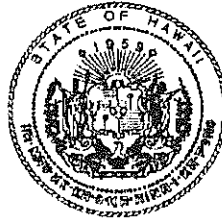


26
E6



R-610 STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED
AUG 01, 2002 08:01 AM
Doc No(s) 2002-133224



/s/ CARL T. WATANABE
ACTING
REGISTRAR OF CONVEYANCES

26 1/1 Z6

LAND COURT SYSTEM

REGULAR SYSTEM

Return by Mail () Pickup () To:

RS

THOMAS D. WELCH, JR.
Mancini, Welch & Geiger LLP
33 Lono Avenue, Suite 470
Kahului, Hawaii 96732

TG ACCOM 3/1/2019

TMK (2) 4-8-3:5 (por.)

Total Number of Pages: 26

First Amendment to

Olowalu Makai-Komohana

Declaration of Covenants, Conditions and Restrictions

Declarant: Olowalu Elua Associates LLC
173 Ho'ohana Street
Kahului, Hawaii 96732

First Amendment to
Declaration of Covenants, Conditions and Restrictions

This First Amendment is dated this 6 day of July, 2002, and is executed by Olowalu Elua Associates LLC, whose principal place of business is 173 Hoohana Street, Kahului, Maui, Hawaii 96732 (the "Declarant"). This Amendment is also executed by C. James Berman and Katherine Alexinski Berman, husband and wife, of 31 Peachtree Ct., Cheshire, Connecticut 06410, Olowalu LLC, of 3025 W. Sahara Avenue, Suite 200, Las Vegas, Nevada 89102, and Theresa Marie Daly, of 22 Ironwood Lane, Kapalua, Hawaii 96761 (collectively the "Individual Lot Owners").

RECITALS: Reference is made to the Olowalu Makai-Komohana Declaration of Covenants Conditions and Restrictions dated as of December 18, 2001, and recorded in the State of Hawaii Bureau of Conveyances as Document No. 2001-199586 (the "Declaration").

Declarant and the Individual Lot Owners are owners of all of the properties in Olowalu Makai-Komohana and desire to amend the Declaration in certain respects.

AMENDMENT: Declarant and the Individual Lot Owners hereby amend the Declaration as follows:

1. Exhibit "A" Replaced. Exhibit "A", describing the Properties encumbered by the Declaration is hereby amended by deleting Exhibit "A" in its entirety and replacing it with a new Exhibit "A" in the form attached hereto as Exhibit "1". This new Exhibit "A" reflects the completion of the subdivision of Lot 4 and the deletion of areas within Lot 4 which are not subject to the Declaration.

2. Change of Lot Numbers. Section 2.06 is hereby amended to read as follows:

"2.06 "Property" and "Lot" means each of the five subdivided lots numbered 1, 2, 3, 4-B and 4-C described on the Plan and any other lots which may be added to the Declaration by Declarant in its discretion."

3. The Plan. Section 2.09, defining the "Plan", is amended to read as follows:

"2.09 "Plan" means the two subdivision plats, both entitled Olowalu Makai-Komohana Subdivision, dated November 9, 2001, and June 5, 2002, respectively, by R.T. Tanaka Engineers Inc., as approved by the County of Maui."

4. Signs. Section 3.13, regulating signs, is amended to include other signs as permitted by the Design Guidelines. The following clause is added to the end of Section 3.13:

“. . . and (d) signs permitted by the Design Guidelines.”

5. Restriction on Further Land Division. Section 3.19 is hereby amended in its entirety to read as follows:

“3.19 Further Additions and Divisions of Properties. Declarant reserves the right to add additional Properties to this Declaration. See Section 11.04 below.

No property shall further be divided into smaller parcels by subdivision, condominium or any other form of division.

This Declaration hereby prohibits of division of ownership of any Property by submission of a Property to a Condominium Property Regime under H.R.S. Chapter 514A or any successor statute.”

The Individual Lot Owners, as owners of Lot 1, Lot 4-B and 4-C, hereby consent to and join in this amendment.

In all other respects the Declaration shall remain in full force and effect and unmodified.

This First Amendment may be executed in counterparts. Any signatory is authorized to assemble the signed counterpart signature pages into a single document and to record the assembled document with the same legal effect as if all signers executed and acknowledged this document simultaneously, on the same original of this document.

Executed the day and year first above written.

