

PHASED DEVELOPMENT PLAN FOR HO‘OPILI

OVERVIEW

The following Phased Development Plan details the residential and business development expected to take place at Ho‘opili in two ten-year phases. It corresponds to the development timetable filed with the State of Hawaii Land Use Commission (“**Commission**”) as Petition Exhibit “21A”, entitled “Development Phasing Map, Ho‘opili” (“**Ho‘opili Phasing Map**”). The development schedule herein illustrates the phasing concept and is subject to change based upon detailed project design, final zoning approvals and the rate of market absorption. The term “Petition Area” in this document indicates the property situated in the Ewa District, Island of Oahu, identified by Tax Map Key Nos. (1) 9-1-017:004 (por.), 059 and 072; (1) 9-1-018:001 and 004, consisting of approximately 1,525.516 acres.

The initial development will occur along the backbone infrastructure corridors set forth in Petitioner’s Hearing Exhibit “2”, entitled “Ho‘opili Development Summary”, which outlines the project’s major components and estimated schedule. The backbone infrastructure will provide transportation access and water, sewer, drainage, and electric/cable/telephone utilities to and throughout Ho‘opili. This Phased Development Plan is premised upon the economic and logistical sense it makes to develop in a rational sequence around the areas most efficiently served by the backbone infrastructure as it itself is installed.

Of Ho‘opili’s 1,526 acres, Phase 1 consists of approximately 940 gross acres, including roadways, schools, parks and open areas. Of this, net developable acreage would approximate 700± acres. It is estimated that Phase 1 would eventually be rezoned by the City and County of Honolulu (“**City and County**”) to allow for a total of approximately 5,800 residential units, over 2 million square feet of retail/commercial/office space, and approximately 0.8 million square feet of light industrial development within a proposed business/research and development park. Phase 2, which would approximate 586 gross acres, would encompass the remaining approximately 5,950 housing units, with significant densities within the transit-oriented development (“**TOD**”) and town center areas, and also approximately 0.7 million square feet of retail/commercial/office space.

As depicted on the Ho‘opili Phasing Map, Phase 1 includes all Petition Area lands west and north of the line located approximately 1,500 feet east of the Department of Hawaiian Home Lands (“**DHHL**”) property line on Ho‘opili’s southwest border and parallel to the proposed “Spine Road” which extends mauka-makai (as detailed in Petitioner’s Hearing Exhibit “2”). Moving north, the phasing line stops approximately 650 feet south of the existing Farrington Highway right-of-way, and proceeds east keeping this approximate 650-foot distance along Farrington Highway. The line moves south by approximately another 150 feet for about 1,000 linear feet after the intersection of Ho‘opili’s northeastern diagonal road until it eventually joins the makai boundary of Farrington Highway prior to the intersection of the western fork of Old Fort Weaver Road and Farrington Highway. Phase 2 encompasses all remaining areas of the Petition Area, meaning that contiguous portion of the site heading south and east of Phase 1 to Ho‘opili’s boundaries with Old Fort Weaver and Fort Weaver Roads.

As described in Petitioner’s Hearing Exhibit “2”, key commercial and light industrial parcels within Ho‘opili will be upgraded early in the overall development process to conditions suitable for sale to or sub-development with third parties. These transactions will generate proceeds to offset the substantial investments in the land and entitlements estimated to date to approximate

\$80 million, and its infrastructure and roadway systems detailed herein that, on a preliminary basis, are expected to near \$100 million. Sewer and water systems must be sized from the beginning to accommodate the entirety of Ho‘opili’s full build-out capacity requirements, not merely those for Phase 1, and therefore creates a significant upfront investment before and during Phase 1.

OFFSITE INFRASTRUCTURE PLAN AND ESTIMATED SCHEDULE

Offsite Sewer

Plan Summary. Wastewater from the entire Ewa Development Plan area is processed at the Honouliuli Wastewater Treatment Plant (“**WWTP**”), which is located north of Geiger Road between Ho‘opili and old Ewa Beach. Major offsite sewer transmission servicing Ho‘opili will be sized at an initial capacity to accommodate both Phase 1 and Phase 2. The transmission system serving the main Ho‘opili parcel (but not the non-contiguous parcel west of Kualaka‘i Parkway) will extend a total of over two miles starting at the point where the East-West Road enters Ho‘opili from the west. From there, this transmission system will reach the WWTP in the following network:

- Segment 1 A 36-inch transmission line runs for approximately 3,200 linear feet within the East-West Road on property owned by DHHL. Construction of Segment 1 has commenced and is expected to be complete around mid-2011;

- Segment 2 Segment 1 will tie into another 36-inch line that will run through the Mango Tree Road utility corridor (which is in DHHL property adjacent to the Ewa Villages Golf Course) for 3,200 linear feet to Kualaka‘i Parkway. Construction of Segment 2 has commenced and is expected to be complete around mid-2011;

- Segment 3 Segment 2 will tie into a 42-inch line extending 1,500 linear feet in Kualaka‘i Parkway until it ties into a manifold at the Kualaka‘i Parkway intersection with Kapolei Parkway that leads to Segment 4. Segment 3 is already constructed and was partially funded by the Petitioner as outlined below; and

- Segment 4 Flowage is directed for approximately 4,500 linear feet generally west within two large interceptors – the “Kapolei Interceptor” and the “Makakilo Interceptor” – within an easement that is parallel to Kapolei Parkway until heading generally southeast to its connection with the WWTP. The Makakilo Interceptor will be upgraded to accommodate increased regional capacity needs, and these construction plans are in design. Final design will show the 42-inch Kapolei Interceptor sewer remaining as is, and the Makakilo Interceptor increased from 30 inches to 48 inches.

A separate transmission system will provide sewer to the approximately 50-acre non-contiguous Ho‘opili parcel on the west side of Kualaka‘i Parkway between Farrington Highway and H-1 Freeway. This parcel will share in the University of Hawaii West Oahu Campus’ (“**UHWO**”) internal sewer transmission network to eventually connect a 42-inch transmission line to Segment 3 described above and continue to the WWTP.

All offsite sewer transmission systems described above will be dedicated to the City and County.

Estimated Timing and Investment. The Petitioner's total expected upfront investment in offsite sewer infrastructure is approximately \$10.6 million:

- In 2006, the Petitioner contributed \$1.7 million in a lump sum payment toward a Sewer Assessment Agreement (#1) with the DHHL, UHWO and the State Department of Land and Natural Resources. This established the funding responsibilities and capacity rights for Segment 3, construction of which was completed in 2007.
- The Petitioner anticipates contributing approximately \$3 million to a Sewer Assessment Agreement (#2) with DHHL. These payments will cover the Petitioner's share of construction costs for Segments 1 and 2. Construction of both segments is expected to be completed prior to mid-2011. Once finished, Ho'opili will have sewer transmission systems in place from its property border to Kapolei Parkway.
- Within the next couple of years, the UHWO transmission system is expected to be in place so that the non-contiguous Ho'opili parcel along Kualaka'i Parkway will have sewer transmission lines available to it. The estimated total construction and planning costs for the Petitioner's share of this system is approximately \$1 million either (i) in the form of a joint development agreement (#3) with UHWO, or more likely (ii) through fees paid for connection to the City and County's municipal wastewater system. Nearly \$300,000 has already been funded by the Petitioner in payments on other arrangements with UHWO that can be credited toward any sewer or another form of agreement with UHWO.
- Within the next couple of years, a consortium led by affiliates of the James Campbell Company ("**JCC**") will jointly upsize the Makakilo Interceptor from its current 30-inch size to 48 inches. Another Sewer Assessment Agreement (#4) will be struck between JCC, the City and County (Interceptor owner), the Petitioner and potentially UHWO. It is estimated that the Petitioner's share of the planning and construction costs will be \$5 million of the \$17.5 million estimated total for the refurbishment of this sewer line. While this Interceptor will be upgraded starting from within The City of Kapolei, the Petitioner's shared segment of this Interceptor is limited to Segment 4 described above.

Offsite Water

Plan Summary. As detailed in the Water Master Plan, which was submitted to the Commission as Appendix M to Ho'opili's Final Environmental Impact Statement ("**Final EIS**") (Petitioner's Hearing Exhibit "5"), the project will be served by a 228-foot water system and a 440-foot water system located on lands mauka of H-1 Freeway and directly above Ho'opili. These systems will be comprised of new water storage tanks and transmission lines. Phases 1 and 2 will be served by both the 228-foot and 440-foot water systems, requiring both to be operational during Phase 1. (The elevation cutoff line dividing water service zones is approximately 128 feet and is detailed in the Water Master Plan; both phases have property elevations at 128 feet.) All offsite water system components constructed by the Petitioner will be dedicated to the City and County.

Ho'opili's 228-foot water system will have a 1.5 million-gallon ("**MG**") water storage requirement and will tie into a new 6 MG tank planned by the City and County of Honolulu Board of Water Supply ("**BWS**"). The 440-foot water system will have its own 5.5 MG storage tank for Ho'opili's

use. The 18-inch transmission lines from the 228-foot tank will extend 1,200 linear feet to Ho'opili's boundary; the 24-inch transmission lines from the 440-foot tank will extend 5,300 linear feet to Ho'opili's boundary. These will require the tunneling of a new utility corridor under H-1 Freeway, which has been approved in concept by the BWS and the State Department of Transportation ("DOT"). A Use and Occupancy Agreement (an easement agreement) between the Petitioner and the DOT will record the tunneling right and is being drafted.

A separate 440-foot water system serving the UHWO campus will service the approximately 50-acre non-contiguous Ho'opili parcel on the west side of Kualaka'i Parkway between Farrington Highway and H-1 Freeway.

Estimated Timing and Investment. The Petitioner's total expected upfront investment in offsite water infrastructure is approximately \$28.2 million:

- The BWS is planning to construct a new 6 MG storage tank for the 228-foot water system when its current tank nears capacity and planned developments in the region come on line. The total estimated construction cost is \$24 million. The Petitioner will need to contribute its share (estimated at \$6 million) of this cost through Water Service Facility Connection Fees, which are paid as building permits are issued on homes and commercial buildings using the system. However, to connect to the BWS system, the Petitioner will have to install the 18-inch transmission line detailed above at an estimated cost of \$0.9 million.
- Design of the 440-foot water system is expected to commence around Ho'opili's second or third year of construction. Design should take three to six months, and plan approvals from the City and County about six months to one year. Construction will commence upon receipt of plan approvals. Construction should be complete within twelve to eighteen months after plan approval. As a result, it is expected that the 440-foot water system should be operational before the fifth year of Ho'opili's build-out or in time to support the delivery of homes and business space within Phase 1B detailed below. The total expected planning and construction cost of this system is \$27.3 million.
- It is also expected that by 2012, UHWO will have its 440-foot water system operational. Construction commenced during the summer of 2010. This system will be turned over to the City and County, and the Petitioner expects to pay its share of costs to utilize this system to the BWS. When this system is operational, the approximately 50-acre non-contiguous Ho'opili parcel on the west side of Kualaka'i Parkway between Farrington Highway and H-1 Freeway will have water available to it.

