

DESIGN CRITERIA AND STANDARDS  
FOR

*Kalia Makai*

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Kalia Makai Holdings, LLC

Prepared For:  
Kalia Makai Subdivision  
Kauai, Hawaii

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**EXHIBIT B**

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A. KEALIA MAKAI SUBDIVISION

I. Introduction/Philosophy

The Design Criteria and Standards for Kealia Makai Subdivision have been promulgated pursuant to, and as a part of, the Declaration of Covenants, Conditions and Restrictions for Kealia Makai Subdivision ("Declaration"). The Design Criteria and Standards are binding upon all persons who at any time construct, reconstruct, refinish, alter or maintain any improvement within any Lot in Kealia Makai Subdivision. The Design Criteria and Standards are administered by the Kealia Makai Subdivision Design Review Committee in accordance with the Declaration and the procedures therein and herein set forth. The Design Criteria and Standards, and Declaration, may be amended from time to time, and it is the responsibility of each Owner to obtain and review a copy of the most recently revised Design Criteria and Standards and Declaration.

Recognizing the natural beauty of the Kealia coastline, the following Design Criteria and Standards and review procedures have as their purpose the development of an agricultural community, with farm dwellings and agricultural accessory buildings, that will harmonize and conform with the existing environment of Kealia. Prepared to create a cohesive, visually unified community with a sense of identity and relationship to Kealia, the Design Criteria and Standards strive to create a place of distinction and quality, which, to the extent possible, will increase the desirability and attractiveness of Kealia Makai.

Special attention will be given to siting, designing and landscaping to ensure that custom-built dwellings of restrained elegance are set within the existing environment, focusing on blending homesites with the existing terrain, roadways, and coastal areas.

The intent of the Design Criteria and Standards is to provide further definition and illustration of the requirements set forth in the Declaration. In establishing certain standards and procedures for the construction within the Lots, the Design Criteria and Standards provide specific restrictions, limitations and requirements, as well as illustrative design interpretations of the intent regarding site uses, site development, architectural design and landscape improvements. The Design Criteria and Standards and the Declaration are to be considered together, and the Declaration shall control in the event of any conflict.

The invalidity or unenforceability of any provision of these Design Criteria and Standards, in whole or in part, shall not affect the validity or enforceability of any other provision or any valid and enforceable part of a provision of these Design Criteria and Standards or the Declaration.

II. Definitions

All words and phrases used herein, such as "Lot", "Farm Dwelling", "Project", "Owner" and "Association", shall have the same definitions and meanings as set forth in the Declaration.

Unless the context otherwise specifies or requires, the following words or phrases when used in these Design Criteria and Standards shall have the following specific meanings.

(a) "Architect"

"Architect" means a person appropriately licensed to practice architecture in the State of Hawaii.

(b) "Bluff Edge"

"Bluff Edge" means the location of the naturally occurring edge of the bluff represented by a drop in elevation, which has been approved by the Planning Director of the County of Kauai and located on the Subdivision Map.

(c) "Contractor"

"Contractor" means a person or entity engaged by an Owner for the purpose of constructing any Improvement within the Subdivision. The Contractor shall be properly licensed in the State of Hawaii.

(d) "Engineer"

"Engineer" means a person appropriately licensed to practice engineering in the State of Hawaii.

(e) "Excavation"

"Excavation" means any disturbance of the surface of the land (except to the extent reasonably necessary for planting and irrigation of vegetation), including any trenching which results in the removal of earth, rock or other substances from a depth of more than 12 inches below the natural surface of the land or any grading of the surface.

(f) "Fill"

"Fill" means any addition of earth, rock or other materials to the surface of the land, which increases the existing elevation of such surface.

(g) "Improvement"

"Improvement" means any changes, alterations or additions to a Lot, including any Excavation, Fill, Farm Dwelling or buildings, roads, driveways, parking areas, walls, retaining walls, stairs, patios, courtyards, landscaping, poles, signs and structure of any type or kind.

(h) "Landscape Architect"

"Landscape Architect" means a person appropriately licensed to practice landscape architecture in the State of Hawaii.

III. General Design Review Procedures

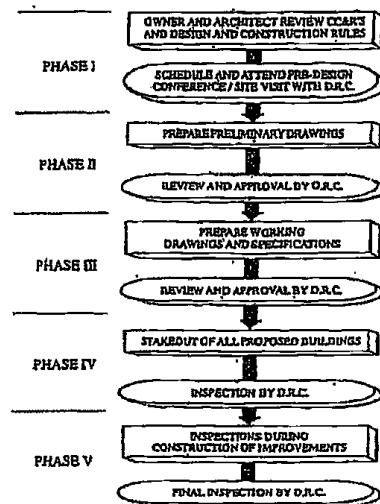
These Design Criteria and Standards provide guidelines for the Design Review Committee in its review and evaluation of proposed Improvements within Kealia Makai Subdivision. All Improvements, including site work, buildings, structures, lighting and landscaping, shall be subject to these Design Criteria and Standards. No Owner shall be permitted to construct or install any Improvements without the express prior written approval of the Design Review Committee.

In order to assist each Owner in the planning and designing of a Farm Dwelling and any agricultural accessory buildings, and in the understanding of the unique opportunities of each particular Lot, a comprehensive design review process has been established.

In general, the design review process is divided into five phases as shown on Figure 1. The first phase includes a pre-design meeting to permit each Owner to review his ideas and the aspects of his particular Lot with the Design Review Committee before any plans are prepared. The second phase provides for the review of conceptual or preliminary plans by the Design Review Committee before the Owner finalizes his design in conformance with the Design Criteria and Standards and the Declaration. The third phase, final design review, determines that the final plans and construction drawings are consistent with the previously approved preliminary plans. The fourth phase, stakeout inspection, requires the field stakeout of all proposed buildings and structures on the Lot. The final phase includes inspections by representatives of the Design Review Committee to determine whether the stakeout and actual construction have been completed in compliance with the approved plans.



FIGURE 1: GENERAL DESIGN REVIEW PROCEDURES



An owner is required to retain the professional services of an Architect, Landscape Architect and/or Engineers and General Contractor properly licensed in the State of Hawaii. No owner-builder construction will be permitted. A thorough analysis and understanding of the Lot and the Owner's special needs and living patterns, as well as the ability to convey to the Design Review Committee, through drawings and a model (if required by the Design Review Committee), the concept and design of a proposed Farm Dwelling or other improvements, are all important elements of the design review process.

The design review process was developed to provide for periodic reviews. Each Owner is responsible for complying with the Design Criteria and Standards, all other applicable provisions of the Declaration, and applicable laws or rules and regulations of any governmental authority.

B. SITE DEVELOPMENT AND LANDSCAPING STANDARDS

Each Lot consists of setbacks and various site development control areas. As described below, the areas designated for each Lot include the Buildable Area that is defined by the Setbacks.

I. Buildable Area

The Buildable Area is that/those portion(s) of each Lot defined by setbacks, and is/are the area(s) in which improvements may be built or placed. No structures, other than as specifically permitted herein or in the Declaration, shall be allowed outside of the Buildable Area, and no portion of any improvement, except as may be specifically permitted herein or in the Declaration, may extend outside of the Buildable Area.

The Owner should review the defined setbacks of his Lot and, if necessary, consult with the Design Review Committee to clarify its parameters.

II. Setbacks and Building Heights

Each Lot has individualized setbacks and building heights, as described below. Attached as Appendix A are plot plans for each Lot depicting applicable setbacks.

(a) All structures, with the exception of agricultural accessory structures, shall be set back three hundred feet (300') from the Kuhio Highway right of way, except that the setbacks for Lots 1 and 24 from the Kuhio Highway right of way shall be a minimum of one hundred feet (100'). All agricultural accessory structures on the Lots shall be set back a minimum of one hundred feet (100') from the Kuhio Highway right of way.

(b) For Lots 1 through 14 and Lots 27 through 29, inclusive, all two-story buildings, including retaining walls, shall be set back a minimum of fifty feet (50') from the bluff edge along the ocean frontage of all lots. Single story buildings with plate heights no greater than twelve feet (12') and roof heights no greater than eighteen feet (18') shall be set back a minimum of thirty feet (30') from the bluff edge. Refer to Figure 2: Setbacks and Building Heights for Lots 1-14 and 27-29.

Building heights shall be limited to a maximum of thirty feet (30') at all points mauka of the fifty foot (50') bluff edge setback. Fences, slabs or other structures less than five feet (5') in height shall be set back a minimum of ten feet (10') from the bluff edge.

(c) Cut and fill, or other alteration of the natural landform, shall be minimized within ten feet (10') of the bluff edge. No structures shall be permitted below the bluff edge, except for:

(1) fences and gates along the common boundary between the public and private lands required for safety, security and privacy purposes; and

(2) stairways to accommodate shoreline access in the vicinity of Lots 6 through 9, the placement, construction or installation of which shall nevertheless comply with other applicable zoning and building setbacks, and other public improvements that may be necessary within the shoreline recreation area.

(d) For Lots 15 through 26, the setbacks from the bluff edge for buildings shall be as follows for single story buildings with heights of fifteen feet (15') or less, and any structure other than those described in subsection B(II) (d) (2) below:

- |             |   |
|-------------|---|
| (1) Lot 15: | Forty feet (40')  |
| Lot 16:     | forty feet (40')  |
| Lot 17:     | seventy five feet (75') from the bluff edge on the southern side; one hundred feet (100') from that point on the bluff edge where the two haul cane service roads merge on the northern side of the Lot. The setback line shall be that line extended from the seventy five foot (75') makai-mauka point on the southern boundary to the one hundred foot (100') makai-mauka point on the northern boundary |
| Lot 18:     | sixty feet (60')  |
| Lot 19:     | eighty feet (80') from the bluff edge on the northern side; seventy five feet (75') from the bluff edge on the southern side. The setback line shall be that line extended from the eighty foot (80') makai-mauka point on the northern side to the seventy five foot (75') makai-mauka point on the southern side.   |
| Lot 20:     | eighty feet (80') from the bluff edge which is parallel with Kuhio Highway measured from the bluff edge   |

- towards Kuhio Highway; forty five feet (45') south from the bluff edge which is perpendicular to Kuhio Highway.
- Lot 21: seventy five feet (75')
- Lot 22: one hundred feet (100') from the bluff edge on the northern edge on the northern one-third (1/3) of the Lot; sixty feet (60') from the bluff edge on the southern two-thirds (2/3) of the Lot.
- Lot 23: thirty five feet (35') from the northern facing bluff edge; seventy five feet (75') from the Donkey Beach-facing bluff edge.
- Lot 24: thirty five feet (35')
- Lot 25: seventy five feet (75') from the bluff edge, with mature vegetation to be incorporated along the bluff edge for a distance of thirty feet (30') measured from the southern boundary of the Lot.
- Lot 26: thirty five feet (35') from the north-facing bluff edge; seventy five feet (75') from the bluff edge facing Donkey Beach.

An additional thirty feet (30') of setback distance measured in the direction of Kuhio Highway shall be added to the setback lines established above (the "base setback lines") for the bluff edge parallel with Kuhio Highway for those portions of two story buildings with heights above eighteen feet (18') on Lots 15 through 26; provided, however, that those portions of two story buildings which are eighteen feet (18') or less in height may be located within the setback area which is situated between the base setback lines plus five feet (5'), and the additional thirty feet (30') setback required for two story buildings. Refer to Figure 3. Notwithstanding the foregoing, to the extent that the conditions of Special Management Area Use Permit SMA(U)99-37 require greater setbacks, the setbacks shall be the minimum as required by said Permit.

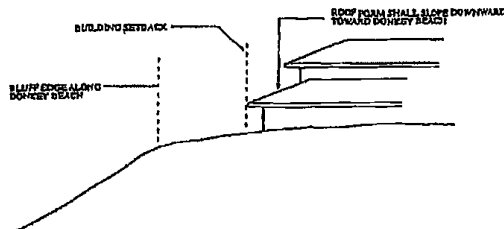
For single story buildings with heights above fifteen feet (15') and no more than eighteen feet (18'), an additional five feet (5') of setback distance shall be added to the base

setback lines established above for the bluff edge parallel with Kuhio Highway, for Lots 15 through 26, and no portion of such buildings shall be makai of the additional five foot (5') setback line.

(2) For Lots 15 through 26, non-habitable improvements which are no more than five feet (5') in height shall be set back a minimum of thirty five feet (35') from the bluff edge, while fences and retaining walls no more than four feet (4') in height and in-ground swimming pools and jacuzzis which are no more than six inches (6") in height shall be set back a minimum of ten feet (10') from the bluff edge.

(3) The highest part of any structure on Lots 15 through 26 shall not be on that side of the structure which is closest to Donkey Beach, and the roofs on that side of the structure which is closest to Donkey Beach shall slope downward toward Donkey Beach.

FIGURE 4: ROOF FORM FOR LOTS 15-26



(4) The heights of improvements shall be measured from natural or finished grade, whichever is lower.

(e) Side yard setbacks shall be a minimum of twenty feet (20') from the boundary of each Lot, except as to those Lots for which greater side yard setbacks have been established in subsection B(II)(d)(1) above and as modified by other building setbacks. ] See Section 6.(e)

(f) Front yard setbacks shall be a minimum of fifty feet (50') from the boundary of each Lot fronting the subdivision roadway that provide access to that Lot.

Amended and restated Section 6.(e):

6. Exhibit B, Section B.II.(e) is hereby amended and restated in its entirety as follows:

"(e) Side yard setbacks shall be a minimum of twenty feet (20') from the boundary of each Lot, except as to the south boundary of Lot 1 and those Lots for which greater side yard setbacks have been established in subsection B(II)(d)(1) above and as modified by other building setbacks. With respect to the south boundary of Lot 1, all buildings shall be setback as required by applicable County of Kauai ordinances or regulations. With respect to the north boundary of Lot 1, all buildings shall be setback a minimum of twenty feet (20') as required by this subsection."

### III. Landscaping

Landscape improvements should reflect the rural character, quality, simplicity and understated elegance of Kealia Makai Subdivision. In order to achieve the desired landscape character, each Lot has specific landscape requirements. A Plant List, attached as Appendix B, is provided to assist in selecting plants considered appropriate.

#### (a) Coastal Bluff and Valley Edges

Along the coastline of the Subdivision, there is a coastal bluff generally defined by the old cane haul road along the shoreline and rising to the upper bluff edge and cultivated fields. These slopes shall be maintained with naturally occurring vegetation similar to that which exists. Refer to Figures 5 and 6.

FIGURE 5: TYPICAL COASTAL BLUFF (LOTS 1-17)

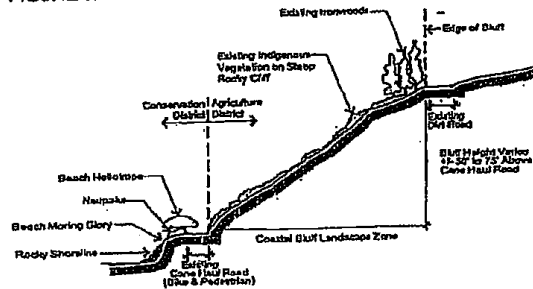
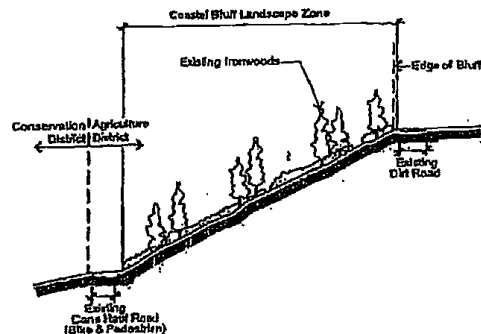


FIGURE 6: TYPICAL COASTAL BLUFF (LOTS 18-29)



All existing mature vegetation, with the exception of substantially damaged, diseased or dying trees, shall be preserved. The removal of vegetation, including but not limited to the mature Ironwood trees along the bluff edge, shall be subject to review and approval of the Planning Department at the time of building permit or prior to any vegetation alteration. If existing trees are removed, they shall be replaced with similar species, naturally occurring or common to the area, as specified in Appendix B, the Plant List, which is incorporated herewith.

By limiting the palette of landscape materials to be introduced within this landscape zone, a relatively uniform landscape treatment of the coastal bluff will be maintained.

The northern edge of Kumukumu Stream valley and the southern edge of Homaikawaa Stream valley include steep slopes that were not historically cultivated with sugar cane, and have naturally occurring vegetation, dominated by Hau and Java Plum. These sloped areas shall be maintained with the naturally occurring vegetation or, if such vegetation is replaced, landscaped with native species, species common to the area, or species similar in character to that which previously existed.