Olowalu Elua Associates LLC

By: Olowalu Land Company, LLC,
Its: Managing Member,

James C. Riley
By: *Jim C. Riley*
Its: *general member*

STATE OF HAWAII)
) SS:
COUNTY OF MAUI)

On this 20th day of JUNE, 2002, before me personally appeared JIM C. Riley, 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.



Loretta Galbraith

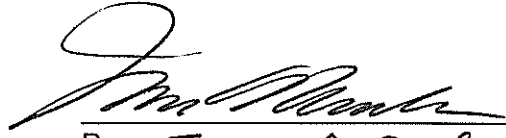
Notary Public, State of Hawaii

Printed Name: _____

My Commission Expires: _____

LORETTA V. GALBRAITH
Expiration Date: **October 11, 2002**

Olowalu LLC

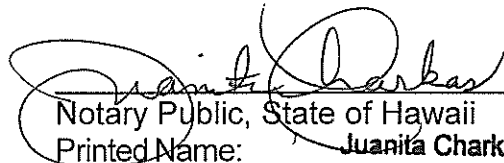


By: James A. Bendon
Its: General Partner for sole member

STATE OF HAWAII)
) SS:
COUNTY OF MAUI)

On this 24th day of JUNE, 2002, before me personally appeared JAMES A. BENDON, 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.

JUANITA CHARKAS
NOTARY PUBLIC
STATE OF HAWAII


Notary Public, State of Hawaii
Printed Name: Juanita Charkas
My Commission Expires: 2/7/03

Theresa Marie Daly
Theresa Marie Daly

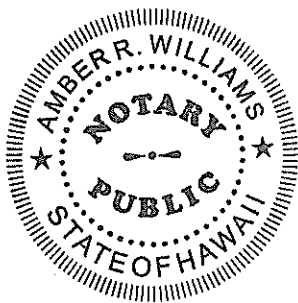
STATE OF HAWAII)

) SS:

COUNTY OF MAUI)

On this 25 day of June, 2002, before me

personally appeared Theresa Marie Daly, 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.



Amber R. Williams

Notary Public, State of Hawaii

Printed Name: _____

My Commission Expires: _____

Amber R. Williams
Expiration Date: September 9, 2005

C. James Berman
C. James Berman

Katherine Alexinski Berman
Katherine Alexinski Berman

STATE OF Connecticut)
COUNTY OF New Haven) ss: Cheshire

On this 26th day of June, 2002, before me personally appeared C James Berman and Katherine Alexinski Berman, 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.

Jacqueline S. Rillis
Notary Public, State of Connecticut
Printed Name: Jacqueline S. Rillis
My Commission Expires 11/30/03

LOT 1

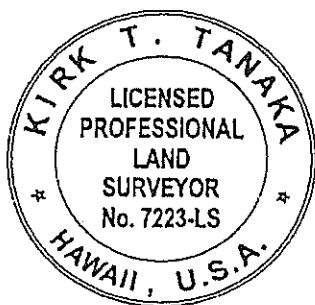
OLOWALU MAKAI-KOMOHANA SUBDIVISION

SITUATED AT OLOWALU, LAHAINA, MAUI, HAWAII

BEING A PORTION OF GRANT 4973 TO WALTER M. GIFFARD

Beginning at the North corner of this Lot, being also the East corner of Lot 2, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KILEA" being 2,214.54 feet South and 2,346.72 feet West and running by azimuths measured clockwise from True South:

1. 319° 05' 200.00 feet along Lot 4, Olowalu Makai-Komohana Subdivision;
2. 49° 05' 451.72 feet along Lot 4, Olowalu Makai-Komohana Subdivision;
3. Thence, along a Government Beach Reserve, the direct azimuth and distance being:
126° 33' 15" 204.88 feet;
4. 229° 05' 496.17 feet along Lot 2, Olowalu Makai-Komohana Subdivision, to the point of beginning and containing an area of 2.176 Acres, more or less.



R. T. TANAKA ENGINEERS, INC.

A handwritten signature in cursive script, appearing to read "Kirk T. Tanaka".