Offsite Drainage

Plan Summary. As detailed in the Drainage Master Plan included in the Final EIS as Appendix O, Ho'opili lies within three drainage basins: Kalo'i, Honouliuli and West Loch. West Loch is the only one of the three that has proposed offsite improvements, and these will not be required during the build-out of Phase 1. The proposed improvements involve the construction of a concrete-lined channel from east of Asing Park to West Loch over property owned by the U.S. Navy. Once in, this long-planned improvement will benefit not only Ho'opili, but also Ewa Villages, Fort Weaver Road and the West Loch subdivision. Improvements will be turned over to the City and County, which has been supportive of the concept design because of the benefits provided to multiple property owners, including the City and County, as it currently utilizes offsite property owned by the Petitioner within the Petition Area and West Loch Basin for its own drainage purposes.

Estimated Timing and Investment. The Petitioner’s total expected investment in offsite drainage infrastructure is approximately \$25 million. Given that the improvements will not be required until the build-out of Phase 2, this figure is preliminary and will be subject to change, as is the ultimate offsite drainage solution.

Offsite Traffic/Roadway Improvements

The build-out of Ho’opili will have various impacts on offsite roadway systems and intersections outside of the Petition Area. These are all detailed in the Petitioner’s “Traffic Impact Analysis Report, Ho’opili, Oahu, Hawaii” (“**2030 TIAR**”), which was submitted to the Commission as Appendix L of the Final EIS, along with the improvements needed to mitigate Ho’opili’s impacts in these areas. The Petitioner is working closely with the DOT to best analyze the nature and timing of the installation of these improvements (and intervals for completing updated TIARs further substantiating these and/or other improvements). This will be the emphasis of an agreement to be reached with the DOT, which the Petitioner expects will be finalized prior to filing its rezoning application with the City and County, and will establish an orderly, fair and predictable schedule to ensure that roadway infrastructure is properly addressed.

ONSITE INFRASTRUCTURE PLAN AND ESTIMATED SCHEDULE

Plan Summary. Roadway networks are typically the primary method by which wet and dry utilities are delivered throughout large developments. As a result, it is customary that the construction schedule for onsite utility systems follow that of the main roads carrying those systems. Situations can be common where easements might be used outside of roadways, but these are not the main provisions today used to distribute utilities to end users. They are more of a means to route utilities between major service hardware or facilities and the end users. Therefore, provisions for onsite sewer, potable and non-potable water, drainage and electrical/cable/telephone distribution systems will be put in place as part of the roadway systems.

The Ho’opili Phasing Map and Petitioner’s Hearing Exhibit “1”, a map entitled “Ho’opili Development Plan”, depict the project’s Primary Backbone Roadway Infrastructure (“**Backbone Roadways**”), which consists of the following:

- | | |
|---------------------------|---|
| “Spine Road” | This approximately 6,500-linear-foot road runs mauka-makai from Farrington Highway on the north and the East-West Road on the south and includes the stub of the East-West Road from Ho’opili’s boundary with DHHL; |
| “Campus Drive” | The approximately 2,000-linear-foot portion of the collector road aligned with the main entrance to the UHWO campus off Kualaka’i Parkway to its intersection with the Spine Road; and |
| Farrington Highway | This existing right-of-way already extends approximately 8,500 linear feet through Ho’opili. It provides multiple opportunities for access in north and south directions and will carry all categories of utility infrastructure. |

In addition, an interconnected network of collector, connector and subdivision streets is envisioned to be constructed off these Backbone Roadways not only to distribute utilities, but also vehicle trips, and to promote local and regional connectivity and multiple routing choices.

Estimated Timing and Investment. The total estimated cost associated with the planning and construction of the Spine Road and Campus Drive is \$29 million. Campus Drive will require a bridge over the re-routed and approximately 100-foot span of the Kaloi Gulch to connect to Kualaka'i Parkway. The estimated cost for the construction of the bridge is \$6 million. Any required improvements to Farrington Highway could substantially increase the overall total. The construction of the Backbone Roadways will be completed during Phase 1. Build-out schedules will ultimately follow the general development pattern and schedule outlined for the residential and business space areas to be built along these roads outlined below, so it is expected internal roadway construction will follow the schedule for vertical construction of the buildings.

INFRASTRUCTURE SUMMARY

The following summarizes the estimated cost and timing of the project's infrastructure improvements.

OFF-SITE IMPROVEMENTS	Est. Cost to Petitioner	Estimated Project Start Date	
		Planning	Construction
Sewer			
Segment 1	\$1,000,000	Complete	2009 ¹
Segment 2	2,000,000	Complete	2010 ¹
Segment 3	1,717,907	Complete	Complete ²
Segment 4	4,950,000	In design	2012/2013
Transmission for Kualaka'i Parkway parcel	1,000,000 ³	In design	2010/11
Potable Water⁴			
5.5 MG tank at 440'	22,000,000	2012	2014/2015
24" transmission line from the 440' tank	5,300,000	2012	2014/2015
18" transmission line from the 228' tank	900,000	2011	2011/12
Drainage			
West Loch drainage channel	25,000,000	Phase 2	2025
ON-SITE IMPROVEMENTS			
Backbone Roadways	29,000,000 ⁵	2011	2013
Bridge across Kaloi Gulch to Kualaka'i Parkway	6,000,000	2012	2013/2014
TOTAL	\$98,867,907		

Notes:

¹ Contract awarded by DHH.

² Completed in 2007.

³ \$300,000 already funded by Petitioner applicable to either the water or sewer JDA.

⁴ Non-potable water system requirements, cost estimates and timing remain to be finalized depending on ultimate BWS requirements.

⁵ Estimates related to Spine Road and Campus Drive segments only.

PROPOSED RESIDENTIAL, COMMERCIAL AND LIGHT INDUSTRIAL BUILD-OUT

The following delivery schedule is meant to illustrate the phasing concept and is subject to change based upon detailed project design, final zoning approvals and the rate of market absorption.

Proposed Land Uses. Ho‘opili is planned for a total of 11,750 units and 3.76 million square feet of commercial and light industrial business space.

Table 1
Ho‘opili Density Table – Full Build-out

Land Use	Acres	Units	Comm SF	IMX SF
Low to Medium Density Live-Work Residential	535	5,100	140,000	
Medium Density Mixed-Use	340	5,200	1,125,000	
High Density Mixed-Use	50	1,450	195,000	
Business/Commercial	145		1,500,000	
Light Industrial/Business	50			800,000
Total	1,120	11,750	2,960,000	800,000
Other areas: public facilities ("PF"), roads, open space	406			
Total acreage	1,526			

Table 2
Ho‘opili Density Table – Phase 1

Of this total, Phase 1 will include land uses entitled for the approximate densities:

Land Use	Acres	Units	Comm SF	IMX SF
Low to Medium Density Live-Work Residential	255	2,145	20,000	
Medium Density Mixed-Use	240	3,260	825,000	
High Density Mixed-Use	20	395	90,000	
Business/Commercial	135		1,300,000	
Light Industrial/Business	50			800,000
Total	700	5,800	2,235,000	800,000
Other areas: PF, roads, open space	240			
Total acreage	940			

Table 3
Ho‘opili Density Table – Phase 2

As a result, Phase 2 will include land uses entitled for the approximate densities:

Land Use	Acres	Units	Comm SF
Low to Medium Density Live-Work Residential	280	2,955	120,000
Medium Density Mixed-Use	100	1,940	300,000
High Density Mixed-Use	30	1,055	105,000
Business/Commercial	10		200,000
Light Industrial/Business	0		
Total	420	5,950	725,000
Open space/buffers	166		
Total acreage	586		

Delivery and Construction Sequence. Over Ho‘opili’s full build-out, the absorption rate is anticipated to average approximately 650 units annually. However, a lower rate is expected in the initial years to allow for necessary infrastructure installation. Higher rates are expected in later years, especially post-2015 when nearby competing Ewa developments also serving Ho‘opili’s core target market of first-time and move-up buyers approach completion. The following summary phasing description refers to the Ho‘opili Phasing Map.

Phase 1A
 Years 1-7
 Approx. 1,500 units
 Approx. 1,300
 Thousand Square
 Feet (TSF)
 commercial space

Phase 1A will be the first area to be subdivided and developed within Ho‘opili. Phase 1A includes three non-contiguous areas throughout the Petition Area: the northeast, northwest and southwest corners.

As explained in Petitioner’s Hearing Exhibit “2”, the northeast corner contains a key commercial parcel of approximately 60 acres slated for early sale or sub-development with third parties. If this sale is completed within the first two years following receipt of entitlements, it is anticipated that development of the site would start in around Year 5, after completion of planning and receipt of construction approvals, and would be substantially complete by Year 10. Temporary water and sewer service is available to this site (at costs incremental to those discussed above) to allow for a relatively earlier start to its development; however, it will ultimately require connection to Ho‘opili’s 228-foot water system. The northeast corner also includes a proposed 45-acre public high school site that the Department of Education (“DOE”) had expressed some interest in potentially obtaining early in Ho‘opili’s development. Medical or supportive office uses are envisioned as possible and appropriate in this area to complement the nearby (formerly named) St. Francis and Kahi Mohala hospitals. Together with the high school site, this increases the likelihood for the area to feature an element of senior and/or senior affordable housing opportunities, in addition to the planned low-density residential housing, potentially affordable and market, which could border the eastern edges of the Honouliuli Stream.

Also explained in Petitioner’s Hearing Exhibit “2”, the entire northwest corner is another key strategic site targeted for early sale or sub-development. With the dependence on UHWO for water and sewer, its build-out may trail that of the commercial parcel in the northeast corner by approximately one year.

The southwest corner represents the locations where (i) sewer will be picked up from the offsite connection point in the East-West Road and (ii) construction of the first segment of the Spine Road is programmed. This area is also planned as one of the lowest density locations within Ho‘opili as it is envisioned to feature mostly single-family homes to complement the abutting largely single-family development of DHHL’s East Kapolei II project. In this regard, with relatively higher density housing planned in the northeast corner, it will provide a broad product mix for the Petitioner to concurrently bring to the market.

Phase 1B
Years 5-10
Approx. 1,800 units
Approx. 1,235 TSF
commercial space

Phase 1B represents the main trunk of the Farrington Highway corridor and will pick up construction where Phase 1A ends in the northeast corner. With its advantageous access along a major regional highway and high visibility off H-1 Freeway, Phase 1B is envisioned as a primary employment generating area within Ho'opili. Accordingly, it will also be a location appropriate for higher density housing, including affordable housing.

The 50-acre, light industrial mixed-use area is a third parcel that is targeted for sale or sub-development. The parcel has development potential as a business or research and development park supporting either UHWO, Pearl Harbor's expanding defense industry (especially as National Defense focus continues to shift from the Atlantic to Pacific Theaters), or both. As this parcel is expected to be prepared for sale around Year 5 or just after, following subdivision approvals and completion of offsite improvements, particularly the 440-foot water system, the Petitioner expects development to start during the second half of Phase 1. Aloun Farms also has leased three acres in this area for its processing and cooling plant through 2017, so any development within the industrial mixed-use area will need to avoid this three-acre property.

