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A Law Corporation

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Honolulu, Hawai'i 96813
Telephone: 526-9566

Attorneys for Petitioner
ALEXANDER & BALDWIN, INC.

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. <u>DR 08-37</u>
)	
ALEXANDER & BALDWIN, INC.)	PETITION FOR DECLARATORY
)	ORDER TO DESIGNATE
For Declaratory Order to Designate)	IMPORTANT AGRICULTURAL
Important Agricultural Lands)	LANDS; EXHIBITS "A" - "E"
for approximately 3,773.1 acres at)	
Koloa and Waimea, Kauai, Hawai'i,)	
TMK: 1-9-01: 05, 1-9-02: 21, 1-9-02: 22,)	
1-9-03: 05, 2-1-01: 10, 2-1-01: portion)	
of 27, 2-1-01: 35, 2-1-01: 36, 2-1-01: 38,)	
2-2-01: portion of 01, 2-2-01: 07, 2-2-01: 12,)	
2-3-04: 07, 2-3-10: portion of 01, 2-3-10:)	
portion of 10, 2-3-10: 11, 2-3-10: 12,)	
<u>2-4-06: 01, 2-5-04: 26, 2-5-06: 05, 2-5-10: 43</u>)	

2008 DEC 19 A 8 15
LAND USE COMMISSION
STATE OF HAWAII

PETITION FOR DECLARATORY ORDER
TO DESIGNATE IMPORTANT AGRICULTURAL LANDS

Comes now, Petitioner ALEXANDER & BALDWIN, INC. ("Petitioner"), by and through its attorney, BENJAMIN M. MATSUBARA, and respectfully petitions the Land

Use Commission of the State of Hawaii ("Commission") to issue a declaratory order designating approximately 3,773.1 acres of land at Koloa and Waimea, Kauai, Hawai'i ("Property"), more particularly described below, as Important Agricultural Lands ("IAL") pursuant to §§ 205-44 and 45 of the Hawaii Revised Statutes ("HRS") and §§ 15-15-98 and 99 of the Hawaii Administrative Rules ("HAR"). In support of this Petition, Petitioner alleges and avers as follows:

I. Petition Content Requirements.

Contents requirement for Petition for Declaration Order pursuant to HAR § 15-15-99:

A. Name, address and telephone number of Petitioner. Petitioner ALEXANDER & BALDWIN, INC. is a Hawaii corporation, whose address is 822 Bishop Street, Honolulu, Hawai'i, 96813, and telephone number is (808) 525-6611. Benjamin M. Matsubara, Curtis T. Tabata and the law firm of Matsubara - Kotake have been appointed to represent the Petitioner pursuant to HAR Section 15-15-35(b). All correspondence and communications in regard to this Petition shall be addressed to, and served upon, Benjamin M. Matsubara, Matsubara & Kotake, 888 Mililani Street, 8th Floor, Honolulu, Hawaii 96813.

B. Signature of each petitioner. This petition is signed below by Petitioner's attorney who is authorized to sign and file this petition on Petitioner's behalf.

C. Designation of specific question. Whether the lands identified by Petitioner in this Petition should be designated as IAL pursuant to HRS §§ 205-44 and 45.

D. Statement of Petitioner's interest in the subject matter and reason for the submission. Petitioner, through its wholly owned subsidiary, McBryde Sugar Company, Limited, is the owner in fee simple of those lands located on the island of Kauai, Hawai'i, and more specifically identified and described on Exhibit "B" attached hereto ("Property"). Petitioner requests the Commission designate the Property as IAL pursuant to HRS §§ 205-44 and 45.

E. Statement of Petitioner's position or contention. It is Petitioner's position that the Property meets the qualifications for designation as IAL under HRS § 205-44, and that the Commission should issue a declaratory order designating the Property as IAL pursuant to HRS 205-45.

F. Memorandum of authorities, containing a full discussion of reasons and legal authorities in support of Petitioner's position. HRS § 205-45(c) provides that the petition for declaratory order designating IAL shall be submitted in accordance with subchapter 14 of the Commission's rules and the requirements contained in HRS § 205-45(c). The petition for declaratory order content requirements under subchapter 14 are found at HAR § 15-15-99 and are discussed in Sections A-F herein. The requirements of HRS § 205-45(c) include the following:

1. Tax Map Key Numbers and verification and authorization from the applicable landowners. Petitioner seeks to designate as IAL approximately 3,773.1 acres of land on the island of Kauai, Hawai'i. Attached hereto and incorporated herein by reference as Exhibit "B" are documents (table and maps) identifying the location, Tax Map Key Numbers and acreage of the Property. Ownership of the lands identified by Tax Map Key Numbers stated in Exhibit "B" is held by McBryde Sugar Company, Limited. Attached hereto and incorporated herein by reference as Exhibit "C" is the Affidavit of Robert K. Sasaki providing McBryde Sugar Company, Limited's authorization to this petition with respect to its aforementioned lands. Attached hereto and incorporated herein by reference as Exhibit "D" is the letter by Title Guaranty of Hawaii, Incorporated verifying ownership of the Property. Attached hereto and incorporated herein by reference as Exhibit "E" are copies of deeds verifying ownership of the Property.

2. Proof of qualification for designation as IAL under HRS § 205-44. HRS § 205-44(c) provides the standards and criteria to identify IAL. HRS § 205-44(a) provides that lands identified as IAL need not meet every standard and criteria listed in HRS § 205-44(c); rather, lands meeting any of the criteria in HRS § 205-44(c) shall be given initial consideration, provided that the designation of IAL shall be made by weighing the standards and criteria with each other to meet the constitutionally

mandated purposes in article XI, section 3, of the Hawaii Constitution and the objectives and policies for IAL in section 205-42 and 205-43.

Attached hereto and incorporated by reference herein as Exhibit "A" is the Agricultural Lands Assessment for Alexander & Baldwin, Inc.'s Kauai lands which describes and illustrates the characteristics of the Property.

The standards and criteria for identifying IAL pursuant to HRS § 205-44(c) are as follows:

a. Land currently used for agricultural production. The majority of the Property is being actively utilized for the cultivation and processing of coffee by Kauai Coffee Company, Inc. (KCC), a wholly owned subsidiary of the Petitioner. Also, portions of the Property located in Hanapepe Valley and within the coffee fields are used for the cultivation of seed corn. See Figure 1 of Exhibit "A", Existing Cultivated/Farmed Land.

b. Land with soil qualities and growing conditions that support agricultural production of food, fiber, or fuel- and energy-producing crops. The University of Hawaii, Land Study Bureau ("LSB") developed the Overall Productivity Rating, which classified soils according to five (5) levels, with "A" representing the class of highest productivity soils and "E" representing the lowest. These letters are followed by numbers which further classify the soil types by conveying such information as texture, drainage and stoniness. Based on this, approximately 62% of the Property is

rated "A" and approximately 20% of the Property is rated "B". The remaining balance is rated "C", "D", "E" or is not classified, and includes contiguous gulches, streams, and reservoirs that are essential elements of the active agricultural operations. See Figure 2 of Exhibit "A", LSB's Agricultural Soils Productivity Ratings for the Property. Solar radiation received by the Property is described in the Solar Radiation Map, as shown in Figure 3 of Exhibit "A".

c. Lands identified under agricultural productivity ratings systems, such as the agricultural lands of importance to the State of Hawaii (ALISH) system adopted by the board of agriculture on January 28, 1977. In 1977, the State Department of Agriculture developed a classification system to identify Agricultural Lands of Importance to the State of Hawaii ("ALISH"). The classification system is based primarily, though not exclusively, upon the soil characteristics of the lands. The three (3) classes of ALISH lands are: "Prime", "Unique", and "Other", with all remaining lands termed "Unclassified". When utilized with modern farming methods, "Prime" agricultural lands have a soil quality, growing season, and moisture supply necessary to produce sustained crop yields economically. "Unique" agricultural lands possess a combination of soil quality, growing season, and moisture supply to produce sustained high yields of a specific crop. "Other" agricultural lands include those that have not been rated as "Prime" or "Unique". The ALISH system classifies approximately 80% of the Property as "Prime". The balance of the Property includes essential elements of the

active agricultural operations, such as gulches, streams and reservoirs and are classified as "Other" or "Unclassified". See Figure 4 of Exhibit "A", ALISH Map.

d. Land types associated with traditional native Hawaiian agricultural uses, such as taro cultivation, or unique agricultural crops and uses, such as coffee, vineyards, aquaculture, and energy production. The majority of the Property has been in active coffee cultivation since the mid 1990's. Prior to then it had been in sugar cane cultivation by McBryde Sugar Company, Limited. Portions of the Property located in Hanapepe Valley and within the coffee fields are used for the cultivation of seed corn. See Figure 1 of Exhibit "A", Existing Cultivated/Farmed Land.

e. Lands with sufficient quantities of water to support viable agricultural production. Access to reliable sources of water and efficient irrigation systems are crucial to the cultivation of coffee, as well as other agricultural crops. To conserve water, most of the cultivated fields are served by drip irrigation systems. Currently, irrigation water is derived from a combination of sources, including non potable wells and surface water systems. The irrigation system includes ditches, pipelines and reservoirs for the transport and storage of water. The availability of adequate water is crucial to maintaining current agricultural operations. See Figure 5 of Exhibit "A", Agricultural Infrastructure/Water Resources. In addition to the currently irrigated lands, the entire Property is in close proximity to agricultural water resources that could provide sufficient quantities of water to support agricultural production.

f. Land whose designation as Important Agricultural Lands is consistent with general, development, and community plans of the County. The Property's agricultural classification is consistent with the County's General Plan and Community Plans. See Figure 6 of Exhibit "A", Land Use Plan of the Kauai General Plan (November 2000). The general plan designates the Property for Agriculture or Open use. Additionally, the Property is situated within the State Agricultural District as reflected on Figure 7 of Exhibit "A", Proposed IAL on State Land Use District Boundary Map.

g. Land that contributes to maintaining a critical land mass important to agricultural operating productivity. Petitioner seeks to designate approximately 3,773.1 acres of land as IAL, the majority of which is currently in agricultural cultivation. These lands represent the majority of lands under coffee cultivation by KCC. See Figure 1 of Exhibit "A", Existing Cultivated/Farmed Land.

h. Land with or near support infrastructure conducive to agricultural productivity, such as transportation to markets, water, or power. The Property has been in active agricultural use since the 1800's. Prior to the cultivation of coffee, the Property was used for the cultivation of sugar cane by McBryde Sugar Company, Limited. Much of the supporting infrastructure developed for the cultivation and production of sugar has been adapted to the cultivation and production of coffee. These include water irrigation systems, hydroelectric generation systems,

roadways and transport systems, warehousing and processing structures and facilities. See Figure 5 of Exhibit "A", Agricultural Infrastructure/Water Resources.

3. The current or planned agricultural use of the area sought to be designated as IAL. As describe above, the majority of the Property is used for the cultivation of coffee. See Figure 1 of Exhibit "A", Existing Cultivated/Farmed Lands.

II. Waiver of 85/15 Reclassification Incentive

Petitioner is not seeking a reclassification of land pursuant to HRS 205-45(b) in conjunction with this Petition to designate IAL. Furthermore, Petitioner hereby voluntarily waives any and all rights to assert, claim or exercise any credits pursuant to HRS § 205-45(h), as effective as of the date of this petition, that may be earned by Petitioner in the event of and as a result of this Petition being granted. This waiver is limited to the use of credits for the sole purpose of reclassifying other lands that are not the subject of this Petition to the Urban, Rural or Conservation Districts pursuant to HRS § 205-45(h), as effective as of the date of this petition, and shall not apply to any other credits, incentives, rights or privileges that Petitioner may possess now or in the future, whether known or unknown, which are hereby expressly reserved.

Based on the foregoing, Petitioner respectfully requests that the Commission find that the Petition meets the standards for designating Important Agricultural

Lands pursuant to HRS §§ 205-44 and 45, and designates the Property as Important Agricultural Lands.

DATED: Honolulu, Hawai'i, 19 DEC 2008.



BENJAMIM M. MATSUBARA
CURTIS T. TABATA
Attorneys for Petitioner
ALEXANDER & BALDWIN, INC.

EXHIBIT A

Agricultural Land Assessment
for
Alexander & Baldwin, Inc.
Kauai Lands

December 2008

Prepared for: Alexander & Baldwin, Inc.
822 Bishop Street
Honolulu, Hawaii 96813

Prepared by: PBR Hawaii & Associates, Inc.
1001 Bishop Street
ASB Tower, Suite 650
Honolulu, Hawaii 96813

Introduction/Purpose

To support a Petition for Declaratory Order to Designate 'Important Agricultural Lands' ('IAL'), an Agricultural Lands Assessment was prepared for lands owned by Alexander & Baldwin, Inc. and its related companies on Kauai.

HRS § 205-44(c) provides the standards and criteria to identify IAL. HRS § 205-44(a) provides that lands identified as IAL need not meet every standard and criteria listed in HRS § 205-44(c); rather, lands meeting any of the criteria in HRS § 205-44(c) shall be given initial consideration, provided that the designation of IAL shall be made by weighing the standards and criteria with each other to meet the constitutionally mandated purposes in article XI, section 3, of the Hawaii Constitution and the objectives and policies for IAL in section 205-42 and 205-43. The standards and criteria of section 205-44(c) are as follows:

- 1) *Land currently used for agricultural production;*
- 2) *Land with soil qualities and growing conditions that support agricultural production of food, fiber, or fuel-and energy-producing crops;*
- 3) *Land identified under agricultural productivity rating systems, such as the agricultural lands of importance to the State of Hawaii (ALISH) system adopted by the board of agriculture on January 28, 1977;*
- 4) *Land types associated with traditional native Hawaiian agricultural uses, such as taro cultivation, or unique agricultural crops and uses, such as coffee, vineyards, aquaculture, and energy production;*
- 5) *Land with sufficient quantities of water to support viable agricultural production;*
- 6) *Land whose designation as important agricultural lands is consistent with general, development and community plans of the county;*
- 7) *Land that contributes to maintaining a critical land mass important to agricultural operation productivity;*
- 8) *Land with or near support infrastructure conducive to agricultural productivity, such as transportation to markets, water or power.*

The following exhibits were prepared to qualify and quantify the agricultural lands being proposed to be designated 'IAL.'

Figure 1: Existing Cultivated / Farmed Land

Based on the Field Map prepared in January 2007 by Kauai Coffee Company (KCOF), all of the proposed IAL lands are currently utilized for active agricultural purposes. The majority of the lands are actively used for the cultivation and processing of coffee. The field numbers and the different varieties of coffee trees are shown on the Figure 1. Other lands are used for the cultivation of seed corn. The lands that are not in cultivation are nonetheless essential elements of the agricultural operations such as gulches which serve a drainage function or other key agricultural infrastructure, such as reservoirs.

Figure 2: Agricultural Soils Productivity Ratings

The Detailed Land Classification System and Agricultural Land Productivity Ratings by the Land Study Bureau (LSB), University of Hawaii are based on a five-class productivity rating system using the letters A, B, C, D, and E, with A representing the class of highest productivity and E the lowest. As illustrated in Figure 2, over 80% of the proposed IAL lands are rated A (62%) and B (20%). The balance of the proposed IAL lands, while rated C, D, E, or not classified, are essential elements of the active agricultural operation (drainage gulches, reservoirs, etc.).

Figure 3: Solar Radiation

Based on the Sunshine Maps prepared in 1985 by the State Department of Business, Economic Development and Tourism, formerly known as the State Department of Planning and Economic Development, Energy Division, over 95% of the proposed IAL lands receive an annual average of 450 calories of solar energy per square centimeter per day.

Figure 4: Agricultural Lands of Importance to the State of Hawaii (ALISH)

The Agricultural Lands of Importance to the State of Hawaii (ALISH) classification system was developed in 1977 by the State Department of Agriculture. The system is based primarily, but not exclusively, on the soil characteristics of lands. There are three classes of ALISH lands – Prime, Unique, and Other. Approximately 80% of the proposed IAL lands is classified as Prime ALISH. The balance of the lands include essential elements of the active agricultural operation, such as the gulches and reservoirs, and are classified Other or Unclassified.

Figure 5: Agricultural Infrastructure and Water Resources

The Field Irrigation Map shows that the proposed IAL lands will be served by the existing reservoirs and ditch system. All fields within the proposed IAL lands are currently served by a drip irrigation system, which is the largest 100% drip irrigated coffee plantation in the world today. In addition to the exiting reservoirs and irrigation system, the proposed IAL lands also receive an average of 29.5 to 59.1 inches of rain annually. Therefore, the proposed IAL lands have sufficient quantities of water to support viable agricultural production.

Figure 6: Kauai General Plan

The General Plan of the County of Kauai is a policy document that is intended to help guide development for the enhancement and improvement of life on Kauai. It was last updated in 2000 and provides the County's vision for Kauai and establishes the strategies to help achieve that vision.

According to the 2000 General Plan Update and the Koloa-Poipu-Kalaheo Planning District Land Use Map published in this document, almost all of the proposed IAL lands are designated as Agriculture with a few portions designated as Open where there are the

essential elements of the active agricultural operation such as streams, gulches and reservoirs.