Kirk T. Tanaka
Licensed Professional Surveyor
Certificate No. 7223

871 Kolu Street, Suite 201
Wailuku, Hawaii 96793

November 28, 2001

LOT 2

OLOWALU MAKAI-KOMOHANA SUBDIVISION

SITUATED AT OLOWALU, LAHAINA, MAUI, HAWAII

BEING A PORTION OF GRANT 4973 TO WALTER M. GIFFARD

Beginning at the East corner of this Lot, being also the North corner of Lot 1, Olowalu Makai-Komohana Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KILEA" being 2,214.54 feet South and 2,346.72 feet West and running by azimuths measured clockwise from True South:

1. 49° 05' 496.17 feet along Lot 1, Olowalu Makai-Komohana Subdivision;

Thence, along a Government Beach Reserve for the next two (2) courses the direct azimuth and distance being:

2. 126° 33' 15" 77.29 feet;
3. 139° 07' 30" 122.38 feet;
4. 229° 05' 466.84 feet along Lot 3, Olowalu Makai-Komohana Subdivision;
5. 319° 05' 55.00 feet along Lot 4, Olowalu Makai-Komohana Subdivision;
6. Thence, along Lot 4, Olowalu Makai-Komohana Subdivision on a curve to the left with a radius of 55.00 feet, the chord azimuth and distance being:
285° 27' 10" 60.92 feet;
7. Thence, along Lot 4, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:
285° 27' 10" 22.15 feet;
8. 319° 05' 73.65 feet along Lot 4, Olowalu Makai-Komohana Subdivision, to the point of beginning and containing an area of 2.213 Acres, more or less.

TOGETHER with Easement "A" for access and utility purposes affecting Lot 4, Olowalu Makai-Komohana Subdivision and described as follows:

Beginning at the Northeast corner of this Easement, on the Southerly side of Honoapiilani Highway [F.A.P. No. 30(3)], the coordinates of said point of beginning referred to Government Survey Triangulation Station "KILEA" being 2,787.86 feet South and 1,655.95 feet West and running by azimuths measured clockwise from True South:

1. 25° 00' 199.26 feet along a 50 Feet Right-of-Way Lot;
2. 113° 51' 30.01 feet along Royal Patent 2154, Land Commission Award 1742, Apana 2 to Z. Kaauwai;
3. 205° 00' 40.01 feet along the remainder of Lot 4, Olowalu Makai-Komohana Subdivision;
4. Thence, along the remainder of Lot 4, Olowalu Makai-Komohana Subdivision on a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:
169° 56' 20" 34.47 feet;
5. Thence, along the remainder of Lot 4, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 220.00 feet, the chord azimuth and distance being:
146° 26' 20" 88.18 feet;
6. Thence, along the remainder of Lot 4, Olowalu Makai-Komohana Subdivision on a curve to the left with a radius of 222.56 feet, the chord azimuth and distance being:
143° 47' 55.9" 109.20 feet;
7. Thence, along the remainder of Lot 4, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 1,752.02 feet, the chord azimuth and distance being:
131° 42' 55.9" 129.49 feet;

8. Thence, along the remainder of Lot 4, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 2,297.92 feet, the chord azimuth and distance being:
136° 27' 30" 210.48 feet;
9. 139° 05' 432.60 feet along the remainder of Lot 4 and along Lots 1 and 2, Olowalu Makai-Komohana Subdivision;
10. Thence, along Lot 2, Olowalu Makai-Komohana Subdivision on a curve to the left with a radius of 20.00 feet, the chord azimuth and distance being:
105° 27' 10" 22.15 feet;
11. Thence, along Lot 2, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 55.00 feet, the chord azimuth and distance being:
105° 27' 10" 60.92 feet;
12. 139° 05' 55.00 feet along Lot 2, Olowalu Makai-Komohana Subdivision;
13. 229° 05' 86.01 feet along Lot 3, Olowalu Makai-Komohana Subdivision;
14. 139° 05' 143.92 feet along Lot 3, Olowalu Makai-Komohana Subdivision;
15. Thence, along Lot 3, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 3,512.75 feet, the chord azimuth and distance being:
141° 15' 03.2" 265.72 feet;
16. 237° 00' 40.08 feet along Lot 4, Olowalu Makai-Komohana Subdivision;
17. Thence, along Honoapiilani Highway (F.A.P. No. 30-A) on a curve to the left with a radius of 3,472.75 feet, the chord azimuth and distance being:
321° 13' 48.85" 260.19 feet;
18. 319° 05' 279.98 feet along Honoapiilani Highway (F.A.P. No. 30-A);
19. 49° 05' 5.00 feet along Honoapiilani Highway (F.A.P. No. 30-A);