Phase 1C
Years 4-10
Approx. 2,500 units
Approx. 500 TSF
commercial space

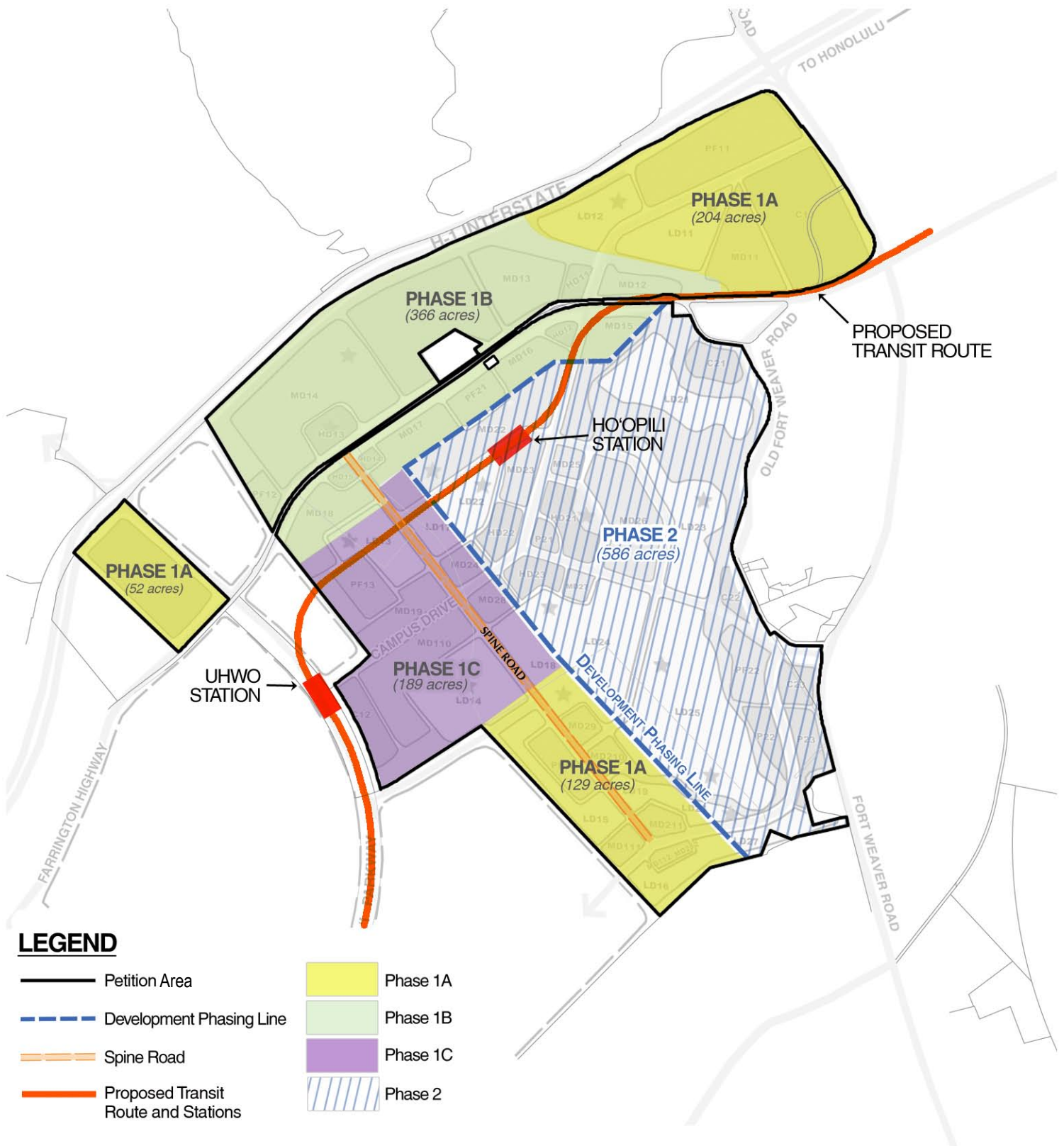
Significant portions of Phase 1C will be serviced by the 228-foot water system, meaning that they will be available for development earlier than those serviced by the 440-foot water system. That said, the majority of Phase 1C is expected to be developed between Years 6 through 10, timed to capitalize appropriately on the maturing of UHWO and the beginning of rail transit operations from East Kapolei to Ala Moana around 2019. The UHWO rail station and its TOD zone are in Phase 1C. The majority of development in this area will focus on higher density residential, TOD-oriented commercial uses complementary to UHWO's continuation of Campus Drive within its property and the completion of the Spine Road to Farrington Highway. The final commercial parcel identified for sale or sub-development is the approximately 15 acres adjacent to Kualaka'i Parkway, south of Campus Drive. It has been identified in the Draft EIS covering the rail system prepared by the City and County as a location for or adjacent to a five-acre park-and-ride.

Phase 2
Years 11-20
Approx. 5,950 units
Approx. 725 TSF
commercial space

Detailed phasing plans for Phase 2 will be determined according to market absorption within the Phase 1 areas for business and residential uses, as well as the necessity to accelerate some of the critical community needs. Important features within Phase 2 will be the Ho'opili rail transit station and adjoining TOD zone, the Ho'opili town center, public intermediate and elementary schools, public district park, planned conversion of agriculture wells to non-potable water wells and its related distribution system, as well as important segments completing the Ho'opili connector roadway

network, including the East-West Road from the Spine Road to Old Fort Weaver Road and planned, interconnected bike paths, all of which will improve local and regional connectivity. Note that the majority of the commercial square footage developed during Phase 2 is envisioned as live-work and multi-use space, so its completion will be more or less ratably tied to the completion of the residential units.

Public Facilities: Ho'opili is planned to have five public school sites and one public facility site, potentially for police or fire service, that together are expected to total over 100 acres. An agreement has been executed by the Petitioner and the DOE to provide for these public school sites: three elementary schools ranging from approximately 10 to 12 acres each, one intermediate school of approximately 15 to 18 acres and one high school of approximately 45 to 50 acres. The DOE agreement addresses when the school sites will be required by the DOE for the anticipated student generation from the Petition Area, and also allows for relocation of the sites to areas acceptable to the DOE in order to accommodate changes in the master plan from zoning approvals, unforeseen constraints and new planning objectives. Currently, the high school site and three elementary school sites are within Phase 1 and the middle school site is within Phase 2. This, however, could change to accommodate the final rail transit alignment, and, for instance, one elementary school site could move into Phase 2.



LEGEND

- Petition Area
- Development Phasing Line
- Spine Road
- Proposed Transit Route and Stations
- Phase 1A
- Phase 1B
- Phase 1C
- Phase 2

Petition Area	Approx. Gross Acres
Phase 1	940
A	385
B	366
C	189
Phase 2	586
TOTAL (Approx.)	1,526

Development Phasing Plan

Exhibit "21A"

HO'OPIILI

Oahu, Hawaii



NOT TO SCALE





**SURVEY MAP SHOWING
PROPOSED HO'OPILI
URBAN DISTRICT BOUNDARY AMENDMENT**

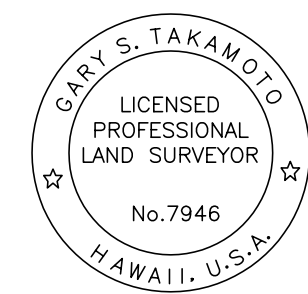
**LOT C-1
BEING THE FOLLOWING:
LOT 10067-B-1-A AS SHOWN ON MAP 1523
LOT 10068 AS SHOWN ON MAP 777
PORTION OF LOT 10069-A AS SHOWN ON MAP 1162
PORTION OF LOT 10078 AS SHOWN ON MAP 785**

**LOT C-2
BEING THE FOLLOWING:
LOT 98-B AS SHOWN ON MAP 442
PORTION OF LOT 10069-A AS SHOWN ON MAP 1162
PORTION OF LOT 10078 AS SHOWN ON MAP 785
AND PORTIONS OF EXCLUSIONS 3 AND 5 AS SHOWN ON MAP 1
OF LAND COURT APPLICATION 1069**

AT HONOLULU, EWA, OAHU, HAWAII

CONTROLPOINT SURVEYING, INC.
1150 SOUTH KING STREET, SUITE 1100
HONOLULU, HAWAII 96814

- NOTES:**
- Origin of Azimuths: "KAPUAI NEW" Δ
 - Coordinates referred to: "KAPUAI NEW" Δ
 - Denotes access permitted
 - Denotes no vehicle access permitted
 - Denotes no access permitted
 - Denotes limited access as noted on plan



This work was prepared by me
or under my direct supervision

By: **Mam S. Ikeneto**
Licensed Professional Land Surveyor
Certificate Number 7946
License Expires 4/12

PROPOSED HO'OPILI DISTRICT BOUNDARY AMENDMENT
AGRICULTURAL TO URBAN

REVISED LOT C-1

Being all of Lot 10067-B-1-A (Map 1523) and Lot 10068 (Map 777) and being also portion of Lots 10069-A (Map 1162) and 10078 (Map 785) of Land Court Application 1069.

Situate at Honouliuli, Ewa, Oahu, Hawaii

Beginning at the West corner of this parcel of land, being also the South corner of Lot 10067-A-1 (Map 1372) of Land Court Application 1069 and on the Northerly side of Lot 10067-B-2 (Map 1514), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAPUAI NEW" being 6,420.38 feet South and 7,377.39 feet East, and running by azimuths measured clockwise from true South:

1. Along Lot 10067-A-1 (Map 1372) of Land Court Application 1069, on a curve to the right with a radius of 4,500.00 feet, the chord azimuth and distance being:

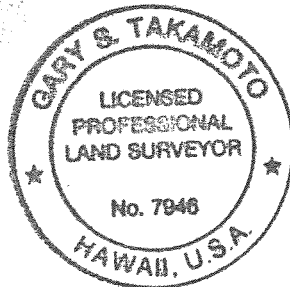
230° 46' 04" 679.55 feet;
2. 141° 36' 2,246.74 feet along Lot 10067-A-1 (Map 1372) of Land Court Application 1069;
3. 203° 20' 213.56 feet along Southeast side of Farrington Highway;
4. Thence along same, on a curve to the right with a radius of 1,879.86 feet, the chord azimuth and distance being:

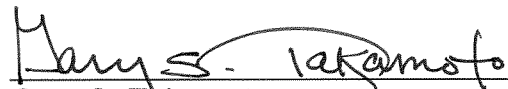
219° 25' 1,041.58 feet;
5. 235° 30' 100.00 feet along same;
6. 145° 30' 5.00 feet along a jog on the Southeast side of Farrington Highway;
7. 235° 30' 2,348.71 feet along Southeast side of Farrington Highway;

8. 233° 22' 988.71 feet along same;
9. 323° 22' 5.00 feet along a jog on the Southeast side of Farrington Highway;
10. 233° 22' 100.00 feet along Southeast side of Farrington Highway;
11. Thence along same, on a curve to the right with a radius of 1,879.86 feet, the chord azimuth and distance being:
251° 03' 1,142.04 feet;
12. 268° 44' 100.00 feet along same;
13. 358° 44' 5.00 feet along a jog on the Southeast side of Farrington Highway;
14. 268° 44' 894.40 feet along the Southeast side of Farrington Highway;
15. 44° 13' 1,198.11 feet along the remainder of Lot 10069-A (Map 1162) of Land Court Application 1069;
16. 88° 44' 806.24 feet along same;
17. 53° 22' 157.62 feet along same;
18. 143° 22' 5.00 feet along same;
19. 53° 22' 988.71 feet along same;
20. 55° 30' 1,530.53 feet along same;
21. 321° 08' 05" 3,561.80 feet along same;
22. 316° 41' 4,085.43 feet along the remainder of Lot 10069-A (Map 1162) and the remainder of Lot 10078 (Map 785) of Land Court Application 1069;
23. 75° 40' 540.00 feet along Lot 18277 (Map 1442) of Land Court Application 1069;

24. 46° 41' 1,027.64 feet along same;
25. 136° 41' 3,826.56 feet along Lots 18065 and 18066 (Map 1410) of Land Court Application 1069;
26. 57° 00' 1,411.72 feet along Lot 18066 (Map 1410) of Land Court Application 1069;
27. Thence along Lot 18066 (Map 1410) of Land Court Application 1069, on a curve to the right with a radius of 2,000.00 feet, the chord azimuth and distance being:
- 63° 24' 38.5" 446.62 feet;
28. Thence along Lot 10067-B-2 (Map 1514) of Land Court Application 1069, on a curve to the left with a radius of 4,352.00 feet, the chord azimuth and distance being:
- 156° 08' 27" 1678.78 feet;
- to the point of beginning and containing a gross area of 440.238 acre, and a net area of 439.595 acre after deducting 0.643 acre of Lot 8862-B (Map 709) of Land Court Application 1069.

