



R-890 STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED
MAR 05, 2007 08:02 AM
Doc No(s) 2007-039990



/s/ CARL T. WATANABE
REGISTRAR OF CONVEYANCES

23 2/6 29

LAND COURT SYSTEM

REGULAR SYSTEM

Return by Mail (x) Pickup () To:

Rs
2
Makila Land Co. LLC
33 Lono Avenue, Suite 450
Kahului, HI 96732

Master file # 183275
Escrow # 20305463 DW

FHTC

99886.2 tdw

Total No. of Pages: 23

TMK: (2) 4-7-1:25

MAKILA NUI
DECLARATION OF EASEMENTS
Archaeological Streambed Park
(Easements 1, 2 and 7, Affecting Lots 9 and 10)

This Declaration of Easements is dated this 8th day of February, 2007 and is executed by Makila Land Co., LLC, a Hawaii limited liability company, of 33 Lono Avenue, Suite 450, Kahului, Hawaii, 96732 ("Declarant"), in favor of Makila Nui Homeowners Association, Inc., a Hawaii non-profit corporation, of 33 Lono Avenue, Suite 450, Kahului, Hawaii, 96732 (the "Association").

RECITALS

Declarant is the owner of Lots 9 and 10 in Makila Nui (Mahanalua Nui Subdivision Phase V) situated in Lahaina, Maui, Hawaii, described on Exhibits "A" and "B" attached hereto and made a part hereof (the "Encumbered Land"). The Association is the Homeowners Association for Makila Nui (Mahanalua Nui Subdivision Phase V), established by the Makila Nui Declaration of Covenants,

99886.2 tdw

Conditions and Restrictions, dated Feb. 8, 2007 and to be recorded in the State of Hawaii, Bureau of Conveyances concurrently herewith. The owners of all lots in Makila Nui are members of the Association. The CC&Rs established the Association's power and authority to govern, manage and control the Common Areas of Makila Nui.

Declarant has designated Easements 1 and 2 over Lot 9, and Easement 7 over Lot 10 as described in Exhibits "C", "D" and "E", respectively (called, respectively, and "Easement Area" and collectively, the "Easement Areas"). The purpose of this Declaration is to establish easement rights and obligations of all persons with respect to the Easement Areas.

DECLARATION OF EASEMENTS. Declarant hereby declares and establishes Easements 1, 2 and 7, over Lots 9 and 10, respectively, for the following purposes and subject to the following terms and conditions:

1. **Easements.** Non-exclusive perpetual easements are hereby established over the Easement Areas as archaeological preservation areas and streambed park which shall constitute Common Areas of Makila Nui, under the governance and control of the Association for the following uses: recreational access by the public on foot, on horseback and with mountain bikes, at such times and subject to such restrictions as the Board of Directors of the Association may adopt from time to time for the orderly and reasonable use of the Easement Areas and to protect the natural beauty, archaeological and cultural features, native plants, and general enjoyment and preservation of the Easement Areas.

2. **Vehicles.** No motorized vehicles shall be permitted in the Easement Areas, except as may be necessary for maintenance of the land, access to mauka areas by maintenance and conservation personnel and for fire protection management and prevention measures.

3. **Invasive Species.** No plants shall be placed in the Easement Area which are classified as an "Invasive Horticultural Plant" on the list of "Hawaii's Most Invasive Horticultural Plants" attached hereto as Exhibit "F", as said list may be amended or updated (or replaced) by the Hawaii State Department of Land and Natural Resources, Division of Forestry and Wildlife, or any successor agency.

4. **Conservation Easement.** Access shall be permitted to the holder(s) of any conservation easement which may be established on the property and their authorized agents, for purposes consistent with the terms of the conservation easement.