To maintain a landscape treatment that provides a relatively uniform and natural appearance to the valley areas, the trees permitted along the valley edges shall be restricted to the existing Hau and Java Plum, and may



include Hala, False Kamani or other trees permitted within the coastal bluff.

View corridors along Homaikawaa and Kumukumu Streams shall be maintained and kept open. Views of the ocean shall be maintained as much as possible, taking into account the need to mitigate the visual impacts of the structures from Kuhio Highway to the shoreline, and from existing public views to and along the shoreline.

All farm dwellings, guest cottages and barns shall be prohibited within the setback areas established for the Kumukumu Stream valley and Homaikawaa Stream valley, unless they are located outside of building setback areas as established by the County of Kauai.

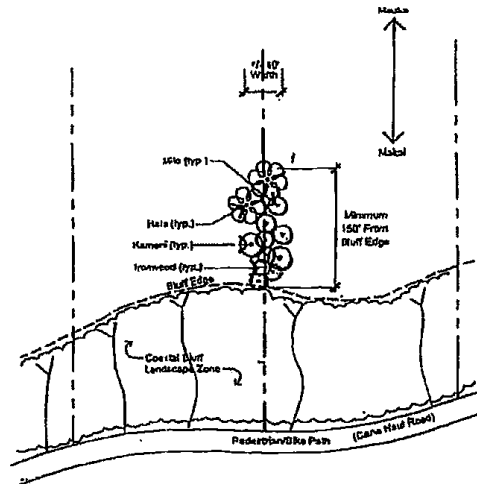
(b) Visual Buffer Setback Zone

Landscaping shall be used as appropriate to help structures and land alterations blend in with the surrounding environment and to mitigate the visual impacts of development on public views. If structures are located along the bluff edge with the required setbacks established in the Declaration and herein and as depicted on the Subdivision Map, landscaping shall be designed and implemented to help blend these structures into the landscape. To achieve this objective, the following landscaping standards shall be implemented if structures are planned in proximity to the coastal bluff edge. As applicable, individual Lot owners shall commence the landscape plan subject to the specified parameters prior to occupancy of any farm dwelling on the property.

(1) Lot Boundary Landscape Buffers

Should structures be located within one hundred fifty feet (150') of the bluff edge, landscaping shall be designed and implemented to help blend the structure into the surrounding landscape. For Lots 1, 2, 5, 6, 7, 9, 10, 11, 14, 15, 16, 17, 18, 22, 25 and 28, landscaping shall be provided along side property lines extending mauka from the bluff edge for a minimum of one hundred fifty feet (150'). Refer to Figure 7.

FIGURE 7: TYPICAL LOT BOUNDARY LANDSCAPE BUFFER



Lot boundary landscape buffers are required on the above specified Lots in order to mitigate the potential visual impact of structures located along the coastal bluff. Landscape plantings to create these landscape buffers shall be visually similar to the plantings on the coastal bluff. To achieve this, the allowable trees shall be those permitted within the coastal bluff zone, with the addition of several other suitable salt tolerant species as noted in Appendix C. The understory shrub and groundcover plantings within this landscape buffer area shall not be restricted.

(2) Visual Buffer Setback Zone

For structures located within twenty feet (20') of the applicable bluff edge building setback line as set forth in the Declaration and herein, and as shown on the Subdivision Map, landscaping shall be designed and implemented to mitigate the potential visual

(3) Individual lot owners shall be responsible for the ongoing maintenance of the trees on such owners' lots.

(d) Additional Landscaping Requirements for Lots 15 Through 26

Owners of Lots 15 through 26 are required, after obtaining final design review approval from the Design Review Committee for any improvements to be constructed on their Lots, to remit to the Design Review Committee the sum of \$10,000.00 to be used for landscaping purposes on such Owner's lot. The Association shall hold all such amounts remitted in a special fund.

No later than thirty (30) days after final inspection by the appropriate governmental authorities of any improvement so approved, the Owner shall commence the placement of mature vegetation, the purposes of which shall be to mitigate visual impacts for Donkey Beach-to-mauka views, and the placement of such vegetation shall be completed no later than ninety (90) days after such final inspection.

The Owners of Lots 15 through 26 shall be responsible for selecting plantings, suppliers and contractors and coordinating the work to install and maintain the vegetation. The Association shall, upon draw requests accompanied by invoices which are submitted by any Owner who has properly remitted payment as required hereunder, release funds to the Owner for payment for such work and materials (up to the amount of \$10,000.00).

The Owners of Lots 15 through 26 shall prudently manage, nurture and maintain any such vegetation which has been planted for the purposes of mitigating the visual impacts of buildings for the views protected hereunder.

(e) The landscape design for each Lot should blend with the existing terrain, and should harmonize with the standards established in the Kealia Makai Landscape Master Plan approved by the Planning Department of the County of Kauai.

Landscape plans shall be prepared by a Landscape Architect and include a planting plan indicating the final mature heights of trees and shrubs, and an irrigation plan. The landscape design should conform to the following guidelines:

- (1) Use a limited palette of plant materials, as contained in Appendices B and C, as may be

amended from time to time, to establish the overall landscape theme for the Lot and reinforce the landscape character as established in the Kealia Makai Landscape Master Plan.

(2) Use informal spacing and groupings of trees to create a natural setting for the improvements, including any farm dwellings and accessory structures.

(3) Use landscaping to blend the improvements into the terrain. Where retaining walls are used, cascading vines and shrubs may be used to soften these structural elements.

#### IV. Site Drainage

Site drainage and related grading or fill work shall be done with minimum disruption to the Lot. Surface water shall not drain onto adjoining Lots, except as established by natural or existing drainage patterns, nor result in any conditions which could lead to soil erosion. A detailed drainage plan shall be prepared by an Engineer and submitted for review and approval of the Design Review Committee.

#### V. Driveway Accesses

The location of driveways for access to any Lot, or any improvements thereon, shall be sited to avoid existing trees and vegetation, drainageways, and utility laterals and service lines. To provide a cohesive landscape treatment along the Subdivision roadways, the driveways and related improvements within the front yard setback area (i.e., fences, gates, walls, signage, and landscaping) shall be reviewed and approved by the Design Review Committee prior to construction. In general, the driveway and related improvements shall be simple and understated in design and shall not be ornamental or include materials, forms, or colors not acceptable within Design Criteria and Standards. The driveway treatment shall extend to any improvements to be served by such driveway. All driveways shall be located a minimum of twenty feet (20') from any adjoining Lot.

Lots shall be limited to no more than one (1) driveway access, except that Lots 28 and 29 shall share a common driveway access point at Kuhio Highway. Driveway connections to the Subdivision's roads shall follow contours of roadway rights of way and swales. All porte cocheres and turnarounds shall be located entirely on the Lot to be served thereby. All driveways and related parking areas shall be earthtone, integrally colored concrete or other paving material the color scheme for which is approved by the Planning

Department of the County of Kauai. Refer to Sections C(VII) (b) and C(VIII).

VI. Swimming Pools and Ponds

All parts of any swimming pools and ponds shall be set back a minimum of twenty feet (20') from any adjoining Lot.

In general, swimming pools and ponds should either be designed as part of a farm dwelling through walls or courtyards, or screened or visually blended into the landscape in order to diminish any visual obtrusiveness when viewed from the Subdivision's roadways, other lots, and neighboring properties. All pool-related pump and filter equipment shall be concealed within a sound-treated enclosure to minimize the nuisance of any noise resulting therefrom. All pools and ponds shall be constructed and kept operable in accordance with applicable County of Kauai and/or Department of Health, State of Hawaii, ordinances, rules and regulations.

Upon abandonment, or should the swimming pool or pond become a nuisance, the Owner will demolish the same and, insofar as is practicable, restore the land to a condition approximating that which existed prior to the construction of the swimming pool or pond, and will thereafter properly landscape and maintain said restored land. The method of demolition of the swimming pool or pond shall be subject to the approval of the Design Review Committee.

VII. Recreational Areas

All recreational facilities, including, but not limited to, basketball courts, backstops, tennis courts and volleyball nets, shall be subject to the setbacks established in the Declaration and herein. All such facilities shall be sited and landscaped to be screened, to the greatest extent possible, from neighboring views.

One (1) tennis court per Lot is allowed subject to the following design criteria. The tennis court shall be recessed, visually screened with landscaping, and sited for minimal visual impact from the Subdivision roadways, other Lots or neighboring properties. The construction of tennis courts partially below grade helps to reduce the need for walls and landscape screening. The color of the court surface shall blend with the landscape (greens and browns), and no tennis court lighting shall be allowed.

VIII. Storage Tanks

Propane gas tanks shall either be shielded and screened from view by walls or structures, or shall be installed or constructed underground in compliance with the County of Kauai and State of Hawaii ordinances, statutes, rules and regulations.

IX. Signage

Street address and dwelling information signage for each Lot shall be submitted for review and approval by the Design Review Committee if such signage is proposed to be installed by any Owner. No additional signage detached from or on any dwelling or structure shall be permitted, except as may be provided in the Declaration and approved by the Design Review Committee.

X. Mailboxes

Any mailbox receptacles and their supports shall, except for the mailbox openings, conform to a uniform design established by the Design Review Committee to ensure that they are visually in conformity with the surroundings. Mailboxes may be integrated with the Lot fences, walls, and/or gates approved by the Design Review Committee.

XI. Animal Facilities

All animal facilities, including barns, dog runs or enclosed pens, shall be set back a minimum of forty feet (40') from any adjoining Lot or neighboring properties, and shall be screened from view with appropriate landscaping.

C. ARCHITECTURAL AND BUILDING STANDARDS

All Lot improvements at Kealia Makai Subdivision shall comply with the following architectural and minimum building standards. The standards have been designed to keep buildings at grade and to encourage natural ventilation, wide covered lanais, shaded window openings and courtyards, and the use of exterior materials which will minimize glare.

I. Design Philosophy and Architectural Character

The design philosophy for construction at Kealia Makai Subdivision is to create a cohesive, visually unified community with a sense of identity and relationship to Kealia. Minimal disturbance to the natural terrain is desired. The general character or style of architecture should be that of cascading, hipped roof forms with strong overhanging masses, composed of basic earthtone colors which harmonize and blend into the natural setting of Kealia Makai. Structures which combine numerous exterior materials or various architectural styles (e.g., colonial combined with Victorian) will not be permitted. Consistency of roof form and restraint in use of materials and color will ensure that the dwellings and other structures blend into the existing terrain.

II. Site Design Principles

(a) Buildings should be designed to blend with each Lot's natural characteristics and topography. Views, both of the Lot and of the structures, sun angles and topography, are important considerations in design.

(b) Cut and fill, or other alteration of the natural landform, shall be minimized within ten feet (10') of the bluff edge.

(c) Alteration of natural landforms shall be minimized. Grading shall be kept to a minimum, and existing contours shall be maintained to the maximum extent possible. Prior to commencing any site improvements in the nature of grading or grubbing, the Owner of each Lot shall first obtain a grading or grubbing permit, as the case may be, from the County of Kauai as the same are required by any governmental rule, regulation, law or ordinance.

Excessive cuts or filling shall be avoided. In the event of any excavation on a Lot, the Owner doing or causing such excavation to be done shall provide such artificial lateral support as may be necessary to support adjacent Lots or properties. Each Owner shall control dust during the grading or grubbing process to minimize damage, annoyance or inconvenience to other Lot owners or adjoining properties.

(d) Unusable areas under buildings shall be enclosed to give the appearance that the building grows out of the Lot. Lowest level floor lines should be located within six feet (6') of grade. Open lathwork will not be permitted. Refer to Figure 9.

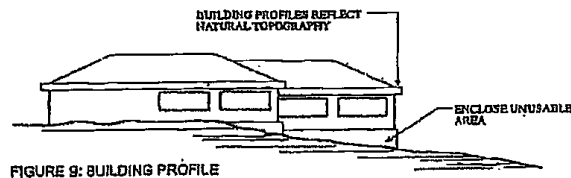


FIGURE 9: BUILDING PROFILE

(e) Building profiles shall reflect natural topographic contours. Refer to Figure 9.

III. Preparation of Plan

All architectural plans and working drawings shall be prepared by an Architect. All required structural, mechanical, electrical, civil and landscape analysis shall be done by Engineers and Landscape Architects.

IV. Grading

(a) The grading of building pads shall be confined to the minimum amount necessary to provide for the architectural concepts. Step pads or building pads which conform to the topography of the Lot are recommended. Grading shall be subject to review by the Design Review Committee for conformance to the natural topography of the Lot.

Cuts on ridge lines or other prominent topographical features will not be permitted.

(b) Natural conditions of drainage should be preserved, and any changes to natural contours shall not cause damage to adjacent and nearby properties. Where required, it will be necessary to use contoured swales planted with natural watercourse vegetation or lined with rock riprap or approved material. Underground drain pipes and gutters should be routed to energy dissipators to reduce the possible effect of erosion. The Lot design should not obstruct the flow of surface water drainage across the Lot. Diversion of drainage or surface water to adjoining Lots shall not be permitted.

(c) Grading work shall not adversely affect adjacent Lots or properties. For example, grading work on one Lot must not create an unstable condition on an adjacent Lot or property. The drainage system plans shall indicate that the proposed drainage improvements will not cause adverse drainage conditions. Owners are responsible for the design of their drainage systems as well as the corrections of any systems which cause damage or which are in violation of any applicable governmental codes, ordinances, statutes, rules or regulations.

V. Retaining Walls

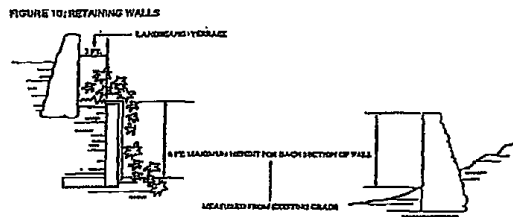
(a) The siting, design and construction of all retaining walls shall be subject to the review and approval of the Design Review Committee.

(b) Whenever excavation or fill creates a condition requiring a retaining wall, the Owner responsible for



such excavation or fill shall be responsible for the design, installation and maintenance of the structure.

(c) Retaining walls placed on embankments of cut or fill more than three feet (3') in height shall be designed by an Engineer or Architect. Retaining walls over six feet (6') in height shall be terraced at vertical intervals no greater than six feet (6'). Terraces shall be a minimum of three feet (3') wide, and landscaped. Refer to Figure 10.



(d) Retaining walls shall conform to the design standards of Section C(IX)(n), Walls.

#### VI. Size of Farm Dwellings

The minimum enclosed living area for any farm dwelling at Kealia Makai Subdivision shall be not less than 2,500 square feet, exclusive of garage.

#### VII. Roofs

Since roofs are a dominant form of Kealia Makai Subdivision's landscape, all roofs will be limited to the following:

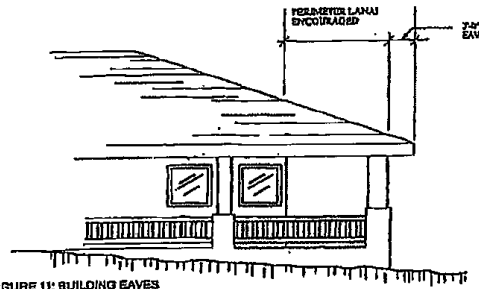
(a) Form and Slope: Roofs shall be gable and hip or a combination thereof. Flat roofs are not permitted. All garage structures and accessory buildings shall have a roof form complementary to the farm dwelling. Gable and hip roofs shall have a minimum slope of 4 in 12 and a maximum slope of 8 in 12. All roofs, and all portions thereof, shall be surrounded by a fascia of no less than 9 1/2 inches high.

(b) Color: The color of roofing materials shall be limited to earth tones which are compatible with the area surroundings.

(c) Materials: All roofing materials shall be clay, wood shakes, slate or concrete tiles, and shall be of non-reflective materials. No other roofing material will be allowed.

Combinations of roofing materials on each Lot will not be permitted.

(d) Eaves: Eaves shall be a minimum of three feet (3'). Refer to Figure 11.



#### VIII. Building Colors

Exterior colors of all structures shall be limited to earth tones. At the time the Owner seeks building permit approval from the County of Kauai, a color scheme is required to be submitted to the Planning Department of the County of Kauai for review and approval.

#### IX. Exterior Materials and Surfaces

(a) The material palette shall be restricted to a limited number of materials. Combinations of numerous materials will not be permitted.