July 20, 2011
Honolulu, Hawaii





Gary S. Takamoto
Licensed Professional Land Surveyor
Certificate Number 7946
License Expires 4/12

MARK J. BENNETT 2672
Attorney General of Hawaii

MICHAEL Q.Y. LAU 5328
Deputy Attorney General
Department of the Attorney
General, State of Hawaii
Room 300, Kekuanao'a Building
465 South King Street
Honolulu, Hawaii 96813
Telephone: (808) 587-2980

Attorneys for Plaintiff
State of Hawaii

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

2006 JUL 25 AM 8:45

R. HIGA
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

STATE OF HAWAII, by its Attorney
General,

Plaintiff,

vs.

C.R. CHURCHILL, D.A. HEENAN,
RICHARD W. GUSHMAN, II AND
RONALD J. ZLATOPER, TRUSTEES
UNDER THE WILL AND OF THE
ESTATE OF JAMES CAMPBELL, DECEASED;
CITY AND COUNTY OF HONOLULU, a
municipal corporation of the
State of Hawaii; HAWAIIAN
ELECTRIC COMPANY, INC., a Hawaii
corporation; ALOUN FARM, INC., a
Hawaii corporation; UNIVERSITY OF
HAWAII, a body corporate; JOHN
DOES 1-100; MARY ROES 1-100; DOE
PARTNERSHIPS 1-100; DOE
CORPORATIONS 2-100; DOE TRUSTS
1-100; DOE ENTITIES 1-100,
Defendants.

CIVIL NO. 05-1-0307-02 SSM
(Condemnation)
FINAL ORDER OF
CONDEMNATION;
EXHIBIT "A"

JW

1ST JUDICIAL CIRCUIT
STATE OF HAWAII
22ND DIVISION

2006 JUL 20 AM 9:12

Campbell (21.1)

FINAL ORDER OF CONDEMNATION

Pursuant to the final judgment as to all claims and all parties filed herein on March 15, 2006,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that title to Parcel 5 (Revision 1), as described in Exhibit "A" attached hereto, with all improvements thereon, and appurtenances thereunto belonging, together with abutter's rights of vehicle access (which shall hereinafter collectively be referred to as the "Property"), is vested in the State of Hawaii by final order of condemnation, in fee simple absolute, free and clear of all liens and encumbrances, except for the following:

a. Defendant City and County of Honolulu's easement interest pursuant to the grant of non-exclusive easements dated January 10, 1996, and filed on April 10, 1996, as document no. 2301035 and shown on transfer certificate of title no. 453,625;

b. Defendant Hawaiian Electric Company, Inc.'s ("HECO") easement interest pursuant to the grant of easement dated May 3, 1999, and filed on June 9, 1999, as document no. 2550814, and shown on transfer certificate of title no. 453,625;

c. Defendant HECO's certain easement and land interests pursuant to the final judgment for possession and

condemnation with respect to the property of Defendant Oahu Sugar Co., Ltd., filed in the Circuit Court of the First Circuit on December 31, 1996, and filed on January 30, 1997, as document no. 2362801 and shown on transfer certificate of title no. 453,625;

d. Defendants C.R. Churchill, D.A. Heenan, Richard W. Gushman, II, and Ronald J. Zlapter, in their capacities as the Trustees Under the Will and of the Estate of James Campbell, Deceased ("Defendant Campbell Estate") abutter's right of vehicle access for the benefit of Lot 10067-B (Map 876) as shown on the map attached as Exhibit "B" to the Complaint filed herein;


e. Defendant University of Hawaii's abutter's right of vehicle access for the benefit of Lot 10077-B (Map 785) as shown on the map attached as Exhibit "B" to the Complaint filed herein.

f. The State acknowledges that the plans for the Property provide for a Rapid Transit Right of Way, and the State agrees to provide land necessary for a Rapid Transit Right of Way if requested to do so by Defendant City and County of Honolulu.

The Property is condemned for the construction, preservation, and protection of a public highway to wit: North South Road, Federal Aid Project No. STP-8930(3), Kapolei

Parkway to Farrington Highway, City and County of Honolulu,
State of Hawaii.

DATED: Honolulu, Hawaii, JUL 24 2006.



JUDGE OF THE ABOVE-ENTITLED COURT

State of Hawaii v. C.R. Churchill, et al.; Civil No. 05-1-
0307-02 SSM; Final Order of Condemnation

NORTH SOUTH ROAD
Kapolei Parkway to Farrington Highway
Federal Aid Project No. STP-8930(3)

PARCEL 5 (REVISION 1)

Being a portion of Lot 10067-B as shown on Map 876 of Land Court Application 1069, covered by Transfer Certificate of Title No. 453,625, filed in the Office of the Assistant Registrar of the Land Court

Land situated at Honouliuli, Ewa, Oahu, Hawaii

Beginning at the Northwest corner of this piece of land, on the North side of North South Road, Kapolei Parkway to Farrington Highway, Federal Aid Project No. STP-8930(3) and on the South side of Farrington Highway (Waianae Road, Federal Aid Project No. 4-D), the coordinates of said point of beginning referred to Government Survey Triangulation Station "Kapuai New" being 5,331.32 feet South and 5,757.08 feet East, thence running by azimuths measured clockwise from true South:

1. 223° 20' 00" 130.60 feet along the North side of North South Road, Project No. STP-8930(3), along the South side of Farrington Highway (Waianae Road, Project No. 4-D);
2. Thence along same on a curve to the left with a radius of 3,467.75 feet, the chord azimuth and distance being: 221° 56' 00" 169.45 feet;
3. 313° 20' 00" 49.14 feet along the West side of Lot 10067-A, Map 876 of Land Court Application 1069;
4. 313° 20' 00" 435.00 feet along the East side of North South Road, Project No. STP-8930(3), along the West side of Lot 10067-A, Map 876 of Land Court Application 1069;
5. 313° 20' 00" 564.78 feet along the West side of Lot 10067-A, Map 876 of Land Court Application 1069;
6. Thence along same on a curve to the right with a radius of 4,242.00 feet, the chord azimuth and distance being: 319° 10' 00" 862.27 feet;

EXHIBIT "A"

NORTH SOUTH ROAD
Project No. STP-8930(3)
Parcel 5 (Revision 1)

7. Thence along the East side of North South Road, Project No. STP-8930(3), along the remainder of Lot 10067-B, Map 876 of Land Court Application 1069 on a curve to the right with a radius of 4,242.00 feet, the chord azimuth and distance being: 325° 51' 52" 128.00 feet;
8. Thence along same on a curve to the right with a radius of 4,242.00 feet, the chord azimuth and distance being: 337° 06' 48" 1,529.26 feet;
9. Thence along the North side of Lot 8861-D, Map 712 of Land Court Application 1069 on a curve to the right with a radius of 2,000.00 feet, the chord azimuth and distance being: 74° 07' 50.5" 300.56 feet;
10. Thence along the West side of North South Road, Project No. STP-8930(3), along the Northeast side of Lot 10077, Map 785 of Land Court Application 1069 on a curve to the left with a radius of 3,942.00 feet, the chord azimuth and distance being: 157° 18' 26.95" 1,429.56 feet;
11. Thence along same on a curve to the left with a radius of 3,942.00 feet, the chord azimuth and distance being: 145° 55' 49" 128.00 feet;
12. Thence along same on a curve to the left with a radius of 3,942.00 feet, the chord azimuth and distance being: 139° 10' 00" 801.29 feet;
13. 133° 20' 00" 999.78 feet along the West side of North South Road, Project No. STP-8930(3), along the Northeast side of Lot 10077, Map 785 of Land Court Application 1069;

NORTH SOUTH ROAD
Project No. STP-8930(3)
Parcel 5 (Revision 1)

14. 133° 20' 00" 45.00 feet along the Northeast side of Lot 10077, Map 785 of Land Court Application 1069 to the point of beginning and containing an area of 1,049,446 square feet or 24.092 acres.

Together with any and all abutter's rights of vehicle access appurtenant to the remainder of the land of which Parcel 5 (Revision 1) is a part, into and from North South Road, Kapolei Parkway to Farrington Highway, Federal Aid Project No. STP-8930(3), over and across Course 8 of the above described Parcel 5 (Revision 1).

Also together with any and all abutter's rights of vehicle access appurtenant to the remainder of the land of which Parcel 5 (Revision 1) is a part, into and from North South Road, Kapolei Parkway to Farrington Highway, Federal Aid Project No. STP-8930(3), over and across the following described right-of-way boundary:

Beginning at the West end of this right-of-way boundary, at the end of Course 6 of the above described Parcel 5 (Revision 1), thence running by azimuth measured clockwise from true South:

1. Along the East side of North South Road, Project No. STP-8930(3), along the South side of Lot 10067-A, Map 876 of Land Court Application 1069 on a curve to the left with a radius of 4,500.00 feet, the chord azimuth and distance being: 235° 47' 54.5" 110.02 feet to the East end of this right-of-way boundary and having a length of 110.02 feet.

Also together with any and all abutter's rights of vehicle access appurtenant to the remainder of the land of which Parcel 5 (Revision 1) is a part, into and from North South Road, Kapolei Parkway to Farrington Highway, Federal Aid Project No. STP-8930(3), over and across the following described right-of-way boundary:

NORTH SOUTH ROAD
Project No. STP-8930(3)
Parcel 5 (Revision 1)

Beginning at the West end of this right-of-way boundary, at the end of Course 8 of the above described Parcel 5 (Revision 1), thence running by azimuth measured clockwise from true South:

1. Along the East side of North South Road, Project No. STP-8930(3), along the North side of Lot 10079, Map 785 of Land Court Application 1069 on a curve to the left with a radius of 2,000.00 feet, the chord azimuth and distance being: 248° 13' 31" 111.42 feet to the East end of this right-of-way boundary and having a length of 111.43 feet.