Figure 7: State Land Use District Boundary Map

Utilizing the official State Land Use District Boundary Maps, the proposed IAL lands are illustrated to confirm that all the proposed IAL lands are within the Agricultural District. Where the proposed IAL lands are contiguous to the Conservation District boundary along the coastline, the proposed IAL boundary follows the Conservation District boundary.

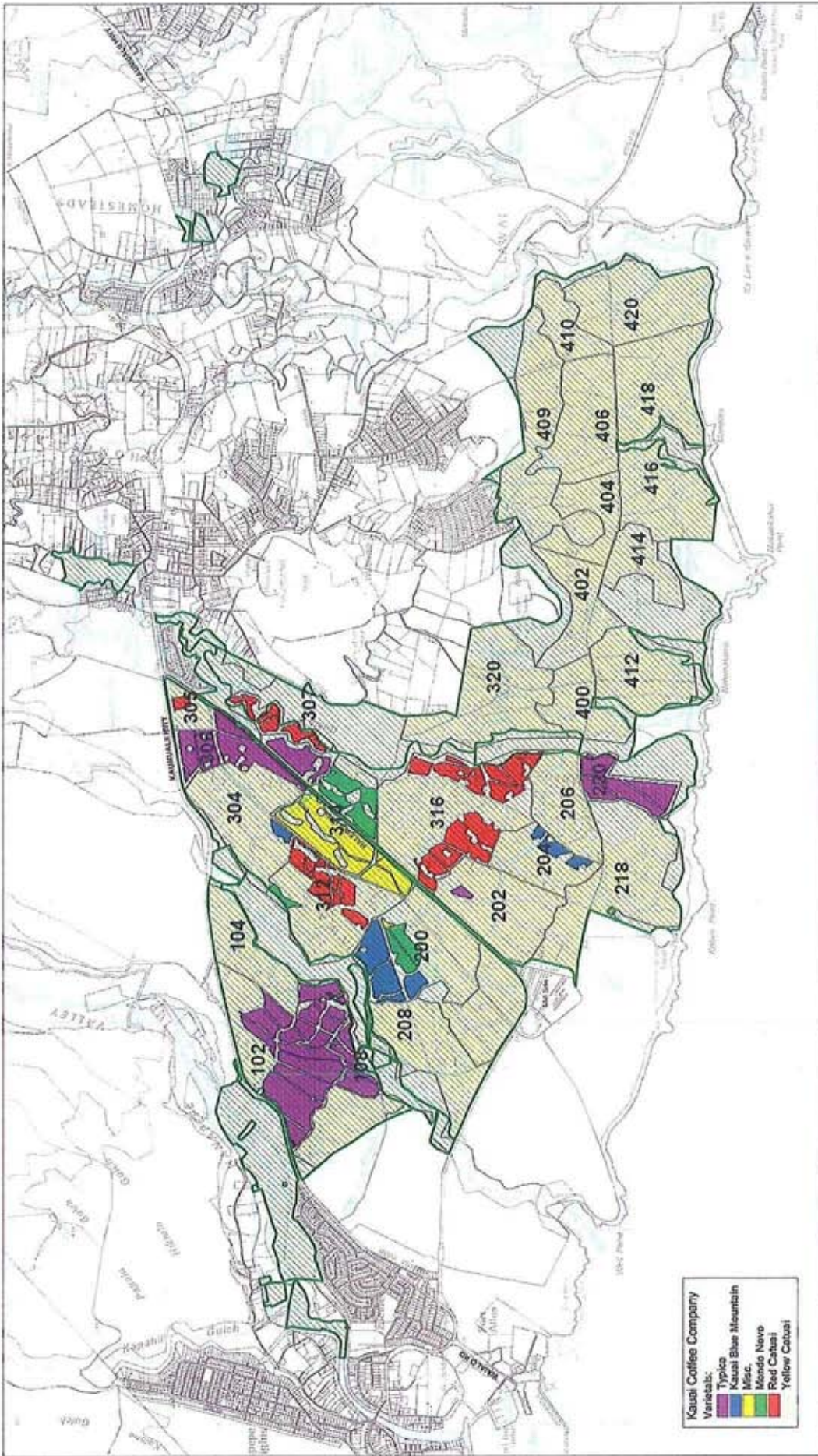


Figure 1
Existing Cultivated / Farmed Land

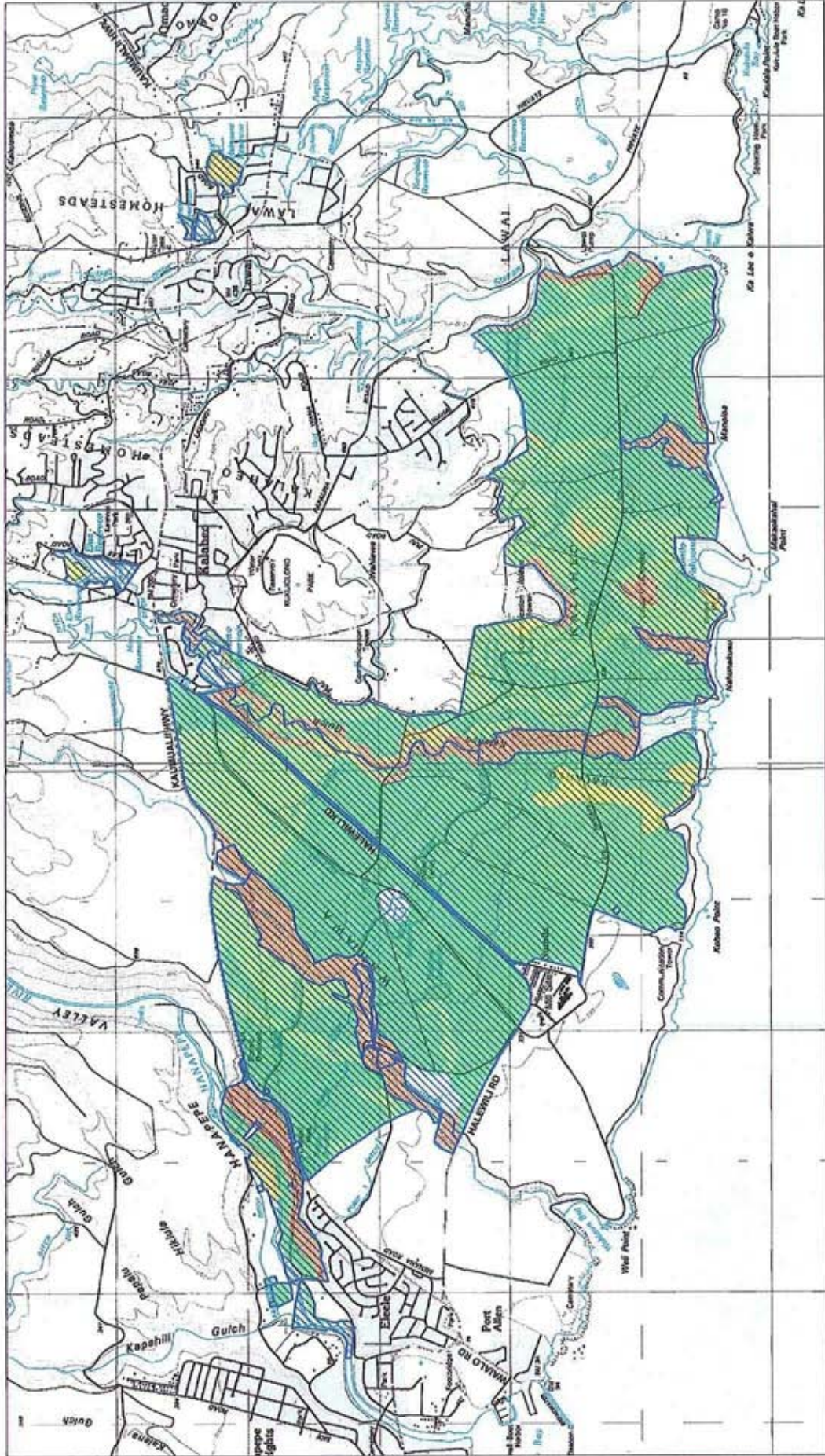
A&B IAL Kauai

STATE OF HAWAII
 DEPARTMENT OF LAND AND NATURAL RESOURCES
 PLANNING DIVISION
 1500 KALANIANAʻOHALA DRIVE, SUITE 1000
 HONOLULU, HAWAII 96813
 December 2008

Legend
 Proposed Important Agricultural Lands

- Kauai Coffee Company Varietals:**
- Typical
 - Kauai Blue Mountain
 - Misc.
 - Mondo Novo
 - Red Catuai
 - Yellow Catuai

Prepared by:
 Planning Division
 State of Hawaii
 December 2008



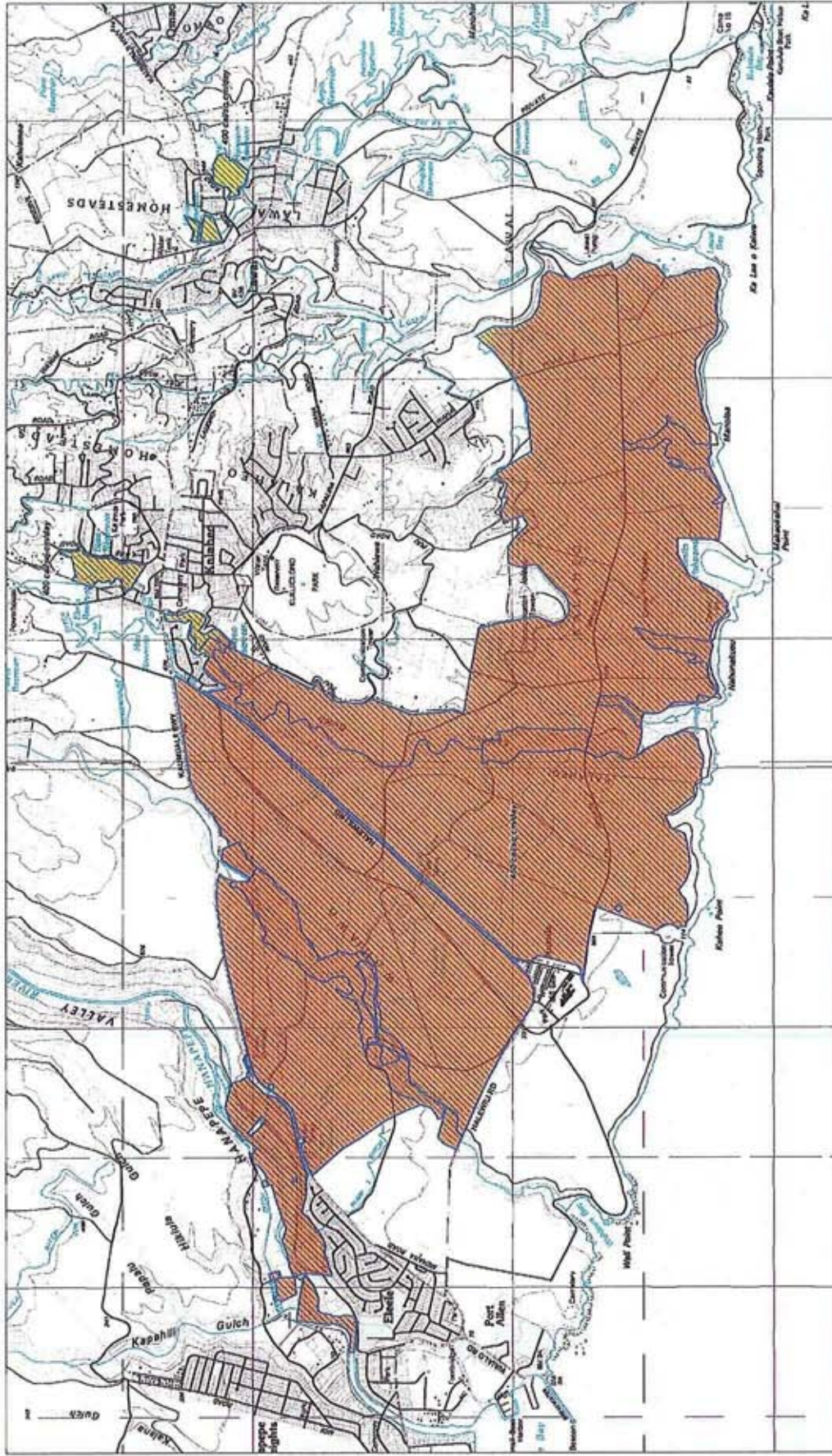
Source: Bureau of Soil Science
 U.S. Department of Agriculture
 December 2003

Figure 2
 Agricultural Soils Productivity Ratings

A&B IAL Kauai

LAND OF KAUAI
 TERRITORY
 NORTH
 LINEAR SCALE (FEET)
 0 400 800 1200 1600 2000

 LAND OF KAUAI
 TERRITORY
 DEPARTMENT OF LAND AND NATURAL RESOURCES
 December 2003



Legend

Solar Radiation (cal/cm/day)

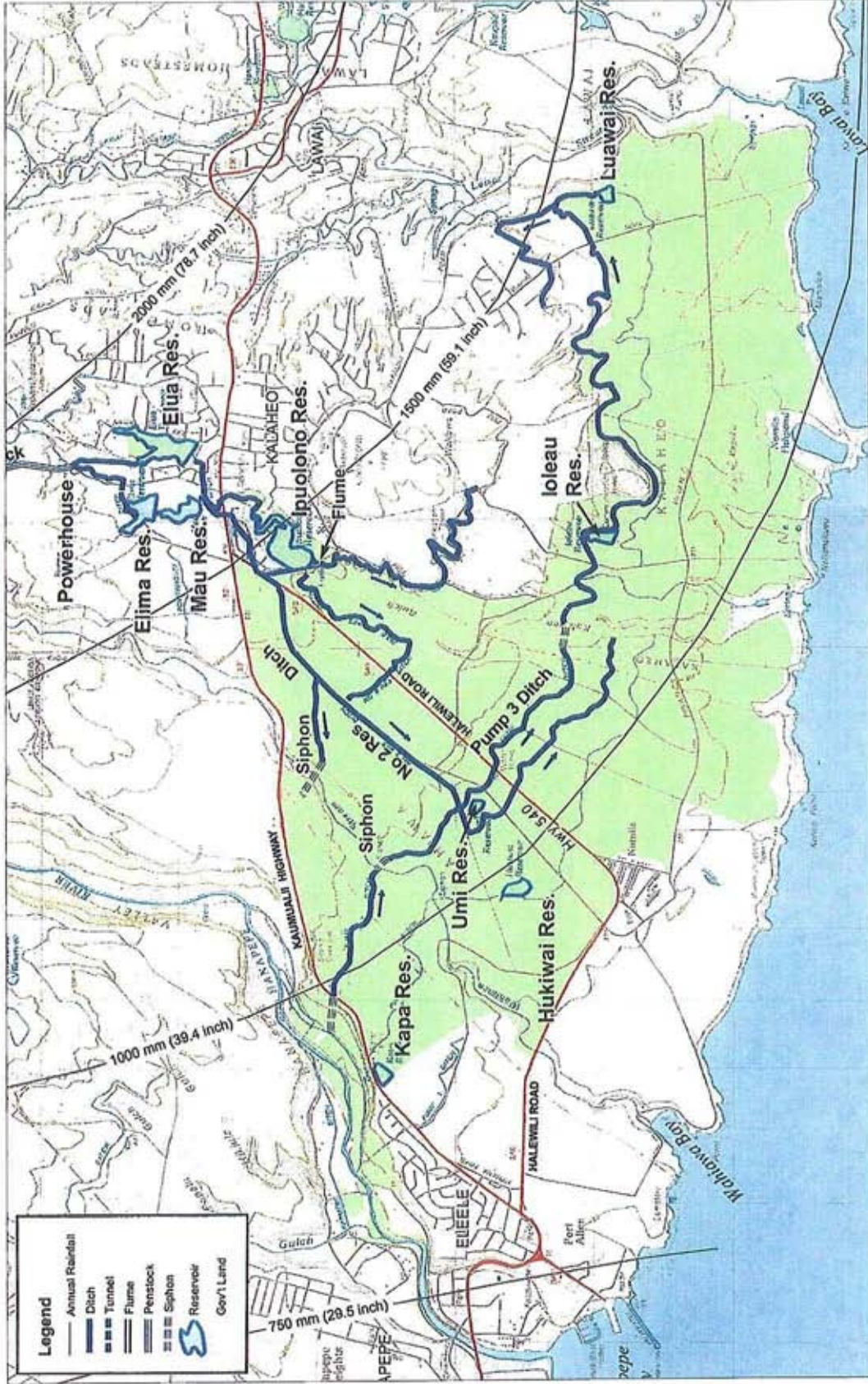
- 0 - 250
- 251 - 300
- 301 - 350
- 351 - 400
- 401 - 450
- 451 - 500
- 501 - 550
- 551 - 600
- Proposed Important Agricultural Lands

Map: Hawaiian Islands, Inc. 1998
 Data: Hawaiian Islands, Inc. 1998
 U.S. Geological Survey
 This map is a reproduction of general planning purposes only.

