kaahumanu Highway (Project Number BD-65-352), on a curve to the right with a radius of 5,904.00 feet, the chord azimuth and distance being: | | |
| | | 161° 54' 45" | 1,250.50 feet; |
| 20. | 167° 59' 30" | 1,175.19 | feet along the east side of Queen Kaahumanu Highway (Project Number BD-65-352) to the point of beginning and containing an area of 95.387 Acres; and |

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RESERVING, HOWEVER, the following:

EASEMENT L-1
FOR "NO VEHICULAR ACCESS" PLANTING SCREEN PURPOSES
BEING A PORTION OF ROYAL PATENT 7587,
LAND COMMISSION AWARD 11216, APANA 36 TO M. KEKAUONOHI
(CERTIFICATE OF BOUNDARIES NUMBER 138)

Beginning at the north corner of this easement and along the east side of Queen Kaahumanu Highway (Project Number BD-65-352), the coordinates of said point of beginning referred to Hawaiian Plane Coordinate Grid System Zone 1 being 310,073.83 feet North and 320,034.85 feet East and thence running by azimuths measured clockwise from true South:

- | | | | |
|----|--------------|--------|--|
| 1. | 259° 01' 40" | 10.00 | feet along Lot 57 of Kaloko Light Industrial Subdivision Unit 1 (File Plan 1806); |
| 2. | 347° 59' 30" | 928.00 | feet; |
| 3. | 77° 59' 30" | 10.00 | feet; |
| 4. | 167° 59' 30" | 928.18 | feet along the east side of Queen Kaahumanu Highway (Project Number BD-65-352) to the point of beginning and containing an area of 0.213 Acre; |

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EASEMENT L-2
FOR "NO VEHICULAR ACCESS" PLANTING SCREEN PURPOSES

BEING A PORTION OF ROYAL PATENT 7587,
LAND COMMISSION AWARD 11216, APANA 36 TO M. KEKAUONOHI
(CERTIFICATE OF BOUNDARIES NUMBER 138)

Beginning at the north corner of this easement and along the east side of Queen Kaahumanu Highway (Project Number BD-65-352), the coordinates of said point of beginning referred to Hawaiian Plane Coordinate Grid System Zone 1 being 309,048.59 feet North and 320,252.93 feet East and thence running by azimuths measured clockwise from true South:

1. 257° 59' 30" 10.00 feet;
2. 347° 59' 30" 127.01 feet;
3. Thence on a curve to the left with a radius of 5,894.00 feet, the chord azimuth and distance being:

345° 35' 45" 492.77 feet;
4. 73° 12' 10.00 feet;
5. Thence along the east side of Queen Kaahumanu Highway (Project Number BD-65-352), on a curve to the right with a radius of 5,904.00 feet, the chord azimuth and distance being:

165° 35' 45" 493.61 feet;
6. 167° 59' 30" 127.01 feet along the east side of Queen Kaahumanu Highway (Project Number BD-65-352) to the point of beginning and containing an area of 0.142 Acre; and

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EASEMENT L-3
FOR "NO VEHICULAR ACCESS" PLANTING SCREEN PURPOSES

BEING PORTIONS OF ROYAL PATENT 7587,
LAND COMMISSION AWARD 11216, APANA 36 TO M. KEKAUONOHI
(CERTIFICATE OF BOUNDARIES NUMBER 138) AND
GRANT S-15096 TO LANIHAU CORPORATION, ET. AL.

Beginning at the south corner of this easement and along the east side of Queen Kaahumanu Highway (Project Number BD-65-352), the coordinates of said point of beginning referred to Hawaiian Plane Coordinate Grid System Zone 1 being 307,735.65 feet North and 320,667.59 feet East and thence running by azimuths measured clockwise from true South:

1. Along the east side of Queen Kaahumanu Highway (Project Number BD-65-352), on a curve to the right with a radius of 5,904.00 feet, the chord azimuth and distance being:

158° 47' 19" 608.78 feet;
2. 251° 44' 38" 10.00 feet;
3. Thence on a curve to the left with a radius of 5,894.00 feet, the chord azimuth and distance being:

338° 46' 57.5" 608.98 feet;
4. 72° 51' 10.08 feet along Lot A-1-D (Cultural Preservation Purposes), being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al. to the point of beginning and containing an area of 0.140 Acre; and

SUBJECT, HOWEVER, to the following:

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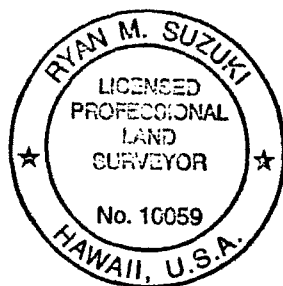
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EASEMENT R-1 (Access and Utility Purposes) in favor of Lot A-2 as shown on map prepared by Russell Figueiroa, Subdivision Number 7874 approved October 20, 2004.

