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LAND COURT SYSTEM

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305 E. WAKEA AVENUE, STE. 200
KAHULUI, HAWAII 96732

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Tax Key: (2) 4-7-1:36

Total No. of Pages: 4

AMENDMENT TO MAKILA NUI DECLARATION OF EASEMENTS
Cultural and Native Plant Preservation,
Restoration, Education and Resource Area
(Easement 8 Affecting Lot 7)

This Amendment is dated this 12th day of June,
2013, and is executed by MAKILA LAND CO., LLC, a Hawaii limited
liability company, of 305 E. Wakea Avenue, Suite 100, Kahului,
Hawaii 96732 ("Declarant").

RECITALS:

A. Reference is made to the Makila Nui Declaration
of Easements dated February 8, 2007, recorded in the Bureau of
Conveyances of the State of Hawaii as Document No. 2007-039991,
as amended and corrected by Corrected Makila Nui Declaration of
Easements dated March 19, 2007, recorded in the said Bureau of
Conveyances as Document No. 2007-051982 (collectively, the
"Declaration").

B. Under Section 4 of the Declaration, the Declarant reserved the unilateral right to amend the easements established in the Declaration, acting unilaterally without requiring the consent or joinder of the owners of any encumbered land or the Makila Nui Homeowners Association.

C. Among other things, the Declaration established Easement 8 over Lot 7 of Makila Nui, all as described on Exhibit "H" attached to the Corrected Makila Nui Declaration of Easements dated March 19, 2007, recorded in the said Bureau of Conveyances as Document No. 2007-051982 ("Easement 8").

D. The owners of Lot 7 have constructed a driveway and utilities over a small portion of Easement 8 for access and utilities to their farmstead located on Lot 7. Said driveway and utilities are located in the crosshatched area shown on the plan attached hereto as Exhibit "1" (the "Excluded Area").

E. The purpose of this Amendment is to change the boundaries of Easement 8 to accommodate the Lot 7 owners' existing facilities and to eliminate any liability with respect to said encroachment.

AMENDMENT: Pursuant to the foregoing, the Declarant hereby amends the Declaration by removing the Excluded Area from Easement 8.

A copy of this Amendment shall be delivered to and incorporated into the official records of the Makila Nui Homeowners Association, Inc.

Executed the day and year first above written.

APPROVED AS TO FORM:
MANCINI, WELCH & GEIGER LLP

By Thomas D. Welch

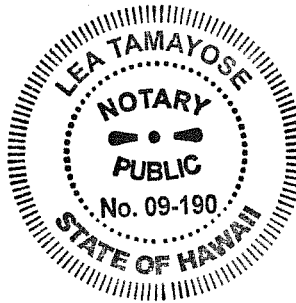
MAKILA LAND CO., LLC

By Makila Management LLC
Its Manager

By Peter K. Martin
Peter K. Martin
Its Managing Member

STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

On this 12th day of JUNE, 20 13, before me personally appeared Peter K. Martin, 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.



[Signature]
Print Name: LEA TAMAYOSE
Notary Public, State of Hawaii.

My commission expires: 17 MAY 17

Date of Doc: <u>12 JUNE 13</u>	# Pages: <u>4</u>
Name: <u>LEA TAMAYOSE</u>	Second Circuit
Doc. Description: <u>Amendment to Makila Nui Declaration</u> <u>DA Easements</u>	
<u>[Signature]</u> Notary Signature	<u>12 JUNE 13</u>
NOTARY CERTIFICATION	

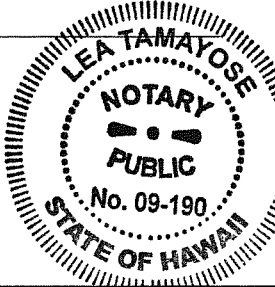


EXHIBIT '1'