Figure 3
 Solar Radiation Map

A&B IAL Kauai

DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT
 STATE OF HAWAII
 1500
 DECEMBER 2008



Legend

- Annual Rainfall
- Ditch
- Tunnel
- Flume
- Penstock
- Siphon
- Reservoir
- Gov't Land

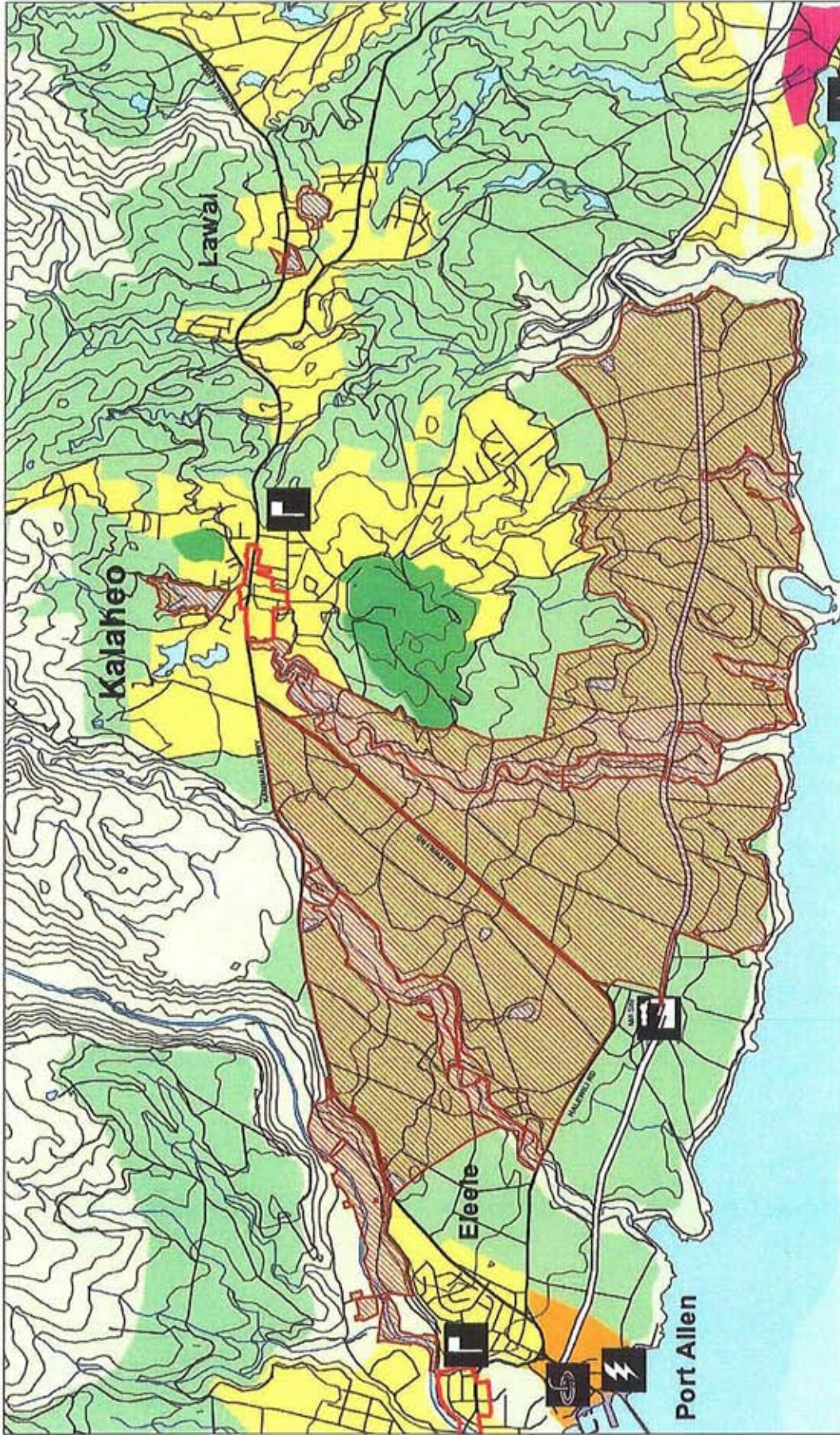
Legend
Proposed Impoundment Agricultural Lands

Figure 5
Agricultural Infrastructure / Water Resources

A&B IAL Kauai

UNIVERSITY OF HAWAII
SCHOOL OF LAND AND NATURAL RESOURCES
3250
HONOLULU, HAWAII 96822
December 2005

State
Water Control Commission (2005)
This map was prepared and published by the general planning department.



- Legend**
- Agriculture
 - Open
 - Park
 - Residential Community
 - Sugar Mill
 - Elementary School
 - Proposed Important Agricultural Lands

Source: County of Kauai General Plan (2006)
 Prepared by: Planning Department
 Date: 12/2006

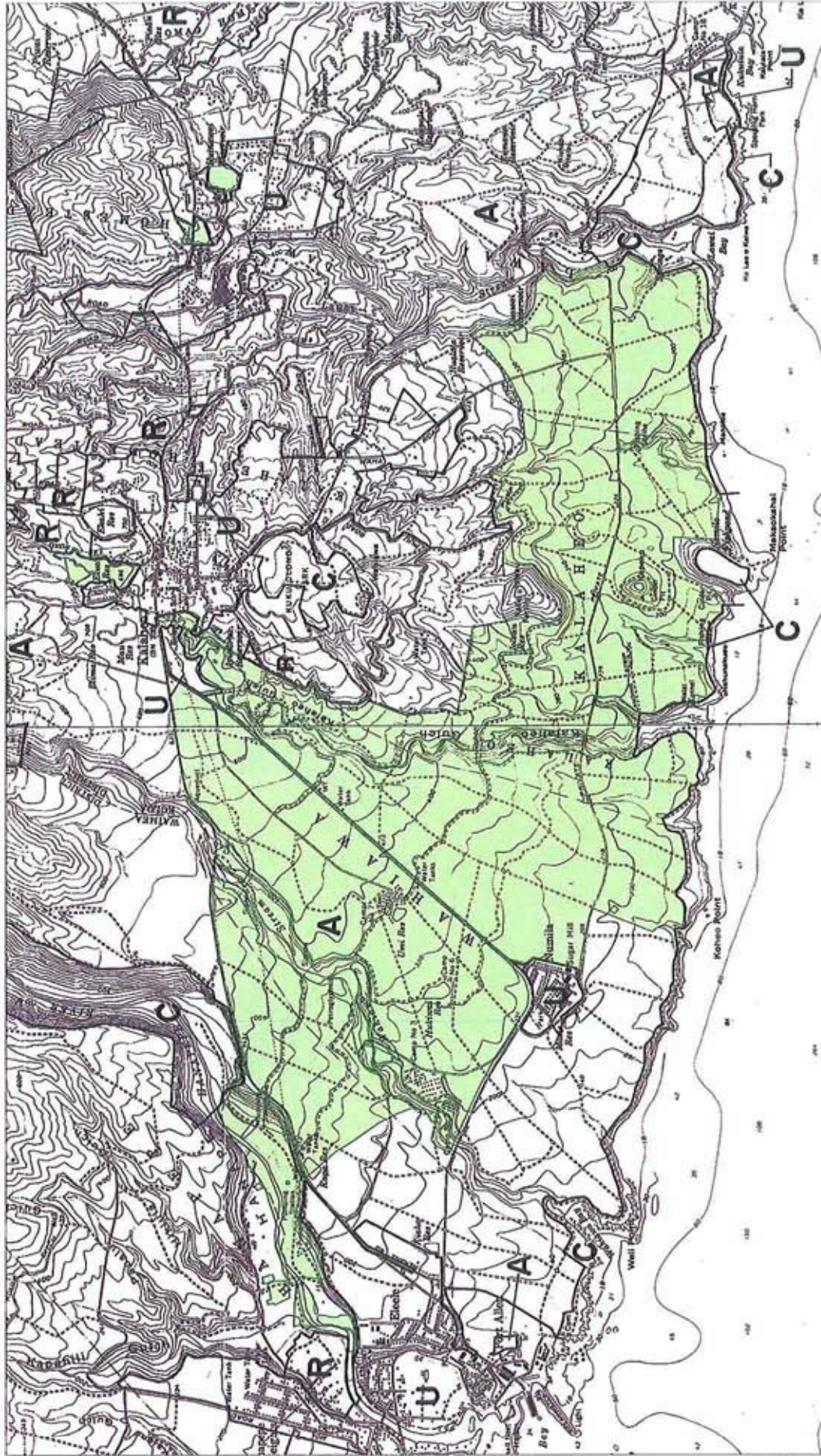
Figure 6
 Kauai General Plan - Land Use Plan

A&B IAL Kauai





COUNTY OF KAUAI
 PLANNING DEPARTMENT
 1000 KALANANAKUI AVENUE, SUITE 100
 HONOLULU, HI 96813
 TEL: 808.535.2100
 FAX: 808.535.2101
 WWW.PLAN.KAUI.HI



Legend

- Proposed Important Agricultural Lands

Scale
 State Land Use Commission (November 1992/93)
 Updated
 This map has been prepared by GeoMap Solutions, Inc.

Figure 7
 State Land Use
A&B IAL Kauai

GEOGRAPHIC INFORMATION SYSTEMS
 1000 KALANANĪHĀKI DRIVE
 SUITE 100
 HONOLULU, HAWAII 96813
 PHONE: (808) 943-1111
 FAX: (808) 943-1112
 WWW: www.geomap.com

EXHIBIT B

Proposed Important Agricultural Lands
Tax Map Key Parcels
for
Alexander & Baldwin, Inc.
Kauai Lands

December 2008

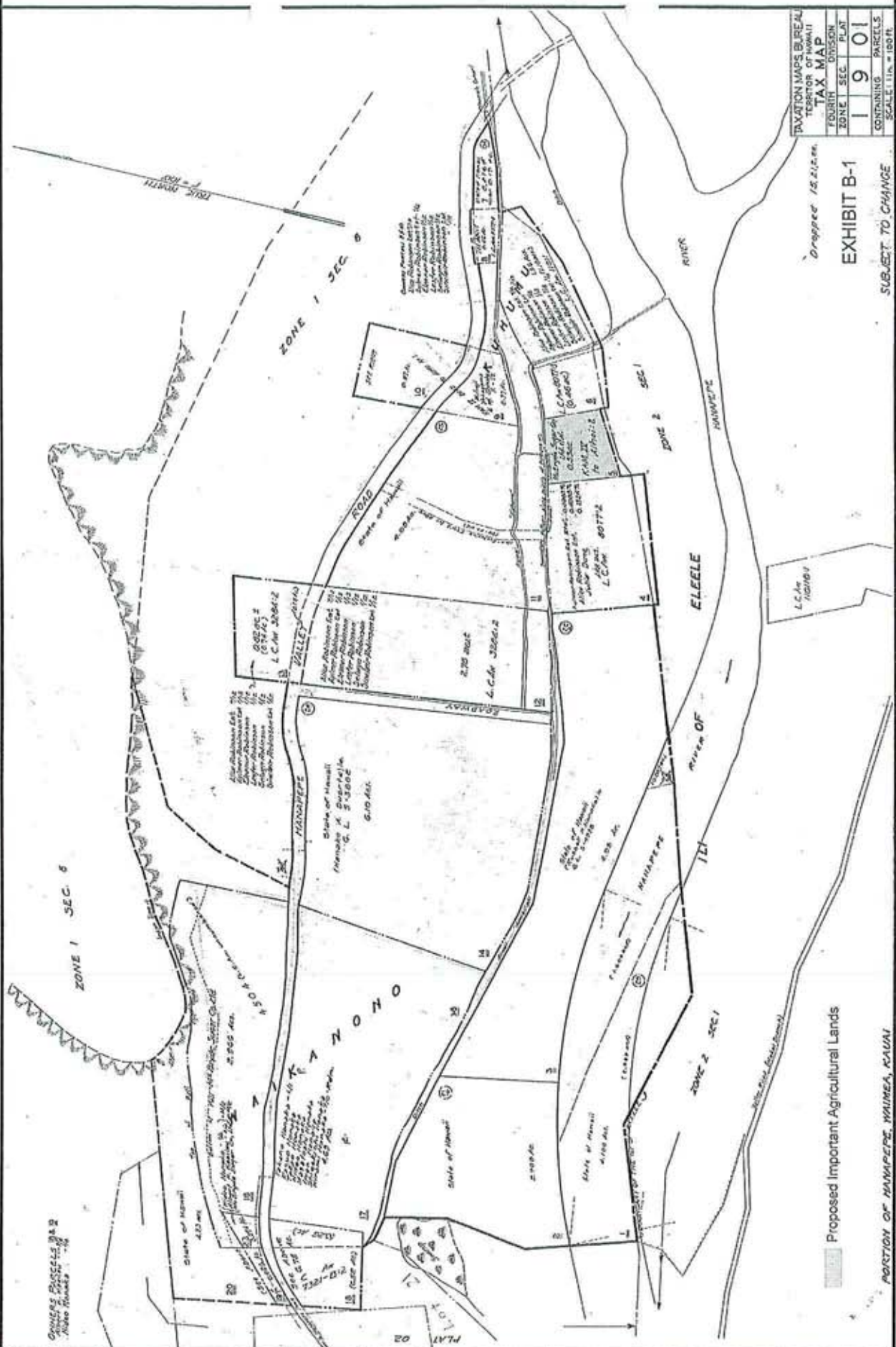
Exhibit B: Tax Map Key Description

Approximately 3,773 acres of land owned by McBryde Sugar Company, Ltd. on Kauai are proposed to be designated as IAL, specifically described as TMK numbers: 1-9-01:05; 1-9-02: 21 and 22; 1-9-03:05; 2-1-01:10, 27 (portion), 35, 36, and 38; 2-2-1: 01 (portion), 07, and 12; 2-3-4: 07; 2-3-10: 01 (portion), 10 (portion), 11, and 12; 2-4-06:01; 2-5-04:26; 2-5-06:05; and 2-5-10:43.

The following table shows a summary of TMK numbers and approximate acreage for proposed IAL lands:

<i>TMK NUMBER</i>	<i>APPROXIMATE ACREAGE</i>
1-9-01:05	0.5
1-9-02:21	6.7
1-9-02:22	1.3
1-9-03:05	19.8
2-1-01:10	123.1
2-1-01:27 (POR.)	372.6
2-1-01:35	108.6
2-1-01:36	10.1
2-1-01:38	8.9
2-2-01:01 (POR.)	840.9
2-2-01:07	738.5
2-2-01:12	0.5
2-3-04:07	12.8
2-3-10:01 (POR.)	1,374.8
2-3-10:10 (POR.)	47.5
2-3-10:11	25.8
2-3-10:12	32.6
2-4-06:01	26.2
2-5-04:26	5.9
2-5-06:05	2.3
2-5-10:43	13.7
TOTAL:	3,773.1

Exhibit B illustrates the proposed IAL lands and the related Tax Map Key parcels. To illustrate the individual TMK parcels, Exhibits B-1 to B-11 identify the individual TMK parcels and portions thereof that are proposed to be designated IAL.



SHEET NO. 1
 DATE: OCT 21 1951
 BY: J. H. HARRIS
 CHECKED: J. H. HARRIS
 APPROVED: J. H. HARRIS
 TITLE: PROPOSED IMPORTANT AGRICULTURAL LANDS
 COUNTY: KAUAI
 DISTRICT: HANALEI

TAXATION MAPS BUREAU			
TERRITORY OF HAWAII			
TAX MAP			
FOURTH	UNION	FLAT	
ZONE 1	SEC. 9	1901	
CONTAINING PARCELS			SCALE: 1 IN. = 100 FT.

Dropped 15.21 ac.