(b) The exterior character of all buildings shall be developed by the consistent use of few materials.

(c) The use of mirrored glass, reflective sun screens or other highly reflective materials for exterior windows is prohibited.

#### (d) Exterior Building Wall Materials

The following exterior building wall materials are recommended:

(1) Brick in earthtones used as accent walls. Red brick will not be allowed.

(2) Textured and/or patterned exposed concrete block having an integral color approved herein, with four-inch (4") high coursing maximum.

(3) Textured concrete, either bush hammered or sandblasted, with an integral color approved herein.

(4) Textured plaster with painted or integral color approved herein.

(5) Wood (lumber stock).

(6) Stone.

The following materials are prohibited:

(1) Mica plaster.

(2) Exposed concrete block.

(3) Corrugated metal.

(4) Standard precision block.

(5) Gloss-glazed ceramic tile.

(6) Plywood (textured or plain).

(7) Plastic or vinyl materials.

(8) Masonite or composite board.

(e) Paving Materials

The following paving materials are recommended:

(1) Matte finish tile, or paving brick tile in colors approved herein. Red brick will not be allowed.

(2) Natural stone in cobblestone, flagstone or random plank patterns.

(3) Washed terrazzo.

(4) Concrete unit paver.

(5) Concrete: Exposed aggregate; textured or stamped; or large, rough textured precast integrally colored pavers in colors approved herein. Concrete finishes not specifically listed will require the specific, prior written approval of the Design Review Committee.

(6) Grass block.

Asphalt is prohibited as a paving material, except for a tennis court base.

(f) Windows

(1) Windows shall be rectangular. Unusually shaped windows (e.g., circular, triangular) are discouraged and will be permitted only if specifically approved by the Design Review Committee.

(2) Window openings should be designed as part of the sculptural character of the exterior wall. Window openings merely cut out of the exterior wall, and not fully integrated into the exterior design, will not be permitted.

(3) Window frames should generally be recessed from the plane of the exterior wall.

(4) Wood window frames are encouraged. Colored anodized aluminum or other factory lamina frames may be used. Non-anodized or clear anodized frames are prohibited. Other frame materials require the prior, specific written approval of the Design Review Committee.

(g) Glass

Mirrored or reflective glass or glazing materials are prohibited.

(h) Skylights

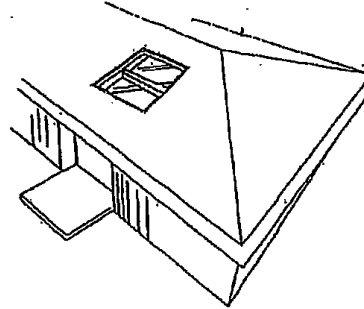
(1) Skylights shall not be of a mirrored or reflective material.

(2) Skylights shall be clear, bronze or smoke-colored plastic or glass with the metal frame colored to match the surrounding roofing

material color. White plastic and clear aluminum are prohibited.

(3) Skylights shall be integrated into the roof form. Refer to Figure 12.

FIGURE 12: SKYLIGHTS INTEGRATED INTO ROOF FORM



(i) Garages

(1) Each dwelling shall include an enclosed garage capable of accommodating no less than two (2) cars, with garage doors. Garage entries shall not face the Subdivision roadways. Open carports are prohibited. Porte cocheres, however, in addition to a required two-car garage per dwelling, are permitted.

(2) Garages shall minimum inside dimensions of twenty feet by twenty feet (20' x 20'). Storage areas and workshops will be in addition to the minimum four hundred square foot (400 sq. ft.) garage requirement.

(j) Guest Parking

(1) Each dwelling shall contain guest parking spaces (in addition to the required two-car garage), for at least six (6) automobiles in an enclosed garage (either attached to or detached from the main structure of the dwelling) or in an open lawn area screened from view. If an open parking area is utilized, it shall be enclosed on not less

than two (2) sides by an approved five-foot (5') wall, landscaped berm or hedge, and not visible from neighboring properties. On-street parking is prohibited.

(k) Exterior Lighting

(1) Exterior lighting, in general, shall be subdued and indirect.

(2) Subject to any conditions which the Planning Commission of the County of Kauai or any governmental authority with jurisdiction therefor may impose for public health, safety or security, all lights visible from outside any structure, including, but not limited to, street lights, porch lights, yard lights, "sentry" lights and other exterior lights, shall be shielded and pointed downwards so as not to confuse the shearwater and other endangered birds.

(3) All light fixtures shall be mounted within the boundaries of the Lot. Driveway lights shall be shielded, ground level lights illuminating only the driveway, and may extend no more than eighteen inches (18") above grade.

(4) Light fixtures for any light source of whatever type shall be shielded from above in such a manner that the edge of the shield shall be level with or below the center of the light source, so that any direct light emitted above the horizontal is minimized. Light-directing refractors shall be considered to be light sources. Refer to Figure 13.

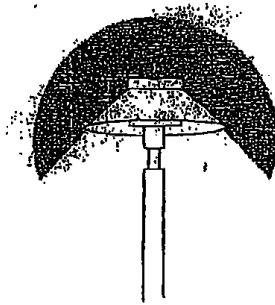


FIGURE 13: SHIELDED LIGHT FIXTURE

(5) Lighting shall be used only for the purpose of illumination, and shall not be designed for or used as an advertising display or dramatically highlighting any dwelling, landscaping component or Lot improvement.

(6) Light fixtures shall be so designed and adjusted as to direct light away from any roadway, and away from any adjoining Lot or property.

(7) No light or glare shall be transmitted or reflected in such concentrated quantities or intensities as to be detrimental or harmful, or to interfere with the use of surrounding properties or roadways. The use of incandescent, sodium type or amber color is encouraged. No mercury vapor lamps are allowed.

(8) Exterior lighting fixtures shall be compatible with the architectural design of the building or buildings they serve. Lighting must be indirect or diffused. Exposed or visible light bulbs are prohibited. Refer to Figure 14.

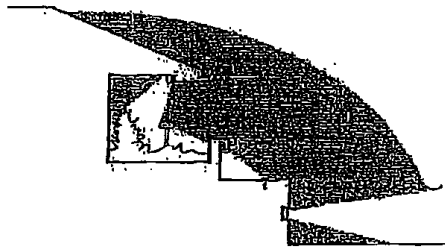


FIGURE 14: EXTERIOR LIGHTING SHIELDED AND DIRECTED

Light fixtures should be of sturdy construction. Poles should be vertical, and any wood part underground protected from rot by prior treatment with wood preservatives or embedding in concrete. The colors of the poles, whether painted or stained, shall be as required in the Declaration and hereunder. Planting at the base of any poles is encouraged.

(9) Searchlights are prohibited.

(10) Outdoor recreational facility lighting, including tennis court lighting, is prohibited, except for underwater swimming pool lights.

(11) The illumination of any structure or building for aesthetic or dramatic purposes is prohibited, except as may be approved in advance by the Design Review Committee.

(1) Solar Panels

(1) The installation of solar panels requires the specific request of the Owner, and the prior approval of the Design Review Committee. Location, integration and minimizing reflectance of the proposed installation are of specific concern to the Design Review Committee.

(2) All solar panels shall be an integral part of the roof form and shall conform to the slope of the roof form. All panels should appear as skylights within the context of the



roof, and exposed plumbing is prohibited. All metal frames for the panels shall be color coated to match the basic design of the roof. All panels should be located, to the greatest extent possible, away from roadway and Donkey Beach views. No tanks or other apparatus shall be exposed.

(3) Owners intending to install solar panels shall ensure that the panels can be installed within the allowable building heights prescribed in the Declaration and herein.

(m) Accessory Structures

Accessory structures, including guest houses and agricultural buildings, should be designed as a single visual element with the farm dwelling, and should be visually similar. The accessory structures shall also comply with any applicable zoning laws, rules and regulations of the State of Hawaii and County of Kauai.

(n) Walls and Fences

(1) Except for agricultural fencing, walls and fencing shall be constructed of materials which match the exterior wall materials of any dwelling or accessory structures, and shall appear to be an integral extension of the dwelling and other improvements' design and materials. Walls and fences shall be a maximum of six feet (6') in height, including retaining walls. Refer to Figure 11. For allowable wall and fencing materials and styles, see Section C(IX) Exterior Materials and Surfaces.

(2) Entry columns, gates and related walls and fences shall be reviewed and approved by the Design Review Committee.

(3) Wrought iron, galvanized steel or aluminum, with proper color treatment, may be permitted as accents as approved by the Design Review Committee.

(4) The following wall and fencing materials and styles are prohibited:

(aa) Chain-link fences or gates;

(bb) Open-slat wood;

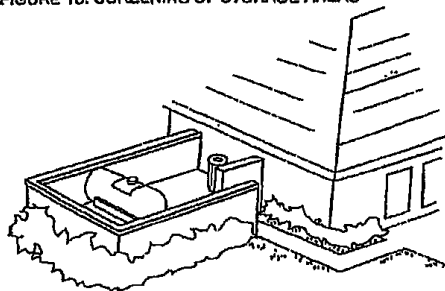
(cc) Unplastered standard precision block; and

(dd) Plywood.

(o) Service Yards and Trash Enclosure

Enclosed and properly covered service areas shall be provided on each lot for trash receptacles, clothes drying, pool equipment and any other maintenance or service facilities and equipment. All service yards and trash enclosures shall be an integral part of a dwelling. All such facilities shall be screened and not visible from the Subdivision's roadways and neighboring Lots or properties. Refer to Figure 15.

FIGURE 15: SCREENING OF STORAGE AREAS



(p) Air Conditioning, Ventilation and Mechanical Systems

Prior to the installation of air conditioning, ventilation or other mechanical systems which generate noise, the Owner shall obtain the written approval of the Design Review Committee as to the location and type of such system. Such systems shall be enclosed in a soundtreated enclosure to limit noise intensity levels to 40 db, A scale, at the property line, or to State Department of Health standards, whichever shall be more restrictive, and shall be screened from view. Window or roof top units are prohibited. Ground-mounted units shall be enclosed behind grilles and screening walls.

(q) Utility Lines and Connections

Connection points for water (potable and irrigation), electricity, telephone and cable, and their respective

pipes, conduits and wiring, shall be placed underground from the point of connection to and throughout the dwelling and any structures on the Lot. No overhead service, connections or wiring shall be permitted.

(r) Additions, Enclosures and Repairs

All additions, enclosures or repairs to any improvements require the approval of the Design Review Committee. Additions and enclosures shall utilize materials, details, colors and scale which are comparable to the architectural theme and quality of the existing improvements.

(s) Construction and Alteration of Improvements

Any changes to approved plans before, during or after the construction of an improvement shall first be submitted to the Design Review Committee for approval.

D. DESIGN REVIEW AND INSPECTION PROCEDURES

The Owner of a Lot and his Architect, or the Architect acting as an agent of the Owner, shall have the following meetings, submit the following drawings, and receive the following approvals prior to the construction of any improvements to or on his Lot. The Kealia Makai Subdivision Design Review Application form, substantially as depicted in Appendix "D", should be utilized in each instance.

I. Predesign Conference

Before preparing Preliminary Drawings, the Owner and/or his Architect shall meet with the Design Review Committee to review the Declaration and these Design Criteria and Standards as they apply to the Owner's Lot. If the Architect is authorized to represent the Owner, the Owner shall notify the Design Review Committee in writing of such authorization:

II. Site Visit

The Owner and/or his Architect shall visit the Lot prior to preparing Preliminary Drawings and shall view existing dwellings and structures, if any, which characterize the intent and purpose of these Design Criteria and Standards. The Site Visit and Predesign Conference may be incorporated in a single meeting at the discretion of the Design Review Committee.

III. Preliminary Drawings

One set of the following Preliminary Drawings, prepared by or under the direct supervision of the Architect, shall be submitted to the Design Review Committee for approval:

(a) Site Plan showing existing and proposed Lot topography, building(s), garage(s), driveway(s), retaining and/or garden walls, fences, utility lines, landscaped areas, pools, drainage systems and other improvements. Scale: 1/8" = 1'0".

(b) Floor plans for each structure. Scale: 1/4" = 1'0".

(c) Elevation Drawings showing each exposed side of each proposed structure (including typical walls and fencing) indicating materials and colors for roofs, house walls, garden walls and fences. Scale: 1/4" = 1'0".

(d) Section Drawings through each structure and the Lot commencing at one boundary and extending to the opposite end of the Lot, and at least one other section drawing running in a transverse direction. Scale: 1/4" = 1'0".

(e) Section Drawings showing outdoor landscaped areas, garden wall and fences, and any exterior appurtenant structures. Scale: 1/4" = 1'0" or other appropriate scale allowed by the Design Review Committee.

(f) Landscape Plan showing the agricultural use areas, plant materials, irrigation system, planting details and indicating height of mature trees. Scale: 1/8" = 1'0" or other appropriate scale allowed by the Design Review Committee.

(g) Color Schedules prepared in accordance with Sections C(VIII) and C(IX).

(h) Outline Specifications indicating the specifications for construction of all site improvements and the dwelling.

(i) Any other plans or drawings that may be requested by the Design Review Committee. If deemed necessary to properly review, examine or visualize the plans and drawings, the Design Review Committee may require the Owner to submit a scale model of the entire Lot, including the dwelling and any other structures or buildings.

IV. Preliminary Design Review

The Owner and/or his Architect shall meet with the Design Review Committee to review the Preliminary Drawings (as submitted) and Preliminary Stakeout of each proposed building or structure. Refer to Section D(VIII) (a).

V. Approval of Preliminary Drawings

The Design Review Committee will approve the submitted Preliminary Drawings and Preliminary Stakeout provided that they comply with these Design Criteria and Standards. Approval may be dependent upon certain special conditions which are found by the Design Review Committee to be appropriate in each particular case. However, approval will not be unreasonably withheld. This approval will not be delayed for more than thirty (30) days without notifying the Owner and/or his Architect in writing of the reasons for such delay.

VI. Working Drawings

The Owner shall submit one set of completed Working Drawings and specifications to the Design Review Committee for review and approval. The Working Drawings shall be developed from the approved Preliminary Drawings, with the changes, corrections, alternations and/or revisions as required by the Design Review Committee's special conditions in approving the Preliminary Drawings. No further changes to the Preliminary Drawings shall be permitted in preparing the Working Drawings, unless the Design Review Committee is specifically notified in writing of the specific changes, and the Design Review Committee specifically approves such changes.

The Working Drawings shall include all of the detailed drawings required upon the review of Preliminary Drawings, including Site Plan, Floor Plan, Elevations, Section Drawings, Landscape Plan, Color Schedules, Outline Specifications and any other plans, drawings or scale model requested by the Design Review Committee.

The Landscape Plan shall be certified by a licensed Landscape Architect that it was prepared by or under his direction supervision. All other Working Drawings shall be certified by an Architect and/or Engineers that they were prepared by or under their direct supervision.

VII. Review and Approval of Working Drawings

The Design Review Committee shall review and approve the submitted Working Drawings provided that they comply with these Design Criteria and Standards and the special conditions set forth in the approval of the Preliminary Drawings. Approval shall not be unreasonably withheld. Any approval by the Design Review Committee

shall not constitute, nor be a substitution for, any approvals or permits required by County, State or Federal code, ordinance, statute, rule or regulation. Each Owner and his Architect, Engineers, or Landscape Architect shall be responsible for complying with all applicable code, ordinance, statute, rule or regulation, and for acquiring all necessary approvals and permits prior to commencing construction. Consent or approval of the Design Review Committee to any plans and specifications shall not mean, nor be deemed to constitute, a representation by the Design Review Committee that such plans and specifications satisfy or meet any engineering or building safety requirements or are free from defective design or materials.

Approval of Working Drawings shall be subject to Final Stakeout Approval by the Design Review Committee. Refer to Section D(VIII) (c).

#### VIII. Stakeout and Inspections

The Owner of a Lot and his Architect and/or contractor shall be required to stake out the Lot and have the following inspections and approvals:

##### (a) Preliminary Stakeout

Each dwelling or structure must be staked out on the Lot with stakes at least two feet (2') tall. Strings between the stakes and white lines of lime or white chalk on the ground shall be used to outline the shape of each building. All applicable setback lines shall be staked for reference.

##### (b) Stakeout Inspection

The Design Review Committee shall inspect the Preliminary Stakeout, and note any changes or corrections that may be required.

##### (c) Final Stakeout

In conformity with the submitted Working Drawings, any changes to the Preliminary Stakeout shall be made to determine the final location of any buildings or structures on the Lot. Such changes shall include the changes required by the Design Review Committee and/or so noted in plan revisions included in the Working Drawings.