20. 319° 05' 420.71 feet along Honoapiilani Highway
[F.A.P. No. 30(3)];
21. Thence, along Honoapiilani Highway [F.A.P. No. 30(3)] on a
curve to the left with a radius
of 2,222.92 feet, the chord
azimuth and distance being:
316° 27' 30" 203.61 feet;
22. Thence, along Honoapiilani Highway [F.A.P. No. 30(3)] on a
curve to the left with a radius
of 1,677.02 feet, the chord
azimuth and distance being:
308° 12' 329.24 feet
to the point of beginning and
containing an area of 2.622
Acres.



R. T. TANAKA ENGINEERS, INC.

A handwritten signature in cursive script, appearing to read "Kirk T. Tanaka".

Kirk T. Tanaka
Licensed Professional Land Surveyor
Certificate No. 7223

871 Kolu Street, Suite 201
Wailuku, Hawaii 96793

December 7, 2001

LOT 3

OLOWALU MAKAI-KOMOHANA SUBDIVISION

SITUATED AT OLOWALU, LAHAINA, MAUI, HAWAII

BEING A PORTION OF GRANT 4973 TO WALTER M. GIFFARD

Beginning at the East corner of this Lot, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KILEA" being 2,038.85 feet South and 2,446.05 feet West and running by azimuths measured clockwise from True South:

1. 49° 05' 552.85 feet along Lots 4 and 2, Olowalu Makai-Komohana Subdivision;
2. Thence, along Government Beach Reserve, the direct azimuth and distance between points being:
139° 07' 30" 305.08 feet;
3. 247° 00' 37.87 feet along Lot 4, Olowalu Makai-Komohana Subdivision;
4. Thence, along Lot 4, Olowalu Makai-Komohana Subdivision on a curve to the left with a radius of 100.00 feet, the chord azimuth and distance being:
229° 30' 60.14 feet;
5. 212° 00' 96.36 feet along Lot 4, Olowalu Makai-Komohana Subdivision;
6. Thence, along Lot 4, Olowalu Makai-Komohana Subdivision on a curve to the left with a radius of 400.00 feet, the chord azimuth and distance being:
208° 30' 48.84 feet;
7. 205° 00' 132.07 feet along Lot 4, Olowalu Makai-Komohana Subdivision;
8. Thence, along Lot 4, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 300.00 feet, the chord azimuth and distance being:
221° 00' 165.38 feet;

9. 237° 00' 44.79 feet along Lot 4, Olowalu Makai-Komohana Subdivision;
10. Thence, along Lot 4, Olowalu Makai-Komohana Subdivision on a curve to the left with a radius of 3512.75 feet, the chord azimuth and distance being:
321° 15' 03.2" 265.72 feet;
11. 319° 05' 143.92 feet along Lot 4, Olowalu Makai-Komohana Subdivision, to the point of beginning and containing an area of 4.550 Acres, more or less.

SUBJECT HOWEVER to a portion of Cultural Reserve Buffer "B-2" (30.00 feet wide) in favor of Olowalu Cultural Reserve and described as follows:

Beginning at the Northeast corner of this Buffer, on the Southerly side of Honoapiilani Highway (F.A.P. No. 30-A), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KILEA" being 1,701.04 feet South and 2,673.02 feet West and running by azimuths measured clockwise from True South:

1. Along Honoapiilani Highway (F.A.P. No. 30-A) on a curve to the left with a radius of 3,472.75 feet, the chord azimuth and distance being:
323° 07' 44.7" 30.07 feet;
2. 57° 00' 86.90 feet along the remainder of Lots 4 and 3, Olowalu Makai-Komohana Subdivision;
3. Thence, along the remainder of Lot 3, Olowalu Makai-Komohana Subdivision, on a curve to the left with a radius of 270.00 feet, the chord azimuth and distance being:
41° 00' 148.84 feet;
4. 25° 00' 132.07 feet along the remainder of Lot 3 Olowalu Makai-Komohana Subdivision;