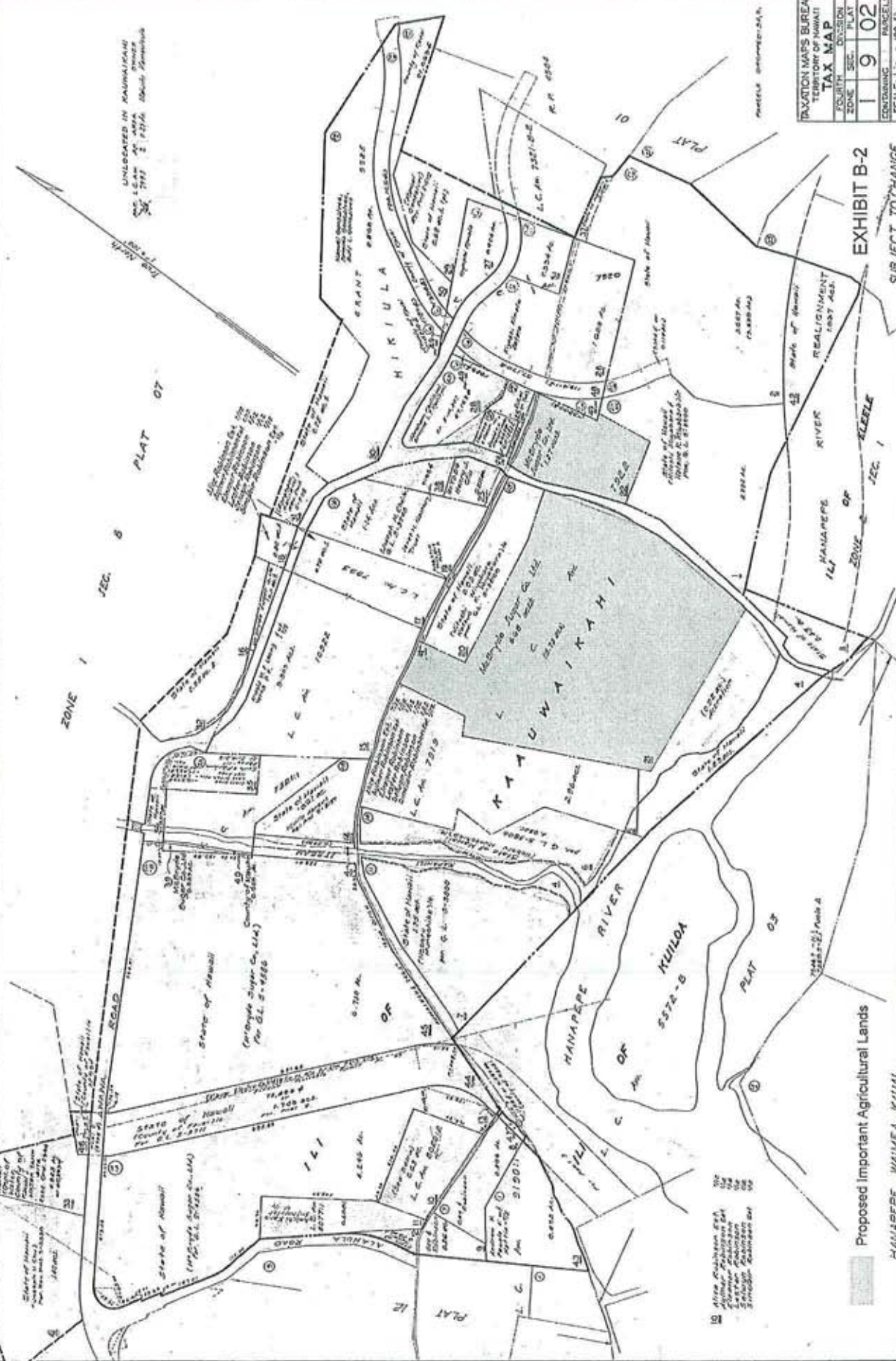
EXHIBIT B-1

SUBJECT TO CHANGE

Proposed Important Agricultural Lands

PORTION OF HANAPEPE, HANAIEA, KAUAI

Drawn by: J. H. HARRIS
 Source: Bureau of Land Management
 Date: JANUARY 1951



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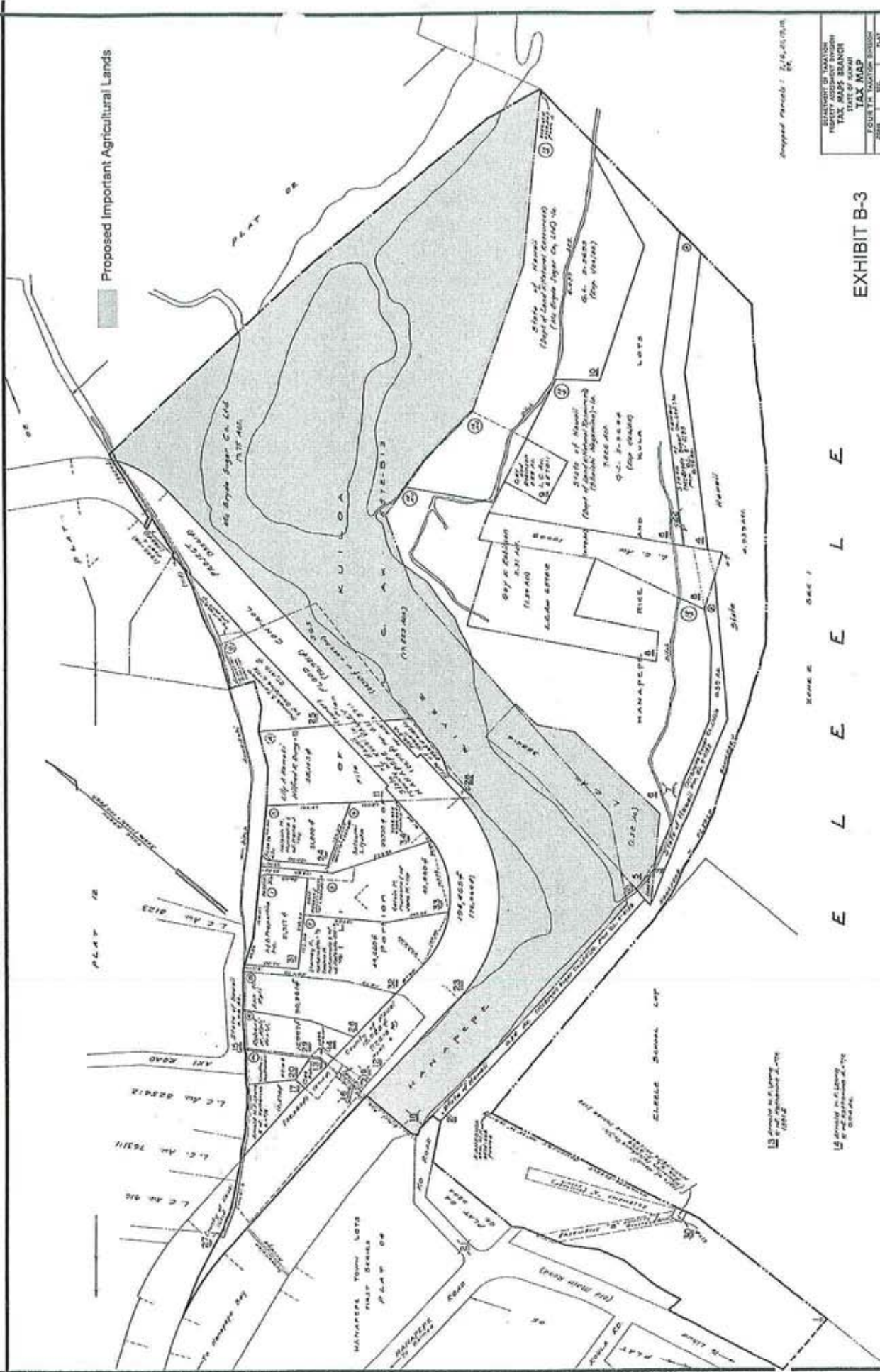
TAXATION MAPS BUREAU	
TERMINOLOGY	
TAX MAP	
COURT	SECTION
ZONE	PLAT
1	9
02	02
CONTAINING PARCELS	
SCALE 1 in. = 100 ft.	
PLATS	

EXHIBIT B-2
 SUBJECT TO CHANGE

Proposed Important Agricultural Lands
 HANAPEPE, WAIMEA, KAULA.

Drawn by: Tax Maps Bureau
 Date: 11/15/1930

Proposed Important Agricultural Lands



Department of Taxation
 HONOLULU
 TAX MAPS BRANCH
 STATE OF HAWAII
 TAX MAP
 FOURTEETH TAXATION DISTRICT

DATE	1903
SCALE	1 IN. = 100 FT.

EXHIBIT B-3

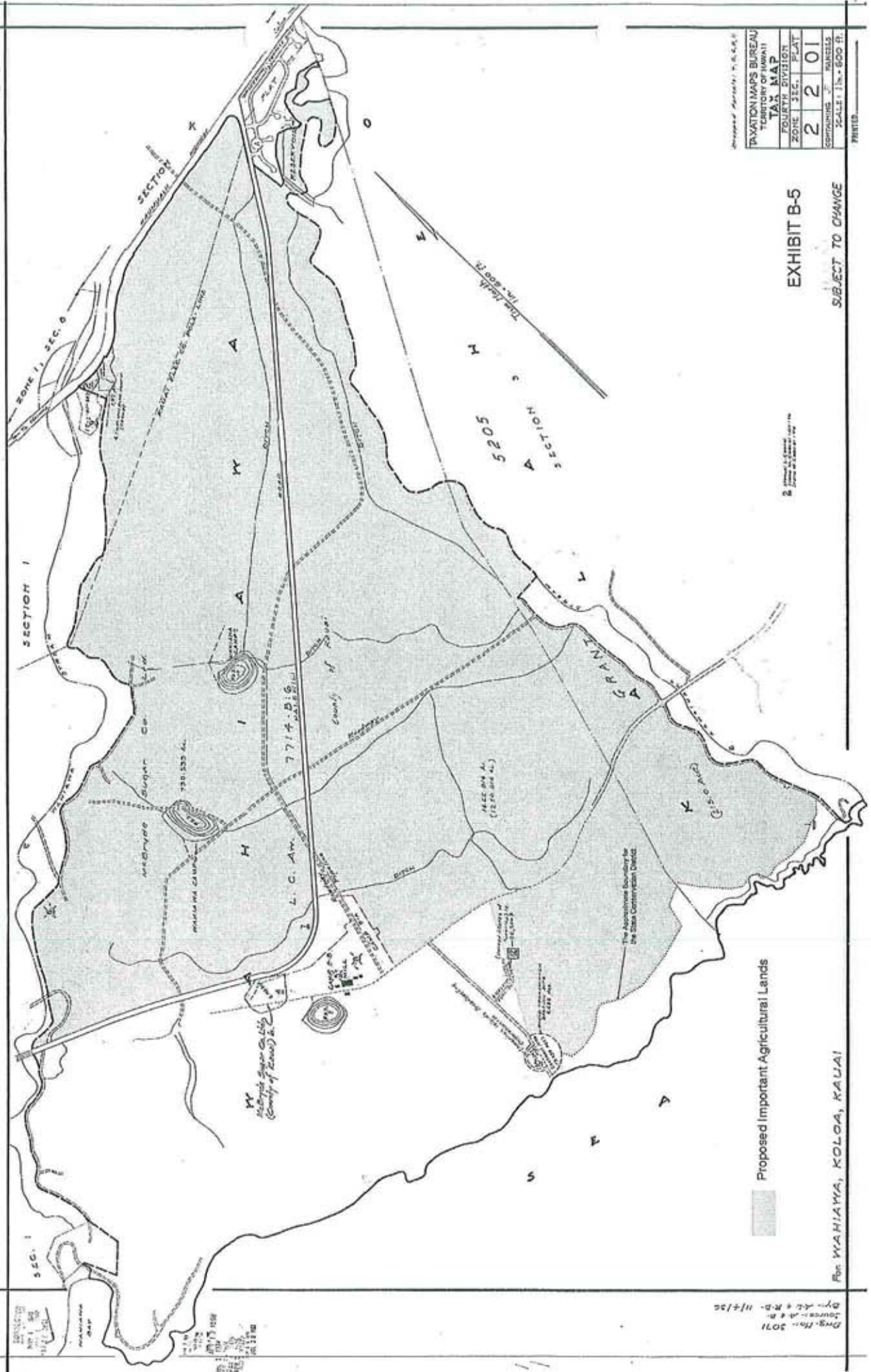
FOR REAL PROPERTY TAXATION PURPOSES
SUBJECT TO CHANGE

E L E E L E L E

FOR MANAPAPA, WAIMEA, KAUAI

NO. 100
 1903
 1903
 1903
 1903
 1903

DWG. NO. 2050
 SOURCE: TOWN DATA, STATE SURVEY DIVISION, COUNTY ENGINEERING
 W. P. H. S. DATA (checked), December 1902



Proposed Map No. T. 6. 6. 6. 6.

TAXATION MAPS BUREAU	
TERRITORY OF HAWAII	
TAX MAP	
FOURTH DIVISION	PLAT
ZONE 3 EC.	2 2 01
CONTAINING 3 PAGES	
SCALE: 1" = 600 FT.	

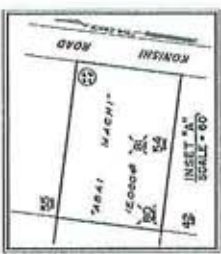
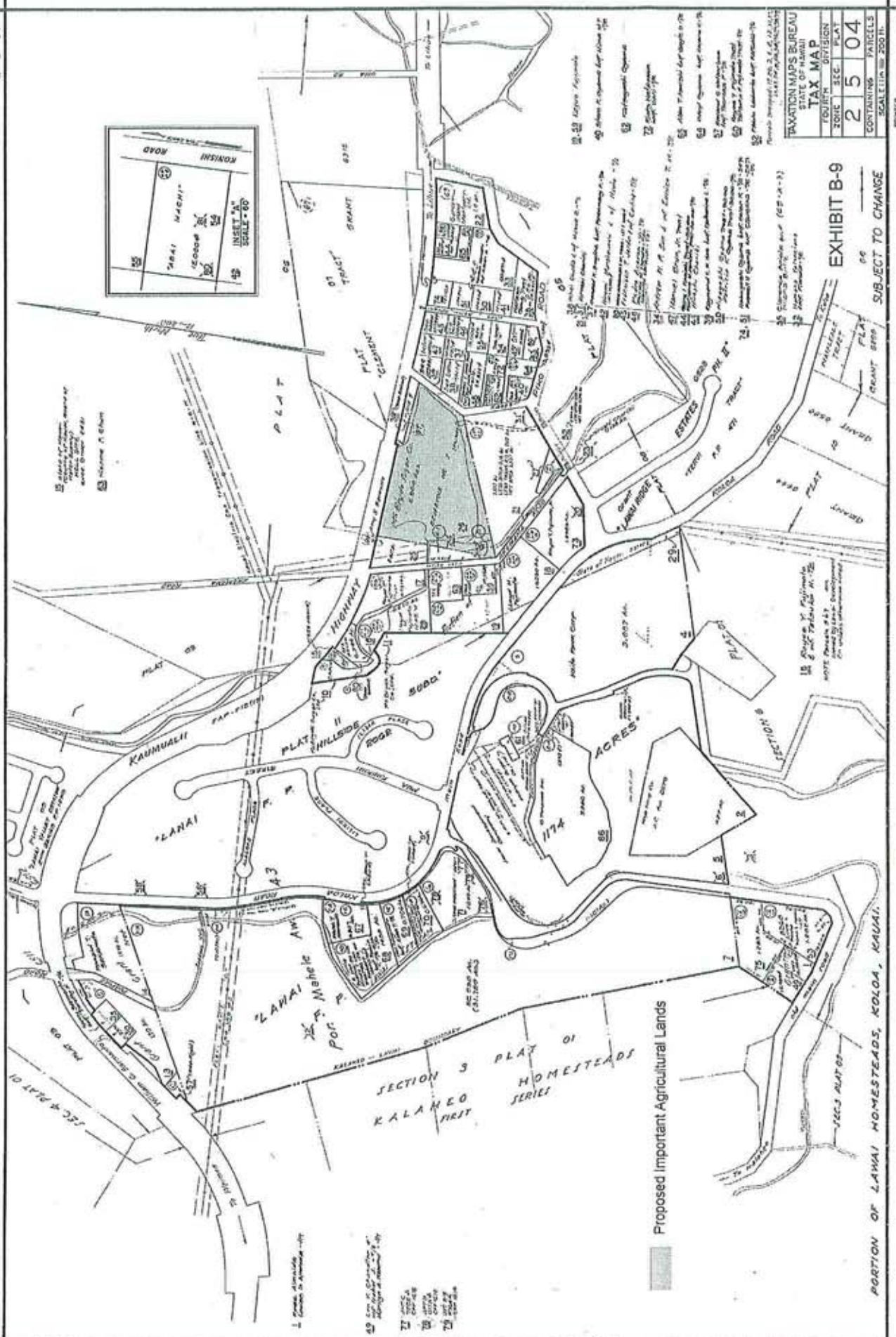
EXHIBIT B-5
SUBJECT TO CHANGE

Proposed Important Agricultural Lands

For WAHIAWA, KOLOA, KAUAI

Drawn: 10-1-50
 Source: A & B
 Date: 11-1-50

SECTION 1
 SECTION 5
 SECTION 6
 SECTION 7
 SECTION 8
 SECTION 9
 SECTION 10
 SECTION 11
 SECTION 12
 SECTION 13
 SECTION 14
 SECTION 15
 SECTION 16
 SECTION 17
 SECTION 18
 SECTION 19
 SECTION 20