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
Highways Division

Honolulu, Hawaii
January 25, 2005

By Rm Mzi
Associate Cadastral Engineer

Tax Map Key: 9-1-17:4 (Portion)

Description Checked

M
Assoc. Cadastral Engineer
Date 1/28/05

(Calc. Folder 590, Pages 10, 11 and 15)

AC
p
Issue



L-369 STATE OF HAWAII
OFFICE OF ASSISTANT REGISTRAR

RECORDED
NOV 23, 2010 08:02 AM

L.C. Order No(s) 184988
on Cert(s) 795,121

Issuance of Cert(s) 1,004,824
Thru 1,004,825

/s/ NICKI ANN THOMPSON
ASSISTANT REGISTRAR



20 1/1 24

COSTS WAIVED

After recording, return by mail or pick-up

SCHNEIDER TANAKA RADOVICH

ANDREW & TANAKA

A Limited Liability Law Company

1100 Alahea Street, Suite 2100, Honolulu, Hawaii 96813

Telephone: 808.792.4200 Facsimile: 808.792.3920

Shirley Higashida

Phone: 792-9031

Document contains || pages

DT 10067-B-1 157.554 AC
10067-B-2 24.092 AC

IN THE LAND COURT OF THE STATE OF HAWAII

In the matter of the application)
)
 of)
)
 THE TRUSTEES UNDER THE WILL AND)
 OF THE ESTATE OF JAMES CAMPBELL,)
 DECEASED)
)
 to register and confirm title to land situate at)
 Honouliuli, Ewa, Oahu, State of Hawaii)
)

SUBDIVISION
of
Application 1069
(Map 1514)

2010 AUG 18 PM 3:22
KATHLEEN HANAWAHINE
REGISTRAR

Petition of D.R. HORTON SCHULER HOMES, LLC, subdivision of Lot 10067-B as shown on Map 876 into Lots 10067-B-1 and 10067-B-2 designation of restriction of vehicle access rights affecting Lot 10067-B-1

ORDER OF SUBDIVISION

Upon the record and the evidence herein, and the map or plan filed with the application for subdivision in this matter having been referred to the Surveyor of the State of Hawaii, and he having examined and checked the same and certified the same to be correct, Copy of Said petition and the Return of the Surveyor by reference made a part hereof,

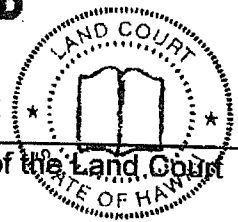
IT IS ORDERED, ADJUDGED AND DECREED, that the said subdivision, as certified by the Surveyor of the State of Hawaii, is hereby authorized and approved, and the Assistant Registrar of this court is hereby directed to endorse on Owner's Certificate of Title No. 795,121 reference to said map or plan as approved, and upon presentation to him of proper deeds of transfer, to issue a new certificate, or certificates, for the lots conveyed and enter same on said Owner's Certificate of Title No. 795,121 in accordance with Hawaii Revised Statutes, Section 501-89 and 501-109.

DATED: Honolulu, Hawaii, August 18, 2010

COSTS WAIVED

A TRUE COPY, ATTEST WITH
THE SEAL OF SAID COURT.
Karin Takayama
Clerk

KATHLEEN HANAWAHINE
Registrar for the Judge of the Land Court



146

STATE OF HAWAII

2010 AUG 18 PM 3:20

REGISTER

IN THE LAND COURT OF THE STATE OF HAWAII

In the Matter of the Application)
of)
THE TRUSTEES UNDER THE WILL)
AND OF THE ESTATE OF JAMES)
CAMPBELL, DECEASED)
to register and confirm title to land situate)
at Honouliuli, Ewa, Oahu, State of Hawaii)

SUBDIVISION
of
Application 1069
(Map 1514)

Petition of D.R. HORTON SCHULER HOMES, LLC, subdivision of Lot 10067-B as shown on Map 876 into Lots 10067-B-1 and 10067-B-2 designation of restriction of vehicle access rights affecting Lot 10067-B-1

RETURN OF THE STATE LAND SURVEYOR

To the Honorable Judge of the Land Court,
State of Hawaii.

Pursuant to an Order duly made and issued out of said Honorable Court on the 6th day of July 2010, referring the map filed for approval of subdivision in the above entitled matter, to the State Land Surveyor for verification, check on the ground if necessary and report.

The undersigned, the State Land Surveyor begs to report that the same has been examined and checked as to form and mathematical correctness and found to be in order.

And further, that said map has been compared with Transfer Certificate of Title No. 795,121 found to be in accord therewith.

NOTE:

Allegations in the petition have been checked and found to be in accord therewith.

Only encumbrances as noted in the petition have been checked.

APPROVED by the City Department of Planning and Permitting on February 10, 2006.

And pending approval of the Court, the map and said Transfer Certificate of Title will be held for further instructions.

DATED at Honolulu, this 18th day of August, 2010.

Examined by:

Ronald K. Semide

Assistant.

lk

[Signature]

STATE LAND SURVEYOR

=====

Received from the State Land Surveyor _____ whiteprint of, and the approved tracing map in the above entitled matter and Transfer Certificate of Title No.

Honolulu, Hawaii
AUG 18 2010, 2010

KARIN H. TAKAYAMA
CLERK OF THE LAND COURT

IN THE LAND COURT OF THE STATE OF HAWAII

1 L.D. Case No. 10-1-1979

In the Matter of the Application of)
)
)
THE TRUSTEES UNDER THE WILL)
AND OF THE ESTATE OF JAMES)
CAMPBELL, DECEASED)
)
)
to register title to land situate at)
Honouliuli, District of Ewa, City and)
County of Honolulu, State of Hawaii)
_____)

Application No. 1069

KATHLEEN HANAWAHINE
REGISTRAR

2010 JUL -2 PM 12:50

LAND COURT
STATE OF HAWAII
FILED

COSTS WAIVED

PETITION FOR SUBDIVISION OF LOT 10067-B AND DESIGNATION OF
RESTRICTION OF VEHICLE ACCESS RIGHTS AND FOR
THE REGISTRATION OF LAND TAKEN BY THE STATE OF HAWAII
UNDER THE POWER OF EMINENT DOMAIN;
AND FOR AMENDMENT OF TRANSFER CERTIFICATE OF TITLE NO. 795,121

Referred to the Surveyor of the State for check and report. Map filed herewith. Transfer Certificate of Title 795,121 is at the Bureau.

8 white prints requested

BY ORDER OF THE COURT

KATHLEEN HANAWAHINE
Registrar



178

A TRUE COPY, ATTEST WITH
THE SEAL OF SAID COURT.

TRACIANN SHIMADUKURO
Clerk

IN THE LAND COURT OF THE STATE OF HAWAII

In the Matter of the Application of)
) Application No. 1069
)
THE TRUSTEES UNDER THE WILL)
AND OF THE ESTATE OF JAMES)
CAMPBELL, DECEASED)
)
to register title to land situate at)
Honouliuli, District of Ewa, City and)
County of Honolulu, State of Hawaii)
_____)

PETITION FOR SUBDIVISION OF LOT 10067-B AND DESIGNATION OF
RESTRICTION OF VEHICLE ACCESS RIGHTS AND FOR
THE REGISTRATION OF LAND TAKEN BY THE STATE OF HAWAII
UNDER THE POWER OF EMINENT DOMAIN;
AND FOR AMENDMENT OF TRANSFER CERTIFICATE OF TITLE NO. 795,121

TO THE HONORABLE PRESIDING JUDGE OF THE LAND COURT OF THE STATE OF HAWAII:

Comes now the STATE OF HAWAII (hereinafter the "Petitioner"), on behalf of D.R. HORTON - SCHULER HOMES, LLC, a Delaware limited liability company, dba D.R. Horton-Schuler Division (hereinafter the "Owner"), whose address is 650 Iwilei Road, Suite 209, Honolulu, Hawaii 96817, and respectfully petitions this Court as follows:

A. Petition Property and Ownership

1. By Final Order of Condemnation filed July 25, 2006, in eminent domain proceedings, Civil No. 05-1-0307-02 SSM, in the Circuit Court of the First Circuit, State of Hawaii, recorded as Land Court Document No. 3459071, Parcel 5 (Revision 1) was condemned for the construction, preservation and protection of North South Road, Kapolei Parkway to Farrington Highway, Federal Aid Project No. STP-8930 (3), situate at Honouliuli, District of Ewa, City and County of Honolulu, State of Hawaii.

2. The aforesaid Parcel 5 (Revision 1) is described by metes and bounds in the Final Order of Condemnation.

3. The aforesaid Parcel 5 (Revision 1) is a portion of Lot 10067-B, as shown on Map 876, of Land Court Application No. 1069, being the land described in and covered by Transfer Certificate of Title No. 795,121 issued to Owner.

B. Land Court Map

Based on the metes and bounds description in the Final Order of Condemnation, Petitioner has prepared the tracing filed with this Petition (hereinafter the "Map") showing the following:

1. Subdivision of Lot 10067-B into Lots 10067-B-1 and 10067-B-2;
2. Designation of restriction of vehicle access rights affecting Lot 10067-B-1.
3. All previous provisions for access are superseded. The rights of access set forth in paragraph C below shall supersede all previous provisions for access with respect to the areas included within Lot 10067-B, and as may have been provided in any land court orders issued prior to the approving of this Petition.

C. Access

1. Lot 10067-B-1 will have direct access to Farrington Highway, a public road. Lot 10067-B-1 will also have access over Lot 10067-B-2 to Farrington Highway, a public road, subject to the restriction of vehicle access shown on the Map.
2. Roadway Lot 10067-B-2 will have direct access to Farrington Highway, a public road.

D. Encumbrances

See Exhibit "A" for Statement of Encumbrances.

E. Approval

Said Map filed herewith was approved by the Department of Planning and Permitting of the City and County of Honolulu, as evidenced by the endorsement of said Office on the Map.

Lot 10067-B-2 is required by the State of Hawaii for a public purpose, to wit: the construction, preservation and protection of North South Road, Kapolei Parkway to Farrington Highway, Project No. Federal Aid Project No. STP-8930(3), Honouliuli, District of Ewa, City and County of Honolulu, State of Hawaii (hereafter referred to as the "Project").

This Petition for Subdivision and Designation of Restriction of Vehicle Access Rights is being initiated by the State in connection with the Project.

F. Amendment to Transfer Certificate of Title

This Petition is being filed pursuant to the Final Order of Condemnation. Upon the issuance of a Land Court Order to note this subdivision and designation of restriction of vehicle access rights, Transfer Certificate of Title No. 795,121 should be amended to delete reference to Document Nos. 3234739 and 3459071.

G. Separate Lot Ownership

In connection with the Subdivision of Lot 10067-B, Lot 10067-B-1 and Lot 10067-B-2 shall be owned as follows:

1. Lot 10067-B-1 shall be owned by D.R. Horton - Schuler Homes, LLC, a Delaware limited liability company, dba D.R. Horton-Schuler Division.