5. **Declarant's Reserved Rights.** Declarant hereby reserves the

right to enter and cross the Easement Areas for any purpose, to grant to others, in Declarant's sole discretion, such access and other easement rights such as the Declarant shall deem appropriate from time to time, and to amend this Easement from time to time, acting unilaterally, without requiring the consent or joinder of the owners of the Encumbered Land or the management, board or members of the Association, as the Declarant may in its sole discretion deem appropriate, for any purpose. Each such amendment shall be set forth in a formal amendment document, executed by Declarant or Declarant's designee or assignee, recorded in the State of Hawaii, Bureau of Conveyances and transmitted to the Board of Directors of the Association.

6. Status and Enforcement. The Easement Areas are hereby designated as Common Areas under the governance and control of the Association as provided in the CC&Rs. The Association, acting by its Board of Directors, shall have the authority to enforce all of the above restrictions and shall have the authority to adopt such rules and regulations as may be reasonable or appropriate to implement the purpose and intent of this Declaration of Easements.

7. Compliance with Laws and Regulations. Each person entitled to the use of the Easement Areas by this document shall observe and perform all laws, ordinances, rules and regulations now or hereafter imposed by any governmental authority which are applicable to the easement area, and shall comply with all rules and regulations established by the Association from time to time governing the Association's members generally and their guests, tenants and licensees, governing the reasonable and safe and appropriate use of the Easement Areas.


8. Binding Effect. This easement shall inure to the benefit and be binding upon Declarant and the owners and occupants of Lots 9 and 10 and their respective successors in interest and shall run with the land.

9. Governing Law. This easement shall be governed by and construed under the laws of the State of Hawaii.

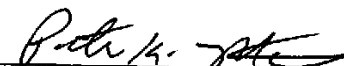
10. "As Is". The Association accepts this easement and the easement area in "as is" condition, without any representations or warranties expressed or implied by the Grantor or the Association as to the physical condition thereof or the suitability of the easement for the purposes of the easement or as to any improvements now or hereafter constructed within an easement area.

Executed the day and year first above written.

MAKILA LAND CO., LLC

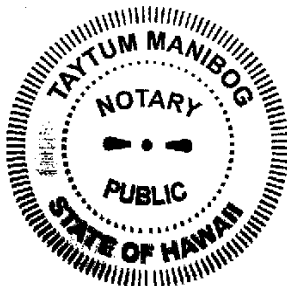
By: 
Peter K. Martin
Its: Managing Member

MAKILA NUI HOMEOWNERS' ASSOCIATION

By: 
Peter K. Martin
Its: President

STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

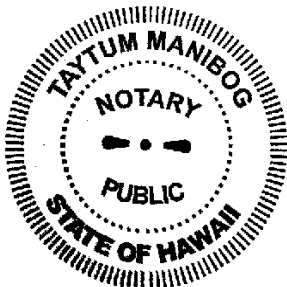
On this 8th day of February, 2007, before me personally appeared Peter K. Martin, to me personally known, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable, in the capacities shown, having been duly authorized to execute such instrument in such capacities.



Taytum Manibog
Notary Public, State of Hawaii
Printed Name: Taytum Manibog
My Commission Expires: 2-29-2008

STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

On this 8th day of February, 2007, 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.



Taytum Manibog
Notary Public, State of Hawaii
Printed Name: Taytum Manibog
My Commission Expires: 2-29-2008

EXHIBIT 'A'

Description of Lot 9

MAHANALUA NUI SUBDIVISION PHASE V

LOT 9

Being a portion of Lot 2
of Launiupoko (Large Lot) Subdivision No. 2,
being also a portion of Royal Patent 1358,
Land Commission Award 82 to Thomas Phillips

Situate at Launiupoko, Lahaina, Maui, Hawaii

Beginning at the East corner of this parcel of land, being also the North corner of Lot 8 of Mahanalua Nui Subdivision Phase V, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LAUNIUPOKO" being 3,756.66 feet North and 2,461.02 feet East, and running by azimuths measured clockwise from true South:

1. 55° 16' 714.47 feet along Lot 8 of Mahanalua Nui Subdivision Phase V, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips;
2. 91° 04' 411.21 feet along same;
3. 52° 45' 653.94 feet along same;
4. 45° 52' 121.12 feet along Lot 2 of Mahanalua Nui Subdivision Phase IV, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips;
5. 328° 19' 50" 144.78 feet along same;
6. 5° 22' 10" 270.17 feet along same;
7. 104° 10' 10" 62.96 feet along same;
8. 172° 30' 50" 126.08 feet along same;

Thence along Lot 2 of Mahanalua Nui Subdivision Phase IV, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips, on a curve to the left with a radius of 53.50 feet, the chord azimuth and distance being:



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

CIVIL ENGINEERS • SURVEYORS

501 SUMNER STREET, SUITE 521
HONOLULU, HAWAII 96817-5031

1871 WILI PA LOOP, SUITE A
WAILUKU, MAUI, HAWAII 96793

- | | | | | | |
|-----|------|-----|-----|-------------|--|
| 9. | 135° | 49' | 45" | 63.92 feet; | |
| 10. | 99° | 08' | 40" | 107.13 feet | along Lots 2 and 1 of Mahanalua Nui Subdivision Phase IV, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips; |
| 11. | 142° | 30' | 10" | 89.44 feet | along Lot 1 of Mahanalua Nui Subdivision Phase IV, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips; |
| 12. | 173° | 58' | 20" | 385.39 feet | along same; |
| 13. | 194° | 46' | 30" | 556.18 feet | along Lot 1 of Mahanalua Nui Subdivision Phase IV and along Lots 35, 34 and 33 of Mahanalua Nui Subdivision Phase III, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips; |
| 14. | 212° | 59' | 40" | 611.15 feet | along Lots 33, 32 and 30 of Mahanalua Nui Subdivision Phase III, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips; |
| 15. | 236° | 52' | 30" | 186.15 feet | along Lot 30 of Mahanalua Nui Subdivision Phase III, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips; |
| 16. | 217° | 55' | 20" | 337.47 feet | along same; |
| 17. | 187° | 28' | 10" | 167.46 feet | along same; |
| 18. | 123° | 49' | 30" | 70.40 feet | along same; |
| 19. | 224° | 00' | | 802.40 feet | along Lot 1 of Launiupoko (Large-Lot) Subdivision No. 2, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips; |

-2-



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CIVIL ENGINEERS • SURVEYORS

501 SUMNER STREET, SUITE 521
HONOLULU, HAWAII 96817-5031

1871 WILI PA LOOP, SUITE A
WAILUKU, MAUI, HAWAII 96793

20. 341° 52' 53" 1,669.23 feet along Lot B-1-D of Launiupoko (Large-Lot) Subdivision, being also along the West Maui Forest Reserve, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips, to the point of beginning and containing an area of 52.738 Acres.

Together with Easement R-2, affecting Lot 1 of Mahanalua Nui Subdivision Phase IV, and Lots 35, 34, 33 and 32 of Mahanalua Nui Subdivision Phase III, for access purposes.

Subject, however, to the following easements:

Easement A for water well and water tank purposes, in favor of Makila Nui Homeowners Association;

Easement B for waterline purposes, in favor of Makila Nui Homeowners Association;

Easement O-2 for electrical transmission purposes, in favor of Maui Electric Co., Ltd.;

-3-



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

CIVIL ENGINEERS • SURVEYORS

501 SUMNER STREET, SUITE 521
HONOLULU, HAWAII 96817-5031

1871 WILI PA LOOP, SUITE A
WAILUKU, MAUI, HAWAII 96793

Reserving, therefrom, the following easements:

Easement 1 for preservation and park purposes, in favor of Makila Nui Homeowners Association;

Easement 2 for reservoir and cultural purposes, in favor of Launiupoko Irrigation Co. LLC, Launiupoko Water Co. LLC, and Makila Nui Homeowners Association;

Easement 3 for access and utility purposes, in favor of Launiupoko Irrigation Co. LLC, Launiupoko Water Co. LLC, and Makila Land Co. LLC;

Easements 5 and 6 for cultural and native plant purposes, in favor of Makila Nui Homeowners Association;

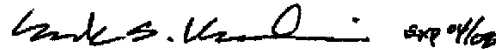
Portion of Easement 12 for trail purposes, in favor of Makila Nui Homeowners Association;

Easement 13 for trail purposes, in favor of Makila Nui Homeowners Association.