73-5574 Maiiau Street
Kailua-Kona, Hawaii 96740
August 3, 2007



R. M. TOWILL CORPORATION

Description prepared by:



Ryan M. Suzuki
Licensed Professional Land Surveyor
Certificate Number 10,059
Expiration Date: April 30, 2008

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LOT A-1-C

BEING PORTIONS OF ROYAL PATENT 7587, LAND COMMISSION AWARD 11216,
APANA 36 TO M. KEKAUONOHI (CERTIFICATE OF BOUNDARIES NUMBER 138) AND
GRANT S-15096 TO LANIHAU CORPORATION, ET.AL.

AT HONOKOHAU 1ST, NORTH KONA, ISLAND OF HAWAII, HAWAII

Beginning at the northeast corner of this parcel of land, same being also the southeast corner of Lot A-1-D (Cultural Preservation Purposes), being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al., the coordinates of said point of beginning referred to Hawaiian Plane Coordinate Grid System, Zone 1 being 308,137.26 feet North and 322,522.16 feet East and thence running by azimuths measured clockwise from true South:

1. 345° 58' 50" 504.80 feet along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);
2. Thence along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the left with a radius of 1,030.00 feet, the chord azimuth and distance being:
342° 34' 45" 122.22 feet;
3. 339° 10' 40" 352.74 feet along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);
4. 78° 15' 10" 690.90 feet along Lot 3, being a portion of R.P. 6855, L.C. Aw. 9971, Ap. 9 to William Pitt Leleiohoku;

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- | | | | |
|-----|---|--------------|--|
| 5. | 78° 15' 30" | 1,000.00 | feet along Lot A-3, being portions of R.P. 6855, L.C. Aw. 9971, Ap. 9 to William Pitt Leleiohoku and all of Grant S-15098 to Lanihau Corporation, et. al.; |
| 6. | 148° 10' | 213.70 | feet along the east side of Queen Kaahumanu Highway (Project Number BD-65-352); |
| 7. | Thence along the east side of Queen Kaahumanu Highway (Project Number BD-65-352), on a curve to the right with a radius of 5,904.00 feet, the chord azimuth and distance being: | | |
| | 150° 33' | 491.04 feet; | |
| 8. | 236° 48' | 340.00 | feet along Lot A-1-D (Cultural Preservation Purposes), being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 9. | 191° 56' | 139.00 | feet along Lot A-1-D (Cultural Preservation Purposes), being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 10. | 253° 13' | 408.00 | feet along Lot A-1-D (Cultural Preservation Purposes), being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 11. | 253° 50' | 144.00 | feet along Lot A-1-D (Cultural Preservation Purposes), being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 12. | 254° 19' | 309.00 | feet along Lot A-1-D (Cultural Preservation Purposes), being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |

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13. 259° 36' 595.49 feet along Lot A-1-D (Cultural Preservation Purposes), being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al. to the point of beginning and containing and area of 37.703 Acres; and

RESERVING, HOWEVER, the following easement:

**EASEMENT L-5
FOR "NO VEHICULAR ACCESS" PLANTING SCREEN PURPOSES**

**BEING A PORTION OF ROYAL PATENT 7587,
LAND COMMISSION AWARD 11216, APANA 36 TO M. KEKAUONOHI
(CERTIFICATE OF BOUNDARIES NUMBER 138)**

Beginning at the southeast corner of this easement and along the east side of Queen Kaahumanu Highway (Project Number BD-65-352), the coordinates of said point of beginning referred to Hawaiian Plane Coordinate Grid System Zone 1 being 306,857.08 feet North and 321,150.91 feet East and thence running by azimuths measured clockwise from true South:

1. 148° 10' 213.70 feet along the east side of Queen Kaahumanu Highway (Project Number BD-65-352);
2. Thence along the east side of Queen Kaahumanu Highway (Project Number BD-65-352), on a curve to the right with a radius of 5,904.00 feet, the chord azimuth and distance being:
150° 33' 491.04 feet;
3. 236° 48' 10.06 feet along Lot A-1-D (Cultural Preservation Purposes), being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.;

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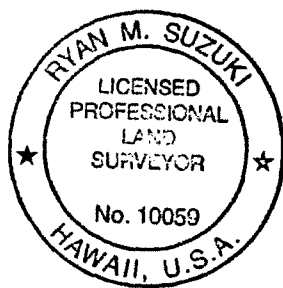
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4. Thence on a curve to the left with a radius of 5,894.00 feet, the chord azimuth and distance being:
330° 33' 19" 491.29 feet;
5. 328° 10' 217.35 feet;
6. 78° 15' 30" 10.65 feet Lot A-3, being portions of R.P. 6855, L.C.Aw. 9971, Ap. 9 to William Pitt Leleiohoku and all of Grant S-15098 to Lanihau Corporation, et.al. to the point of beginning and containing an area of 0.162 Acre.

73-5574 Maiau Street
Kailua-Kona, Hawaii 96740
July 17, 2007



R. M. TOWILL CORPORATION

Description prepared by:


Ryan M. Suzuki
Licensed Professional Land Surveyor
Certificate Number 10,059
Expiration Date: April 30, 2008

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LOT A-1-D

(Cultural Preservation Purposes)

BEING PORTIONS OF ROYAL PATENT 7587, LAND COMMISSION AWARD 11216,
APANA 36 TO M. KEKAUONOHI (CERTIFICATE OF BOUNDARIES NUMBER 138) AND
GRANT S-15096 TO LANIHAI CORPORATION, ET. AL.

AT HONOKOHAU 1ST, NORTH KONA, ISLAND OF HAWAII, HAWAII

Beginning at the northeast corner of this parcel of land, same being also the southeast corner of Lot A-1-B, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al., the coordinates of said point of beginning referred to Hawaiian Plane Coordinate Grid System, Zone 1 being 308,229.23 feet North and 322,499.20 feet East and thence running by azimuths measured clockwise from true South:

- | | | | |
|----|--------------|--------|---|
| 1. | 345° 58' 50" | 94.63 | feet along Lot A-1-E (Road and Utility Purposes), being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138); |
| 2. | 79° 36' | 595.49 | feet along Lot A-1-C, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 3. | 74° 19' | 309.00 | feet along Lot A-1-C, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 4. | 73° 50' | 144.00 | feet along Lot A-1-C, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 5. | 73° 13' | 408.00 | feet along Lot A-1-C, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |

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|-----|---|--------------|---|
| 6. | 11° 56' | 139.00 | feet along Lot A-1-C, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 7. | 56° 48' | 340.00 | feet along Lot A-1-C, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 8. | Thence along the east side of Queen Kaahumanu Highway (Project Number BD-65-352), on a curve to right with a radius of 5,904.00 feet, the chord azimuth and distance being: | | |
| | 154° 23' | 298.80 feet; | |
| 9. | 252° 51' | 823.00 | feet along Lot A-1-B, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 10. | 183° 32' | 54.00 | feet along Lot A-1-B, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 11. | 249° 22' | 89.00 | feet along Lot A-1-B, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 12. | 291° 22' | 60.00 | feet along Lot A-1-B, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 13. | 253° 20' | 334.00 | feet along Lot A-1-B, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 14. | 261° 04' | 589.92 | feet along Lot A-1-B, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al. to the point of beginning and containing an area of 5.600 Acres; and |

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RESERVING, HOWEVER, the following easement:

EASEMENT L-4
FOR "NO VEHICULAR ACCESS" PLANTING SCREEN PURPOSES

BEING A PORTION OF ROYAL PATENT 7587,
LAND COMMISSION AWARD 11216, APANA 36 TO M. KEKAUONOH
(CERTIFICATE OF BOUNDARIES NUMBER 138)

Beginning at the north corner of this easement and along the east side of Queen Kaahumanu Highway (Project Number BD-65-352), the coordinates of said point of beginning referred to Hawaiian Plane Coordinate Grid System Zone 1 being 307,735.65 feet North and 320,667.59 feet East and thence running by azimuths measured clockwise from true South:

- | | | | |
|----|---|----------------|--|
| 1. | 252° 51' | 10.08 | feet along Lot A-1-B, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekaunohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 2. | Thence on a curve to the left with a radius of 5,894.00 feet, the chord azimuth and distance being: | | |
| | | 334° 22' 57.5" | 295.98 feet; |
| 3. | 56° 48' | 10.06 | feet along Lot A-1-C, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekaunohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.; |
| 4. | Thence along the east side of Queen Kaahumanu Highway (Project Number BD-65-352), on a curve to the right with a radius of 5,904.00 feet, the chord azimuth and distance being: | | |
| | | 154° 23' | 298.80 feet to the point of beginning and containing an area of 0.068 Acre. |

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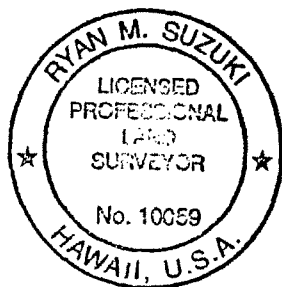
R. M. TOWILL CORPORATION

SINCE 1930

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73-5574 Maiau Street
Kailua-Kona, Hawaii 96740
July 17, 2007



R. M. TOWILL CORPORATION

Description prepared by:

Ryan M. Suzuki

Ryan M. Suzuki
Licensed Professional Land Surveyor
Certificate Number 10,059
Expiration Date: April 30, 2008

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LOT A-1-E

(Road and Utility Purposes)

BEING A PORTION OF ROYAL PATENT 7587, LAND COMMISSION AWARD 11216,

APANA 36 TO M. KEKAUONOHI

(CERTIFICATE OF BOUNDARIES NUMBER 138)

AT HONOKOHAU 1ST, NORTH KONA, ISLAND OF HAWAII, HAWAII

Beginning at the northwest corner of this parcel of land, same being also the northeast corner of Lot A-1-B, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et. al., the coordinates of said point of beginning referred to Hawaiian Plane Coordinate Grid System, Zone 1 being 310,398.94 feet North and 321,711.72 feet East and thence running by azimuths measured clockwise from true South:

- | | | | |
|----|--|----------------|---|
| 1. | 259° 01' 40" | 60.00 | feet along Lot F, being a portion of R.P. 8214, L.C. Aw. 7715, Ap. 11 to Lota Kamehameha; |
| 2. | 349° 01' 39" | 571.14 | feet along Lot A-1-A, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138); |
| 3. | Thence along Lot A-1-A, being a portion of R.P. 7587, L.C. Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being: | | |
| | | 303° 32' 28.5" | 42.79 feet; |
| 4. | 348° 03' 18" | 9.00 | feet along Lot A-1-A, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138); |

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- | | | | |
|-----|---|----------------|---|
| 5. | 350° 49' 55" | 42.05 | feet along Lot A-1-A, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138); |
| 6. | 348° 03' 18" | 9.00 | feet along Lot A-1-A, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138); |
| 7. | Thence along Lot A-1-A, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being: | | |
| | | 33° 32' 28.5" | 42.07 feet; |
| 8. | 349° 01' 39" | 162.14 | feet along Lot A-1-A, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138); |
| 9. | Thence along Lot A-1-A, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the left with a radius of 970.00 feet, the chord azimuth and distance being: | | |
| | | 337° 54' 47" | 373.97 feet; |
| 10. | 326° 47' 55" | 530.13 | feet along Lot A-1-A, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138); |
| 11. | Thence along Lot A-1-A, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the right with a radius of 1,030.00 feet, the chord azimuth and distance being: | | |
| | | 336° 23' 22.5" | 343.22 feet; |
| 12. | 345° 58' 50" | 830.70 | feet along Lot A-1-A, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138); |