2. Lot 10067-B-2 shall be owned by the State of Hawaii.

WHEREFORE, your Petitioner respectfully prays as follows:

1. That the Map filed herewith be examined and found correct;

2. That an Order issue (i) approving and authorizing the subdivision and designation of restriction of vehicle access rights; and directing the Assistant Registrar of this Court to note the subdivision and designation of restriction of vehicle access rights on Transfer Certificate of Title No. 795,121, in accordance with Chapter 501, Hawaii Revised Statutes, as amended; and (ii) approving and authorizing the amendment to Transfer Certificate of Title No. 795,121, as herein set forth;

3. That a new transfer certificate of title be issued to D.R. Horton - Schuler Homes, LLC, a Delaware limited liability company, dba D.R. Horton-Schuler Division for Lot 10067-B-1 as shown on Map _____ of Land Court Application No. 1069 filed herewith, in fee simple, free and clear of all liens and encumbrances, except as set forth in the attached Statement of Encumbrances;

4. That a new transfer certificate of title be issued to the State of Hawaii for Lot 10067-B-2 as shown on Map _____ of Land Court Application No. 1069 filed herewith, in fee simple, free and clear of all liens and encumbrances, except as set forth in the attached Statement of Encumbrances;

PETITION FOR SUBDIVISION OF LOT 10067-B AND DESIGNATION OF RESTRICTION OF VEHICLE ACCESS RIGHTS AND FOR THE REGISTRATION OF LAND TAKEN BY THE STATE OF HAWAII UNDER THE POWER OF EMINENT DOMAIN; AND FOR AMENDMENT OF TRANSFER CERTIFICATE OF TITLE NO. 795,121

5. That an Order issue directing the Assistant Registrar of this Court to endorse on Transfer Certificate of Title No. 795,121 a reference to said Map in accordance with Sections 501-85 and 501-109, Hawaii Revised Statutes.

DATED: Honolulu, Hawaii, April 27, 2010.

STATE OF HAWAII

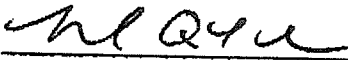
By 
Name: Michael Q.Y. Lan
Title: Deputy Attorney General

EXHIBIT "A"

STATEMENT OF ENCUMBRANCES

1. Lots 10067-B-1 and 10067-B-2 shall be subject to the following encumbrances:
 - a. Easement 4766 for utility and access purposes, as shown on Map 709, as set forth by Land Court Order No. 118110 filed September 19, 1994.
 - b. Grant of Easement dated January 10, 1996, in favor of the City and County of Honolulu, Board of Water Supply, filed as Document No. 2301035, granting an easement over Easement 4766.
 - c. Terms, covenants, conditions, reservations and easements contained in Trustee's Limited Warranty Deed With Covenants and Reservation of Rights dated March 1, 2006, filed as Document No. 3398322.
 - d. Declaration of Reserved Rights dated March 1, 2006, made by and between the Trustees under the Will and of the Estate of James Campbell, deceased, and D.R. Horton - Schuler Homes, LLC, a Delaware limited liability company, dba D.R. Horton-Schuler Division, filed as Document No. 3398323.
2. Lot 10067-B-1 shall be subject to the following encumbrances:
 - a. Road widening setback line, as shown on Map 777, as set forth by Land Court Order No. 119924 filed March 8, 1995.
 - b. Grant dated August 26, 1983, in favor of Hawaiian Electric Company, Inc. and Hawaiian Telephone Company Incorporated, now known as Hawaiian Telcom, Inc., filed as Document No. 1196816.
3. Lot 10067-B-2 shall be subject to the following encumbrances:
 - a. Easement 4770, as shown on Map 712, as set forth by Land Court Order No. 118750 filed November 21, 1994.
 - b. Final Judgment for Possession and Condemnation filed in the Circuit Court of the First Circuit, State of Hawaii, Civil No. 94-0339-01, filed as Document Nos. 2313956 and 2362801, as set forth by Land Court Order No. 126403 filed December 18, 1996.

c. Easement-6743, for electrical purposes, as shown on Map 952, as set forth by Land Court Order No. 133677 filed December 22, 1998.

d. Grant dated May 3, 1999, in favor of Hawaiian Electric Company, Inc., filed as Land Court Document No. 2550814, granting an easement over portions of Easement 6743.

e. Final Order of Condemnation filed in the Circuit Court of the First Circuit, State of Hawaii, in Civil No. 05-1-0307-02, filed as Document No. 3459071.

END OF EXHIBIT "A"

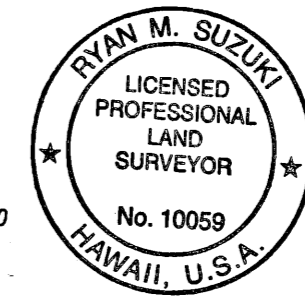
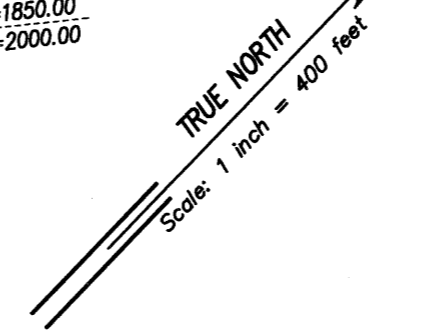
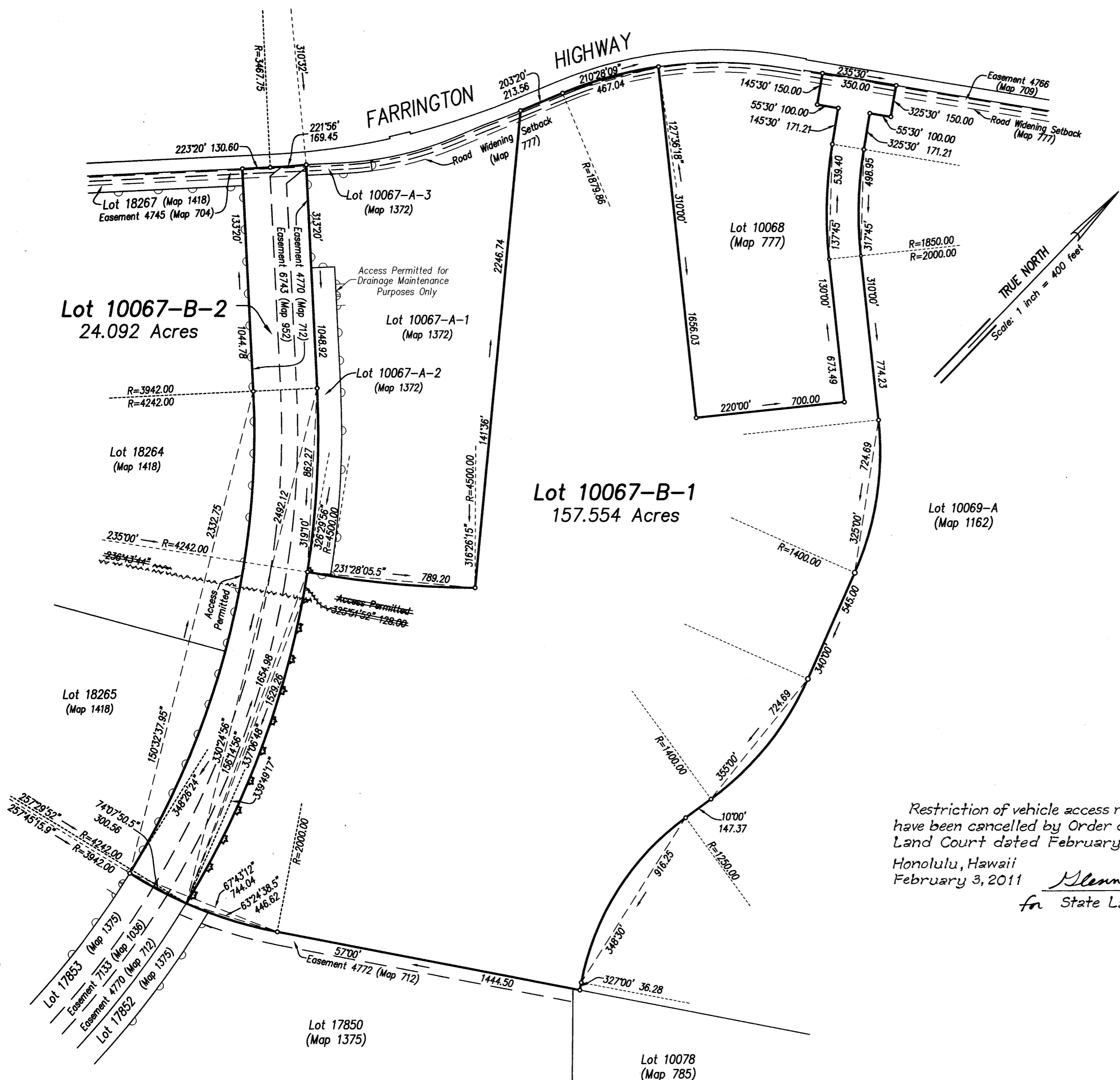
LAND COURT
STATE OF HAWAII

LAND COURT APPLICATION 1069

SUBDIVISION OF LOT 10067-B
AS SHOWN ON MAP 876
INTO LOTS 10067-B-1 AND 10067-B-2

~~DESIGNATION OF RESTRICTION OF
VEHICLE ACCESS RIGHTS
AFFECTING LOT 10067-B-1~~

AT HONOLULU, EWA, OAHU, HAWAII



R.M. TOWILL CORPORATION

Ryan M. Suzuki 4/30/10
Ryan M. Suzuki Expiration Date
Licensed Professional Land Surveyor
Certificate Number 10059
Land Court Certificate Number 280

2024 North King Street, Suite 200
Honolulu, Hawaii 96819
January 3, 2006

OWNER: D.R. HORTON SCHULER HOMES, LLC

TRANSFER CERTIFICATE OF TITLE: 795,121

Restriction of vehicle access rights as shown hereon
have been cancelled by Order of the Judge of the
Land Court dated February 3, 2011.