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

Description Prepared By:

A handwritten signature in black ink, appearing to read "Erik S. Kaneshiro", with a date "2/15/07" written to the right.

ERIK S. KANESHIRO
Licensed Professional Land Surveyor
Certificate No. 9826

Honolulu, Hawaii
February 15, 2007

TMK: (2) 4-7-001: 025 (Por.)

-4-



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

CIVIL ENGINEERS • SURVEYORS

501 SUMNER STREET, SUITE 521
HONOLULU, HAWAII 96817-5031

1871 WILI PA LOOP, SUITE A
WAILUKU, MAUI, HAWAII 96793

EXHIBIT 'B'
Description of Lot 10

MAHANALUA NUI SUBDIVISION PHASE V

LOT 10

Being a portion of Lot 2
of Launiupoko (Large Lot) Subdivision No. 2,
being also a portion of Royal Patent 1358,
Land Commission Award 82 to Thomas Phillips

Situate at Launiupoko, Lahaina, Maui, Hawaii

Beginning at the Northwest corner of this parcel of land,
being also the West corner of Lot 1 of Makila Plantation Phase 1,
the coordinates of said point of beginning referred to Government
Survey Triangulation Station "LAUNIUPOKO" being 1,125.20 feet
North and 4,391.27 feet West, and running by azimuths measured
clockwise from true South:

- | | | | |
|----|----------|---------------|---|
| 1. | 349° 00' | 1,831.36 feet | along Lots 1 and 2 of Makila
Plantation Phase 1, along the
remainder of R. P. 1358, L. C.
Aw. 82 to Thomas Phillips; |
| 2. | 266° 50' | 296.75 feet | along Lot 2 of Makila
Plantation Phase 1, along the
remainder of R. P. 1358, L. C.
Aw. 82 to Thomas Phillips; |
| 3. | 184° 00' | 264.08 feet | along same; |
| 4. | 170° 00' | 126.88 feet | along same; |
| 5. | 195° 00' | 98.48 feet | along same; |
| 6. | 227° 00' | 115.67 feet | along same; |
| 7. | 205° 00' | 480.03 feet | along same; |
| 8. | 221° 00' | 200.00 feet | along Lots 2, 23, and 3 of
Makila Plantation Phase 1,
along the remainder of R. P.
1358, L. C. Aw. 82 to Thomas
Phillips; |
| 9. | 254° 00' | 185.01 feet | along Lot 3 of Makila
Plantation Phase 1, along the
remainder of R. P. 1358, L. C.
Aw. 82 to Thomas Phillips; |



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

CIVIL ENGINEERS • SURVEYORS

501 SUMNER STREET, SUITE 521
HONOLULU, HAWAII 96817-5031

1971 WILI PA LOOP, SUITE A
WAILUKU, MAUI, HAWAII 96783

10. 239° 00' 188.67 feet along same;
11. 249° 00' 278.11 feet along same;
12. 263° 00' 91.01 feet along same;
13. 252° 00' 75.85 feet along same;
14. 236° 00' 119.24 feet along same;
15. 2° 07' 40" 179.55 feet along Lot 31 of Mahanalua Nui Subdivision Phase I and Lot 36 of Mahanalua Nui Subdivision Phase IV, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips;
16. 59° 13' 196.94 feet along Lot 36 of Mahanalua Nui Subdivision Phase IV, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips;
- Thence along Lots 36 and 35 of Mahanalua Nui Subdivision Phase IV, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips, on a curve to the left with a radius of 126.00 feet, the chord azimuth and distance being;
17. 24° 21' 25" 144.04 feet;
18. 349° 29' 50" 483.65 feet along Lots 35 and 34 of Mahanalua Nui Subdivision Phase IV, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips;
19. 335° 21' 10" 336.07 feet along Lots 34 and 33 of Mahanalua Nui Subdivision Phase IV, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips;