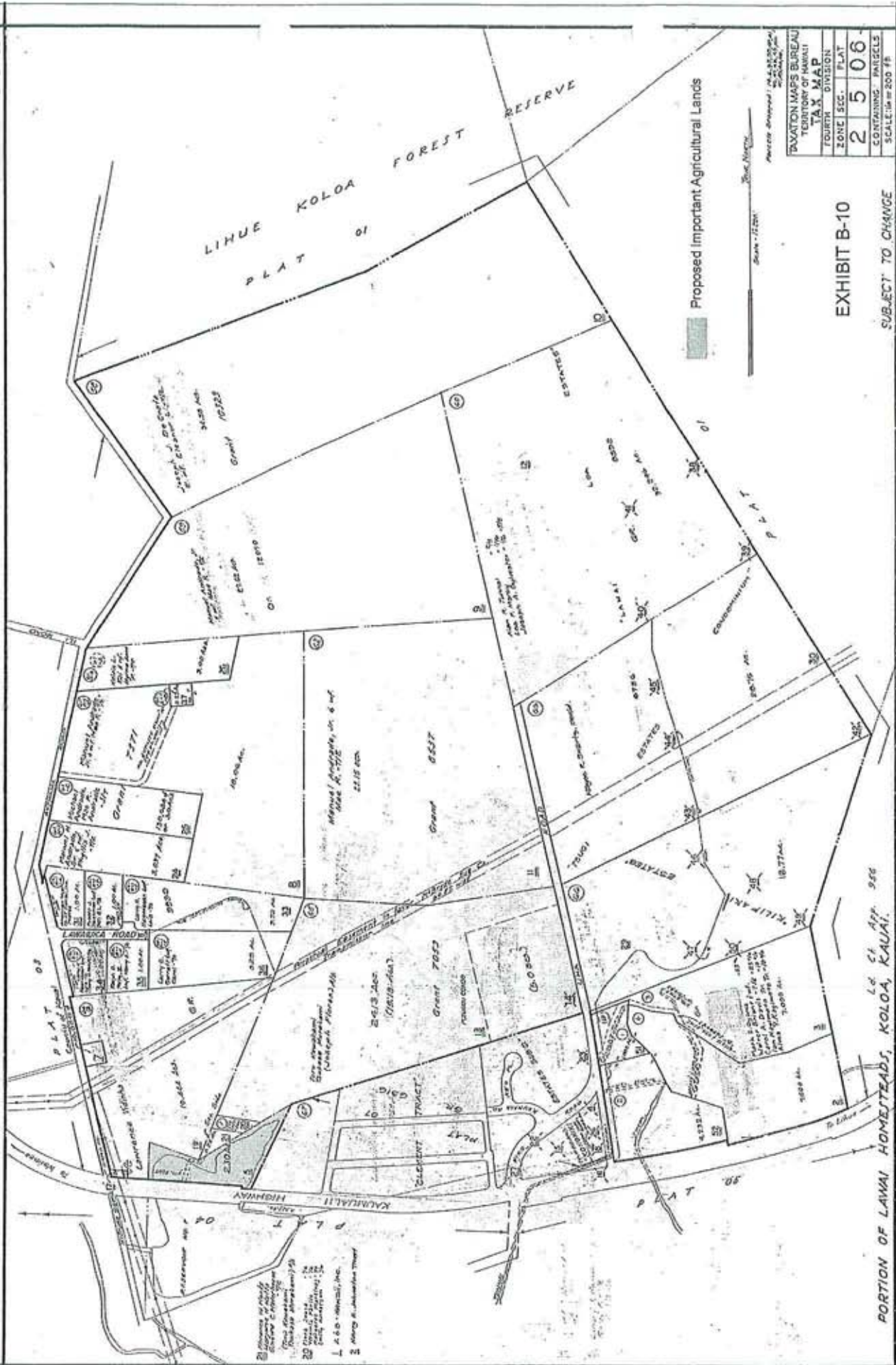
TERRITORY MAPS BUREAU			
TAX MAP			
10574	SECTION	PLAT	
25	04		
CONTAINING PARCELS			
SCALE 1:50,000			

EXHIBIT B-9
SUBJECT TO CHANGE

Proposed Important Agricultural Lands

PORTION OF LANAI HOMESTEADS, KOLOA, KAUAI.

Jan 19 1935
 Drawn by: [Name]
 Checked by: [Name]
 Approved by: [Name]
 Date: [Date]



REVISED 12/15/2006
 TERRITORY OF HAWAII
 TAX MAP
 FOURTH DIVISION
 ZONE I SEC. PLAT
 2 5 06
 CONTAINING PARCELS
 SCALE: 1" = 200' FS
 PRINTED

EXHIBIT B-10
 SUBJECT TO CHANGE

Proposed Important Agricultural Lands

PORTION OF LA'NAI HOMESTEADS, KOLOA, KAUAI.
 L & C App. 926

2077
 Source: Revision Maps Bureau (1977 & 1986)
 By: R.P.L. App. 1986

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BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of)
)
ALEXANDER & BALDWIN, INC.) ALEXANDER & BALDWIN, INC.
)
For Declaratory Order to Designate) AFFIDAVIT AND VERIFICATION
Important Agricultural Lands for) OF ROBERT K. SASAKI
Approximately 3,773.1 acres at Koloa,)
Island and County of Kaua'i, State of)
Hawai'i, TMK: : 1-9-01: 05; 1-9-02: 21)
and 22; 1-9-03:05; 2-1-01:10, 27 (portion),)
35, 36, and 38; 2-2-1: 01 (portion), 07, and)
12; 2-3-4: 07; 2-3-10: 01 (portion), 10 (portion),)
11, and 12; 2-4-06:01; 2-5-04:26; 2-5-06:05;)
and 2-5-10:43.)
_____)

AFFIDAVIT AND VERIFICATION OF ROBERT K. SASAKI

STATE OF HAWAII)
) ss.:
COUNTY OF KAUA'I)

ROBERT K. SASAKI, being first duly sworn on oath, deposes and says that:

1. Affiant is the Vice President of MCBRYDE SUGAR COMPANY, LTD. and has personal knowledge of the facts contained herein and is competent to make this affidavit.

2. Affiant is authorized to make this affidavit and verification on behalf of MCBRYDE SUGAR COMPANY, LTD.

EXHIBIT "C"

3. Affiant has read the contents of the ALEXANDER & BALDWIN, INC.'s Petition for Declaratory Order to Designate Important Agricultural Lands in the above-entitled action ("Petition") and verifies that the contents thereof are true and correct to the best of Affiant's knowledge, information and belief.

4. MCBRYDE SUGAR COMPANY, LTD. is the owner of the fee simple interest in the lands that are the subject of the Petition.

5. MCBRYDE SUGAR COMPANY, LTD. hereby authorizes ALEXANDER & BALDWIN, INC. and its agents to file the Petition and to take all necessary action to designate the lands identified in the Petition as Important Agricultural Lands pursuant to chapter 205 of the *Hawai'i Revised Statutes*.

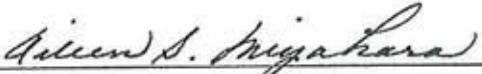
Further Affiant sayeth naught.

Dated: Honolulu, Hawai'i, December 4, 2008.

[The rest of this page is left intentionally blank]


ROBERT K. SASAKI

Subscribed and sworn to before me
this 4th day of December, 2008

Name: AILEEN S. MIYAHARA

Notary Public, State of Hawaii
My Commission expires: 7/15/10




STATE OF HAWAII NOTARY CERTIFICATION

Doc. Description: Alexander & Baldwin, Inc.

Affidavit and Verification of Robert K. Sasaki

Date of Document: 12/4/08 # Pages: 3

Date of Notarization: 12/4/08



Notary Public Signature

Print Name: AILEEN S. MIYAHARA

Notary Public, State of Hawaii, First Circuit

Notary Commission No. 82-517



(Stamp or Seal)

TITLE GUARANTY OF HAWAII

INCORPORATED

235 QUEEN STREET • HONOLULU • HAWAII • 96813 • 533-6261

December 2, 2008

A&B Properties, Inc.
822 Bishop Street
Honolulu, HI 96813

Attention: Ms. Suzanne McGuigan

Maximum liability limited to \$3,500.00
Letter Report

RE: McBryde IAL
TG NUMBER 200842594

In accordance with your request, Title Guaranty of Hawaii, Incorporated has made a search of the records indexed in its title plant regarding the properties listed in Exhibit "A." Our search indicates that the grantees under the last deeds of record for each property listed on Exhibit "A" are as shown in the last column of Exhibit "A."

Our search is to the hour of 8:00 a.m. on December 2, 2008.

Inquiries concerning this report
should be directed to
Anne Monette.
Email amonette@tghawaii.com
Telephone (808) 539-7733.
Refer to Order No. 200842594.

Exhibit "A"

McBryde IAL
200842594

	TMK	Deed	Grantee
4	1-9-001-005	2008-150859	McBryde Sugar Company, Limited
4	1-9-002-021	15847/709	McBryde Sugar Company, Limited
4	1-9-002-022	15847/709	McBryde Sugar Company, Limited
4	1-9-003-005	15847/709	McBryde Sugar Company, Limited
4	2-1-001-010	15847/709	McBryde Sugar Company, Limited
4	2-1-001-027(por)	6333/434	McBryde Sugar Company, Limited
4	2-1-001-035	6333/434	McBryde Sugar Company, Limited
4	2-1-001-036	6333/434	McBryde Sugar Company, Limited
4	2-1-001-038	2008-150858	McBryde Sugar Company, Limited
4	2-2-001-001(por)	6333/434	McBryde Sugar Company, Limited
4	2-2-001-007	6333/434	McBryde Sugar Company, Limited
4	2-2-001-012	6333/434	McBryde Sugar Company, Limited
4	2-3-004-007	6333/434	McBryde Sugar Company, Limited
4	2-3-010-001(por)	6333/434	McBryde Sugar Company, Limited
4	2-3-010-010 (por)	6333/434	McBryde Sugar Company, Limited
4	2-3-010-011	6333/434	McBryde Sugar Company, Limited
4	2-3-010-012	6333/434	McBryde Sugar Company, Limited
4	2-4-006-001	6333/434	McBryde Sugar Company, Limited
4	2-5-004-026	6333/434	McBryde Sugar Company, Limited
4	2-5-006-005	2008-150860	McBryde Sugar Company, Limited
4	2-5-010-043	6333/434	McBryde Sugar Company, Limited

-Notes:-

1. TMK 2-2-001-012 was created from TMK 2-2-001-001 as reflected on the County of Kauai Parcel History sheet. TMK 2-2-001-001 was conveyed by Deed at Bureau of Conveyance ("BOC") Liber 6333, Page 434.

2. TMK 2-5-010-043 was created from TMK 2-5-005-007 as reflected on the County of Kauai Parcel History sheet. TMK 2-5-005-007 was conveyed by Deed at BOC Liber 6333, Page 434.

cordation requested by:

ter recordation return to:

turn by Mail Pickup

RECEIVED
 REC'D
 STATE OF HAWAII
 OFFICE OF
 BUREAU OF CONVEYANCE

Received for record this 29th
 day of September A.D. 1981
 at o'clock ... P.M.
 Recorded at Liber 15847
 vs Pages 709

KNOW ALL MEN BY THESE PRESENTS:

That ALEXANDER & BALDWIN, INC., a Hawaii corporation, Grantor, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to it paid by MCBRYDE SUGAR COMPANY, LIMITED, a Hawaii corporation, whose principal place of business and post office address is 822 Bishop Street, Honolulu, Hawaii, Grantee, the receipt whereof is hereby acknowledged, does hereby remise, release and forever quitclaim unto Grantee, its successors and assigns, all its right, title and interest in and to all of that real property situate on the Island and County of Kauai, State of Hawaii, as follows:

<u>Tax Key</u>	<u>Area (Acres)</u>	<u>Location</u>
1-9-02-21	6.680	Hanapepe
1-9-02-22	1.270	Hanapepe
1-9-02-39	.033	Hanapepe
1-9-03-05	19.750	Hanapepe
2-1-01-10	124.029	Eleele

AND the reversions, remainders, rents, issues, and profits thereof, all the estate, right, title and interest of Grantor therein and thereto, all the improvements thereon, and the easements, privileges and appurtenances thereunto belonging or appertaining, except as aforesaid.

TO HAVE AND TO HOLD the same unto Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF, Grantor has caused this instrument to be duly executed this 25th day of September, 1981.

ALEXANDER & BALDWIN, INC.

By [Signature]
Its VICE PRESIDENT

By Virginia L. Raudebaugh
Its ASST. SECRETARY
Grantor

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

On this 25th day of September, 1981, before me appeared R. K. SASAKI and VIRGINIA L. RAUDEBAUGH, to me personally known, who, being by me duly sworn, did say tht they are the VICE PRESIDENT and ASST. SECRETARY, respectively, of ALEXANDER & BALDWIN, INC., a Hawaii corporation, and that the seal affixed to the foregoing 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 the said Officers acknowledged said instrument to be the free act and deed of said corporation.

[Signature]
Notary Public, State of Hawaii

My commission expires: DEC 20, 1981

RRR

RECORDATION REQUESTED BY:

A.T.B. Inc.

AFTER RECORDATION: ADDRESSEE

68-55316

LIBER 6333 PAGE 434
'68 DEC 13 PM 3:18

┌ *A.T.B. Inc.* 7
Phone: 5362951 - Ext. 300

When completed: Mail ()
Pick up (X) Phone:

KNOW ALL MEN BY THESE PRESENTS:

That XYZ CORPORATION (formerly known as McBryde Sugar Company, Limited), a Hawaii corporation, hereinafter called the "Grantor", in consideration of the sum of One Dollar (\$1.00) paid to it by McBRYDE SUGAR COMPANY, LIMITED, a Hawaii corporation, whose principal place of business and post office address is 822 Bishop Street, Honolulu, City and County of Honolulu, State of Hawaii, hereinafter called the "Grantee", the receipt of which is hereby acknowledged, does hereby remise, release and forever quitclaim all of its estate, right, title and interest unto the Grantee and its successors and assigns in and to:

All of the real property described in Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the same unto the Grantee and its successors and assigns, forever.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed by its duly authorized officers this 29th day of June 1968.

XYZ CORPORATION

By *[Signature]*
Its _____

By *[Signature]*
Its SECRETARY

AFFIDAVIT FILED

052767

STATE OF HAWAII CONVEYANCE TAX... 00.00
P.O. DEC 13 '68
10817

STATE OF HAWAII
CITY AND COUNTY OF HONOLULU } SS:

On this 27th day of June, 1968, before me
appeared E. B. HOLROYDE and

W. E. SHEEHAN, to me personally known, who
being by me duly sworn, did say that they are PRESIDENT
and SECRETARY, respectively, of XYZ CORPORATION,
a Hawaii corporation;

that the seal affixed to the foregoing instrument is the corporate
seal of said corporation, and that said instrument was signed and
sealed on behalf of said corporation by authority of its Board of
Directors; and said E. B. HOLROYDE and
W. E. SHEEHAN acknowledged that they exe-
cuted the same as the free act and deed of said corporation.

At Kanaka
Notary Public, First Judicial
Circuit, State of Hawaii
My commission expires: OCT. 16, 1969

McBRYDE SUGAR COMPANY, LTD.

Fee Lands

<u>Tax Key</u>	<u>Area</u>	<u>Location</u>	<u>Subject to:</u>
1-8-02-01	4.51 acres	Hanapepe	
1-8-05-11	.91 acre	Hanapepe	
1-8-05-14	2.68 acres	Hanapepe	
1-8-05-25	1.866 acres	Hanapepe	
1-9-01-05	.53 acre	Hanapepe	
1-9-01-16	2.966 acres	Hanapepe	
1-9-01-23 M/C	.094 acre	Hanapepe	
1-9-02-15	3.33 acres	Hanapepe	
1-9-02-16	.11 acre	Hanapepe	
1-9-02-21 ✓	6.68 acres	Hanapepe	
1-9-02-22 ✓	1.27 acres	Hanapepe	
1-9-02-39 ✓	.033 acre	Hanapepe	
1-9-03-05 ✓	1.36 acres	Hanapepe	
1-9-03-18	18.39 acres	Hanapepe	
1-9-03-24	3.52 acres	Hanapepe	
1-9-03-25	.674 acre	Hanapepe	
1-9-04-16	.608	Hanapepe	
1-9-04-23	5.921 acres	Hanapepe	
1-9-04-25	.172 acre	Hanapepe	Lease to Masaru Shimonishi dated September 22, 1966 and recorded in Liber 5445 at page 374, as amended by lease dated 11/1/1968 recorded in Liber 5485 at page 436.
1-9-04-26	.400 acre	Hanapepe	
1-9-07-01	19.503 acres	Hanapepe	
1-9-12-24	2.42 acres	Hanapepe	
1-9-12-45	.14 acre	Hanapepe	
1-9-12-46	.35 acre	Hanapepe	
2-1-01-02	.70 acre	Eleele	
2-1-01-03	258.294 acres	Eleele	
2-1-01-10 ✓	222.16 acres	Eleele	Lease to Manuel S. Andrade of 26.64 acres dated December 11, 1961, unrecorded.