5. Thence, along the remainder of Lot 3, Olowalu Makai-Komohana Subdivision, on a curve to the right with a radius of 430.00 feet, the chord azimuth and distance being:
28° 30' 52.50 feet;
6. 32° 00' 96.36 feet along the remainder of Lot 3, Olowalu Makai-Komohana Subdivision;
7. Thence, along the remainder of Lot 3, Olowalu Makai-Komohana Subdivision, on a curve to the right with a radius of 130.00 feet, the chord azimuth and distance being:
49° 30' 78.18 feet;
8. 67° 00' 28.19 feet along the remainder of Lot 3, Olowalu Makai-Komohana Subdivision;
9. Thence, along a Government Beach Reserve, the direct azimuth and distance between points being:
139° 07' 30" 31.52 feet;
10. 247° 00' 37.87 feet along Lot 4, Olowalu Makai-Komohana Subdivision;
11. Thence, along Lot 4, Olowalu Makai-Komohana Subdivision on a curve to the left with a radius of 100.00 feet, the chord azimuth and distance being:
229° 30' 60.14 feet;
12. 212° 00' 96.36 feet along Lot 4, Olowalu Makai-Komohana Subdivision;
13. Thence, along Lot 4, Olowalu Makai-Komohana Subdivision on a curve to the left with a radius of 400.00 feet, the chord azimuth and distance being:
208° 30' 48.84 feet;
14. 205° 00' 132.07 feet along Lot 4, Olowalu Makai-Komohana Subdivision;

15. Thence, along Lot 4, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 300.00 feet, the chord azimuth and distance being:

221° 00' 165.38 feet;

16. 237° 00' 44.79 feet along Lot 4, Olowalu Makai-Komohana Subdivision;

17. 237° 00' 40.08 feet along the remainder of Lot 4, Olowalu Makai-Komohana Subdivision, to the point of beginning and containing an area of 0.432 Acres, more or less.

TOGETHER with Easement "A" for access and utility purposes affecting Lot 4, Olowalu Makai-Komohana Subdivision and described as follows:

Beginning at the Northeast corner of this Easement, on the Southerly side of Honoapiilani Highway [F.A.P. No. 30(3)], the coordinates of said point of beginning referred to Government Survey Triangulation Station "KILEA" being 2,787.86 feet South and 1,655.95 feet West and running by azimuths measured clockwise from True South:

1. 25° 00' 199.26 feet along a 50 Feet Right-of-Way Lot;

2. 113° 51' 30.01 feet along Royal Patent 2154, Land Commission Award 1742, Apana 2 to Z. Kaauwai;

3. 205° 00' 40.01 feet along the remainder of Lot 4, Olowalu Makai-Komohana Subdivision;

4. Thence, along the remainder of Lot 4, Olowalu Makai-Komohana Subdivision on a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:

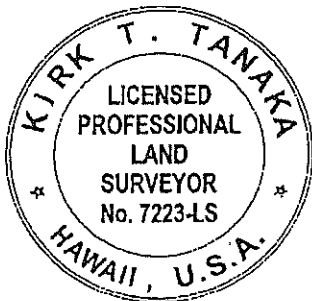
169° 56' 20" 34.47 feet;

5. Thence, along the remainder of Lot 4, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 220.00 feet, the chord azimuth and distance being:

146° 26' 20" 88.18 feet;

6. Thence, along the remainder of Lot 4, Olowalu Makai-Komohana Subdivision on a curve to the left with a radius of 222.56 feet, the chord azimuth and distance being:
143° 47' 55.9" 109.20 feet;
7. Thence, along the remainder of Lot 4, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 1,752.02 feet, the chord azimuth and distance being:
131° 42' 55.9" 129.49 feet;
8. Thence, along the remainder of Lot 4, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 2,297.92 feet, the chord azimuth and distance being:
136° 27' 30" 210.48 feet;
9. 139° 05' 432.60 feet along the remainder of Lot 4 and along Lots 1 and 2, Olowalu Makai-Komohana Subdivision;
10. Thence, along Lot 2, Olowalu Makai-Komohana Subdivision on a curve to the left with a radius of 20.00 feet, the chord azimuth and distance being:
105° 27' 10" 22.15 feet;
11. Thence, along Lot 2, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 55.00 feet, the chord azimuth and distance being:
105° 27' 10" 60.92 feet;
12. 139° 05' 55.00 feet along Lot 2, Olowalu Makai-Komohana Subdivision;
13. 229° 05' 86.01 feet along Lot 3, Olowalu Makai-Komohana Subdivision;
14. 139° 05' 143.92 feet along Lot 3, Olowalu Makai-Komohana Subdivision;
15. Thence, along Lot 3, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 3,512.75 feet, the chord azimuth and distance being:
141° 15' 03.2" 265.72 feet;