-2-



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

CIVIL ENGINEERS • SURVEYORS

501 SUMNER STREET, SUITE 521
HONOLULU, HAWAII 96817-5031

1871 WILI PA LOOP, SUITE A
WAILUKU, MAUI, HAWAII 96783

20. 336° 26' 30" 328.10 feet along Lots 33 and 32 of Mahanalua Nui Subdivision Phase IV, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips;
21. 326° 35' 40" 215.12 feet along Lots 32 and 31 of Mahanalua Nui Subdivision Phase IV, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips;
- Thence along Lot 31 of Mahanalua Nui Subdivision Phase IV, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips, on a curve to the left with a radius of 266.50 feet, the chord azimuth and distance being:
22. 272° 29' 10" 431.80 feet;
23. 218° 22' 40" 157.56 feet along Lot 31 of Mahanalua Nui Subdivision Phase IV, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips;
24. 259° 13' 50" 448.71 feet along Lots 31, 44, and 30 of Mahanalua Nui Subdivision Phase IV, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips;
25. 259° 38' 50" 100.00 feet along Lot 30 of Mahanalua Subdivision Nui Phase IV, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips;
26. 318° 45' 58" 1,668.44 feet along Lots 1, 4, and 5 of Mahanalua Nui Subdivision Phase V, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips;

-3-



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

CIVIL ENGINEERS • SURVEYORS

501 SUMNER STREET, SUITE 821
HONOLULU, HAWAII 96817-5031

1871 WILI PA LOOP, SUITE A
WAILUKU, MAUI, HAWAII 96793

Thence along Lots 5,6, and 7 of Mahanalua Nui Subdivision Phase V, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips, along center of gulch for the next seven (7) courses, the direct azimuths and distances between points on said center of gulch being:

- | | | | | | |
|-----|------|-----|-----|----------------|---|
| 27. | 220° | 36' | 30" | 1,090.70 feet; | |
| 28. | 229° | 07' | 10" | 805.40 feet; | |
| 29. | 250° | 27' | 43" | 614.55 feet; | |
| 30. | 254° | 31' | 30" | 642.30 feet; | |
| 31. | 244° | 03' | 15" | 290.35 feet; | |
| 32. | 233° | 55' | | 181.60 feet; | |
| 33. | 221° | 22' | 40" | 850.20 feet; | |
| 34. | 341° | 52' | 53" | 926.27 feet | along Lot B-1-D of Launiupoko (Large-Lot) Subdivision, being also along the West Maui Forest Reserve, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips; |
| 35. | 54° | 15' | 44" | 5,499.89 feet | along the land of Olowalu, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips; |
| 36. | 140° | 20' | | 1,487.57 feet | along Lot 7 of Launiupoko (Large-Lot) Subdivision No. 2, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips; |



Thence along Lot 7 of Launiupoko (Large-Lot) Subdivision No. 2, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips, on a curve to the left with a radius of 3,205.79 feet, the chord azimuth and distance being:

37. 125° 10' 1,677.45 feet;

38. 110° 00' 133.75 feet along Lot 7 of Launiupoko (Large-Lot) Subdivision No. 2, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips;

Thence along Lot 7 of Launiupoko (Large-Lot) Subdivision No. 2, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips, on a curve to the right with a radius of 2,784.79 feet, the chord azimuth and distance being:

39. 136° 00' 2,441.54 feet;

40. 162° 00' 385.86 feet along Lot 7 of Launiupoko (Large-Lot) Subdivision No. 2, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips;

Thence along Lot 7 of Launiupoko (Large-Lot) Subdivision No. 2, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips, on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

41. 207° 30' 30" 42.80 feet;



42. 253° 01' 599.93 feet along Roadway Lot B-2 (Kai Hele Ku Street) of Mahanalua Nui Subdivision, along the remainder of R. P. 1358, L. C. Aw. 82 to Thomas Phillips, to the point of beginning and containing an area of 251.606 Acres.