<u>Tax Key</u>	<u>Area</u>	<u>Location</u>	<u>Subject to:</u>
2-1-01-14	.09 acres	Eleele	
2-1-01-15	3.75 acres	Eleele	
2-1-01-27	583.238 acres	Eleele	
2-1-01-35	113.877 acres	Wahiawa	Lease to Manuel A. Medeiros dated July 2, 1962 recorded in Liber 4383 at page 323, amended by lease dated August 13, 1964 recorded in Liber 4821 at page 483, amended by lease of June 7, 1965 recorded in Liber 5083 at page 146, amended by lease dated June 29, 1965 recorded in Liber 5633 at page 213, amended by lease of December 14, 1965 recorded in Liber 5259 at page 11, amended by lease of April 27, 1966 recorded in Liber 5324 at page 447, amended by lease dated March 9, 1967 recorded in Liber 5633 at page 220, amended by lease of April 15, 1968 recorded in Liber 6041 at page 380.
2-1-01-36	10.07 acres	Wahiawa	" " " " " "
2-1-01-37	33.59 acres	Wahiawa	" " " " " "
2-1-01-38	3.673 acres	Wahiawa	Lease to David W. O. Chang dated December 5, 1962 recorded in Liber 4422 at page 481, amended by lease of March 21, 1968 recorded in Liber 6047 at page 170.
2-1-01-41	.689 acres	Eleele	Lease to Hawaii Baptist Convention dated April 1, 1964 and recorded in Liber 4738 at page 435.
2-1-02-01	26.058 acres	Eleele	
2-1-04-01	.434 acre	Eleele	
2-2-01-01	1,892.065 acres	Wahiawa	
2-2-01-04	6.165 acres	Wahiawa	Lease to County of Kauai of 3.603 acres dated June 19, 1962, unrecorded.
2-2-01-05	.035 acre	Wahiawa	
2-2-01-06	.021 acre	Wahiawa	Lease to Protestant Episcopal Church in the Hawaiian Islands dated October 27, 1950, recorded in Liber 4183 at page 429.
2-2-01-07	740.957 acres	Wahiawa	Lease to Wahiawa Soto Mission dated December 21, 1949 of 1.03 acres recorded in Liber 2301 at page 385.
2-2-01-08	.196 acre	Wahiawa	Lease to Sakuji Ishikawa dated April 2, 1953 recorded in Liber 2630 at page 238.

<u>Tax Key</u>	<u>Area</u>	<u>Location</u>	<u>Subject to:</u>
2-2-01-10	1.243 acres	Wahiawa	Lease to American Islands Broadcasting Corp. dated January 15, 1965 recorded in Liber 5138 at Page 61.
2-3-02-20	13.412 acres	Koloa	Lease to Alfred Reis dated July 1, 1962, unrecorded.
2-3-02-21	8.70 acres	Koloa	Lease to Manuel Andrade of 5.70 acres dated December 11, 1961, unrecorded.
2-3-02-24	.17 acre	Koloa	
2-3-02-45	1.50 acres	Koloa	Lease to Manuel Andrade, Jr., dated November 7, 1964 and recorded in Liber 4883 at page 439.
2-3-02-50	.28 acre	Koloa	
2-3-04-07	12.40 acres	Koloa	
2-3-06-04	1.72 acres	Koloa	
2-3-07-07	.09 acre	Koloa	
2-3-07-14	.44 acre	Koloa	
2-3-09-11	.79 acre	Koloa	
2-3-09-17	2.55 acres	Koloa	
2-3-10-01	1,494.46 acres	Kalaheo	
2-3-10-10	76.78 acres	Kalaheo	Lease to Manuel Medeiros dated July 2, 1962 recorded in Liber 4383 at page 323 amended by lease dated August 13, 1964 recorded in Liber 4821 at page 483, amended by lease of June 7, 1965 recorded in Liber 5083 at page 146, amended by Lease dated June 29, 1965 recorded in Liber 5633 at page 213, amended by lease dated December 14, 1965 recorded in Liber 5259 at page 11, amended by lease dated April 27, 1966 recorded in Liber 5324 at page 447, amended by lease dated March 9, 1967 recorded in Liber 5633 at page 220, amended by lease dated April 15, 1968 recorded in Liber 6041 at page 380.
2-3-10-11	25.77 acres	Kalaheo	" " " " "
2-3-10-12	32.64 acres	Kalaheo	" " " " "
2-3-16-40	.14 acre	Kalaheo	
2-4-01-10	1.00 acre	Koloa	

<u>Tax Key</u>	<u>Area</u>	<u>Location</u>
2-4-01-15	.68	Koloa
2-4-04-04	.39	Koloa
2-4-05-01	.43	Koloa
2-4-05-13	21.710	Koloa
2-4-05-15	3.64	Koloa
2-4-06-01	21.345	Koloa
2-4-06-06	.42	Koloa
2-4-06-07	.007	Koloa
2-4-07-02	134.20	Koloa
2-4-07-04	44.88	Koloa
2-4-07-18	14.746	Koloa
2-4-07-20	196.095	Koloa
2-4-07-23	63.60	Koloa
2-4-07-24	21.74	Koloa
2-4-07-25	189.15	Koloa
2-4-07-26	2.12	Koloa
2-4-08-01	6.29	Koloa
2-4-08-16	6.72	Koloa
2-4-08-22	1.30	Koloa
2-4-09-01	2,150.00	Koloa
2-4-10-08	.114	Koloa

Subject to:

Lease to Weimea Sugar Mill Co., Ltd. dated 4/1/53 recorded in Liber 2684 at page 196 and assigned to Meadow Gold Dairies-Hawaii Ltd. by assignment dated 1/1/1965 recorded in Liber 5158 at page 276.

" " "

Lease to Manuel Medeiros dated July 2, 1962 recorded in Liber 4383 at page 323, amended by lease dated August 13, 1964 recorded in Liber 4821 at page 483, amended by lease of June 7, 1965 recorded in Liber 5083 at page 174, amended by lease dated June 29, 1965 recorded in Liber 5633 at page 213, amended by lease dated December 14, 1965 recorded in Liber 5259 at page 11, amended by lease dated April 27, 1966 recorded in Liber 5324 at page 447, amended by lease dated March 9, 1967 recorded in Liber 5633 at page 220, amended by lease dated April 15, 1968 recorded in Liber 6041 at page 380.

" " "

<u>Tax Key</u>	<u>Area</u>	<u>Location</u>
2-4-10-49	.52	Koloa
2-4-11-18	.067	Koloa
2-4-11-32	.12	Koloa
2-4-12-02	.13	Koloa
2-5-01-02	241.65	Koloa
2-5-01-06 per.	823.045	Koloa
2-5-02-18	.57	Koloa
2-5-03-15	1.486	Koloa
2-5-04-11	.382	Koloa
2-5-04-24	.105	Koloa
2-5-04-26	5.925	Koloa
2-5-04-27	.07	Koloa
2-5-05-07	14.83	Koloa
2-5-05-55	.30	Koloa
2-5-05-63	.025	Koloa

Subject to:

<u>Tax Key</u>	<u>Area</u>	<u>Location</u>	<u>Subject to:</u>
2-5-06-01	.346	Lawai	
2-5-06-05	2.30	Lawai	
2-5-06-17	.045	Lawai	
2-5-08-19	.07	Lawai	
2-6-01-51	.20	Lawai	
2-6-02-04	1.60	Lawai	
2-6-02-05	1.88	Lawai	
2-6-03-01	1,791.896	Koloa	
2-6-03-03	5.30	Koloa	
2-6-03-04	.079	Koloa	
2-6-03-13	.01	Koloa	
2-6-03-19	2.01	Koloa	Lease to County of Kauai dated July 27, 1949 recorded in Liber 2254 at page 249.
2-6-03-21	.243	Koloa	Lease to Hajime Kuribayashi dated September 19, 1953 in Liber 2740 at page 384.
2-6-03-23	.116	Koloa	
2-6-03-26	11.14	Koloa	Lease to Manuel Madeiros dated July 2, 1962 recorded in Liber 4383 at page 323, amended by lease dated August 13, 1964 recorded in Liber 4821 at page 483, amended by lease of June 7, 1965 recorded in Liber 5083 at page 164, amended by lease dated June 29, 1965 recorded in Liber 5633 at page 213, amended by lease dated December 14, 1965 recorded in Liber 5259 at page 11, amended by lease dated April 27, 1966 recorded in Liber 5324 at page 447, amended by lease dated March 9, 1967 recorded in Liber 5633 at page 220, amended by lease dated April 15, 1968 recorded in Liber 6041 at page 380.
2-6-03-27	63.66	Koloa	" " "
2-6-03-28	8.60	Koloa	" " "
2-6-03-29	3.08	Koloa	" " "
2-6-03-30	5.17	Koloa	" " "
2-6-03-31	309.94	Koloa	" " "
2-6-03-32	29.57	Koloa	" " "
2-6-03-33	14.80	Koloa	" " "
2-6-03-34	34.14	Koloa	" " "

<u>Tax Key</u>	<u>AREA</u>	<u>Location</u>
2-6-03-35	47.57	Koloa
2-6-04-02	.80	Koloa
2-6-04-05	.24	Koloa
2-6-04-09	1.01	Koloa
2-6-04-10	.68	Koloa
2-6-04-11	1.35	Koloa
2-6-04-13	.44	Koloa
2-6-04-15	20.48	Koloa
2-6-04-16	26.46	Koloa
2-6-04-17	.235	Koloa
2-6-04-19	.30	Koloa
2-6-04-23	.784	Koloa
2-6-04-37	3.057	Koloa
2-6-04-38	311.741	Koloa
2-6-04-39	29.871	Koloa
2-6-04-40	58.92	Koloa
2-6-04-44	7.897	Koloa
2-6-04-45	10.652	Koloa
2-6-09-03	.50	Koloa
2-6-09-05	.78	Koloa
2-6-09-61	.007	Koloa
2-6-10-03	.03	Koloa
2-6-11-14	.48	Koloa

Subject to:

Lease to Manuel Madalios dated July 2, 1962 recorded in LB or 4383 at page 323, amended by lease dated August 13, 1964 recorded in Liber 4821 at page 483, amended by lease of June 7, 1965 recorded in Liber 5083 at page 164, amended by lease dated June 29, 1965 recorded in Liber 5633 at page 213, amended by lease dated December 14, 1965 recorded in Liber 5259 at page 11 amended by lease dated April 27, 1966 recorded in Liber 5324 at page 447, amended by lease dated March 9, 1967 recorded in Liber 5633 at page 220, amended by lease dated April 15, 1968 recorded in Liber 6041 at page 380.

<u>Tax Key</u>	<u>Area</u>	<u>Location</u>	<u>Subject to:</u>
2-6-11-15	.521	Koloa	
2-6-11-16	.471	Koloa	
2-7-03-02	45.52	Koloa	
2-7-03-03	.51	Koloa	
2-7-04-01	4.86	Koloa	
2-7-04-02	35.49	Koloa	
2-7-05-06	11.350	Koloa	
2-7-05-36	.17	Koloa	
2-7-06-27	.20	Koloa	
2-7-06-35	1.20	Koloa	
2-7-07-01	2.114	Koloa	
2-8-10-10	.22	Koloa	
5-8-01-01	10,120.00	Hanalei	
5-8-03-03 por.	30.415	Hanalei	
5-8-06-38	1.942	Hanalei	
5-8-06-42	.339	Hanalei	
5-8-12-12	.249	Hanalei	
2-6-04-18 und. 1/2 int.	3.26	Koloa	

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R-753 STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED
SEP 26, 2008 02:00 PM
Doc No(s) 2008-150860



20 4/4 Z9

for NICKI ANN THOMPSON
ACTING REGISTRAR
CTax (10): \$338.90

LAND COURT SYSTEM *KA* REGULAR SYSTEM
AFTER RECORDATION, RETURN BY: MAIL PICKUP

ALEXANDER & BALDWIN, INC.
822 Bishop Street
Honolulu, HI. 96813

TYPE OF DOCUMENT:
Quitclaim Deed

PARTIES TO DOCUMENT:
Grantor: ALEXANDER & BALDWIN, INC.

Grantee: MC BRYDE SUGAR COMPANY, LTD.
 P. O. Box 8
 Eleele, Kauai, HI. 96705

TAX MAP KEY FOR PROPERTY: Total No. Pages 11
(4)2-3-006-004;(4)2-3-007-007;(4)2-3-007-014;(4)2-3-009-017;
(4)2-4-006-007;(4)2-4-006-019;(4)2-4-006-021;(4)2-5-001-002;
(4)2-5-001-008;(4)2-5-006-001; (4)2-5-006-005

QUITCLAIM DEED

THIS DEED, made this 24 day of September, 2008 by and between ALEXANDER & BALDWIN, INC., a Hawaii corporation, whose mailing address is 822 Bishop Street, Honolulu, Hawaii 96813 hereinafter called the "Grantor" and MCBRYDE SUGAR COMPANY, LTD., a Hawaii corporation, whose post office address is P. O. Box 8, Eleele, Kauai, Hawaii 96705, hereinafter called the "Grantee",

WITNESSETH:

That for ONE DOLLAR (\$1.00) and other good and valuable consideration to it paid by the Grantee, the receipt of which is hereby acknowledged, the Grantor does hereby remise, release, and quitclaim unto the Grantee, its successors and assigns:

All of those certain parcels of land situate at Koloa, Island and County of Kauai, State of Hawaii, being the Property, generally shown on maps marked Exhibits A-1 thru A-11 and listed in Exhibit B, all attached hereto and made a part hereof.

And all of the estate, right, title and interest of the Grantor, both at law and in equity, therein and thereto;

The conveyance herein set forth and the warranties of the Grantor concerning the same are expressly declared to be in favor of the Grantee, and the Grantee's successors and assigns.

The terms "Grantor" and "Grantee", as and when used herein, or any pronouns used in place thereof, shall mean and include the masculine, feminine or neuter, the singular or plural number, individual, partnerships, trustees or corporations and their and each of their respective successors, heirs, personal representatives, successors in trust and assigns, according to the context thereof. All covenants and obligations undertaken by two or more persons shall be deemed to be joint and several unless a contrary intention is clearly expressed elsewhere herein.

IN WITNESS WHEREOF, the Grantor has executed these presents as of this 24 day
of September, 2008.

ALEXANDER & BALDWIN, INC.

By 
Its _____
KEVIN L. HALLORAN
VICE PRESIDENT

By 
Its _____
ALYSON J. NAKAMURA
SECRETARY

Grantor

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

On this 24 day of September, 2008, before me personally appeared Kevin L. Malloran and Alyson J. Nakamura to me personally known, who being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable in the capacities shown, having been duly authorized to execute such instrument in such capacities, capacities shown, having been duly authorized to execute such instrument in such capacities.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Suzanne K. McGuigan
SUZANNE K. McGUIGAN

Notary Public, State of Hawaii
My commission expires: 2/18/09

NOTARY CERTIFICATE

Document Id: Grantor's Deed

Document Date: 9/24/2008

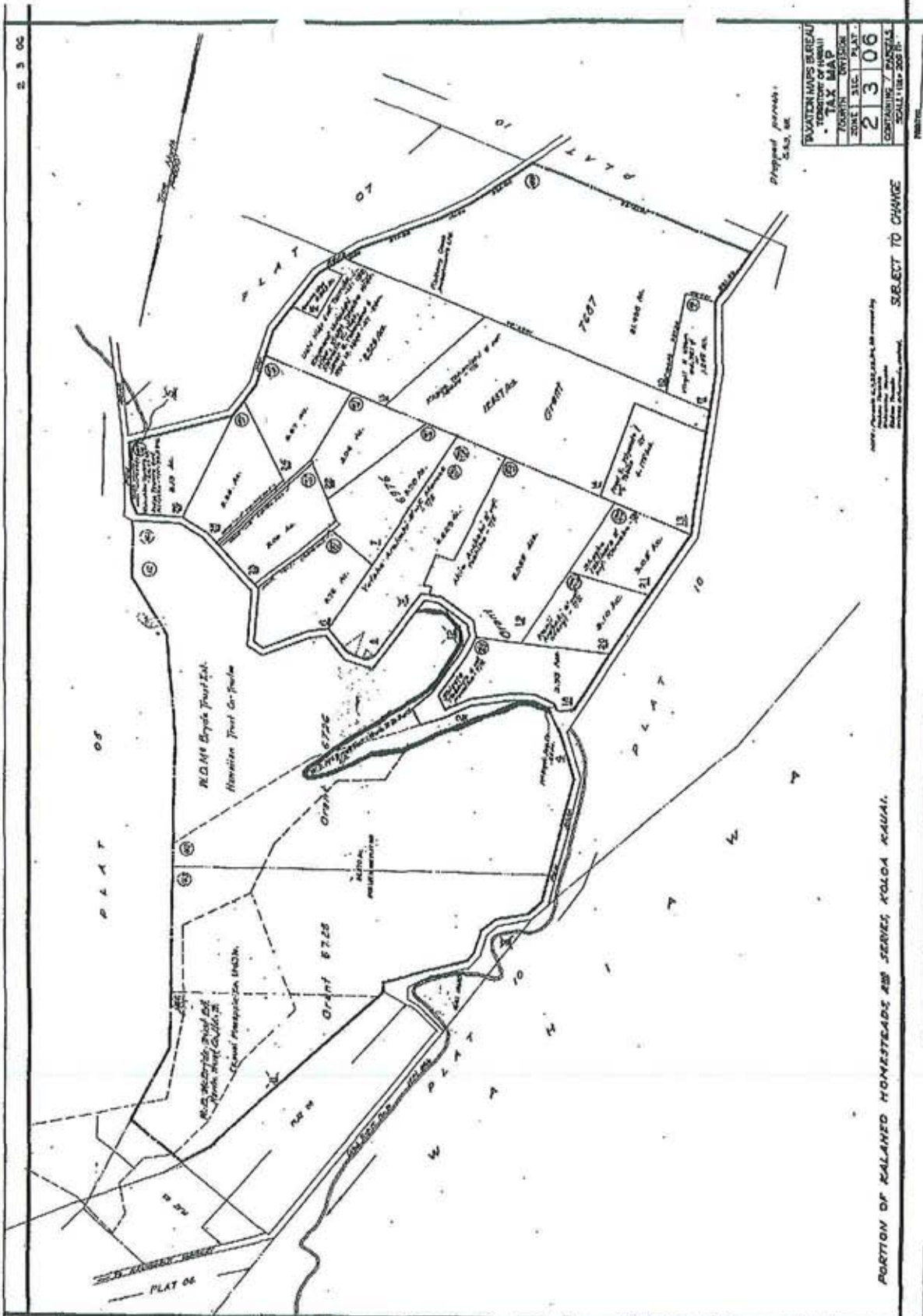
No. of Pages: 16

Suzanne K. McGuigan
Signature of Notary

9/24/2008
Date of Certificate



SUZANNE K. McGUIGAN
Printed Name of Notary



DIVISION MAPS BUREAU	
TERRITORY OF HAWAII	
TAX MAP	
TOWN OF KALAEHO	
ZONE	2
SEC.	3
PLAT.	06
CONTAINING 7 PARCELS	
SCALE 1/8\"/>	

Original prepared by
S.E.S., INC.