##### (d) Final Stakeout Approval

The Design Review Committee shall inspect and approve the Final Stakeout, provided that it is in compliance with

the Working Drawings and any other requirements of the Design Review Committee.

(e) Foundation Inspection

Upon completion of the foundation of each building or structure, the Owner, Contractor or Architect shall notify the Design Review Committee. An inspection shall be conducted by the Design Review Committee to ensure conformity with the approved Working Drawings as to location of each such building or structure on the Lot.

(F) Substantial Completion Inspection

Upon substantial completion of the exterior of each building or structure, the Owner, Contractor or Architect shall notify the Design Review Committee. The Design Review Committee shall conduct an inspection to ensure that each such building and structure is in conformity with the approved Working Drawings.

(g) Final Inspection

The Final Inspection shall be conducted after completion of all buildings and structures, the installation of all landscaping, irrigation systems, drainage systems, completion of all site improvements, and clearance of rubbish, debris and excess materials to ensure that the completed improvements are in accordance with the approved Working Drawings.

IX. Enforcement

These Design Criteria and Standards may be enforced by the Association, Declarant and/or any Owner of a Lot in Kealia Makai Subdivision, as provided in the Declaration. These criteria and standards shall be made a part of the construction contract document specifications for each building or structure or other improvements on a Lot, and all Contractors, Owners and other persons shall be bound thereby. Any violation by a Contractor shall be deemed to be a violation by the Owner of the Lot.

X. Variances

Except in the case of any standards or requirements imposed by law or as conditions to the approval of the Kealia Makai Subdivision, in the event specific designs, plans or specifications cannot or do not comply with these Design Criteria and Standards, the Owner may apply to the Design Review Committee for a variance. Each application shall be considered on a case-by-case basis on its architectural merit and contribution to or conflict with the overall purpose of these Design Criteria and Standards. The Design

Review Committee may, upon finding good cause and no other practical alternative being available, grant and approve a variance from these Design Criteria and Standards. A variance granted in one circumstance shall not be considered as precedent or grounds requiring approval of subsequent or similar request in any other circumstances.

XI. Commencement and Completion of Construction

Upon receipt of approval from the Design Review Committee, the Owner shall, as soon as practicable, satisfy all conditions thereof, if any, and diligently proceed with the commencement and completion of all construction, reconstruction, refinishing, alterations, and excavations pursuant to the approved plans within one (1) year from the date of such approval. If the Owner shall fail to comply with this section, any approval given shall be deemed revoked unless, upon the written request of the Owner made to the Design Review Committee prior to the expiration of the said one-year period, and upon a finding by the Design Review Committee that there has been no change in circumstances, the time for such commencement is extended in writing by the Design Review Committee. The Owner shall in any event complete the construction, reconstruction, refinishing or alteration of the foundation and all exterior surfaces (including the roof, exterior walls, windows and doors) of any building or structure on his Lot within one (1) year after commencing construction thereof, except and for so long as such completion is rendered impossible or would result in great hardship to the Owner due to strikes, fires, national emergencies or natural calamities. If Owner fails to comply with this section, the Design Review Committee shall notify the Association of such failure, and the Association, at its option, shall either complete the exterior in accordance with the approved plans or remove the improvements, and the Owner shall reimburse the Association for all expenses incurred in connection therewith.

XII. Bonding

Construction of each dwelling shall be bonded by any bonding company authorized to do business in the State of Hawaii, guaranteeing full completion of the dwelling as approved by the Design Review Committee, and in accordance with these Design Criteria and Standards.

The Design Review Committee may, in its sole and reasonable discretion, require that any subsequent exterior alterations, modifications or improvements to the dwelling, or any construction of any other building or structure, be similarly bonded to guarantee full completion in accordance with approved Working Drawings.



XIII. Fees

The Design Review Committee will hire a professional Architect, Landscape Architect and/or Engineer, and any other consultant deemed necessary or advisable, to help the Design Review Committee to properly review and examine the plans and specifications and to conduct inspections. The costs of the professionals and consultants, and any other costs and expenses incurred by the Design Review Committee shall be borne by the Owner as a fee. The fee will vary on a case-by-case basis, and shall not be a "flat rate". An estimate of the fee may be requested of the Design Review Committee at the Predisign Conference.

XIV. Landscaping Payment

At the time of final design review approval of any farm dwelling for Lots 15 through 26 by the Design Review Committee, each Owner shall remit to the Design Review Committee the sum of \$10,000.00 to be utilized for landscaping purposes on that particular Lot. The Design Review Committee shall deliver all landscaping payments to the Association to be held in a special fund, for disbursement as provided in the Declaration.

E. CONSTRUCTION AND BUILDER REGULATIONS

I. Acceptance of Lot

Each Owner shall accept the condition of his Lot in an "AS IS, WHERE IS" condition as of the date of completion of all subdivision improvements. All subsequent improvements to the Lot by the Owner shall be in strict accordance with the Working Drawings approved by the Design Review Committee.

II. Grades and Location

All plans and drawings for the subdivision improvements for the Subdivision are approximate only, and intended for the sole use of the Declarant and its general contractor. Such plans and drawings include grading plans and the location of utility lines and conduits, water and drainage lines, water laterals, roadways, walls and any other improvements made by the Declarant.

Owners acknowledge and accept that the standards of the construction industry and actual on-site conditions may require changes, alterations or deviations from the plans. Consequently, Owners shall not rely upon any such plans for any purpose whatsoever. Each Owner is responsible for verifying the location of all utility lines, laterals and stubouts, and verifying the topography and elevation of his Lot by hiring his own licensed Land Surveyor or Engineer.

III. Occupational Safety and Health Act ("OSHA") Compliance

All applicable OSHA regulations and guidelines shall be strictly observed at all times.

IV. Construction Trailers, Portable Field Offices, Etc.

Any Owner or Contractor who desires to bring a construction trailer, field office or the like to Kealia Makai, shall first apply for and obtain written approval from the Design Review Committee. The Design Review Committee will work with the Owner or Contractor to determine the best possible site for placement of any such trailer or field office. Such temporary structures shall be located only at locations approved in advance by the Design Review Committee and shall be promptly removed upon completion of construction.

V. Noise Control

All construction noise shall be minimized by the Owner and the Contractor by regulating work hours, prohibiting loud radios, stereos, tape or CD players, using muffled pneumatic and internal combustion equipment, and complying with all applicable governmental regulations.

VI. Periodic Inspections

Any construction shall be subject to periodic inspections by the Design Review Committee to determine if construction of buildings and structures are in compliance and conformity with the Working Drawings approved by the Design Review Committee.

VII. Changes

Any changes proposed to any improvements during the course of construction must receive the approval of the Design Review Committee prior to implementation. The Design Review Committee discourages the request of major changes during the course of any construction.

VIII. Portable Toilet Facilities

Portable toilet facilities in full operating condition shall be maintained on any Lot at which construction is occurring during the entire construction phase, and serviced in accordance with applicable State of Hawaii Department of Health rules, regulations or standards. Such facilities shall be placed at least forty feet (40') from any subdivision roadway, in an inconspicuous location with the door facing away from any such roadway.

IX. Commercial Dumpster

No less than one (1) commercial dumpster shall be placed and kept on each Lot during the entire period of construction of any improvements, and emptied as necessary, but not less than two (2) times per week. All trash and debris shall be placed within the dumpster or dumpsters at the end of each day. No trash or construction debris shall be placed, piled or strewn on the Lot.

X. Materials

All construction materials and supplies shall be kept within the boundaries of the Lot for which they have been provided. Materials shall be stored in an inconspicuous area in a neat and orderly manner. Temporary storage structures, approved by the Design Review Committee, may be used to store materials and supplies, provided that any such storage structure shall not be used as living quarters.

XI. Temporary Utilities

Temporary utilities shall be installed in a neat and safe manner. The temporary power pole, if any, shall be installed vertically and securely.

XII. Hours

The hours during which construction may occur at any Lot are restricted to 7:00 a.m. to 6:00 p.m., Mondays through Saturdays. No construction work shall be performed before or after the hours specified or on Sundays, except for emergencies.

XIII. Vehicles

Loud vehicles and speeding are not permitted within the Subdivision. All construction vehicles and employee vehicles shall be parked within the boundaries of the Lot upon which construction is occurring. Street parking is prohibited.

XIV. Blasting

Blasting, discharge or use of explosives in any form within the Subdivision is prohibited.

XV. Trash and Debris

All reasonable efforts shall be made to maintain the Lot in a clean, tidy and orderly manner at all times. Trash and debris shall be loaded onto trucks carefully to prevent any materials carried from spilling or blowing from the vehicle during the course of transporting the materials. The Owner shall be responsible for ensuring that his contract complies with Section 291C-131, Hawaii

Revised Statutes ("Spilling Loads on Highways"), and any similar applicable ordinance that may be in effect in the County of Kauai.

XVI. Adjoining Lots

The use of adjoining Lots for access or storage of materials, without the express written consent of the Owner of the adjacent Lot, is strictly prohibited. The Owner shall provide the Design Review Committee with a copy of any written approval prior to using any adjoining Lot.

XVII. Licensed Contractor

All buildings and structures within the subdivision shall be constructed by Contractors properly licensed by the State of Hawaii. Each Contractor shall provide proof of sufficient liability insurance, workers' compensation insurance and temporary disability insurance in accordance with the laws of the State of Hawaii.

XVIII. Access to Lot

Access to the Lots may be controlled by a security gate. Each Owner shall have access through such gates to such Owner's Lot. The Contractor shall gain access through the Owner. The conduct of the Contractor and the Contractor's employees and subcontractors shall be the responsibility of the Owner. Construction workers shall be allowed access to and from the Lot for construction purposes only.

XIX. Signs

During construction, a two feet by three feet (2' x 3') sign identifying the Contractor and Architect shall be erected within the Lot, no closer than ten (10) feet from the edge of the Subdivision roadway fronting the Lot. All required permits shall be posted on the back of such sign before construction may commence or materials delivered. No other signs may be erected or posted on the Lot unless approved by the Design Review Committee.

XX. Completion

Upon completion of all construction and landscaping, all trash, rubbish, debris, the required construction sign, construction trailers, portable field offices, portable toilet facilities, commercial dumpsters, construction materials and temporary power poles shall be removed. After complete clean-up, the Lot will be ready for Final Inspection by the Design Review Committee.

XXI. Damage to Other Lots or Subdivision Elements

If the Owner or the Owner's Contractor, or any subcontractor, or any other person or entity directly or indirectly involved with the construction of the Owner's improvements, directly or indirectly damages or injures any portion of the Subdivision elements, including the Subdivision roadways, or any other Lot in the subdivision, the Owner shall be responsible for repairing such damage or injury if the Owner's Contractor, subcontractor or any other responsible person fails to make such repairs.

XXII. Notice to Contractors

Each Owner shall provide the Design Review Committee with names, address and telephone numbers of the Contractor and any other person or entity that will be performing construction work on such Owner's Lot (hereinafter collectively referred to as "Contractors"). Each Owner shall be responsible for the conduct of such Owner's Contractors, and for ensuring that such Contractors are aware of the provisions of these Design Criteria and Standards, the Declaration, and any Design Review Committee Rules and Association Rules. Upon request, a member or members of the Design Review Committee shall meet with the Contractors at a mutually agreed upon time to review the pertinent and applicable provisions and procedures.

XXIII. Miscellaneous and General Practices

All Owners shall be responsible for the conduct and behavior of their agents, representatives, Contractors and subcontractors at Kealia Makai Subdivision. The following practices are prohibited at Kealia Makai:

- (a) Changing oil for any vehicle or equipment on any Lot or any portion of the Subdivision.
- (b) Allowing concrete suppliers and Contractors to clean their equipment or vehicles.
- (c) Possession of firearms of any type, alcoholic beverages or illegal drugs.
- (d) Disposal methods or units other than those approved by the Design Review Committee.
- (e) Careless disposition of cigarettes or other flammable materials. At least one ten (10) pound ABC-rated dry chemical fire extinguisher shall be present and available in a conspicuous place during the entire period of construction.

(f) During construction, no unrestrained pets, particularly unleashed dogs, shall be allowed in the Subdivision. No pets shall be allowed to roam at will throughout Kealia Makai Subdivision. In the event of any violation hereof, the Design Review Committee, the Association, Declarant or any other Owner shall have the right to impound the pets, or to refuse to permit such Contractor or subcontractor to continue to work on any Lot in the Subdivision, or to take such other action as may be permitted by law, the Design Criteria and Standards, or the Declaration.

(g) Any illegal activity.

# *Appendix A*

Plot Plans

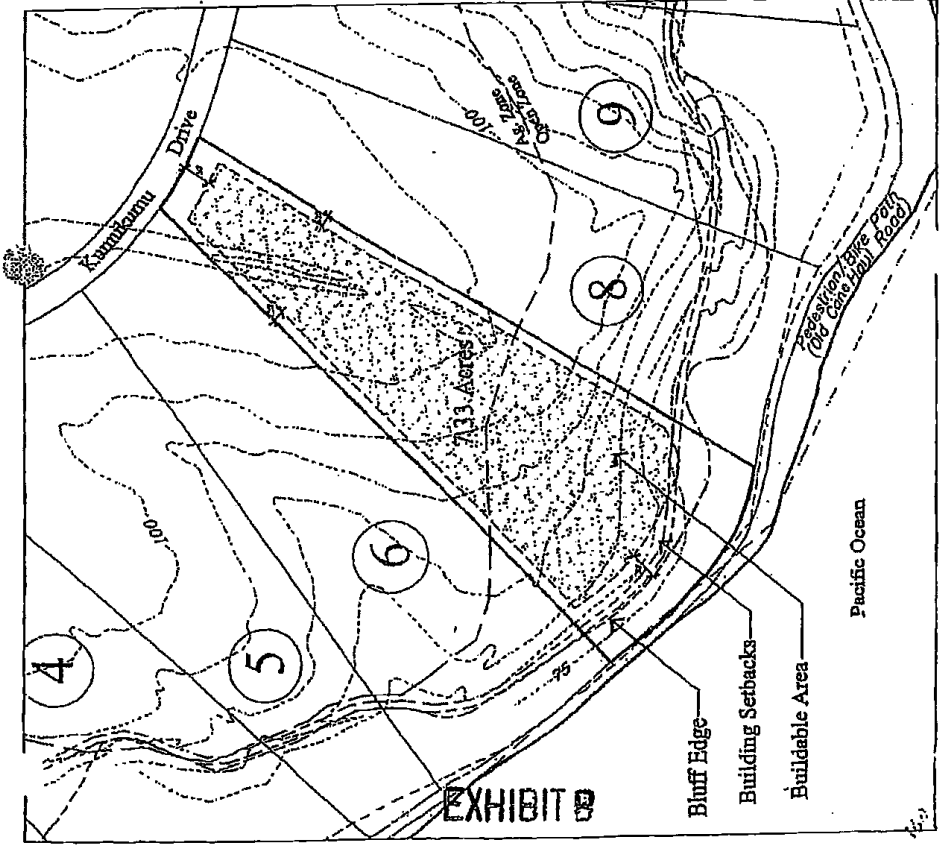
EXHIBIT B



**Lot 7**  
(address to be determined)

**Kealia Makai**

This Drawing is for general orientation purposes only to illustrate the Lot and its relationship to easements, roadways and other improvements. There is no representation or warranty of accuracy. This drawing is not to be relied upon in preparing any plans or drawings for any improvements on the Lot. The final location of certain improvements, such as utility laterals, fire hydrants, and street lights may change depending upon actual field conditions encountered during construction, or if engineering practices, the utility companies, or governmental agencies request a change. All information on this drawing must be certified by an on-ground field survey.