Honolulu, Hawaii
February 3, 2011 *Gleenn Kodani*
for State Land Surveyor

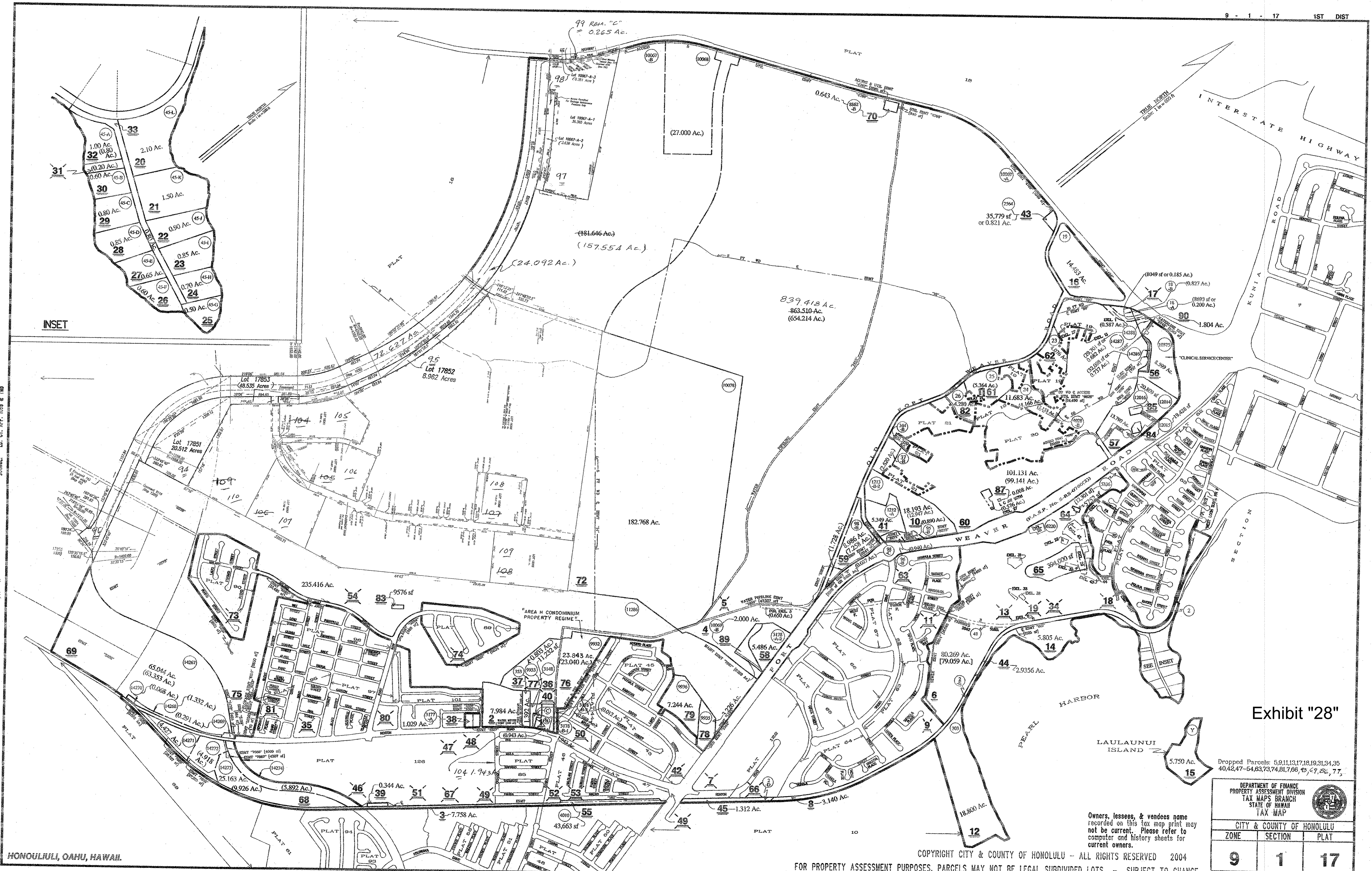
AUTHORIZED AND APPROVED BY ORDER OF THE JUDGE
OF THE LAND COURT DATED AUGUST 18, 2010
BY ORDER OF THE COURT.

Kareem Hanawahine
REGISTRAR OF THE LAND COURT

Exhibit "27"

*Filed: July 2, 2010 by
P. Amariho, clerk*

- NOTES:
- Denotes no vehicle access permitted
 - Denotes access permitted
 - Denotes limited access permitted as noted on plan



INSET

Exhibit "28"

Dropped Parcels: 5,9,11,13,17,18,19,31,34,35, 40,42,47-54,63,73,74,81,786,89,99,8c,77,

DEPARTMENT OF FINANCE PROPERTY ASSESSMENT DIVISION TAX MAPS BRANCH STATE OF HAWAII TAX MAP		
CITY & COUNTY OF HONOLULU		
ZONE	SECTION	PLAT
9	1	17
SCALE: 1 IN = 600 FT.		

Owners, lessees, & vendees name recorded on this tax map print may not be current. Please refer to computer and history sheets for current owners.

COPYRIGHT CITY & COUNTY OF HONOLULU - ALL RIGHTS RESERVED 2004
FOR PROPERTY ASSESSMENT PURPOSES, PARCELS MAY NOT BE LEGAL SUBDIVIDED LOTS - SUBJECT TO CHANGE

HONOLULU, OAHU, HAWAII.

SOURCE: L.D. CT. APP. 1958 & TUB
DATE: 29 JUNE 1999
BY: JF
DWG NO.: 3505

75
LEO

BOC



L-320 STATE OF HAWAII
OFFICE OF ASSISTANT REGISTRAR
RECORDED
MAY 18, 2011 08:02 AM
L.C. Order No(s) 187056
on Cert(s) 1,004,824



20 1/1 Z4

/s/ NICKI ANN THOMPSON
ASSISTANT REGISTRAR

KA

After recording, return by mail or pick-up

**SCHNEIDER TANAKA RADOVICH
ANDREW & TANAKA**
A Limited Liability Law Company

1100 Alakea Street, Suite 2100, Honolulu, Hawaii 96813
Telephone: 808.792.4200 Facsimile: 808.792.3920
Shirley Higashida
Phone: 792-9031

Document contains 9 pages

LOTS 10067-B-1-A 153318 ACRES
10067-B-1-B 4.236 ACRES

IN THE LAND COURT OF THE STATE OF HAWAII

In the matter of the application)
)
 of)
)
 The Trustees under the Will and of the)
 Estate of James Campbell, Deceased)
)
 to register and confirm title to land situate)
 at Honouliuli, Ewa, Oahu,)
 State of Hawaii)

SUBDIVISION
 of
 Application 1069
 (Map 1523)

CLERK

KATHLEEN HANAWAHINE

2011 FEB -3 PM 2:43

TAX APPEAL COURT
 STATE OF HAWAII
 FILED

Petition of D.R. HORTON - SCHULER HOMES, LLC, Owner, subdivision of Lot 10067-B-1 as shown on Map 1514 into Lots 10067-B-1-A and 10067-B-1-B and cancellation of restriction of vehicle access rights as shown on Map 1514 and designation of restriction of vehicle access rights affecting Lot 10067-B-1-A

ORDER OF SUBDIVISION

Upon the record and the evidence herein, and the map or plan filed with the application for subdivision in this matter having been referred to the Surveyor of the State of Hawaii, and he having examined and checked the same and certified the same to be correct, Copy of Said petition and the Return of the Surveyor by reference made a part hereof,

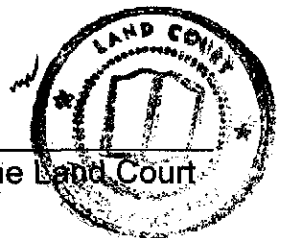
IT IS ORDERED, ADJUDGED AND DECREED, that the said subdivision, as certified by the Surveyor of the State of Hawaii, is hereby authorized and approved, and the Assistant Registrar of this court is hereby directed to endorse on Owner's Certificate of Title No. 1,004,824 reference to said map or plan as approved, and upon presentation to him of proper deeds of transfer, to issue a new certificate, or certificates, for the lots conveyed and enter same on said Owner's Certificate of Title No. 1,004,824 in accordance with Hawaii Revised Statutes, Section 501-89 and 501-109.

DATED: Honolulu, Hawaii, February 3 , 2011

A TRUE COPY, ATTEST WITH
 THE SEAL OF SAID COURT.
 MYRNA P. VILLEGAS
 Clerk

KATHLEEN HANAWAHINE

Registrar for the Judge of the Land Court



LAND COURT
STATE OF HAWAII
FILED

2011 FEB -3 AM 2:50

KATHLEEN HANAWAHINE
REGISTRAR

IN THE LAND COURT OF THE STATE OF HAWAII

In the Matter of the Application)
)
 of)
)
 THE TRUSTEES UNDER THE WILL)
 AND OF THE ESTATE OF JAMES)
 CAMPBELL, DECEASED)
)
 to register and confirm title to land situate)
 at Honouliuli, Ewa, Oahu, State of Hawaii)
)

SUBDIVISION
of
Application 1069
(Map 1523)

Petition of D.R. HORTON – SCHULER HOMES, LLC, Owner, subdivision of Lot 10067-B-1 as shown on Map 1514 into Lots 10067-B-1-A and 10067-B-1-B and cancellation of restriction of vehicle access rights as shown on Map 1514 and designation of restriction of vehicle access rights affecting Lot 10067-B-1-A

RETURN OF THE STATE LAND SURVEYOR

To the Honorable Judge of the Land Court,
State of Hawaii.

Pursuant to an Order duly made and issued out of said Honorable Court on the 6th day of July 2010, referring the map filed for approval of subdivision in the above entitled matter, to the State Land Surveyor for verification, check on the ground if necessary and report.

The undersigned, the State Land Surveyor begs to report that the same has been examined and checked as to form and mathematical correctness and found to be in order.

And further, that said map has been compared with Transfer Certificate of Title No. 1,004,824 found to be in accord therewith.

NOTE:

Allegations in the petition have been checked and found to be in accord therewith except for the following:

1. Lot 10067-B-1 is shown on Map 1514.

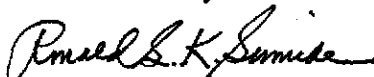
Only encumbrances as noted in the petition have been checked.

APPROVED by the City Department of Planning and Permitting on March 27, 2009.

And pending approval of the Court, the map and said Transfer Certificate of Title will be held for further instructions.

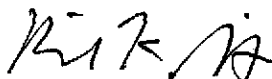
DATED at Honolulu, this 3rd day of February, 2011.

Examined by:



Assistant.

lk



STATE LAND SURVEYOR

=====

Received from the State Land Surveyor _____ whiteprint of, and the approved tracing map in the above entitled matter and Transfer Certificate of Title No.

Honolulu, Hawaii
FEB - 3 2011, 2011

Mylene E. Villacas

~~REGISTRAR~~ OF THE LAND COURT

Claric

BUREAU OF CONVEYANCES

IN THE LAND COURT OF THE STATE OF HAWAII

In the Matter of the Application of)
)
)
THE TRUSTEES UNDER THE WILL)
AND OF THE ESTATE OF JAMES)
CAMPBELL, DECEASED)
)
to register title to land situate at)
Honouliuli, District of Ewa, City and)
County of Honolulu, State of Hawaii)
_____)

Application No. 1069

(Map 1573)

KATHLEEN HANAWAHINE
REGISTRAR

2010 JUL -6 AM 9:44

LAND COURT
STATE OF HAWAII
FILED

1 L.D. Case No. 10-1-1988

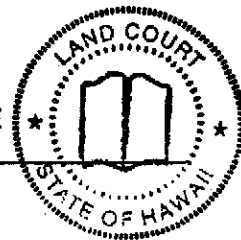
PETITION FOR SUBDIVISION, CANCELLATION OF
RESTRICTION OF VEHICLE ACCESS RIGHTS AND DESIGNATION OF
RESTRICTION OF VEHICLE ACCESS RIGHTS
(East Kapolei)

Referred to the Surveyor of the State for check and report. Map filed herewith. Transfer Certificate of Title 1,004,824 is at the Bureau.

8 white prints requested.