Subject, however, to the following easements:

Portion of Easement D for electrical transmission purposes, in favor of Maui Electric Co. Ltd.;

Portion of Easement O-1 for electrical transmission purposes, in favor of Maui Electric Co., Ltd.;

Portion of Easement K for electrical and telephone purposes, in favor of Maui Electric Co. and Verizon Hawaii Inc. Ltd.;

Reserving, therefrom, the following Easements:

Easement 7 for preservation and park purposes, in favor of Makila Nui Homeowners Association;

Easement 11 for preserve and archaeological purposes, in favor of Makila Nui Homeowners Association.

Portion of Easement O-3 for electrical transmission purposes, in favor of Maui Electric Co., Ltd.



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

Description Prepared By:

Erik S. Kaneshiro EXP 1/08

ERIK S. KANESHIRO
Licensed Professional Land Surveyor
Certificate No. 9826

Honolulu, Hawaii
February 15, 2007

TMK: (2) 4-7-001: 025 (Por.)

-6-



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

CIVIL ENGINEERS • SURVEYORS

501 SUMNER STREET, SUITE 521
HONOLULU, HAWAII 96817-5031

1871 WILI PA LOOP, SUITE A
WAILUKU, MAUI, HAWAII 96793

EXHIBIT 'C'

Description of Easement 1

MAHANALUA NUI SUBDIVISION PHASE V

**EASEMENT 1
(FOR PRESERVATION AND PARK PURPOSES)**

Being a portion of Lot 9
of Mahanalua Nui Subdivision, Phase V,
being also a portion of Royal Patent 1358,
Land Commission Award 82 to Thomas Phillips

Situate at Launiupoko, Lahaina, Maui, Hawaii

Beginning at the East corner of this easement, being also
the North corner of Lot 8 of Mahanalua Nui Subdivision, Phase V,
the coordinates of said point of beginning referred to Government
Survey Triangulation Station "LAUNIUPOKO" being 3,756.66 feet
North and 2,461.02 feet East and running by azimuths measured
clockwise from true South:

1. 55° 16' 714.47 feet along Lot 8 of Mahanalua Nui
Subdivision, Phase V;
2. 91° 04' 411.21 feet along same;
3. 52° 45' 653.94 feet along same;
4. 45° 52' 121.12 feet along Lot 2 of Mahanalua Nui
Subdivision, Phase IV;
5. 328° 19' 50" 144.78 feet along same;
6. 5° 22' 10" 270.17 feet along same;
7. 104° 10' 10" 62.96 feet along same;
8. 172° 30' 50" 126.08 feet along same;

Thence along same, on a curve
to the left, with a radius of
53.50 feet, the chord azimuth
and distance being:

9. 135° 49' 45" 63.92 feet;
10. 99° 08' 40" 107.13 feet along Lots 2 and 1 of
Mahanalua Nui Subdivision,
Phase IV;