**Legend**

- Street Light
- ⊗ Fire Hydrant
- ⊖ Electrical, Telephone & Cable Television Laterals
- ⊕ Potable and Irrigation Water Service Laterals





# *Appendix B*

Plant List

EXHIBIT B

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APPENDIX A  
 KEALIA MAKAI  
 PLANT LIST

The following plants shall be permitted to be introduced into the various landscape zones as defined in the Landscape Master Plan. As noted, the native or indigenous Hawaiian plants are noted (n) and the Polynesian introduced or "heritage" plants are noted with (p)

**COASTAL BLUFF AND VALLEY EDGES LANDSCAPE ZONE**

Botanical Name	Common Name	Height (feet)
<b>TREES</b>		
<i>Calophyllum inophyllum</i> (p)	Kanani	40
<i>Casuarina equisetifolia</i>	Australian pine, common ironwood	60-70
<i>Coccoloba uvifera</i>	Sea grape	20
<i>Hibiscus tiliaceus</i> (p)	Hau	30
<i>Pandanus odoratissimus</i> (n)	Pandanus, hala	15
<i>Pandanus utilis</i> (and spp.)	Screw pine	25
<i>Pandanus variegatus</i>	Variegated pandanus	15
<i>Terminalia catappa</i>	Tropical almond	60
<i>Thespesia populnea</i> (p)	Miŋo	30
<i>Tournefortia argentea</i>	Beach heliotrope, tahiŋu	12-15
<i>Syzygium cumini</i>	Jambolan plum	40
<b>PALMS</b>		
<i>Cocos nucifera</i> (p)	Coconut	80
<i>Latania loddigesii</i>	Blue latan palm	40

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Botanical Name	Common Name	Height (feet)
<b>SHRUBS</b>		
<i>Batis maritima</i>	Akulikuli kai, pickleweed, salt wort	3
<i>Capparis sandwichiana</i> (n)	Maiapilo	4
<i>Carissa grandiflora</i> (dwarf cvs. available)	Natal plum	10
<i>Osteomeles anthyllidifolia</i> (n)	Ulei	2
<i>Scaevola frutescens</i> (n)	Naupaka	10
<i>Sesbania tomentosa</i> (n)	Ohai	2
<i>Osteomeles anthyllidifolia</i> (n)	Ulei	2
<b>GROUNDCOVERS AND VINES</b>		
<i>Carissa grandiflora</i>	Dwarf Natal plum	24
<i>Euphorbia degeneri</i> (n)	Beach spurge, akoko, koko	5
<i>Heliotropium anomalum</i> (n)	Hinalina ku kahaki	6
<i>Ipomoea pes-caprae</i> (n)	Beach morning glory, pohuehue	6
<i>Lipochaeta integrifolia</i> (n)	Nche	12
<i>Portulaca lutea</i> (n)	Ihi, native yellow portulaca	36
<i>Sesbania tomentosa</i> (n)	Ohai	12
<i>Sesuvium portulacastrum</i> (n)	Akulikuli	12
<i>Sporobolus virginicus</i> (n)	Aki aki	12
<i>Vitex oata</i>	Beach vitex, pohinahina	24
<i>Sida fallax</i> (n)	Ilima papa	6
<i>Vitex trifolia</i>	Beach vitex, pohinahina	4

Botanical Name	Common Name	Height (feet)
<b>TURF</b>		
<i>Cynodon dactylon</i>	Bermudagrass	
<i>Paspalum vaginatum</i>	Seashore paspalum	
<i>Stenotaphrum secundatum</i>	St. Augustine grass	

**LOT BOUNDARY LANDSCAPE BUFFER AND VISUAL BUFFER SETBACK ZONE**

All plants permitted within the Coastal Bluff and Valley Edges Landscape Zones with the addition of the following plants:

Botanical Name	Common Name	Height (feet)
<b>TREES</b>		
<i>Barringtonia asiatica</i>	Hutu	60
<i>Bucida buceras</i>	Geometry tree, black olive	30
<i>Bursera simaurubra</i>	Gumbo limbo	30
<i>Callistemon lanceolatus</i>	Bottlebrush	20
<i>Clusia rosea</i>	Autograph tree, pitch apple	20
<i>Conocarpus erectus</i>	Buttonwood, silver buttonwood	30
<i>Cordia sebestena</i>	Geiger tree, kou haole	25-30
<i>Cordia subcordata</i> (p)	Kou	20
<i>Euphorbia tirucalli</i>	Pencil tree	10-15
<i>Guaiacum sanctum</i>	Lignum vitae	15
<i>Myoporum sandwicense</i>	Naio	15-20
<i>Morinda citrifolia</i>	Noni, indian mulberry	10
<i>Myrica cerifera</i>	Wax myrtle	20
<i>Noronhia emarginata</i>	Madagascar olive	25

Botanical Name	Common Name	Height (feet)
<b>PALMS</b>		
<i>Dictyosperma album</i>	Princess palm	30
<i>Pritchardia affinis</i> (n)	Kona loulu	25
<i>Pritchardia pacifica</i>	Fiji Island fan palm	25
<i>Dypsis lutescens</i>	Areca palm, butterfly palm	30
<i>Livistona chinensis</i>	Chinese fan palm	30
<i>Pritchardia</i> sp. (~30 species) (n)	Loulu palm	30
<i>Veitchia merrillii</i>	Manila palm	15

**SHRUBS**

Refer to Appendix B - Shrubs included in Zone 1 and Zone 2 and other plants that may be suitable and desired by Lot Owner.

**GROUNDCOVERS AND VINES**

Refer to Appendix B - Groundcovers and Vines included in Zone 1 and Zone 2 and other plants that may be suitable and desired by the Lot Owner.

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# *Appendix C*

Salt and Wind Tolerance of  
Landscape Plants for Hawaii

EXHIBIT B

## APPENDIX B

Cooperative Extension Service



C/T/A/H/R

College of Tropical Agriculture & Human Resources  
University of Hawaii at Manoa

Instant Information Series No. 19

September 1996

# Salt and wind tolerance of landscape plants for Hawaii

Norman Bezona<sup>1</sup>, David Hensley<sup>2</sup>, Julie Yog<sup>2</sup>, James Thyres<sup>3</sup>, Fred Raueh<sup>3</sup>,  
Ruth Kwata<sup>3</sup>, Melissa Kellison<sup>3</sup>, and Melvin Wong<sup>4</sup>

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<sup>3</sup>CES, Kahului Extension Office; <sup>4</sup>CES, Pearl City Extension Office

Landscaping near the ocean in Hawaii can be challenging and frustrating because of sea salt and wind. Salt can be deposited on leaves and in soils by wind carrying ocean spray, by high surf, or by irrigating with brackish water. Also, high water tables in some coastal areas result in severe soil salinity.

Landscape professionals, property managers, and homeowners are concerned with the survival, growth, and appearance of landscape plants. Damage to plants resulting from high levels of salt usually appears as a burning of the margins or tips of the leaves, followed by defoliation and death of sensitive species. The leaves may sometimes be bluish, whitish, or off color, and the plant may wilt easily even though soil water is adequate.

Excessive salt levels most often damage plants by causing dehydration. Because of the salt, water moves out of the roots or leaves through a process called osmosis. In addition, plants may accumulate sodium or chloride ions, and these can eventually reach toxic levels. Research has shown that plant tolerance of salt results from one or more of the following mechanisms, whereby the plant either

- prevents the absorption of sodium or chloride ions by its roots or leaves,
- tolerates the accumulation of sodium or chloride ions in its tissues, or
- tolerates the osmotic stress caused by salt in the soil or on its leaves.

The tolerance or response of plants to salt can vary with cultivars, the plant age and growth stage, environmental conditions, cultural practices, irrigation manage-

ment, soil fertility, and the intensity of other stresses on the plant. Also, some plants may be tolerant of salt in the soil but intolerant of salt deposited on their leaves, or vice versa.

Wind can be as injurious to plants as salt. When the two are combined near the ocean, plants suffer even greater damage.

The following tables were compiled by the authors and reflect both research findings and years of observation of plants in Hawaii's landscapes. The tables should help landscape professionals and homeowners select suitable plant materials for coastal sites.

The tables list the botanical name, common name, and height of many common (and some uncommon) landscape plants in Hawaii. Each plant category is divided into zones according to salt tolerance.

Zone 1 plants are highly salt and wind tolerant and can be used in exposed locations, such as areas near the beach receiving direct winds from the ocean. These plants are tolerant of soil salinity and wind-borne salt. During severe storms and hurricanes, even plants listed in Zone 1 may experience moderate to severe salt and wind injury.

Zone 2 plants are moderately tolerant of soil salinity and usually tolerate light salt spray but should not be used in exposed locations. They may be sensitive to wind or to medium or heavy salt spray. These plants do best when protected by buildings, fences, or plantings of Zone 1 species. Zone 2 plants and more sensitive plants may be damaged if seaside wind buffers are removed to enhance an ocean view. Zone 2 plants would likely be suitable for landscapes irrigated with brackish water.

Issued in furtherance of Cooperative Extension work, Acts of May 8 and June 30, 1914, in cooperation with the U.S. Department of Agriculture. Charles W. Laughlin, Director and Dean, Cooperative Extension Service, College of Tropical Agriculture and Human Resources, University of Hawaii at Manoa, Honolulu, Hawaii 96822. An Equal Opportunity / Affirmative Action Institution providing programs and services to the people of Hawaii without regard to race, sex, age, religion, color, national origin, ancestry, disability, marital status, arrest and court record, sexual orientation, or Hawaiian status.

EXHIBIT B

Key: n = Native or indigenous Hawaiian plant  
 p = Polynesian introduced or "heritage" plant

**Groundcovers — Zone 1**

Botanical name	Common name	Height (inches)
<i>Aloe</i> spp.	Aloe	18
<i>Asparagus setaceus</i>	Asparagus fern	variable
<i>Asparagus densiflorus 'Sprengeri'</i>	Sprenger asparagus fern	variable
n <i>Capparis sandwichiensis</i>	Maia pilo, pua pilo	48
<i>Carissa grandiflora</i>	Dwarf Natal plum	24
<i>Euphorbia aureum</i>	Pothos	8
n <i>Euphorbia degeneri</i>	Beach spurge, akoko, koko	5
<i>Glottiphyllum depressum</i>	Fig marigold	6
n <i>Heliotropium anomalum</i>	Hinahina ku kahaki	6
n <i>Iponoeia pes-caprae</i>	Beach morning glory, pohuehue	6
n <i>Jacquemontia sandwicensis</i>	Pa uohi iaka	4
n <i>Lipochaeta integrifolia</i>	Nehe	12
n <i>Lycium sandwicense</i>	Ohelo kul, se se	6
<i>Mallotania gnaphalodes</i>	Sea lavender	60
n <i>Nana sandwicensis</i>	Hawaiian nana	4
<i>Phyla nodiflora</i>	Lippia	2
<i>Portulaca</i> spp.	Portulaca	6
n <i>Portulaca lutea</i>	Ihi, native yellow portulaca	36
n <i>Sebania tomentosa</i>	Ohai	12
n <i>Sesuvium portulacastrum</i>	Akulikuli	12
n <i>Sporobolus virginicus</i>	Aki aki	12
<i>Vitex ovata</i>	Beach vitex, pohinahina	24
<i>Wedelia trilobata</i>	Wedelia	12

**Groundcovers — Zone 2**

Botanical name	Common name	Height (inches)
<i>Alternanthera amoena</i>	Joy weed	12
<i>Arytasia gangetica</i>	Coromandel	12
<i>Bidens maidensis</i>	Ko oko olau	36
<i>Carpobrotus edulis</i>	Hottentot fig	6
<i>Ficus pumila</i>	Creeping fig	2-12
<i>Gaillardia pulchella</i>	Blanket flower	18
<i>Helianthus debilis</i>	Beach sunflower	18
<i>Hemerocallis</i> spp.	Daylily	24
n <i>Jacquemontia ovalifolia</i>	Pa uohi iaka	48
<i>Kalanchoe</i> spp.	Kalanchoe	12-24
<i>Lantana montevidensis</i>	Weeping lantana	18-24
<i>Liriope spicata</i>	Lilyturf	8
<i>Lonicera japonica</i>	Japanese honeysuckle	variable

**EXHIBIT B**



Salt and wind tolerance of landscape plants for Hawaii

Groundcovers — Zone 2 (continued)

Botanical name	Common name	Height (inches)
<i>Ophiopogon japonicus</i>	Mondo grass	6
<i>Rhoeo spathacea</i>	Oyster plant	12
<i>Sansevieria trifasciata</i>	Snake plant	30
<i>Senecio confusus</i>	Mexican flame vine	variable
<i>Setcreasea pallida</i>	Purple queen, purple-heart	24
n <i>Sida fallax</i>	Ilima papa	6
<i>Tecomaria capensis</i>	Cape honeysuckle	72
<i>Trachelospermum jasminoides</i>	Confederate jasmine	variable
<i>Vitex trifolia</i>	Beach vitex, pohinahina	4
n <i>Wikstroemiauva-ursi</i>	Akia	18
<i>Zamia pumila</i>	Coontie	24
<i>Zebrina pendula</i>	Wandering jew	6

Palms — Zone 1

These palms will survive in sites exposed to salt and wind, but their appearance is much better when they are provided with some wind protection. Plant palms in groups or combine them with extremely salt-tolerant plants for protection.

Botanical name	Common name	Height (feet)
<i>Coccothrinax argentata</i>	Silver palm	20
p <i>Cocos nucifera</i>	Coconut	80
<i>Dicoryspenna album</i>	Princess palm	30
<i>Dicoryspenna rubrum</i>	Hurricane palm	40
<i>Hyophorbe lagenicaulis</i>	Bottle palm	15
<i>Phoenix dactylifera</i>	Date palm	50
<i>Phoenix reclinata</i>	Senegal date palm	25
n <i>Prichardia affinis</i>	Koia Ioulu	25
<i>Prichardia pacifica</i>	Fiji Island fan palm	25
<i>Prichardia thurstoni</i>	Masai palm	25
<i>Sabal palmetto</i>	Cabbage palmetto	30
<i>Serenoa repens</i>	Saw palmetto	8
<i>Thrinax parviflora</i>	Thatch palm	20
<i>Thrinax radiata</i>	Florida thatch palm	20
<i>Thrinax microcarpa</i>	Brittle thatch palm	12
<i>Washingtonia robusta</i>	Washingtonia palm	80

Palms — Zone 2

Many recent palm introductions are adapted to Zone 2.

Botanical name	Common name	Height (feet)
<i>Accolorthapha paurotis wrightii</i>	Paurotis palm	20
<i>Acrocomia armentalis</i>	Acrocomia	40
<i>Butia capitata</i>	Pindo palm, butia	30
<i>Chamaerops humilis</i>	European fan palm	10
<i>Dypsis lutescens</i>	Areca palm, butterfly palm	30
<i>Elaeis guineensis</i>	African oil palm	60

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## Palms — Zone 2 (continued)

Botanical name	Common name	Height (feet)
<i>Hyphaene thebaica</i>	Gingerbread palm	25
<i>Latania loddigesii</i>	Blue latan palm	40
<i>Livistona chinensis</i>	Chinese fan palm	30
<i>Phoenix canariensis</i>	Canary Island date palm	30
■ <i>Pritchardia</i> spp. (~30 species)	Loulu palm	30
<i>Psychosperma elegans</i>	Solitaire palm	20
<i>Roystonea elata</i>	Royal palm	80
<i>Veitchia merrillii</i>	Manila palm	15

## Shrubs — Zone 1

Botanical name	Common name	Height (feet)
<i>Agave americana</i>	Century plant	4-8
<i>Ardisia escallonioides</i>	Marlberry	10
<i>Batis maritima</i>	Akulikuli kai, pickleweed, salt wort	3
■ <i>Capparis sandwicheana</i>	Malapilo	4
<i>Cassia grandiflora</i> (dwarf cvs. available)	Natal plum	10
<i>Chrysobalanus icaco</i>	Coco plum	10
<i>Cordia alliodora</i>	Pampas	8
<i>Gardenia taitensis</i>	Tiare gardenia	15
<i>Myrica cerifera</i>	Wax myrtle	12
<i>Nerium oleander</i>	Oleander, dwarf oleander	15, 3
■ <i>Osteomeles anthyllifolia</i>	Ulei	2
<i>Pittosporum tobira</i> 'variegata'	Variegated Japanese pittosporum	5
<i>Pittosporum tobira</i> 'wheeleri'	Wheeler's dwarf pittosporum	4
<i>Ruellia equisetiformis</i>	Coral plant	4
■ <i>Scaevola frutescens</i>	Naupaka	10
■ <i>Sesbania tomentosa</i>	Ohai	2
<i>Vitex agnus-castus</i>	Chaste tree	15
<i>Yucca aloifolia</i>	Spanish bayonet	15
<i>Yucca elephantipes</i>	Spineless yucca	15
<i>Yucca smalliana</i>	Adam's needle	3