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13. Thence along Lot A-1-A, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the left with a radius of 970.00 feet, the chord azimuth and distance being:
- 342° 34' 45" 115.10 feet;
14. 339° 10' 40" 362.33 feet along Lot A-1-A, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);
15. 78° 15' 10" 60.76 feet along Kamanu Street (Road G), being a portion of R.P. 6855, L.C. Aw. 9971, Ap. 9 to William Pitt Leleiohoku;
16. 159° 10' 40" 352.74 feet along Lot A-1-C, being portions of R.P. 7587, L.C.Aw. 11216, ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.;
17. Thence along Lot A-1-C, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al., on a curve to the right with a radius of 1,030.00 feet, the chord azimuth and distance being:
- 162° 34' 45" 122.22 feet;
18. 165° 58' 50" 830.70 along Lots A-1-C, A-1-D and A-1-B, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.;
19. Thence along Lot A-1-B, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al., on a curve to the left with a radius of 970.00 feet, the chord azimuth and distance being:
- 156° 23' 22.5" 323.23 feet;
20. 146° 47' 55" 530.13 feet along Lot A-1-B, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.;

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21. Thence along Lot A-1-B, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al., on a curve to the right with a radius of 1,030.00 feet, the chord azimuth and distance being:
- 157° 54' 47" 397.11 feet;
22. 169° 01' 39" 160.11 feet along Lot A-1-B, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.;
23. Thence along Lot A-1-B, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al., on a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:
- 123° 32' 28.5" 42.79 feet;
24. 168° 03' 18" 9.00 feet along Lot A-1-B, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.;
25. 170° 49' 55" 42.05 feet along Lot A-1-B, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.;
26. 168° 03' 18" 9.00 feet along Lot A-1-B, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al.;
27. Thence along Lot A-1-B, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al., on a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:
- 213° 32' 28.5" 42.07 feet;

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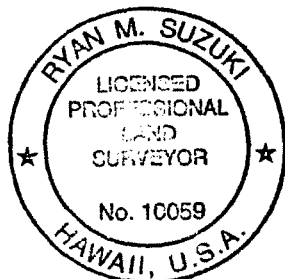
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28. 169° 01' 39" 573.18 feet along Lot A-1-B, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et.al. to the point of beginning and containing an area of 4.802 Acres; and

SUBJECT, HOWEVER, to the following:

EASEMENT R-1 (Access and Utility Purposes) in favor of Lot A-2 as shown on map prepared by Russell Figueiroa, Subdivision Number 7874 approved on October 20, 2004.

73-5574 Maiau Street
Kailua-Kona, Hawaii 96740
August 3, 2007



R. M. TOWILL CORPORATION

Description prepared by:

A handwritten signature in cursive script, appearing to read "Ryan M. Suzuki", written over a horizontal line.

Ryan M. Suzuki
Licensed Professional Land Surveyor
Certificate Number 10,059
Expiration Date: April 30, 2008

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TMK (3) 7-4-8-74

LOT A-2

BEING A PORTION OF ROYAL PATENT 7587,
LAND COMMISSION AWARD 11216, APANA 36 TO M. KEKAUONOHI
(CERTIFICATE OF BOUNDARIES NO. 138)

AT HONOKOHAU 1ST, NORTH KONA, ISLAND OF HAWAII, HAWAII

Beginning at the northwest corner of this parcel of land, being along the North boundary of Lot A-1, being portions of R.P. 7587, L.C. Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant 15096 to Lanihau Corporation, et.al, the coordinates of said point of beginning referred to Hawaiian Plane Coordinate Grid System Zone 1 being 310,523.35 feet North and 322,353.41 feet East and thence running by azimuths measured clockwise from true South:

- | | | | |
|----|--------------|--------|---|
| 1. | 259° 01' 40" | 322.18 | feet along Lot F, being a portion of R.P. 8214, L.C. Aw. 7715, Ap. 11 to Lota Kamehameha; |
| 2. | 260° 55' 29" | 820.00 | feet along Lot F, being a portion of R.P. 8214, L.C. Aw. 7715, Ap. 11 to Lota Kamehameha; |
| 3. | 332° 40' 40" | 345.76 | feet along Lot A-1, being portions of R.P. 7587, L.C. Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant 15096 to Lanihau Corporation, et.al; |
| 4. | 30° 55' 30" | 645.08 | feet along Lot A-1, being portions of R.P. 7587, L.C. Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant 15096 to Lanihau Corporation, et.al; |
| 5. | 350° 55' 30" | 265.00 | feet along Lot A-1, being portions of R.P. 7587, L.C. Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant 15096 to Lanihau Corporation, et.al; |