16. 237° 00' 40.08 feet along Lot 4, Olowalu Makai-Komohana Subdivision;
17. Thence, along Honoapiilani Highway (F.A.P. No. 30-A) on a curve to the left with a radius of 3,472.75 feet, the chord azimuth and distance being:
321° 13' 48.85" 260.19 feet;
18. 319° 05' 279.98 feet along Honoapiilani Highway (F.A.P. No. 30-A);
19. 49° 05' 5.00 feet along Honoapiilani Highway (F.A.P. No. 30-A);
20. 319° 05' 420.71 feet along Honoapiilani Highway [F.A.P. No. 30(3)];
21. Thence, along Honoapiilani Highway [F.A.P. No. 30(3)] on a curve to the left with a radius of 2,222.92 feet, the chord azimuth and distance being:
316° 27' 30" 203.61 feet;
22. Thence, along Honoapiilani Highway [F.A.P. No. 30(3)] on a curve to the left with a radius of 1,677.02 feet, the chord azimuth and distance being:
308° 12' 329.24 feet
to the point of beginning and containing an area of 2.622 Acres.



R. T. TANAKA ENGINEERS, INC.

Kirk T. Tanaka

Kirk T. Tanaka
Licensed Professional Land Surveyor
Certificate No. 7223

871 Kolu Street, Suite 201
Wailuku, Hawaii 96793

December 7, 2001

LOT 4-B

LOWALU MAKAI-KOMOHANA SUBDIVISION

SITUATED AT LOWALU, LAHAINA, MAUI, HAWAII

BEING A PORTION OF GRANT 4973 TO WALTER M. GIFFARD

Beginning at the West corner of this Lot, being also the South corner of Lot 4-C, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KILEA" being 2,769.66 feet South and 2,355.01 feet West and running by azimuths measured clockwise from True South:

1. 227° 54' 370.41 feet along Lot 4-C, Olowalu Makai-Komohana Subdivision;
2. Thence, along Lot 4-A, Olowalu-Makai Komohana Subdivision on a curve to the left with a radius of 2,297.92 feet the chord azimuth and distance being:
315° 52' 163.06 feet;
3. Thence, along Lot 4-A, Olowalu-Makai Komohana Subdivision on a curve to the left with a radius of 1,752.02 feet the chord azimuth and distance being:
312° 52' 30" 58.61 feet;
4. 41° 55' 356.91 feet along Lot 4-A, Olowalu Makai-Komohana Subdivision;

Thence, along a Government Beach Reserve for the next two (2) courses, the direct azimuth and distance being:

5. 130° 12' 14" 82.28 feet;
6. 132° 56' 45" 177.67 feet;

to the point of beginning and containing an area of 2.004 Acres, more or less.

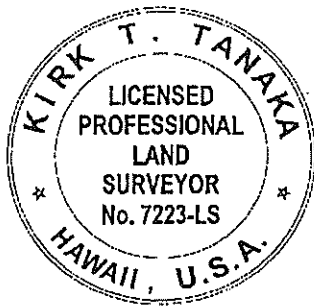
TOGETHER with Easement "A" for access and utility purposes affecting Lot 4-A, Olowalu Makai-Komohana Subdivision and described as follows:

Beginning at the Northeast corner of this Easement, on the Southerly side of Honoapiilani Highway [F.A.P. No. 30(3)], the coordinates of said point of beginning referred to Government Survey Triangulation Station "KILEA" being 2,787.86 feet South and 1,655.95 feet West and running by azimuths measured clockwise from True South:

1. 25° 00' 199.26 feet along a 50 Feet Right-of-Way Lot;
2. 113° 51' 30.01 feet along Royal Patent 2154, Land Commission Award 1742, Apana 2 to Z. Kaauwai;
3. 205° 00' 40.01 feet along the remainder of Lot 4-A, Olowalu Makai-Komohana Subdivision;
4. Thence, along the remainder of Lot 4-A, Olowalu Makai-Komohana Subdivision on a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:
169° 56' 20" 34.47 feet;
5. Thence, along the remainder of Lot 4-A, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 220.00 feet, the chord azimuth and distance being:
146° 26' 20" 88.18 feet;
6. Thence, along the remainder of Lot 4-A, Olowalu Makai-Komohana Subdivision on a curve to the left with a radius of 222.56 feet, the chord azimuth and distance being:
143° 47' 55.9" 109.20 feet;