## Shrubs — Zone 2

Botanical name	Common name	Height (ft)
<i>Acacia farnesiana</i>	Acacia	10
<i>Acalypha wilkesiana</i>	Acalypha	8
<i>Alpinia nutans</i>	Shell ginger	6
<i>Caesalpinia pulcherrima</i>	Dwarf poinciana, ohai ali	9
<i>Callistemon citrinus</i>	Red bottlebrush	20
<i>Cestrum nocturnum</i>	Night-flowering jasmine	8
<i>Crassula argentea</i>	Jade plant	3
<i>Cuphea hyssopifolia</i>	Cuphea	2
<i>Cycas circinalis</i>	Queen sago palm	15

EXHIBIT 2

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Salt and wind tolerance of landscape plants for Hawaii

Shrubs - Zone 2 (continued)

Botanical name	Common name	Height (feet)
<i>Cycas revoluta</i>	Sago palm	10
<i>Dracaena arborea</i>	Tree dracaena	10
<i>Dracaena draco</i>	Dragon tree	15
<i>Dracaena fragrans</i>	<i>Dracaena fragrans</i>	20
<i>Dracaena marginata</i>	<i>Dracaena marginata</i>	15
<i>Dwanta repens</i>	Golden-dewdrop	10
<i>Eranthemum pulchellum</i>	Blue sage	4
<i>Euphorbia milii</i>	Crown-of-thorns	2-5
<i>Fajoa sellowiana</i>	Pineapple guava	12
<i>Ficus carica</i>	Common fig, piku	15
<i>Ficus microcarpa</i>	Wax fig	12
<i>Foumella japonica</i>	Kanquat	10
<i>Hamelia patens</i>	Scarlet bush	10
<i>Holmskioldia sanguinea</i>	Chinese hat, cup-and-saucer plant	15
<i>Homalocladium plarycladum</i>	Ribbon bush	5
<i>Ilex vomitoria</i> (and cultivars)	Yaupon holly, dwarf yaupon holly	12, 4
<i>Isora coccinea</i> (and cultivars)	Isora	2-10
<i>Lantana camara</i>	Lantana	6
<i>Leucophyllum texanum</i>	Texas sage	10
<i>Ligustrum japonicum</i>	Japanese privet	12
<i>Malpighia coccigera</i>	Singapore holly	3
<i>Mahoeviscus arboreus</i>	Tuik's cap	12
<i>Oreomeles anhyllidifolia</i>	Ulei	2
<i>Pedilanthus tithymaloides</i>	Devil's backbone	5
<i>Pentas lanceolata</i>	Pentas	4
<i>Phormium tenax</i>	New Zealand flax	6
<i>Plumbago capensis</i>	Plumbago	5
<i>Podocarpus macrophyllus</i>	Podocarpus	15
<i>Podocarpus nagi</i>	Broadleaf podocarpus	15-20
<i>Pseuderanthemum atropurpureum</i>	Pseuderanthemum	5
<i>Rhopirolepis indica</i>	Indian hawthorn	6
<i>Russelia equisetiformis</i>	Fountain plant	6
<i>Sesbania punicea</i>	Rattle box, False poinciana	6
<i>Severinia buxifolia</i>	Box thorn	6
<i>Strelitzia reginae</i>	Bird-of-paradise	4
<i>Suriana maritima</i>	Bay cedar	10
<i>Synadenium gransii</i>	African milk bush	10
<i>Tetrapanax papyriferus</i>	Rice paper plant	15
<i>Thevetia peruviana</i>	Bo-still tree, lucky nut	15
<i>Triphasia trifolia</i>	Lime berry	12
<i>Viburnum odoratissimum</i>	Sweet viburnum	15
<i>Viburnum suspensum</i>	Sandankaw viburnum	10
<i>Vitex trifolia</i>	Beach vitex, pohinahina	4

EXHIBIT B

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## Trees—Zone 1

	Botanical name	Common name	Height (feet)
	<i>Araucaria columnaris</i>	Cook pine	60
	<i>Araucaria heterophylla</i>	Norfolk Island pine	80
	<i>Barringtonia asiatica</i>	Hybi	60
	<i>Bucida buceras</i>	Geometry tree, black olive	30
	<i>Bursera simarubra</i>	Gumbo limbo	30
	<i>Callistemon lanceolatus</i>	Bottlebrush	20
p	<i>Calophyllum inophyllum</i>	Kamani	40
	<i>Casuarina equisetifolia</i>	Australian pine, common ironwood	60-70
	<i>Clusia rosea</i>	Autograph tree, pitch apple	20
	<i>Coccoloba diversifolia</i>	Pigeon plum	30
	<i>Coccoloba uvifera</i>	Sea grape	20
	<i>Conocarpus erectus</i>	Buttonwood, silver buttonwood	30
	<i>Cordia sebestena</i>	Geiger tree, kou haole	25-30
p	<i>Cordia subcordata</i>	Kou	20
	<i>Euphorbia tirucalli</i>	Pencil tree	10-15
	<i>Ficus macrophylla</i>	Morton Bay fig	50
	<i>Gyalacum sanctum</i>	Lignum vitae	15
	<i>Heritiera littoralis</i>	Looking glass tree	30
p	<i>Hibiscus illiaceous</i>	Hau	30
	<i>Kigelia pinnata</i>	Sauvage tree	35
	<i>Manilkara roxburghiana</i>	Coastal red milkwood	35
n	<i>Myoporum sandwicense</i>	Nalo	15-20
	<i>Morinda citrifolia</i>	Nopi, Indian mulberry	10
	<i>Myrica cerifera</i>	Wax myrtle	20
	<i>Narohia emarginata</i>	Madagascar olive	25
	<i>Ochrosia elliptica</i>	Ochrosia	25
n	<i>Pandanus odoratissimus</i>	Pandanus, hala	15
	<i>Pandanus utilis</i> (and spp.)	Screw pine	25
	<i>Pandanus variegatus</i>	Variegated pandanus	15
	<i>Rhizophora mangle</i>	Red mangrove	20-40
	<i>Swietenia mahagoni</i>	Mahogany	40
	<i>Tamarix ophylla</i>	Tamarisk	30+
	<i>Ternstroemia catappa</i>	Tropical almond	60
p	<i>Thespesia populnea</i>	Milo	30
	<i>Tournefortia argentea</i>	Beach heliotrope, tahimu	12-15

## Trees—Zone 2

	Botanical name	Common name	Height (feet)
p	<i>Alurites moluccana</i>	Kukui, candlenut	40
	<i>Arucaria bidwillii</i>	Bunya-bunya	60
	<i>Beaucarnea recurvata</i>	Pony tail	30
	<i>Bischofia javanica</i>	Bischofia	40
	<i>Brachychiton acerifolium</i>	Australian flame tree	40
	<i>Brassia actinophylla</i>	Octopus tree	30
	<i>Callistemon citrinus</i>	Red bottlebrush	20
	<i>Calocarpum sapota</i>	Mamey sapote	30

## EXHIBIT B

Salt and wind tolerance of landscape plants for Hawaii

Trees -- Zone 2 (continued)

Botanical name	Common name	Height (feet)
<i>Casimiroa edulis</i>	White sapote	30
<i>Casuarina glauca</i>	Grey ironwood	40
<i>Casuarina stricta</i>	Ironwood (tangle)	40
<i>Chrysophyllum cainito</i>	Star apple	30
<i>Chrysophyllum oliviforme</i>	Satin leaf	30
<i>Cinnamomum camphora</i>	Camphor tree	50
<i>Condyline australis</i>	Giant dunececa	40
<i>Crescentia cujete</i>	Calabash tree	30
<i>Dalbergia sissoo</i>	Sissoo	80
<i>Datura arborea</i>	Datura	15
<i>Delonix regia</i>	Royal poinciana	50
<i>Diospyros dignyna</i>	Black sapote	25
<i>Enterolobium cyclocarpum</i>	Barpod tree	80
<i>Erythrina crista-galli</i>	Coral tree	25
<i>Erythrina sandwicensis</i>	Williwili	30
<i>Erythrina variegata 'orientalis'</i>	Tiger's claw	35
<i>Eucalyptus</i> spp.	Eucalyptus	variable
<i>Eugenia dombeyi</i>	Crumichama, Brazilian plum	15
<i>Ficus benghalensis</i>	Indian banyan	80
<i>Ficus lyrata</i>	Fiddle leaf fig	35
<i>Ficus microcarpa</i>	Chinese banyan	50
<i>Grevillea robusta</i>	Silk oak	60
<i>Hernandia sonora</i>	Lantern tree	50
<i>Hibiscus elatus</i>	Cuba's bast	50
<i>Ilex vomitoria</i>	Yaupon holly	20
<i>Jatropha hastata</i>	Rose-flowered jatropha	15
<i>Ligustrum lucidum</i>	Glossy privet	30
<i>Malpighia glabra</i>	Barbados cherry	20
<i>Mammea americana</i>	Manay apple	40
<i>Mangifera indica</i>	Mango	50
<i>Morikara zapota</i>	Sapodilla	30
<i>Melaleuca quinquenervia</i>	Paper bark, cajuput tree, punk	25-30
<i>Olea europaea 'africana'</i>	Olive	30
<i>Parkinsonia aculeata</i>	Jerusalem thorn	30
<i>Pithecellobium dulce</i>	Opiuma	50
<i>Plumeria</i> spp.	Plumeria, frangipani	20
<i>Podocarpus gracillor</i>	African fern pine	20
<i>Pongamia pinnata</i>	Pongamia	50
<i>Prosopis pallida</i>	Kiawe	50
<i>Psidium cattleianum</i>	Strawberry guava	20
<i>Psidium guajava</i>	Guava	25
<i>Schinus molle</i>	California pepper	30
<i>Schofia brachypetala</i>	Schofia	30
<i>Senna surratensis</i>	Kolomona	20
<i>Sophora tomentosa</i>	Silver bush	15

**Trees — Zone 2 (continued)**

Botanical name	Common name	Height (feet)
<i>Spathodea campanulata</i>	African tulip tree	50
<i>Strelitzia nicotai</i>	White bird-of-paradise tree	18
<i>Syzygium cumini</i>	Jambolan plum	40
<i>Syzygium jambos</i>	Rose apple	30
<i>Tabebuia argentea</i>	Golden trumpet, yellow tecoma	30
<i>Tamarindus indica</i>	Tamarind	30
<i>Thevetia peruviana</i>	Ba-still tree, yellow oleander	25
<i>Tipuana tipu</i>	Tipu, rosewood	40

**Vines — Zone 1**

Botanical name	Common name
<i>Cryptostegia grandiflora</i>	Rubber vine, purple allamanda
<i>Epipremnum aureum</i>	Pothos
<i>Hylcoerax undatus</i>	Night-blooming cereus
<i>Ipomoea pes-caprae</i>	Beach morning-glory, pohuahue
<i>Tecomaria capensis</i>	Cape honeysuckle

**Vines — Zone 2**

Botanical name	Common name
<i>Allamanda</i> spp.	Allamanda
<i>Bougainvillea</i> spp.	Bougainvillea
<i>Coccoloba tomentosa</i>	Wooly coccoloba
<i>Ficus pumila</i>	Creeper fig
<i>Hedera canariensis</i>	Algerian ivy
<i>Jasminum multiflorum</i>	Downy jasmine
<i>Jasminum nitidum</i>	Star jasmine
<i>Mandevilla splendens</i>	Pink allamanda
<i>Pilea volubilis</i>	Queen's wreath
<i>Philodendron</i> spp.	Philodendron
<i>Senecio confusus</i>	Mexican flame vine
<i>Solanandra guttata</i>	Chalibe vine
<i>Tachelaspermum jasminoides</i>	Confederate jasmine

**Turf — Zone 1**

Botanical name	Common name
<i>Cynodon dactylon</i>	Bermudagrass
<i>Paspalum vaginatum</i>	Seashore paspalum
<i>Stenotaphrum secundatum</i>	St. Augustine grass

**Turf — Zone 2**

Botanical name	Common name
<i>Zoysia japonica</i>	Japanese grass
<i>Zoysia matrella</i>	Manilagrass
<i>Zoysia tenuifolia</i>	Temple grass, mascarene grass, korean grass

# *Appendix D*

Design Review Application Form

EXHIBIT B

**APPENDIX D**

**KEALIA MAKAI  
DESIGN REVIEW APPLICATION FORM**

DATE \_\_\_\_\_  
LOT # \_\_\_\_\_ STREET ADDRESS \_\_\_\_\_  
OWNER(S) \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
TELEPHONE \_\_\_\_\_  
ARCHITECT \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
TELEPHONE \_\_\_\_\_ LICENSE # \_\_\_\_\_  
CONTRACTOR \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
TELEPHONE \_\_\_\_\_ LICENSE # \_\_\_\_\_  
INSURANCE COMPANY \_\_\_\_\_  
CERTIFICATE: YES \_\_\_\_\_ NO \_\_\_\_\_ COVERAGE MEETS MINIMUM: YES \_\_\_\_\_ NO \_\_\_\_\_  
SURETY COMPANY \_\_\_\_\_  
AMOUNT OF BOND \_\_\_\_\_ IN FAVOR OF KEALIA MAKAI HOLDINGS, LLC.: YES \_\_\_\_\_ NO \_\_\_\_\_  
PREDESIGN MEETING DATE \_\_\_\_\_ COMMITTEE MEMBER(S) \_\_\_\_\_  
SITE VISIT DATE \_\_\_\_\_ COMMITTEE MEMBER(S) \_\_\_\_\_  
PRELIMINARY DESIGN REVIEW DATE \_\_\_\_\_ COMMITTEE MEMBER(S) \_\_\_\_\_  
PRELIMINARY STAKE OUT DATE \_\_\_\_\_ COMMITTEE MEMBER(S) \_\_\_\_\_  
WORKING DRAWING DESIGN REVIEW DATE \_\_\_\_\_ COMMITTEE MEMBER(S) \_\_\_\_\_  
FINAL STAKE OUT DATE \_\_\_\_\_ COMMITTEE MEMBER(S) \_\_\_\_\_  
FOUNDATION INSPECTION DATE \_\_\_\_\_ COMMITTEE MEMBER(S) \_\_\_\_\_  
SUBSTANTIAL COMPLETION INSPECTION DATE \_\_\_\_\_ COMMITTEE MEMBER(S) \_\_\_\_\_  
FINAL INSPECTION DATE \_\_\_\_\_ COMMITTEE MEMBER(S) \_\_\_\_\_

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**EXHIBIT B**



KBALIA MAKAI  
DESIGN REVIEW APPLICATION FORM  
PAGE 2

PREDESIGN MEETING/SITE VISIT

DATE: \_\_\_\_\_ LOCATION: \_\_\_\_\_

PARTIES PRESENT: \_\_\_\_\_

DESIGN AND CONSTRUCTION RULES RECEIVED BY OWNER? YES \_\_\_\_\_ NO \_\_\_\_\_

NOTES AND COMMENTS:

\_\_\_\_\_  
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KEALIA MAKAI  
DESIGN REVIEW APPLICATION FORM  
PAGE 3

DESIGN REVIEW

Date: \_\_\_\_\_ Location: \_\_\_\_\_

Parties Present: \_\_\_\_\_  
\_\_\_\_\_

PLAN REVIEW CHECKLIST:

One set of the following must be delivered to the Design Review Committee prior to any review or stakeout:

Preliminary Design	Working Drawing	
_____	_____	(1) SITE PLAN (1/8" = 1'0") must show existing and proposed site topography as well as any and all proposed site improvements, including drainage system.
_____	_____	(2) RESIDENCE PLAN (1/4" = 1'0") must show floor plans for each floor.
_____	_____	(3) ELEVATIONS (1/4" = 1'0") must show each exposed side of the proposed structure indicating proposed materials and colors for all surfaces.
_____	_____	(4) SECTIONS (1/4" = 1'0") section must be through the structure and property commencing at one boundary and extending to the opposite end of the property and at least one other section running in a transverse direction
_____	_____	(5) LANDSCAPE PLAN (1/8" = 1'0" or other appropriate scale) plan and section must show outdoor landscaped areas, garden walls, fences, irrigation, drainage, and any appurtenant exterior structures.
_____	_____	(6) EXTERIOR COLOR SCHEDULE
_____	_____	(7) OUTLINE SPECIFICATIONS
_____	_____	(8) OTHER PLANS OR DRAWINGS OR MODEL (As requested by Design Review Committee)

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EXHIBIT D

KEALIA MAKAI  
DESIGN REVIEW APPLICATION FORM  
PAGE 4

**PRELIMINARY DESIGN REVIEW**

Notes and Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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**WORKING DRAWING DESIGN REVIEW**

Notes and Comments: \_\_\_\_\_  
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PRIOR TO THE START OF CONSTRUCTION, COPY OF THE FINAL CONTRACT DOCUMENTS (plans and specifications only) MUST BE SUBMITTED. ANY CHANGES TO THE APPROVED DESIGN REVIEW PLANS MUST BE SPECIFICALLY BROUGHT TO THE ATTENTION OF THE DESIGN REVIEW COMMITTEE IN WRITING AND ARE SUBJECT TO REVIEW AND APPROVAL OR DENIAL BY THE DESIGN REVIEW COMMITTEE.