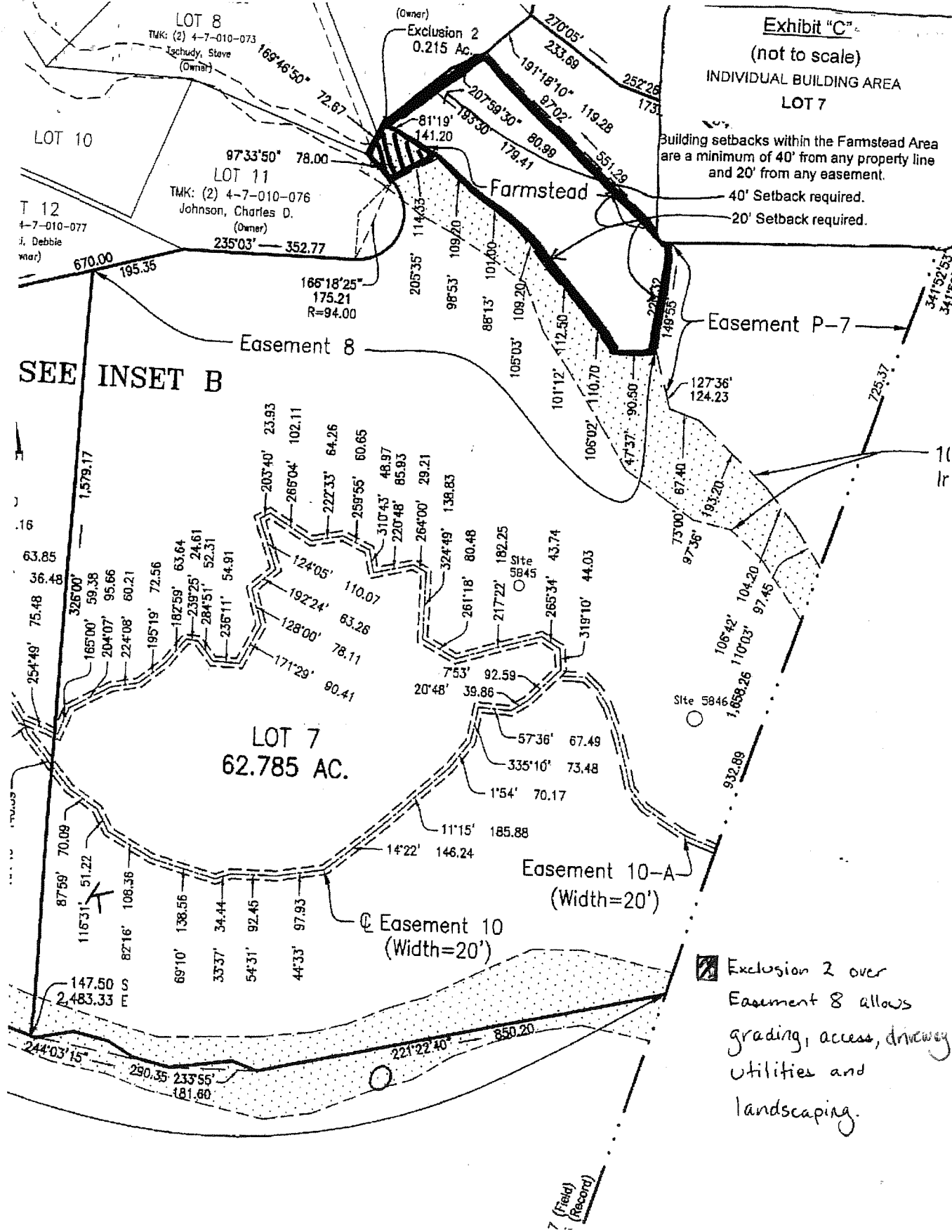


Exhibit "C"

(not to scale)

INDIVIDUAL BUILDING AREA
LOT 7

Building setbacks within the Farmstead Area are a minimum of 40' from any property line and 20' from any easement.

Easement P-7

11
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Exclusion 2 over Easement 8 allows grading, access, driveway utilities and landscaping.