7. Thence, along the remainder of Lot 4-A and along Lot 4-B, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 1,752.02 feet, the chord azimuth and distance being:
131° 42' 55.9" 129.49 feet;
8. Thence, along Lot 4-B and Lot 4-C, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 2,297.92 feet, the chord azimuth and distance being:
136° 27' 30" 210.48 feet;
9. 139° 05' 432.60 feet along Lot 4-C, Lot 1 and Lot 2, Olowalu Makai-Komohana Subdivision;
10. Thence, along Lot 2, Olowalu Makai-Komohana Subdivision on a curve to the left with a radius of 20.00 feet, the chord azimuth and distance being:
105° 27' 10" 22.15 feet;
11. Thence, along Lot 2, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 55.00 feet, the chord azimuth and distance being:
105° 27' 10" 60.92 feet;
12. 139° 05' 55.00 feet along Lot 2, Olowalu Makai-Komohana Subdivision;
13. 229° 05' 86.01 feet along Lot 3, Olowalu Makai-Komohana Subdivision;
14. 139° 05' 143.92 feet along Lot 3, Olowalu Makai-Komohana Subdivision;
15. Thence, along Lot 3, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 3,512.75 feet, the chord azimuth and distance being:
141° 15' 03.2" 265.72 feet;
16. 237° 00' 40.08 feet along Lot 4-D, Olowalu Makai-Komohana Subdivision;

17. Thence, along Honoapiilani Highway (F.A.P. No. 30-A) on a curve to the left with a radius of 3,472.75 feet, the chord azimuth and distance being:
 321° 13' 48.85" 260.19 feet;
18. 319° 05' 279.98 feet along Honoapiilani Highway (F.A.P. No. 30-A);
19. 49° 05' 5.00 feet along Honoapiilani Highway (F.A.P. No. 30-A);
20. 319° 05' 420.71 feet along Honoapiilani Highway [F.A.P. No. 30(3)];
21. Thence, along Honoapiilani Highway [F.A.P. No. 30(3)] on a curve to the left with a radius of 2,222.92 feet, the chord azimuth and distance being:
 316° 27' 30" 203.61 feet;
22. Thence, along Honoapiilani Highway [F.A.P. No. 30(3)] on a curve to the left with a radius of 1,677.02 feet, the chord azimuth and distance being:
 308° 12' 329.24 feet
 to the point of beginning and containing an area of 2.622 Acres.



R. T. TANAKA ENGINEERS, INC.

Kirk T. Tanaka

Kirk T. Tanaka
 Licensed Professional Surveyor
 Certificate No. 7223

871 Kolu Street, Suite 201
 Wailuku, Hawaii 96793

June 6, 2002

LOT 4-C

OLOWALU MAKAI-KOMOHANA SUBDIVISION

SITUATED AT OLOWALU, LAHAINA, MAUI, HAWAII

BEING A PORTION OF GRANT 4973 TO WALTER M. GIFFARD

Beginning at the South corner of this Lot, being also the West corner of Lot 4-B, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KILEA" being 2,769.66 feet South and 2,355.01 feet West and running by azimuths measured clockwise from True South:

Along Government Beach Reserve, for the next three (3) course the direct azimuth and distance between points being:

1. 132° 56' 45" 0.96 feet;
2. 116° 14' 30" 187.70 feet;
3. 126° 33' 15" 41.09 feet;
4. 229° 05' 451.72 feet along Lot 1, Olowalu Makai-Komohana Subdivision;
5. 319° 05' 158.95 feet along Lot 4-A, Olowalu Makai-Komohana Subdivision;
6. Thence, along Lot 4-A, Olowalu Makai-Komohana Subdivision on a curve to the left with a radius of 2,297.92 feet, the chord azimuth and distance being:
318° 29' 30" 47.46 feet;
7. 47° 54' 370.41 feet along Lot 4-B, Olowalu Makai-Komohana Subdivision, to the point of beginning and containing an area of 2.001 Acres, more or less.