FINAL PLANS AND SPECIFICATIONS RECEIVED ON: \_\_\_\_\_

FINAL APPROVAL BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
CHAIRMAN, DESIGN REVIEW COMMITTEE

KEALIA MAKAI  
DESIGN REVIEW APPLICATION FORM  
PAGE 5

**STAKEOUT**

Date: \_\_\_\_\_ Location: \_\_\_\_\_

Parties Present: \_\_\_\_\_  
\_\_\_\_\_

**STAKEOUT CHECKLIST:**

All stakes must be at least two (2) feet tall marking the Lot corners. A string will connect all stakes outlining the shape of the house, garage, driveway, pool and pool deck, if any. The Buildable Area must be defined with string and adjacent property lines staked. Floor levels must also be designated by string and/or stakes.

BUILDABLE AREA DEFINED WITH STRING: \_\_\_\_\_

SETBACKS: FRONT \_\_\_\_\_ SIDE YARD LEFT \_\_\_\_\_ SIDE YARD RIGHT \_\_\_\_\_ BLUFF EDGE \_\_\_\_\_

DRIVEWAY LOCATION \_\_\_\_\_  
(Check for interference with utilities near driveway area.)

CHANGES REQUIRED: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FINAL STAKEOUT APPROVAL DATE: \_\_\_\_\_

Notes and Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FINAL APPROVAL BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
CHAIRMAN, DESIGN REVIEW COMMITTEE

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**EXHIBIT B**

KEALIA MAKAI  
DESIGN REVIEW APPLICATION FORM  
PAGE 6

**FOUNDATION INSPECTION**

Date: \_\_\_\_\_ Location: \_\_\_\_\_

Parties Present: \_\_\_\_\_

Notes and Comments: \_\_\_\_\_

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
CHAIRMAN, DESIGN REVIEW COMMITTEE

**SUBSTANTIAL COMPLETION INSPECTION**

Date: \_\_\_\_\_ Location: \_\_\_\_\_

Parties Present: \_\_\_\_\_

Notes and Comments: \_\_\_\_\_

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
CHAIRMAN, DESIGN REVIEW COMMITTEE

**FINAL INSPECTION**

Date: \_\_\_\_\_ Location: \_\_\_\_\_

Parties Present: \_\_\_\_\_

Notes and Comments: \_\_\_\_\_

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
CHAIRMAN, DESIGN REVIEW COMMITTEE

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EASEMENT AU-2

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 1  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi

Beginning at the southwest corner of this parcel of land, the east side of Kamole Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 17,596.03 feet South and 8,843.77 feet East, thence running by azimuths measured clockwise from true South:

- |    |              |       |  |
|----|--------------|-------|--|
| 1. | 198° 04' 30" | 92.25 | feet along the east side of Kamole Road;<br><br>thence along Lot 14, File Plan 572 on a curve to the left with a radius of 25.00 feet, the chord azimuth and distance being: |
| 2. | 339° 24' 45" | 31.24 | feet;  |
| 3. | 300° 45'     | 77.37 | feet along Lot 14, File Plan 572;  |
| 4. | 18° 04' 30"  | 41.00 | feet along the remainder of Lot 1;   |
| 5. | 120° 45'     | 66.12 | feet along Lot 13, File Plan 572;<br><br>thence along Lot 13, File Plan 572 on a curve to the left with a radius of 25.00 feet, the chord azimuth and distance being:        |
| 6. | 69° 24' 45"  | 39.04 | feet to the point of beginning and containing an area of 0.096 acre.   |



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
ESAKI SURVEYING AND MAPPING, INC.

*Wayne T. Wada*  
Wayne T. Wada  
Licensed Professional Land Surveyor  
Certificate Number 4596

EXHIBIT .C

EASEMENT AU-3

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 1  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi

Beginning at the southwest corner of this parcel of land, the east side of Kamole Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 17,378.57 feet South and 8,914.74 feet East, thence running by azimuths measured clockwise from true South:

- |    |              |       |  |
|----|--------------|-------|--|
| 1. | 198° 04' 30" | 90.00 | feet along the east side of Kamole Road;<br><br>thence along Lot 16, File Plan 572 on a curve to the left with a radius of 25.00 feet, the chord azimuth and distance being: |
| 2. | 333° 04' 30" | 35.36 | feet;  |
| 3. | 288° 04' 30" | 70.00 | feet along Lot 16, File Plan 572;  |
| 4. | 18° 04' 30"  | 40.00 | feet along the remainder of Lot 1;   |
| 5. | 108° 04' 30" | 70.00 | feet along Lot 15, File Plan 572;-<br><br>thence along Lot 15, File Plan 572 on a curve to the left with a radius of 25.00 feet, the chord azimuth and distance being:       |
| 6. | 63° 04' 30"  | 35.36 | feet to the point of beginning and containing an area of 0.093 acre.   |



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
ESAKI SURVEYING AND MAPPING, INC.

*Wayne T. Wada*  
\_\_\_\_\_  
Wayne T. Wada  
Licensed Professional Land Surveyor  
Certificate Number 4596

EXHIBIT D

EASEMENT E-1

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 1  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi

Beginning at the southeast corner of this parcel of land, on the north side of roadway Lot 30, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 16,957.82 feet South and 9,185.18 feet East, thence running by azimuths measured clockwise from true South:

- |    |          |      |                                    |
|----|----------|------|------------------------------------|
| 1. | 121° 54' | 8.03 | feet along the remainder of Lot 1; |
| 2. | 211° 54' | 8.00 | feet along the remainder of Lot 1; |
| 3. | 301° 54' | 8.03 | feet along the remainder of Lot 1; |

thence along Lot 30 on a curve to the left with a radius of 40.00 feet, the chord azimuth and distance being:

- |    |         |      |  |
|----|---------|------|--|
| 4. | 31° 54' | 8.00 | feet to the point of beginning and containing an area of 63 square feet. |
|----|---------|------|--|



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
ESAKI SURVEYING AND MAPPING, INC.

Wayne T. Wada  
Wayne T. Wada  
Licensed Professional Land Surveyor  
Certificate Number 4596

EXHIBIT E



EASEMENT L-1

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 1  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi

Beginning at the northwest corner of this parcel of land, the east side of Kuhio Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 16,536.23 feet South and 9,126.53 feet East, thence running by azimuths measured clockwise from true South:

Along Lot 12 on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

- |    |                |        |   |
|----|----------------|--------|---|
| 1. | 238° 16' 40.5" | 38.73  | feet;   |
| 2. | 18° 04' 30"    | 570.58 | feet along the remainder of Lot 1;<br><br>thence along the north side of Kamole Road on a curve to the right with a radius of 25.00 feet, the chord azimuth and distance being: |
| 3. | 153° 04' 30"   | 35.36  | feet;   |
| 4. | 198° 04' 30"   | 516.00 | feet along the east side of Kuhio Highway to the point of beginning and containing an area of 0.320 acre.   |



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
ESAKI SURVEYING AND MAPPING, INC.

*Wayne T. Wada*  
\_\_\_\_\_  
Wayne T. Wada  
Licensed Professional Land Surveyor  
Certificate Number 4596

EXHIBIT F

EASEMENT D-2

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 5  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi

Beginning at the west corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 16,590.01 feet South and 9,656.49 feet East, thence running by azimuths measured clockwise from true South:

Along Lot 30 on a curve to the right with a radius of 1,372.00 feet, the chord azimuth and distance being:

- |    |          |       |  |
|----|----------|-------|--|
| 1. | 237° 40' | 20.00 | feet;  |
| 2. | 327° 40' | 20.00 | feet along the remainder of Lot 5;   |
| 3. | 57° 40'  | 20.00 | feet along the remainder of Lot 5;   |
| 4. | 147° 40' | 20.00 | feet along the remainder of Lot 5 to the point of beginning and containing an area of 400 square feet. |



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
ESAKI SURVEYING AND MAPPING, INC.

Wayne T. Wada  
Wayne T. Wada  
Licensed Professional Land Surveyor  
Certificate Number 4596

EXHIBIT G

EASEMENT E-2

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 6  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi

Beginning at the west corner of this parcel of land, on the south side of roadway Lot 30, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 16,436.16 feet South and 9,899.63 feet East, thence running by azimuths measured clockwise from true South:

Along Lot 30 on a curve to the left with a radius of 698.00 feet, the chord azimuth and distance being:

- |    |              |      |   |
|----|--------------|------|---|
| 1. | 230° 26' 05" | 8.00 | feet;   |
| 2. | 320° 06' 23" | 8.00 | feet along the remainder of Lot 6;  |
| 3. | 50° 06' 23"  | 8.73 | feet along the remainder of Lot 6;  |
| 4. | 145° 19' 26" | 8.08 | feet along the remainder of Lot 5 to the point of beginning and containing an area of 67 square feet. |



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
ESAKI SURVEYING AND MAPPING, INC.

Wayne T. Wada  
Wayne T. Wada  
Licensed Professional Land Surveyor  
Certificate Number 4596

EXHIBIT - H.

EASEMENT D-4

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 11  
Being also a Portion of Grant 3158 to E. Krull

Beginning at the northwest corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey, Triangulation Station "KIKOO" being 15,330.87 feet South and 10,336.74 feet East, thence running by azimuths measured clockwise from true South:

- |    |              |       |  |
|----|--------------|-------|--|
| 1. | 264° 29'     | 25.07 | feet along the remainder of Lot 11;  |
| 2. | 354° 29'     | 30.00 | feet along the remainder of Lot 11;  |
| 3. | 84° 29'      | 34.10 | feet along the remainder of Lot 11;  |
|    |              |       | thence along Lot 30 on a curve to the left with a radius of 778.00 feet, the chord azimuth and distance being: |
| 4. | 191° 14' 24" | 31.33 | feet to the point of beginning and containing an area of 884 square feet.                                      |



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
ESAKI SURVEYING AND MAPPING, INC.

*Wayne T. Wada*  
Wayne T. Wada  
Licensed Professional Land Surveyor  
Certificate Number 4596

EXHIBIT - I

EASEMENT D-6

LAND SITUATED AT KEALIA, KAUAI, HAWAII.

Being a Portion of Lots 11 and 13  
Being also a Portion of Grant 3158 to E. Krull

Beginning at the northwest corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey, Triangulation Station "KIKOO" being 15,066.10 feet South and 10,338.08 feet East, thence running by azimuths measured clockwise from true South:

- |    |          |       |  |
|----|----------|-------|--|
| 1. | 262° 20' | 30.00 | feet along the remainder of Lot 13;  |
| 2. | 352° 20' | 50.00 | feet along the remainder of Lots 13 and 11;  |
| 3. | 82° 20'  | 30.00 | feet along the remainder of Lot 11;  |
|    |          |       | thence along Lot 30 on a curve to the left with a radius of 778.00 feet, the chord azimuth and distance being: |
| 4. | 172° 20' | 50.00 | feet to the point of beginning and containing an area of 1,487 square feet.                                    |



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
ESAKI SURVEYING AND MAPPING, INC.

Wayne T. Wada  
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Certificate Number 4596

EXHIBIT - J

EASEMENT E-3

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 11  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi

Beginning at the southwest corner of this parcel of land, on the east side of roadway Lot 30, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 15,654.09 feet South and 10,250.23 feet East, thence running by azimuths measured clockwise from true South:

- |    |          |      |  |
|----|----------|------|--|
| 1. | 195° 36' | 8.00 | feet along Lot 30;   |
| 2. | 285° 36' | 8.00 | feet along the remainder of Lot 11;  |
| 3. | 15° 36'  | 8.00 | feet along the remainder of Lot 11;  |
| 4. | 105° 36' | 8.00 | feet along the remainder of Lot 11 to the point of beginning and containing an area of 64 square feet. |



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
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EXHIBIT K

EASEMENT AU-1

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 12  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi

Beginning at the southwest corner of this parcel of land, the east side of Kuhio Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 16,536.23 feet South and 9,126.53 feet East, thence running by azimuths measured clockwise from true South:

- |    |                |        |  |
|----|----------------|--------|--|
| 1. | 198° 04' 30"   | 160.00 | feet along the east side of Kuhio Highway;<br><br>thence along the remainder of Lot 12 on a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being: |
| 2. | 333° 04' 30"   | 42.43  | feet;  |
| 3. | 288° 04' 30"   | 44.07  | feet along the remainder of Lot 12;<br><br>thence along the remainder of Lot 12 on a curve to the right with a radius of 453.00 feet, the chord azimuth and distance being:      |
| 4. | 303° 09' 45"   | 235.83 | feet;  |
| 5. | 318° 15'       | 42.77  | feet along the remainder of Lot 12;<br><br>thence along the remainder of Lot 12 on a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:        |
| 6. | 274° 23' 23.5" | 41.57  | feet;  |

EXHIBIT - L

thence along Lot 30 on a curve to the left with a radius of 1,428.00 feet, the chord azimuth and distance being:

7. 48° 15' 113.61 feet;

thence along the Lot 1 on a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:

8. 182° 06' 36.5" 41.57 feet;

9. 138° 15' 42.77 feet along Lot 1;

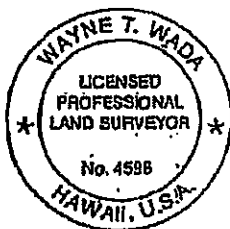
thence along Lot 1 on a curve to the left with a radius of 397.00 feet, the chord azimuth and distance being:

10. 123° 09' 45" 206.67 feet;

11. 108° 04' 30" 44.07 feet along Lot 1;

thence along Lot 1 on a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:

12. 63° 04' 30" 42.43 feet to the point of beginning and containing an area of 0.492 acre.



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
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Certificate Number 4596

EXHIBIT - L



EASEMENT D-1

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 12  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi

Beginning at the south corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 16,542.69 feet South and 9,626.54 feet East, thence running by azimuths measured clockwise from true South:

- |    |          |       |                                     |
|----|----------|-------|-------------------------------------|
| 1. | 147° 40' | 20.00 | feet along the remainder of Lot 12; |
| 2. | 237° 40' | 20.00 | feet along the remainder of Lot 12; |
| 3. | 327° 40' | 20.00 | feet along the remainder of Lot 12; |

thence along Lot 30 on a curve to the left with a radius of 1,428.00 feet, the chord azimuth and distance being:

- |    |         |       |   |
|----|---------|-------|---|
| 4. | 57° 40' | 20.00 | feet to the point of beginning and containing an area of 399 square feet. |
|----|---------|-------|---|



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
ESAKI SURVEYING AND MAPPING, INC.

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Certificate Number 4596

EXHIBIT - M

EASEMENT D-3

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 12  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi  
And a Portion of Grant 3158 to E. Krull

Beginning at the northeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 15,350.77 feet South and 10,275.67 feet East, thence running by azimuths measured clockwise from true South:

Along Lot 30 on a curve to the right with a radius of 722.00 feet, the chord azimuth and distance being:

- |    |             |       |   |
|----|-------------|-------|---|
| 1. | 13° 53' 10" | 35.16 | feet;   |
| 2. | 72° 27'     | 29.82 | feet along the remainder of Lot 12;   |
| 3. | 162° 27'    | 30.00 | feet along the remainder of Lot 12;   |
| 4. | 252° 27'    | 48.16 | feet along the remainder of Lot 12 to the point of beginning and containing an area of 1,175 square feet. |



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
ESAKI SURVEYING AND MAPPING, INC.