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6. Thence along Lot A-1, being portions of R.P. 7587, L.C. Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant 15096 to Lanihau Corporation, et.al., on a curve to the left with a radius of 45.00 feet, the chord azimuth and distance being:
- 70° 33' 58.4" 35.45 feet;
7. Thence along Lot A-1, being portions of R.P. 7587, L.C. Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant 15096 to Lanihau Corporation, et.al., on a curve to the right with a radius of 45.00 feet, the chord azimuth and distance being:
- 64° 08' 46.9" 25.98 feet;
8. 80° 55' 30" 525.68 feet along Lot A-1, being portions of R.P. 7587, L.C. Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant 15096 to Lanihau Corporation, et.al.;
9. 169° 01' 40" 596.91 feet along Lot A-1, being portions of R.P. 7587, L.C. Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant 15096 to Lanihau Corporation, et.al. to the point of beginning and containing an area of 12.706 Acres; and

TOGETHER, WITH, the following easement:

EASEMENT R-1
FOR ACCESS AND UTILITY PURPOSES

AFFECTING LOT A-1
BEING A PORTION OF ROYAL PATENT 7587,
LAND COMMISSION AWARD 11216, APANA 36 TO M. KEKAUONOHI
(CERTIFICATE OF BOUNDARIES NO. 138) AND
GRANT S-15096 TO LANIHAI CORPORATION, ET. AL.

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Beginning at the west corner of this easement and along the east side of Queen Kaahumanu Highway (Project Number BD-65-352), the coordinates of said point of beginning referred to Hawaiian Plane Coordinate Grid System Zone 1 being 309,161.070 feet North and 320,229.00 feet East and thence running by azimuths measured clockwise from true South:

1. Thence on a curve to the left with a radius of 25.00 feet, the chord azimuth and distance being:
302° 59' 30" 35.36 feet;
2. 257° 59' 30" 316.19 feet;
3. Thence on a curve to the left with a radius of 420.00 feet, the chord azimuth and distance being:
240° 17' 05" 255.48 feet;
4. 222° 34' 40" 166.67 feet;
5. Thence on a curve to the right with a radius of 530.00 feet, the chord azimuth and distance being:
231° 24' 40" 162.77 feet;
6. 240° 14' 40" 465.54 feet;
7. Thence on a curve to the right with a radius of 530.00 feet, the chord azimuth and distance being:
253° 33' 40" 244.15 feet;
8. 266° 52' 40" 311.17 feet;
9. Thence on a curve to the left with a radius of 2,970.00 feet, the chord azimuth and distance being:
263° 54' 05" 308.43 feet;
10. 260° 55' 30" 709.45 feet along Lot A-2, being a portion of R.P. 7587, L.C. Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);

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11. Thence along Lot A-2, being a portion of R.P. 7587, L.C. Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the left with a radius of 45.00 feet, the chord azimuth and distance being:
244° 08' 46.9" 25.98 feet;
12. Thence along Lot A-2, being a portion of R.P. 7587, L.C. Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the right with a radius of 45.00 feet, the chord azimuth and distance being:
305° 55' 30" 88.21 feet;
13. Thence on a curve to the left with a radius of 45.00 feet, the chord azimuth and distance being:
7° 42' 13.2" 25.98 feet;
14. 350° 55' 30" 319.03 feet;
15. 80° 55' 30" 60.00 feet;
16. 170° 55' 30" 293.78 feet;
17. Thence on a curve to the left with a radius of 45.00 feet, the chord azimuth and distance being:
125° 55' 30" 63.64 feet;
18. 80° 55' 30" 684.20 feet;
19. Thence on a curve to the right with a radius of 3,030.00 feet, the chord azimuth and distance being:
83° 54' 05" 314.66 feet;
20. 86° 52' 40" 311.17 feet;
21. Thence on a curve to the left with a radius of 470.00 feet, the chord azimuth and distance being:
73° 33' 40" 216.51 feet;
22. 60° 14' 40" 465.54 feet;

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-
- A circular professional seal for Russell Figueiroa, a Licensed Professional Land Surveyor. The seal features the name "RUSSELL FIGUEIROA" at the top, "LICENSED PROFESSIONAL LAND SURVEYOR" in the center, the number "No. 4729" below the center, and "HAWAII, U.S.A." at the bottom. Two stars are positioned on the left and right sides of the seal.

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