Map prepared by
S.E.S., INC.
KALAEHO, HAWAII

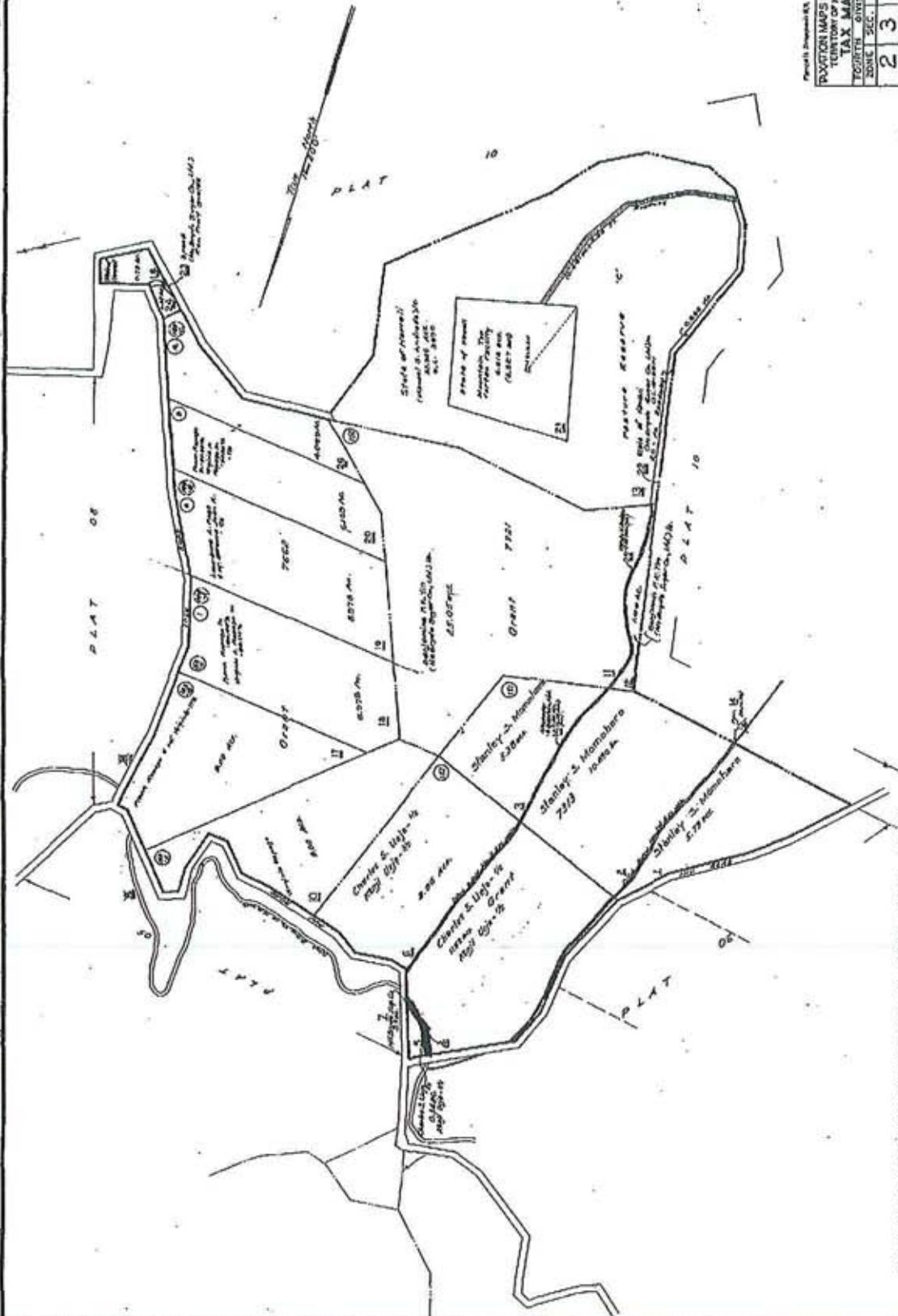
SUBJECT TO CHANGE

PORTION OF KALAEHO HOMESTEADS 22B SERIES, KOLOA, KAUAI.

Parcel No.	Area (Acres)	Area (Sq. Ft.)
1	1.25	54,000
2	1.25	54,000
3	1.25	54,000
4	1.25	54,000
5	1.25	54,000
6	1.25	54,000
7	1.25	54,000

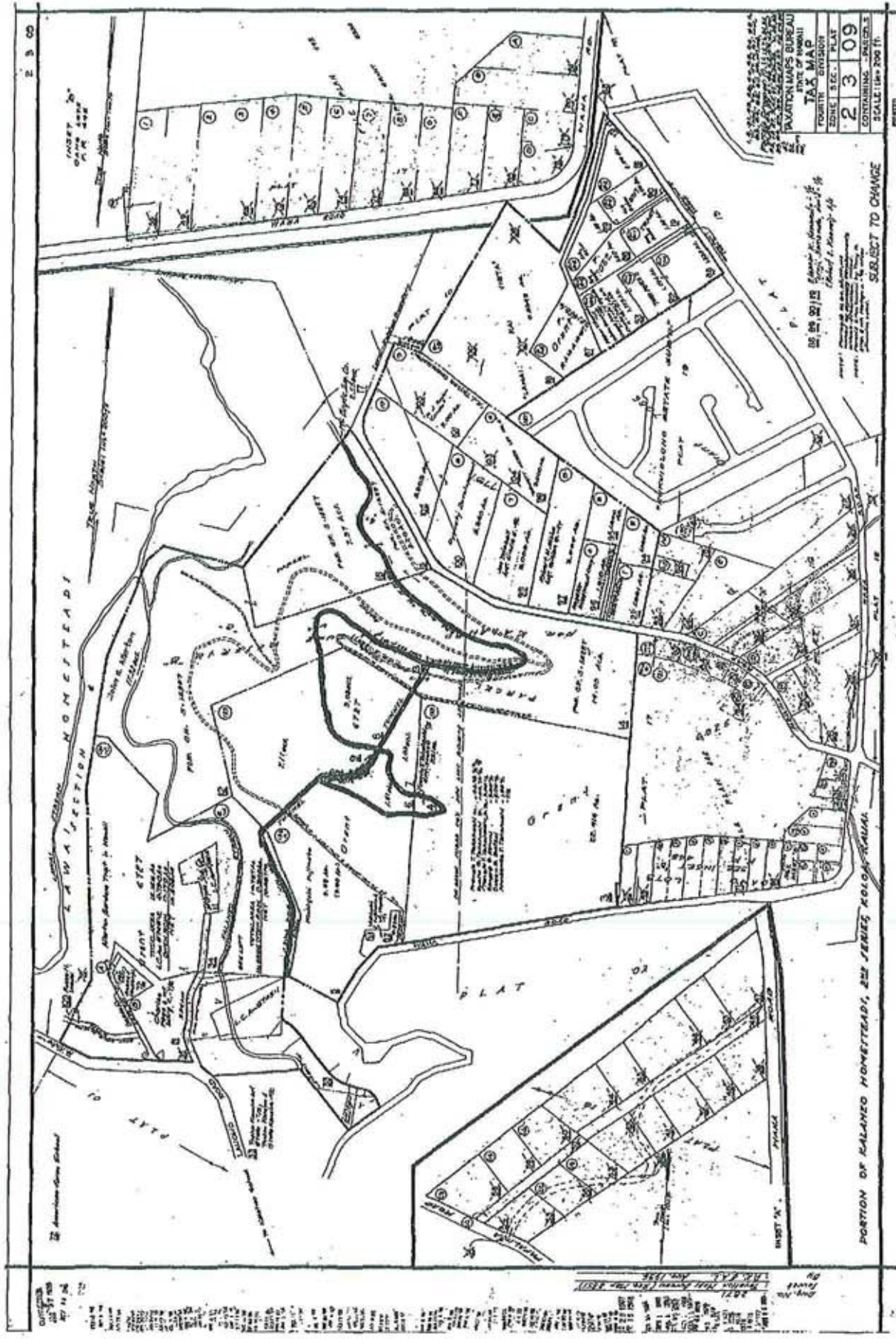
Drawn by
Checked by
Date

2559
 Drawn from District (Ex. 790, 2559)
 By R. E. A. A. Apr 1915

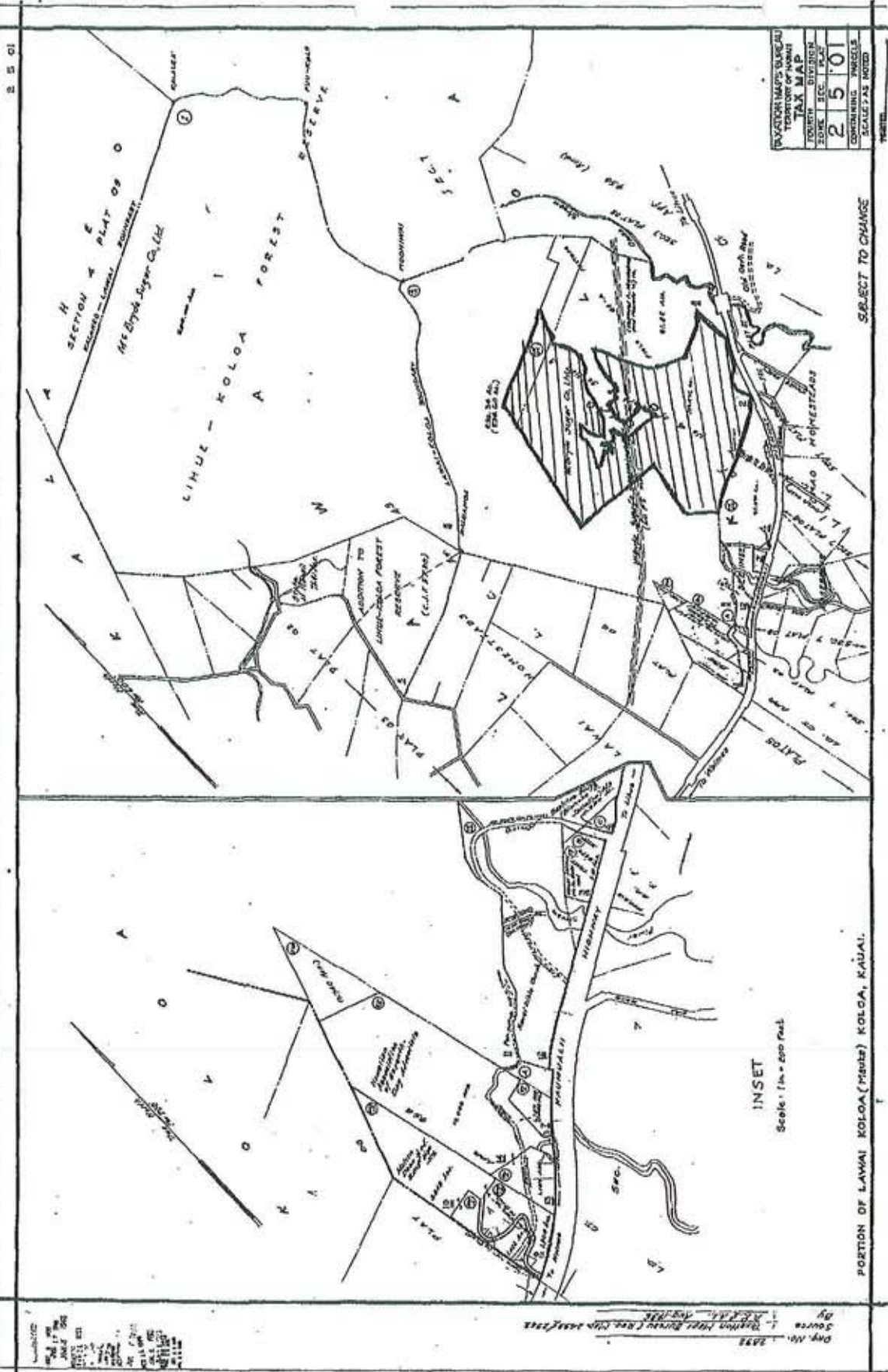


PRODUCTION MAPS BUREAU
TERRITORY OF HAWAII
TAX MAP
TOTAL ACRES 2307
SCALE 1" = 200 FT.

SUBJECT TO CHANGE



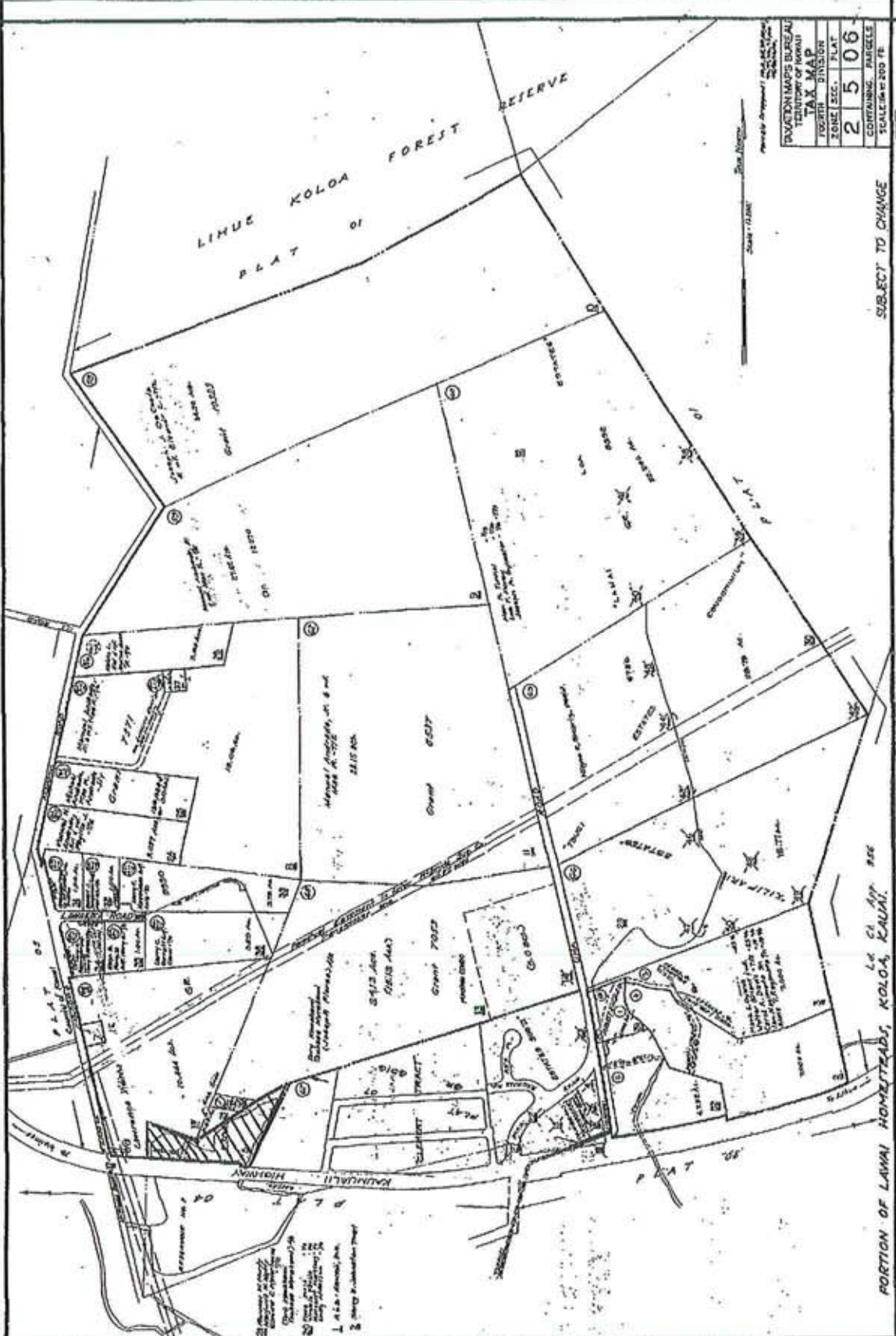
TACON MAPS BUREAU
 TAX MAP
 FORM 1, SEC. 1, PLAT
 2309
 CONTAINING PARCELS
 SCALE 1:25,000 FT.
 SUBJECT TO CHANGE



SUBJECT TO CHANGE

151

EXHIBIT
A-8



TERRITORY OF HAWAII	
TAX MAP	
FOURTH DIVISION	PLAT
ZONE SEC.	2 5 06
CONTAINING PARCELS	
SCALE 1/8" = 200 FEET	

SUBJECT TO CHANGE

By 1. RAY
 Source 1. Original Plat Books (from Plat 01, 02, 03, 04)
 Date 1928

1. A.C. - (original) Plat
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 100. Copy of Subdivision Plat

Tax Map Key Nos.