BY ORDER OF THE COURT
KATHLEEN HANAWAHINE

Registrar



A TRUE COPY, ATTEST WITH
THE SEAL OF SAID COURT.
MYRNA P. VILLEGAS

Clerk

IN THE LAND COURT OF THE STATE OF HAWAII

In the Matter of the Application of)
)
)
THE TRUSTEES UNDER THE WILL)
AND OF THE ESTATE OF JAMES)
CAMPBELL, DECEASED)
)
to register title to land situate at)
Honouliuli, District of Ewa, City and)
County of Honolulu, State of Hawaii)
_____)

Application No. 1069

(Map 1523)

PETITION FOR SUBDIVISION, CANCELLATION OF
RESTRICTION OF VEHICLE ACCESS RIGHTS AND DESIGNATION OF
RESTRICTION OF VEHICLE ACCESS RIGHTS
(East Kapolei)

TO THE HONORABLE PRESIDING JUDGE OF THE LAND COURT OF THE STATE OF HAWAII:

Comes now D.R. HORTON - SCHULER HOMES, LLC, a Delaware limited liability company, dba D.R. Horton-Schuler Division, whose address is 650 Iwilei Road, Suite 209, Honolulu, Hawaii 96817, hereinafter called "Petitioner" and respectfully petitions this Court as follows:

A. Petition Property and Ownership

Petitioner is the owner of Lot 10067-B-1, as shown on Map ^{map} 1514, of Land Court Application No. 1069, being the land described in and covered by Land Court Certificate of Title No. 1,004,824.

B. Land Court Map

Petitioner files this Petition with a tracing (hereinafter the "Map") that shows the following:

1. Subdivision of Lot 10067-B-1 into Lots 10067-B-1-A and 10067-B-1-B;

2. Cancellation of restriction of vehicle access rights affecting Lot 10067-B-1 as shown on Map ^w 1514, and designation of restriction of vehicle access rights affecting Lot 10067-B-1-A.

3. All previous provisions for access are superseded. The rights of access set forth in paragraph C below shall supersede all previous provisions for access with respect to the areas included within Lot 10067-B-1, and as may have been provided in any land court orders issued prior to the approving of this Petition.

C. Access

1. Lot 10067-B-1-A will have direct access to Farrington Highway, a public road. Lot 10067-B-1-A will also have access over Lot 10067-B-1-B and Lot 10067-B-2, as shown on Map ^w 1514, to Farrington Highway, a public road, subject to the restriction of vehicle access shown on the Map.

2. Lot 10067-B-1-B will have access over Lot 10067-B-2 as shown on Map ^w 1514 to Farrington Highway, a public road.

D. Encumbrances

See Exhibit "A" for Statement of Encumbrances.

E. Approval

Said map filed herewith was approved by the Department of Planning and Permitting of the City and County of Honolulu, as evidenced by the endorsement of said Office on the Map.

Lot 10067-B-1-B is required by the State of Hawaii for a public purpose, to wit: the construction, preservation and protection of North South Road, Kapolei Parkway to Farrington Highway, Project No. FAP STP-8930(3), Honouliuli, District of Ewa, City and County of Honolulu, State of Hawaii (hereafter referred to as the "Project").


This Petition for Subdivision, Cancellation of Restriction of Vehicle Access Rights and Designation of Restriction of Vehicle Access Rights is being initiated by the State in connection with the Project.

WHEREFORE, Petitioner, prays as follows:

1. That the Map filed herewith be examined and found correct; and

2. That an Order issue approving and authorizing the subdivision, cancellation of restriction of vehicle access rights and designation of restriction of vehicle access rights; and directing the Assistant Registrar of this Court to note the subdivision and the cancellation and designation of restriction of vehicle access rights on Certificate of Title No. 1004,824^{MP}, in accordance with Chapter 501, Hawaii Revised Statutes, as amended.

DATED: Honolulu, Hawaii, April 27, 2010.


Dennis M. Lombardi
Attorney for Petitioner

Subscribed and sworn to before me
this 27th day of April, 2010

Deborah S. Apana-Tran
Print name: Deborah S. Apana-Tran
Notary Public, State of Hawaii

L.S.

My commission expires: 11/19/10

Date of Doc.: <u>4/27/10</u>	#Pages: <u>5 without map</u>
Name of Notary: <u>Deborah S. Apana-Tran</u>	Notes: <u>LCA 1069</u>
Doc. Description: <u>Schuler Homes Pet. for Subd. Cancellation of Restriction of Vehicle Access Rights and Designation of Vehicle Access Rights to note on TCT to be issued upon filing of petition</u>	<u>Map No. on pp. 1-3 are blank</u> <u>CT No. on p. 3 is blank</u>
<u>Deborah S. Apana-Tran</u> Notary Signature	<u>4/27/10</u> Date
(stamp or seal) L.S.	
First Circuit, State of Hawaii	
NOTARY CERTIFICATION	

PETITION FOR SUBDIVISION, CANCELLATION OF RESTRICTION OF VEHICLE ACCESS RIGHTS
AND DESIGNATION OF RESTRICTION OF VEHICLE ACCESS RIGHTS

EXHIBIT "A"

STATEMENT OF ENCUMBRANCES

1. Lots 10067-B-1-A and 10067-B-1-B shall be subject to the following encumbrances:
 - a. Terms, covenants, conditions, reservations and easements contained in Trustee's Limited Warranty Deed With Covenants and Reservation of Rights dated March 1, 2006, filed as Document No. 3398322.
 - b. Declaration of Reserved Rights dated March 1, 2006, made by and between the Trustees under the Will and of the Estate of James Campbell, deceased, and D.R. Horton – Schuler Homes, LLC, a Delaware limited liability company, dba D.R. Horton-Schuler Division, filed as Document No. 3398323.

2. Lot 10067-B-1-A shall be subject to the following encumbrances:
 - a. Grant dated August 26, 1983, in favor of Hawaiian Electric Company, Inc. and Hawaiian Telephone Company Incorporated, now known as Hawaiian Telcom, Inc., filed as Document No. 1196816.
 - b. Easement 4766 for utility and access purposes, as shown on Map 709, as set forth by Land Court Order No. 118110 filed September 19, 1994.
 - c. Grant of Easement dated January 10, 1996, in favor of the City and County of Honolulu and Board of Water Supply, filed as Document No. 2301035, granting an easement over Easement 4766.
 - d. Road widening setback line, as shown on Map 777, as set forth by Land Court Order No. 119924 filed March 8, 1995.

END OF EXHIBIT "A"

LAND COURT

STATE OF HAWAII

LAND COURT APPLICATION 1069

**SUBDIVISION OF LOT 10067-B-1
AS SHOWN ON MAP 1514
INTO LOTS 10067-B-1-A AND 10067-B-1-B
AND CANCELLATION OF RESTRICTION OF
VEHICLE ACCESS RIGHTS AS SHOWN ON MAP 1514
AND DESIGNATION OF RESTRICTION OF
VEHICLE ACCESS RIGHTS AFFECTING
LOT 10067-B-1-A
AT HONOLULI, EWA, OAHU, HAWAII**

TRUE NORTH
Scale: 1 inch = 400 feet



R.M. TOWILL CORPORATION

2024 North King Street, Suite 200
Honolulu, Hawaii 96819
April 25, 2007

Ryan M. Suzuki 4/30/10
Ryan M. Suzuki Expiration Date
Licensed Professional Land Surveyor
Certificate Number 10059
Land Court Certificate Number 280

OWNER: D. R. HORTON - SCHULER HOMES, LLC

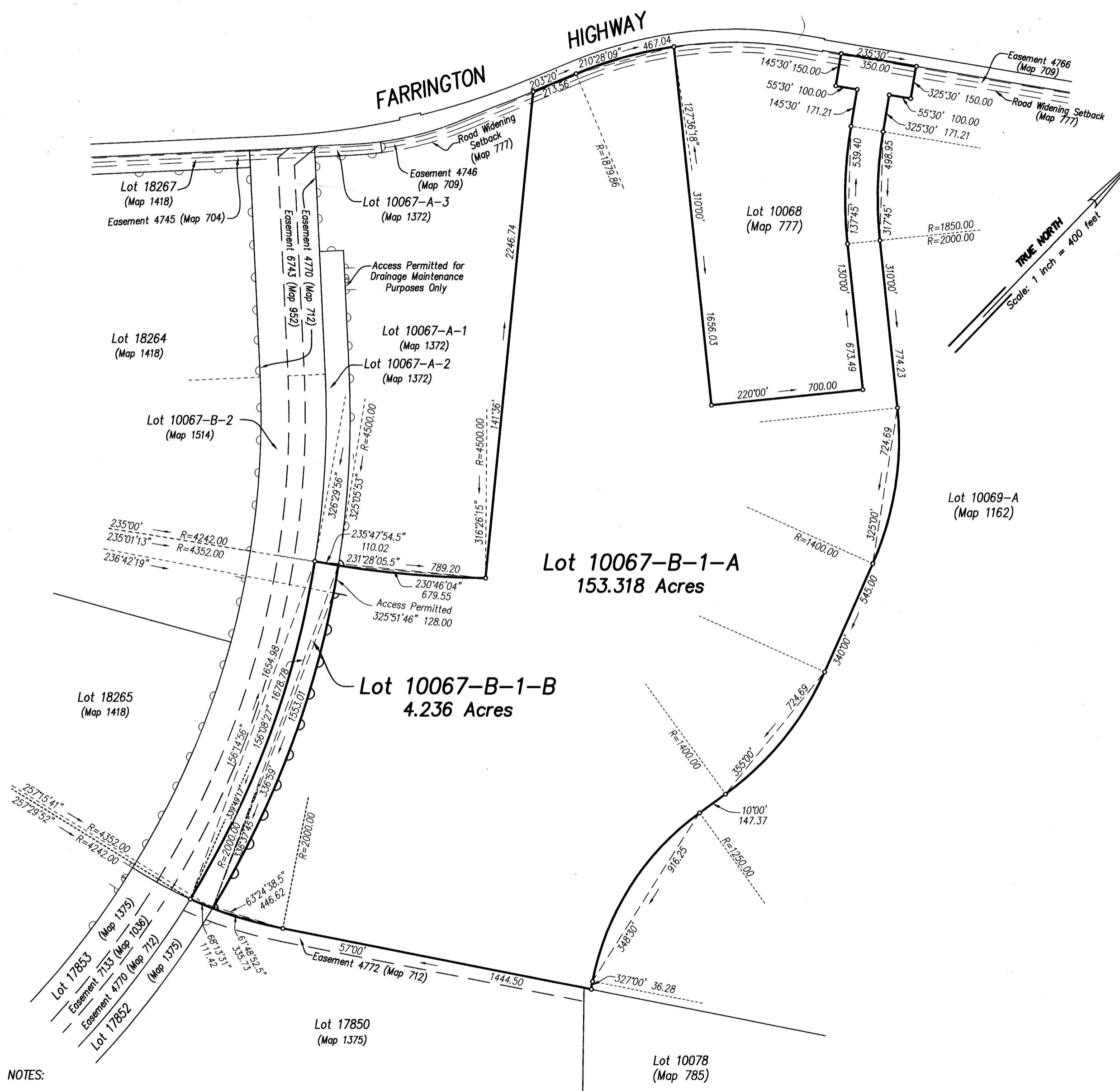
TRANSFER CERTIFICATE OF TITLE: 1,004,824

AUTHORIZED AND APPROVED BY ORDER OF THE JUDGE
OF THE LAND COURT DATED FEBRUARY 3, 2011
BY ORDER OF THE COURT.

Pauleen Hanawahine
REGISTRAR OF THE LAND COURT

Exhibit "30"

*Filed: July 6, 2010 by
P. Shunder, Clerk*



**Lot 10067-B-1-A
153.318 Acres**

**Lot 10067-B-1-B
4.236 Acres**

- NOTES:
- Denotes no vehicle access permitted
 - Denotes vehicle access permitted
 - Denotes limited access as noted on plan