

L-94

STATE OF HAWAII
OFFICE OF ASSISTANT REGISTRAR
RECORDED

OCT 05, 1994 08:01 AM

Doc No(s) 2185539

on Cert(s) 435,458

/s/ S. FURUKAWA
ASSISTANT REGISTRAR

LAND USE COMMISSION
STATE OF HAWAII
MAR 24 3 46 PM '95

LAND COURT SYSTEM

REGULAR SYSTEM

AFTER RECORDATION, RETURN BY: ☒ MAIL ☐ PICKUP

Case of Lyron (cm)
737 Bishop Street, Suite 2600
Honolulu, HI 96813

[DO NOT WRITE IN THIS SPACE]

TG Room 198638

HC (C)

AMENDDEC.726

AMENDMENT TO DECLARATION OF LAND USE COMMISSION CONDITIONS

THIS AMENDMENT is made this 22nd day of September, 1994 by and among **GROVE FARM PROPERTIES, INC.**, a Hawaii corporation, the principal place of business and post office address of which is Puhi Rural Branch, Lihue, Kauai, Hawaii 96766 (the "Declarant" or the "Petitioner"), **GROVE FARM COMPANY, INCORPORATED**, a Hawaii corporation, the principal place of business and post office address of which is Puhi Rural Branch, Lihue, Kauai, Hawaii 96766 (the "Fee Owner") and **GROVE FARM LAND CORP.**, a Hawaii corporation, the principal place of business and post office address of which is Puhi Rural Branch, Lihue, Kauai, Hawaii 96766 ("Land Corp.").

WHEREAS:

A. Declarant, Fee Owner and Land Corp. have executed that certain Declaration of Land Use Commission Conditions dated May 2, 1990 (the "Declaration"), filed in the Office of the Assistant Registrar of the Land Court as Document No. 1737704, and noted on Transfer Certificate of Title No. **435,458**, and also recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 90-088395, encumbering the real property more particularly described therein.

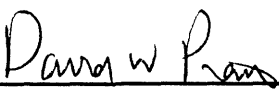
B. Pursuant to the Findings of Fact, Conclusions of Law, and Decision and Order (Docket No. A89-636) issued by the Land Use Commission of the State of Hawaii, dated June 2, 1994, the parties wish to amend the Declaration to include the real property more particularly described herein ("Parcel 12") within the description of the Property covered by the Declaration.

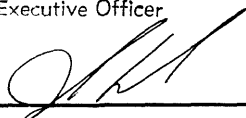
C. Parcel 12 consists of the approximate 4.5 acres of Lot 1400, as shown on Map 114, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1087 (amended) of Grove Farm Company, Limited, identified on the map attached hereto as Exhibit A.

NOW, THEREFORE, the Declarant, the Fee Owner and Land Corp. hereby declare and agree that Parcel 12 and all improvements constructed or to be constructed thereon shall be held, encumbered, used and improved subject to the terms and conditions contained in the Declaration.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed the day and year first above written.


GROVE FARM COMPANY, INCORPORATED

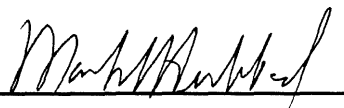
By 
Its President and
Chief Executive Officer

By 
Its Treasurer

"Fee Owner"

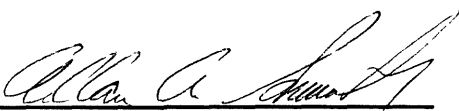
GROVE FARM PROPERTIES, INC.


By 
Its Vice President

By 
Its Assistant Secretary

"Declarant"

GROVE FARM LAND CORP.

By 
Its Vice President

By 
Its Secretary

"Land Corp."

STATE OF HAWAII)
) SS.
COUNTY OF KAUAI)

On this 22nd day of September, 1994, before me personally appeared David W. Pratt and Jeff Sueoka, to me personally known, who, being by me duly sworn or affirmed, did say that they are the President and Chief Executive Officer and Treasurer of GROVE FARM COMPANY, INCORPORATED, a Hawaii corporation, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said Officers acknowledged said instrument to be the free act and deed of said corporation.

Erith Inacio
Notary Public, State of Hawaii C. S.

My commission expires: 11/9/96

) SS.

Erika Agnew
Notary Public, State of Hawaii C. S.
My commission expires: 11/9/96

) SS.
)

Edith A. Nani

Notary Public, State of Hawaii U.S.
My commission expires: 11/9/96

ISLAND OF KAUAI

Map showing the location of Parcel 12, a 4.5-acre parcel, situated near the center of the island. The map includes various geographical features such as roads, streams, and landmarks. Key locations labeled include Niihau, Kaula, and the surrounding waters. The map also shows the island's proximity to the mainland and the location of the island relative to the mainland.

FIGURE
PARCEL 12 PROJECT LOCATION
Prepared For: Grove Farm Properties, Inc.
Prepared by: Atholus & Associates
Nov 1993



EXHIBIT "A"