(4)2-3-06-04
(4)2-3-07-07
(4)2-3-07-14
(4)2-3-09-17
(4)2-4-06-07
(4)2-4-06-19
(4)2-4-06-21
(4)2-5-01-02
(4)2-5-01-08
(4)2-5-06-01
(4)2-5-06-05

EXHIBIT "B"

RECORDER'S OFFICE
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R-752

STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED
SEP 26, 2008 02:00 PM
Doc No(s) 2008-150859



/s/ NICKI ANN THOMPSON
ACTING REGISTRAR
CTax (10): \$311.60

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LAND COURT SYSTEM _____ REGULAR SYSTEM _____
AFTER RECORDATION, RETURN BY: MAIL () PICKUP (X)

ALEXANDER & BALDWIN, INC.
822 Bishop Street
Honolulu, HI. 96813

TYPE OF DOCUMENT:
Quitclaim Deed

PARTIES TO DOCUMENT:

Grantor: ALEXANDER & BALDWIN, INC.

Grantee: MC BRYDE SUGAR COMPANY, LTD.
P. O. Box 8
Eleele, Kauai, HI. 96705

TAX MAP KEY FOR PROPERTY:

(4)1-8-002-001; (4)1-9-001-005; (4)1-9-002-016;
(4)2-1-001-002; (4)2-1-001-015

Total No. Pages 10

QUITCLAIM DEED

THIS DEED, made this 24th day of September 2008 by and between ALEXANDER & BALDWIN, INC., a Hawaii corporation, whose mailing address is 822 Bishop Street, Honolulu, Hawaii 96813 hereinafter called the "Grantor" and MCBRYDE SUGAR COMPANY, LTD., a Hawaii corporation, whose post office address is P. O. Box 8, Eleele, Kauai, Hawaii 96705, hereinafter called the "Grantee",

WITNESSETH:

That for ONE DOLLAR (\$1.00) and other good and valuable consideration to it paid by the Grantee, the receipt of which is hereby acknowledged, the Grantor does hereby remise, release, and quitclaim unto the Grantee, its successors and assigns:

All of those certain parcels of land situate at Koloa, Island and County of Kauai, State of Hawaii, being the Property, generally shown on maps marked Exhibits A-1 thru A-5 and listed in Exhibit B, all attached hereto and made a part hereof.

And all of the estate, right, title and interest of the Grantor, both at law and in equity, therein and thereto;

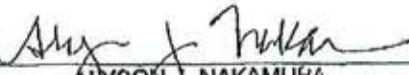
The conveyance herein set forth and the warranties of the Grantor concerning the same are expressly declared to be in favor of the Grantee, and the Grantee's successors and assigns.

The terms "Grantor" and "Grantee", as and when used herein, or any pronouns used in place thereof, shall mean and include the masculine, feminine or neuter, the singular or plural number, individual, partnerships, trustees or corporations and their and each of their respective successors, heirs, personal representatives, successors in trust and assigns, according to the context thereof. All covenants and obligations undertaken by two or more persons shall be deemed to be joint and several unless a contrary intention is clearly expressed elsewhere herein.

IN WITNESS WHEREOF, the Grantor has executed these presents as of this 24th day of September, 2008.

ALEXANDER & BALDWIN, INC.

By 
Its _____
NELSON N.S. CHUN
VICE PRESIDENT

By 
Its _____
ALYSON J. NAKAMURA
SECRETARY

Grantor

STATE OF HAWAII)

) SS:

CITY & COUNTY OF HONOLULU)

On this 24th day of September, 2008, before me personally appeared Nelson H.S. Chun and Alyson S. Nakamura, to me personally known, who being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable in the capacities shown, having been duly authorized to execute such instrument in such capacities. capacities shown, having been duly authorized to execute such instrument in such capacities.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Suzanne K. McGuigan
SUZANNE K. McGUIGAN

Notary Public, State of Hawaii
My commission expires: 2/18/09

NOTARY CERTIFICATE

Document Id: Quitclaim Deed

Document Date: 9/24/2008

No. of Pages: 10

first

Suzanne K. McGuigan
Signature of Notary

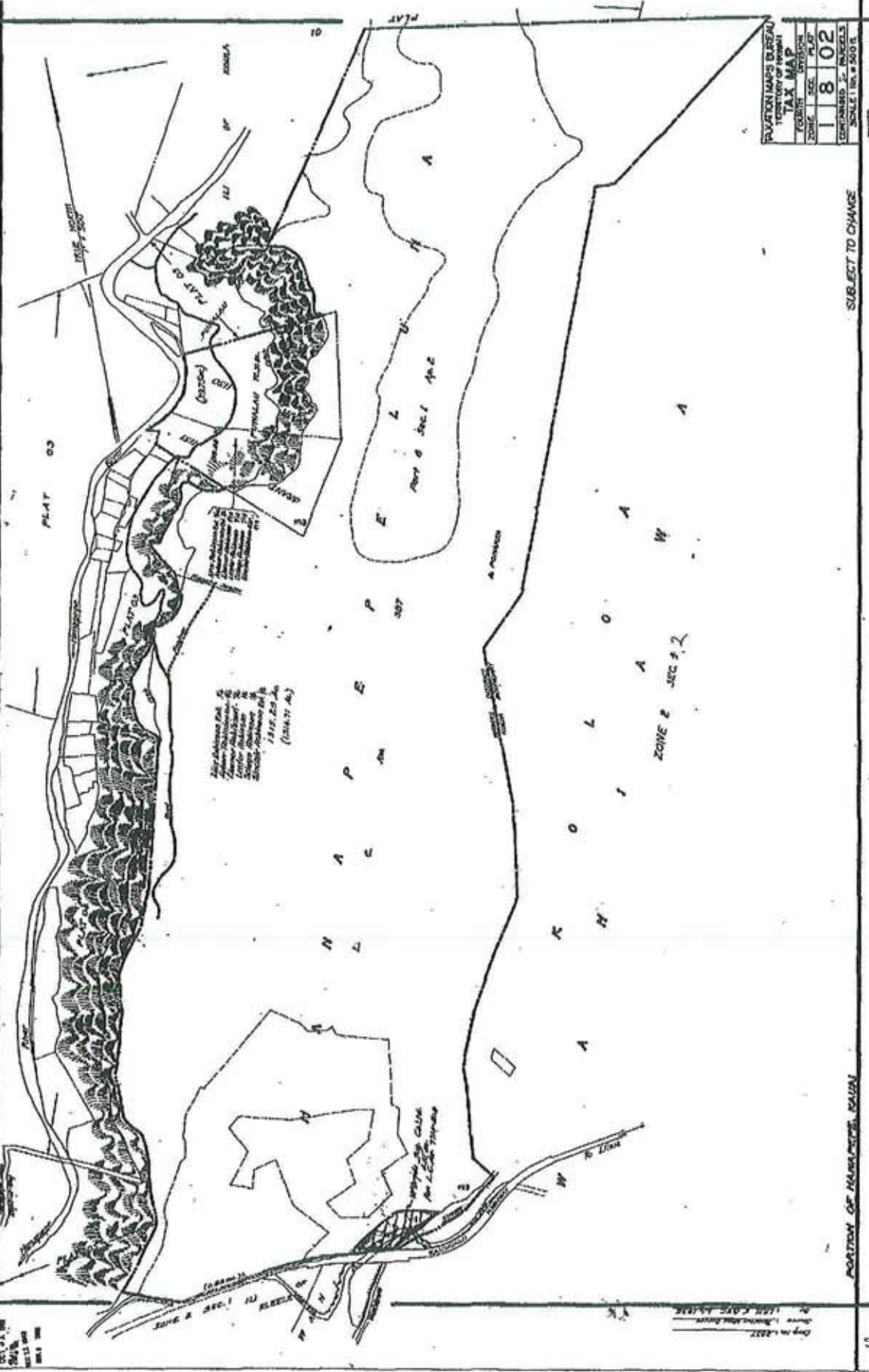
9/24/2008
Date of Certificate



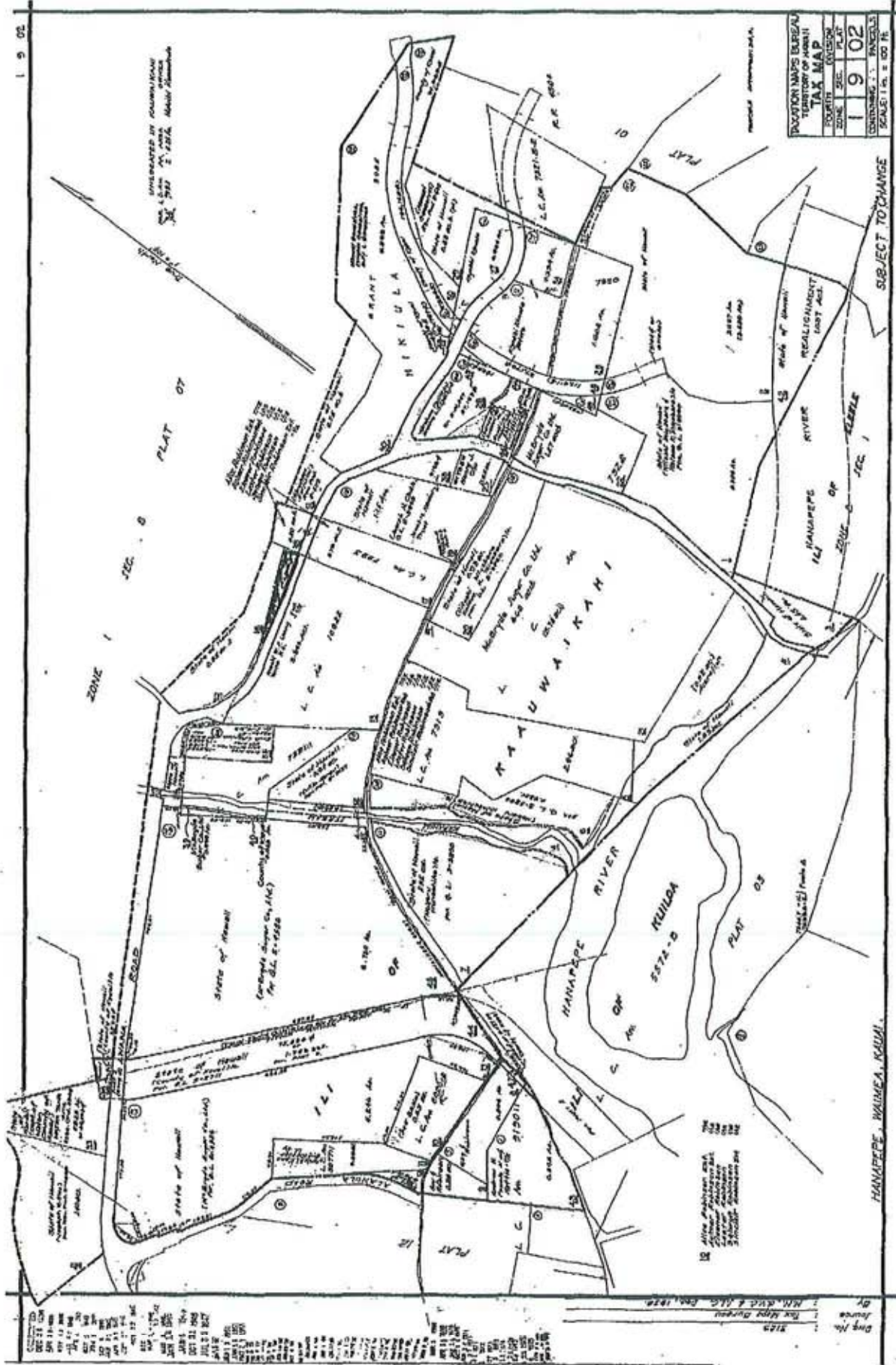
SUZANNE K. McGUIGAN
Printed Name of Notary

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SUBJECT TO CHANGE



Tax Map Key Nos.

(4)1-8-02-01

(4)1-9-01-05

(4)1-9-02-16

(4)2-1-01-02

(4)2-1-01-15

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R-751 STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED
SEP 26, 2008 02:00 PM
Doc No(s) 2008-150858



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/s/ NICKI ANN THOMPSON
ACTING REGISTRAR
CTax (20): \$1249.20

LAND COURT SYTSTEM _____ REGULAR SYSTEM _____
AFTER RECORDATION, RETURN BY: MAIL () PICKUP (X)

ALEXANDER & BALDWIN, INC.
822 Bishop Street
Honolulu, HI. 96813

TYPE OF DOCUMENT:
Quitclaim Deed

PARTIES TO DOCUMENT:
Grantor: ALEXANDER & BALDWIN, INC.
Grantee: MC BRYDE SUGAR COMPANY, LTD.
P. O. Box 8
Eleele, Kauai, HI. 96705

TAX MAP KEY FOR PROPERTY:
(4)2-1-001-038

Total No. Pages 2

QUITCLAIM DEED

THIS DEED, made this 24th day of September, 2008 by and between ALEXANDER & BALDWIN, INC., a Hawaii corporation, whose mailing address is 822 Bishop Street, Honolulu, Hawaii 96813 hereinafter called the "Grantor" and MCBRYDE SUGAR COMPANY, LTD., a Hawaii corporation, whose post office address is P. O. Box 8, Eleele, Kauai, Hawaii 96705, hereinafter called the "Grantee",

WITNESSETH:

That for ONE DOLLAR (\$1.00) and other good and valuable consideration to it paid by the Grantee, the receipt of which is hereby acknowledged, the Grantor does hereby remise, release, and quitclaim unto the Grantee, its successors and assigns:

All of those certain parcels of land situate at Koloa, Island and County of Kauai, State of Hawaii, being the Property, generally shown on the map marked Exhibit A attached hereto and made a part hereof.

And all of the estate, right, title and interest of the Grantor, both at law and in equity, therein and thereto;

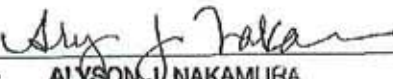
The conveyance herein set forth and the warranties of the Grantor concerning the same are expressly declared to be in favor of the Grantee, and the Grantee's successors and assigns.

The terms "Grantor" and "Grantee", as and when used herein, or any pronouns used in place thereof, shall mean and include the masculine, feminine or neuter, the singular or plural number, invididual, partnerships, trustees or corporations and their and each of their respective successors, heirs, personal representatives, successors in trust and assigns, according to the context thereof. All covenants and obligations undertaken by two or more persons shall be deemed to be joint and several unless a contrary intention is clearly expressed elsewhere herein.

IN WITNESS WHEREOF, the Grantor has executed these presents as of this 24th day
of September, 2008.

ALEXANDER & BALDWIN, INC.

By 
Its KEVIN L. MALLORAN
VICE PRESIDENT

By 
Its ALYSON J. NAKAMURA
SECRETARY

Grantor

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

On this 24th day of September, 2008, before me personally appeared KEVIN L. HALLORAN and ALYSON J. NAKAMURA, to me personally known, who being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable in the capacities shown, having been duly authorized to execute such instrument in such capacities. capacities shown, having been duly authorized to execute such instrument in such capacities.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Suzanne K. McGuigan

Notary Public, State of Hawaii
My commission expires: 2/18/09

NOTARY CERTIFICATE

Document Id: Quitclaim Deed

Document, Date: 9/24/2008

No. of Pages: 5

Suzanne K. McGuigan
Signature of Notary

9/24/2008
Date of Certificate



SUZANNE K. MCGUIGAN

Printed Name of Notary