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

CIVIL ENGINEERS - SURVEYORS

501 SUMNER STREET, SUITE 521
HONOLULU, HAWAII 96817-5031

1871 WILI PA LOOP, SUITE A
WAILUKU, MAUI, HAWAII 96793

11.	142° 30' 10"	89.44 feet	along Lot 1 of Mahanalua Nui Subdivision, Phase IV;
12.	173° 58' 20"	385.39 feet	along same;
13.	194° 46' 30"	556.18 feet	along Lot 1 of Mahanalua Nui Subdivision, Phase IV and along Lots 35, 34, and 33 of Mahanalua Nui Subdivision, Phase III;
14.	212° 59' 40"	218.22 feet	along Lot 33 of Mahanalua Nui Subdivision, Phase III;
15.	257° 00'	334.84 feet	along the remainder of Lot 9 of Mahanalua Nui Subdivision, Phase V;
16.	341° 52' 53"	190.00 feet	along same;
17.	258° 17'	51.80 feet	along same;
18.	253° 43'	220.10 feet	along same;
19.	272° 57'	75.20 feet	along same;
20.	252° 39'	83.20 feet	along same
21.	225° 31'	174.90 feet	along same;
22.	245° 11'	214.10 feet	along same;
23.	250° 16'	100.90 feet	along same;
24.	257° 21'	104.70 feet	along same;
25.	252° 15'	90.60 feet	along same;
26.	241° 36'	81.70 feet	along same;

-2-



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

CIVIL ENGINEERS • SURVEYORS

501 SUMNER STREET, SUITE 521
HONOLULU, HAWAII 96817-3031

1871 WILI PA LOOP, SUITE A
WAILUKU, MAUI, HAWAII 96793

27. 341° 52' 53" 452.80 feet along Lot B-1-D of Launiupoko (Large-Lot) Subdivision, being also along the West Maui Forest Reserve, to the point of beginning and containing an area of 28.253 Acres.



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

Description Prepared By:

Erik S. Kaneshiro EXP 4/08

ERIK S. KANESHIRO
Licensed Professional Land Surveyor
Certificate No. 9826

Honolulu, Hawaii
February 16, 2007

TMK: (2) 4-7-001: 025 (Por.)

-3-



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

CIVIL ENGINEERS • SURVEYORS

501 SUMNER STREET, SUITE 521
HONOLULU, HAWAII 96817-5031

1871 WILI PA LOOP, SUITE A
WAILUKU, MAUI, HAWAII 96793

EXHIBIT 'D'
Description of Easement 2

MAHANALUA NUI SUBDIVISION PHASE V
EASEMENT 2
(FOR RESERVOIR AND CULTURAL PURPOSES)

Being a portion of Lot 9
of Mahanalua Nui Subdivision, Phase V,
being also a portion of Royal Patent 1358,
Land Commission Award 82 to Thomas Phillips

Situate at Launiupoko, Lahaina, Maui, Hawaii

Beginning at the East corner of this easement, the direct azimuth and distance from the North corner of Lot 8 of Mahanalua Nui Subdivision, Phase V, being 161° 52' 53" 452.80 feet, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LAUNIUPOKO" being 4,187.03 feet North and 2,320.21 feet East and running by azimuths measured clockwise from true South:

- | | | | |
|----|--------------|-------------|---|
| 1. | 61° 36' | 81.70 feet | along the remainder of Lot 9 of Mahanalua Nui Subdivision, Phase V; |
| 2. | 72° 15' | 90.60 feet | along same; |
| 3. | 77° 21' | 104.70 feet | along same; |
| 4. | 70° 16' | 100.90 feet | along same; |
| 5. | 65° 11' | 214.10 feet | along same; |
| 6. | 45° 31' | 12.60 feet | along same; |
| 7. | 161° 52' 53" | 637.43 feet | along same; |
| 8. | 251° 52' 53" | 600.00 feet | along same; |



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9. 341° 52' 53" 600.00 feet along Lot B-1-D of Launiupoko (Large-Lot) Subdivision, being also along the West Maui Forest Reserve, to the point of beginning and containing an area of 8.445 Acres.



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Description Prepared By:

Erik S. Kaneshiro exp 2/10/08

ERIK S. KANESHIRO
Licensed Professional Land Surveyor
Certificate No. 9826

Honolulu, Hawaii
February 16, 2007

TMK: (2) 4-7-001: 025 (Por.)