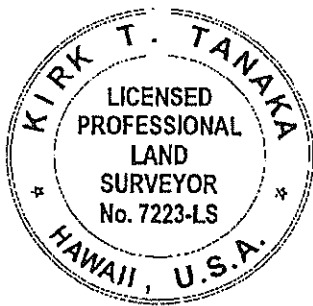
TOGETHER with Easement "A" for access and utility purposes affecting Lot 4-A, Olowalu Makai-Komohana Subdivision and described as follows:

Beginning at the Northeast corner of this Easement, on the Southerly side of Honoapiilani Highway [F.A.P. No. 30(3)], the coordinates of said point of beginning referred to Government Survey Triangulation Station "KILEA" being 2,787.86 feet South and 1,655.95 feet West and running by azimuths measured clockwise from True South:

1. 25° 00' 199.26 feet along a 50 Feet Right-of-Way Lot;
2. 113° 51' 30.01 feet along Royal Patent 2154, Land Commission Award 1742, Apana 2 to Z. Kaauwai;
3. 205° 00' 40.01 feet along the remainder of Lot 4-A, Olowalu Makai-Komohana Subdivision;
4. Thence, along the remainder of Lot 4-A, Olowalu Makai-Komohana Subdivision on a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:
169° 56' 20" 34.47 feet;
5. Thence, along the remainder of Lot 4-A, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 220.00 feet, the chord azimuth and distance being:
146° 26' 20" 88.18 feet;
6. Thence, along the remainder of Lot 4-A, Olowalu Makai-Komohana Subdivision on a curve to the left with a radius of 222.56 feet, the chord azimuth and distance being:
143° 47' 55.9" 109.20 feet;
7. Thence, along the remainder of Lot 4-A and along Lot 4-B, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 1,752.02 feet, the chord azimuth and distance being:
131° 42' 55.9" 129.49 feet;

8. Thence, along Lot 4-B and Lot 4-C, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 2,297.92 feet, the chord azimuth and distance being:
136° 27' 30" 210.48 feet;
9. 139° 05' 432.60 feet along Lot 4-C, Lot 1 and Lot 2, Olowalu Makai-Komohana Subdivision;
10. Thence, along Lot 2, Olowalu Makai-Komohana Subdivision on a curve to the left with a radius of 20.00 feet, the chord azimuth and distance being:
105° 27' 10" 22.15 feet;
11. Thence, along Lot 2, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 55.00 feet, the chord azimuth and distance being:
105° 27' 10" 60.92 feet;
12. 139° 05' 55.00 feet along Lot 2, Olowalu Makai-Komohana Subdivision;
13. 229° 05' 86.01 feet along Lot 3, Olowalu Makai-Komohana Subdivision;
14. 139° 05' 143.92 feet along Lot 3, Olowalu Makai-Komohana Subdivision;
15. Thence, along Lot 3, Olowalu Makai-Komohana Subdivision on a curve to the right with a radius of 3,512.75 feet, the chord azimuth and distance being:
141° 15' 03.2" 265.72 feet;
16. 237° 00' 40.08 feet along Lot 4-D, Olowalu Makai-Komohana Subdivision;
17. Thence, along Honoapiilani Highway (F.A.P. No. 30-A) on a curve to the left with a radius of 3,472.75 feet, the chord azimuth and distance being:
321° 13' 48.85" 260.19 feet;
18. 319° 05' 279.98 feet along Honoapiilani Highway (F.A.P. No. 30-A);
19. 49° 05' 5.00 feet along Honoapiilani Highway (F.A.P. No. 30-A);

20. 319° 05' 420.71 feet along Honoapiilani Highway [F.A.P. No. 30(3)];
21. Thence, along Honoapiilani Highway [F.A.P. No. 30(3)] on a curve to the left with a radius of 2,222.92 feet, the chord azimuth and distance being:
316° 27' 30" 203.61 feet;
22. Thence, along Honoapiilani Highway [F.A.P. No. 30(3)] on a curve to the left with a radius of 1,677.02 feet, the chord azimuth and distance being:
308° 12' 329.24 feet;
- to the point of beginning and containing an area of 2.622 Acres.



R. T. TANAKA ENGINEERS, INC.

Kirk T. Tanaka

Kirk T. Tanaka
Licensed Professional Land Surveyor
Certificate No. 7223

871 Kolu Street, Suite 201
Wailuku, Hawaii 96793

June 6, 2002