-2-



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EXHIBIT 'E'

Description of Easement 7

MAHANALUA NUI SUBDIVISION PHASE V

**EASEMENT 7
(FOR PRESERVATION AND PARK PURPOSES)**

Being a portion of Lot 10
of Mahanalua Nui Subdivision, Phase V,
being also a portion of Royal Patent 1358,
Land Commission Award 82 to Thomas Phillip

Situate at Launiupoko, Lahaina, Maui, Hawaii

Beginning at the Northwest corner of this easement, the direct azimuth and distance from the South corner of Lot 2 of Makila Plantation, being 86° 50' 27.40 feet, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LAUNIUpoko" being 674.03 feet North and 4,069.19 feet West and running by azimuths measured clockwise from true South:

1. 266° 50' 324.15 feet along the remainder of Lot 10 of Mahanalua Nui Subdivision, Phase V, and along Lot 2 of Makila Plantation;
2. 184° 00' 264.08 feet along Lot 2 of Makila Plantation;
3. 170° 00' 126.88 feet along same;
4. 195° 00' 98.48 feet along same;
5. 227° 00' 115.67 feet along same;
6. 205° 00' 480.03 feet along same;
7. 221° 00' 200.00 feet along Lots 2, 23, and 3 of Makila Plantation;
8. 254° 00' 185.01 feet along Lot 3 of Makila Plantation;
9. 239° 00' 188.67 feet along same;
10. 249° 00' 278.11 feet along same;
11. 263° 00' 91.01 feet along same;
12. 252° 00' 75.85 feet along same;



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- | | | | | |
|-----|------|---------|--------------|---|
| 13. | 236° | 00' | 119.24 feet | along same; |
| 14. | 2° | 07' 40" | 179.55 feet | along Lot 31 of Mahanalua Nui Subdivision, Phase I and along Lot 36 of Mahanalua Nui Subdivision, Phase IV; |
| 15. | 59° | 13' | 196.94 feet | along Lot 36 of Mahanalua Nui Subdivision, Phase IV; |
| | | | | Thence along Lots 36 and 35 of Mahanalua Nui Subdivision, Phase IV, on a curve to the left, with a radius of 126.00 feet, the chord azimuth and distance being: |
| 16. | 28° | 54' 55" | 127.15 feet; | |
| 17. | 59° | 46' | 67.72 feet | along the remainder of Lot 10 of Mahanalua Nui Subdivision, Phase V; |
| 18. | 81° | 17' | 83.70 feet | along same; |
| 19. | 106° | 37' | 48.38 feet | along same; |
| 20. | 73° | 58' | 83.80 feet | along same; |
| 21. | 64° | 57' | 133.60 feet | along same; |
| 22. | 43° | 38' | 245.30 feet | along same; |
| 23. | 348° | 56' | 57.26 feet | along same; |
| 24. | 29° | 07' | 110.20 feet | along same; |
| 25. | 305° | 27' | 89.10 feet | along same; |
| 26. | 34° | 05' | 92.10 feet | along same; |
| 27. | 61° | 20' | 124.40 feet | along same; |
| 28. | 55° | 01' | 139.60 feet | along same; |
| 29. | 8° | 47' | 78.80 feet | along same; |

-2-



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30. 356° 30' 141.80 feet along same;
 31. 333° 56' 84.80 feet along same;
 32. 5° 25' 86.40 feet along same;
 33. 350° 39' 79.00 feet along same;
 34. 32° 23' 93.20 feet along same;
 35. 358° 59' 271.50 feet along same;

Thence along Lot 7 of
 Launiupoko (Large-Lot)
 Subdivision No. 2, on a curve
 to the right, with a radius of
 2,784.79 feet, the chord
 azimuth and distance being:

36. 124° 28' 700.14 feet to the point of beginning and
 containing an area of 14.774
 Acres.



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

Description Prepared By:

Erik S. Kaneshiro ET 1/2

ERIK S. KANESHIRO
 Licensed Professional Land Surveyor
 Certificate No. 9826

Honolulu, Hawaii
 February 16, 2007

TMK: (2) 4-7-001: 025 (Por.)

-3-



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