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Certificate Number 4596

EXHIBIT -N

EASEMENT D-5

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 12  
Being also a Portion of Grant 3158 to E. Krull

Beginning at the northeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 15,065.71 feet South and 10,281.16 feet East, thence running by azimuths measured clockwise from true South:

Along Lot 30 on a curve to the right with a radius of 722,00 feet, the chord azimuth and distance being:

- |    |          |       |   |
|----|----------|-------|---|
| 1. | 351° 42' | 50.00 | feet;   |
| 2. | 81° 42'  | 30.00 | feet along the remainder of Lot 12;   |
| 3. | 171° 42' | 50.00 | feet along the remainder of Lot 12;   |
| 4. | 261° 42' | 30.00 | feet along the remainder of Lot 12 to the point of beginning and containing an area of 1,514 square feet. |



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
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EXHIBIT - O

EASEMENT L-2

LAND SITUATED AT KEALIA AND KUMUKUMU, KAUAI, HAWAII

Being a Portion of Lot 12  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi  
And Portion of Grant 3158 to E. Krull

Beginning at the southwest corner of this parcel of land, on the east side of Kuhio Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 16,425.96 feet South and 9,162.53 feet East, thence running by azimuths measured clockwise from true South:

- |    |              |        |  |
|----|--------------|--------|--|
| 1. | 198° 04' 30" | 182.54 | feet along the east side of Kuhio Highway;<br><br>thence along the east side of Kuhio Highway on a curve to the left with a radius of 6,050.00 feet, the chord azimuth and distance being: |
| 2. | 194° 27' 45" | 762.40 | feet;  |
| 3. | 190° 51'     | 582.76 | feet along the east side of Kuhio Highway;   |
| 4. | 280° 51'     | 10.00  | feet along the east side of Kuhio Highway;   |
| 5. | 190° 51'     | 939.07 | feet along the east side of Kuhio Highway;<br><br>thence along Lot 30 on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:                           |
| 6. | 232° 51'     | 40.15  | feet;  |
| 7. | 274° 51'     | 176.40 | feet along Lot 30;   |

EXHIBIT - P

- thence along Lot 30 on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
- |     |                |        |  |
|-----|----------------|--------|--|
| 8.  | 312° 17' 02"   | 36.47  | feet;  |
|     |                |        | thence along Lot 30 on a curve to the left with a radius of 2,928.00 feet, the chord azimuth and distance being:                   |
| 9.  | 349° 38' 18.5" | 8.11   | feet;  |
| 10. | 94° 51'        | 212.51 | feet along the remainder of Lot 12;  |
| 11. | 10° 51'        | 963.55 | feet along the remainder of Lot 12;  |
| 12. | 100° 51'       | 10.00  | feet along the remainder of Lot 12;  |
| 13. | 10° 51'        | 557.76 | feet along the remainder of Lot 12;  |
|     |                |        | thence along the remainder of Lot 12 on a curve to the right with a radius of 6,075.00 feet, the chord azimuth and distance being: |
| 14. | 14° 27' 45"    | 765.55 | feet;  |
| 15. | 18° 04' 30"    | 212.12 | feet along the remainder of Lot 12;  |

**EXHIBIT - P**

thence along the remainder of Lot 12 on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

16. 157° 52' 19.5"

38.73

feet to the point of beginning and containing an area of 1.589 acres.



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
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EXHIBIT - P

EASEMENT D-9

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 13  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi

Beginning at the northeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 14,823.09 feet South and 11,036.66 feet East, thence running by azimuths measured clockwise from true South:

1.	4° 06'	330.00	feet along Lot 14;
2.	279° 14'	2.52	feet along Lot 14;
3.	4° 06'	14.77	feet along the remainder of Lot 13;
4.	94° 06'	15.00	feet along the remainder of Lot 13;
5.	184° 06'	15.00	feet along the remainder of Lot 13;
6.	274° 06'	2.50	feet along the remainder of Lot 13;
7.	184° 06'	331.27	feet along the remainder of Lot 13;

EXHIBIT - Q

thence along Lot 30 on a curve to the left with a radius of 40.00 feet, the chord azimuth and distance being:

8. 281° 20' 44"

10.07 feet to the point of beginning and containing an area of 3,526 square feet.



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
ESAKI SURVEYING AND MAPPING, INC.

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EXHIBIT - Q



EASEMENT E-7

LAND SITUATED AT KUMUKUMU, KAŪAI, HAWAII

Being a Portion of Lot 15  
Being also a Portion Grant 3158 to E. Krull

Beginning at the southwest corner of this parcel of land, on the east side of roadway Lot 30, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 14,784.32 feet South and 11,079.51 feet East, thence running by azimuths measured clockwise from true South:

Along Lot 30 on a curve to the left with a radius of 40.00 feet, the chord azimuth and distance being:

- |    |              |      |  |
|----|--------------|------|--|
| 1. | 175° 50' 37" | 8.04 | feet;  |
| 2. | 271° 37'     | 8.81 | feet along the remainder of Lot 15;  |
| 3. | 1° 37'       | 8.00 | feet along the remainder of Lot 15;  |
| 4. | 91° 37'      | 8.00 | feet along the remainder of Lot 14 to the point of beginning and containing an area of 66 square feet. |



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
ESAKI SURVEYING AND MAPPING, INC.

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EXHIBIT - R

EASEMENT E-4

LAND SITUATED AT KUMUKUMU, KAUAI, HAWAII

Being a Portion of Lot 18  
Being also a Portion of Grant 3158 to E. Krull

Beginning at the southwest corner of this parcel of land, on the east side of roadway Lot 30, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 14,245.96 feet South and 10,044.42 feet East, thence running by azimuths measured clockwise from true South:

Along Lot 30 on a curve to the right with a radius of 2,872.00 feet, the chord azimuth and distance being:

- |    |              |      |  |
|----|--------------|------|--|
| 1. | 165° 18' 53" | 8.00 | feet;  |
| 2. | 255° 18' 53" | 8.00 | feet along the remainder of Lot 18;  |
| 3. | 345° 18' 53" | 8.00 | feet along the remainder of Lot 18;  |
| 4. | 75° 18' 53"  | 8.00 | feet along the remainder of Lot 18 to the point of beginning and containing an area of 64 square feet. |



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
ESAKI SURVEYING AND MAPPING, INC.

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EXHIBIT S

EASEMENT C-1

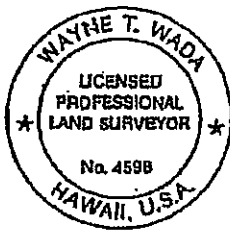
LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 19  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi

Beginning at the southwest corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 14,004.61 feet South and 9,991.79 feet East, thence running by azimuths measured clockwise from true South:

Along Lot 30 on a curve to the right with a radius of 2,872.00 feet, the chord azimuth and distance being:

- |    |              |      |  |
|----|--------------|------|--|
| 1. | 170° 14' 39" | 8.00 | feet;  |
| 2. | 260° 14' 39" | 4.00 | feet along the remainder of Lot 19;  |
| 3. | 350° 14' 39" | 8.00 | feet along the remainder of Lot 19;  |
| 4. | 80° 14' 39"  | 4.00 | feet along the remainder of Lot 19 to the point of beginning and containing an area of 32 square feet. |



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
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EXHIBIT T

EASEMENT L-3

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 19  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi

Beginning at the southwest corner of this parcel of land, the east side of Kuhio Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 14,049.54 feet South and 9,999.95 feet East, thence running by azimuths measured clockwise from true South:

Along Lot 30 on a curve to the right with a radius of 2,872.00 feet, the chord azimuth and distance being:

- |    |                |        |  |
|----|----------------|--------|--|
| 1. | 170° 41' 37.5" | 144.39 | feet;  |
| 2. | 274° 51'       | 76.72  | feet along the remainder of Lot 19;  |
| 3. | 4° 51'         | 140.00 | feet along the remainder of Lot 19;  |
| 4. | 94° 51'        | 41.41  | feet along the remainder of Lot 19 to the point of beginning and containing an area of 0.192 acre. |



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
ESAKI SURVEYING AND MAPPING, INC.

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EXHIBIT - U

174

EASEMENT E-5

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 22  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi

Beginning at the southwest corner of this parcel of land, on the east side of roadway Lot 30, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 13,196.01 feet South and 9,967.24 feet East, thence running by azimuths measured clockwise from true South:

Along Lot 30 on a curve to the right with a radius of 2,872.00 feet, the chord azimuth and distance being:

- |    |              |      |  |
|----|--------------|------|--|
| 1. | 186° 26' 13" | 8.00 | feet;  |
| 2. | 276° 26' 13" | 8.00 | feet along the remainder of Lot 22;  |
| 3. | 6° 26' 13"   | 8.00 | feet along the remainder of Lot 22;  |
| 4. | 96° 26' 13"  | 8.00 | feet along the remainder of Lot 22 to the point of beginning and containing an area of 64 square feet. |



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
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EXHIBIT -V

EASEMENT D-8

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 23  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi

Beginning at the northwest corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 12,595.12 feet South and 10,097.97 feet East, thence running by azimuths measured clockwise from true South:

- |    |          |       |  |
|----|----------|-------|--|
| 1. | 286° 17' | 20.00 | feet along the remainder of Lot 23;  |
| 2. | 16° 17'  | 20.00 | feet along the remainder of Lot 23;  |
| 3. | 106° 17' | 20.00 | feet along the remainder of Lot 23;  |
| 4. | 196° 17' | 20.00 | feet along Lot 30 to the point of beginning and containing an area of 400 square feet. |



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
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Certificate Number 4596

EXHIBIT - W

EASEMENT B-1

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lots 24 and 30  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi

Beginning at the northwest corner of this parcel of land, the east side of Kuhio Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 12,537.01 feet South and 10,057.22 feet East, thence running by azimuths measured clockwise from true South:

1.	316° 17'	66.28	feet along the remainder of Lot 30;  thence along the remainder of Lot 24 for the next 9 courses:
2.	274° 00'	354.17	feet;
3.	212° 49'	113.89	feet;
4.	282° 04'	115.73	feet;
5.	308° 21'	124.40	feet;
6.	269° 23'	39.13	feet;
7.	244° 27'	27.68	feet;
8.	262° 24'	55.16	feet;
9.	261° 21'	60.33	feet;
10.	273° 32'	88.54	feet;
11.	339° 45'	16.39	feet along Lot 29;  thence along the remainder of Lot 24 for the next 8 courses:
12.	93° 32'	93.55	feet;
13.	81° 21'	58.87	feet;

EXHIBIT -X

- |     |              |        |   |
|-----|--------------|--------|---|
| 14. | 82° 24'      | 52.93  | feet;   |
| 15. | 64° 27'      | 28.63  | feet;   |
| 16. | 89° 23'      | 47.75  | feet;   |
| 17. | 128° 21'     | 126.20 | feet;   |
| 18. | 102° 04'     | 101.87 | feet;   |
| 19. | 32° 49'      | 108.69 | feet;   |
| 20. | 94° 00'      | 370.00 | feet along Lot 23;  |
| 21. | 136° 17'     | 64.37  | feet along the remainder of Lot 30;   |
|     |              |        | thence along Lot 27 on a curve to the right with a radius of 978.00 feet, the chord azimuth and distance being: |
| 22. | 197° 56' 18" | 11.63  | feet to the point of beginning and containing an area of 0.312 acre.  |



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
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 \_\_\_\_\_  
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 Licensed Professional Land Surveyor  
 Certificate Number 4598

**EXHIBIT -X**

176



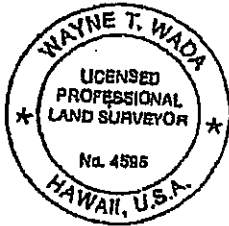
EASEMENT D-7

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 27  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi

Beginning at the northeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 12,579.42 feet South and 10,044.22 feet East, thence running by azimuths measured clockwise from true South:

- |    |          |       |   |
|----|----------|-------|---|
| 1. | 16° 17'  | 20.00 | feet along Lot 30;  |
| 2. | 106° 17' | 20.00 | feet along the remainder of Lot 27;   |
| 3. | 196° 17' | 20.00 | feet along the remainder of Lot 27;   |
| 4. | 286° 17' | 20.00 | feet along the remainder of Lot 27 to the point of beginning and containing an area of 400 square feet. |



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
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EXHIBIT Y

173

EASEMENT E-6

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 27  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi

Beginning at the west corner of this parcel of land, on the north side of roadway Lot 30, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 12,061.66 feet South and 10,427.39 feet East, thence running by azimuths measured clockwise from true South:

- |    |          |      |                                     |
|----|----------|------|-------------------------------------|
| 1. | 230° 57' | 8.03 | feet along the remainder of Lot 27; |
| 2. | 320° 57' | 8.00 | feet along the remainder of Lot 27; |
| 3. | 50° 57'  | 8.03 | feet along the remainder of Lot 27; |

thence along Lot 30 on a curve to the left with a radius of 40.00 feet, the chord azimuth and distance being:

- |    |          |      |  |
|----|----------|------|--|
| 4. | 140° 57' | 8.00 | feet to the point of beginning and containing an area of 63 square feet. |
|----|----------|------|--|



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
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EXHIBIT - Z

EASEMENT L-4

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 27  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi  
And Portion of Grant 3158 to E. Krull

Beginning at the northwest corner of this parcel of land, on the east side of Kuhio Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 11,042.54 feet South and 10,154.24 feet East, thence running by azimuths measured clockwise from true South:

1. 320° 34' 17" 42.00 feet along Lot 28;  
thence along the remainder of Lot 27 on a curve to the right with a radius of 4,085.00 feet, the chord azimuth and distance being:
2. 359° 45' 30.4" 345.12 feet;
3. 272° 10' 46" 20.00 feet along the remainder of Lot 27;  
thence along the remainder of Lot 27 on a curve to the right with a radius of 4,105.00 feet, the chord azimuth and distance being:
4. 3° 36' 16" 204.17 feet;
5. 95° 01' 46" 20.00 feet along the remainder of Lot 27;  
thence along the remainder of Lot 27 on a curve to the right with a radius of 4,085.00 feet, the chord azimuth and distance being:
6. 7° 56' 23" 414.81 feet;

EXHIBIT AA

7.	10° 51'	667.79	feet along the remainder of Lot 27;
8.	100° 51'	20.00	feet along the remainder of Lot 27;
9.	10° 51'	1,125.00	feet along the remainder of Lot 27;
10.	280° 51'	20.00	feet along the remainder of Lot 27;
11.	10° 51'	95.68	feet along the remainder of Lot 27;
12.	274° 51'	162.49	feet along the remainder of Lot 27;
			thence along Lot 30 on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
13.	49° 51'	42.43	feet;
14.	94° 51'	127.46	feet along Lot 30;
			thence along the remainder of Grant 3158 to E. Krull and the remainder of R.P. 5680, L.C. Aw. 11216, Apana 6 to Kekauonohi (Lot 30) on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
15.	142° 51'	44.59	feet;
16.	190° 51'	70.15	feet along Lot 31;
17.	100° 51'	20.00	feet along Lot 31;
18.	190° 51'	1,175.00	feet along the east side of Kuhio Highway;

EXHIBIT AA

EASEMENT P-1

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 27  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi

Beginning at the southwest corner of this parcel of land, the east side of Kuhio Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 12,589.79 feet South and 9,980.25 feet East, thence running by azimuths measured clockwise from true South:

- |    |             |        |   |
|----|-------------|--------|---|
| 1. | 190° 51'    | 502.92 | feet along Lot 32 and the east side of Kuhio Highway;   |
| 2. | 280° 51'    | 235.80 | feet along the remainder of Lot 27;<br><br>thence along Lot 30 on a curve to the left with a radius of 978.00 feet, the chord azimuth and distance being: |
| 3. | 31° 08' 30" | 501.58 | feet;   |
| 4. | 16° 17'     | 32.62  | feet along Lot 30;  |
| 5. | 100° 51'    | 58.76  | feet along the remainder of Lot 27 to the point of beginning and containing an area of 1.400 acre.  |



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
ESAKI SURVEYING AND MAPPING, INC.

*Wayne T. Wada*  
Wayne T. Wada  
Licensed Professional Land Surveyor  
Certificate Number 4596

EXHIBIT BB

19.	280° 51'	20.00	feet along Lot 32;
20.	190° 51'	642.79	feet along Lot 32 and the east side of Kuhio Highway;
			thence along the east side of Kuhio Highway on a curve to the left with a radius of 4,060.00 feet, the chord azimuth and distance being:
21.	187° 45' 52"	437.08	feet;
22.	274° 40' 44"	20.00	feet along the east side of Kuhio Highway;
			thence along the east side of Kuhio Highway on a curve to the left with a radius of 4,080.00 feet, the chord azimuth and distance being:
23.	183° 36' 16"	153.01	feet;
24.	92° 31' 48"	20.00	feet along the east side of Kuhio Highway;
			thence along the east side of Kuhio Highway on a curve to the left with a radius of 4,060.00 feet, the chord azimuth and distance being:
25.	179° 41' 46.7"	401.43	feet to the point of beginning and containing an area of 1.812 acres.



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
ESAKI SURVEYING AND MAPPING, INC.

*Wayne T. Wada*  
 \_\_\_\_\_  
 Wayne T. Wada  
 Licensed Professional Land Surveyor  
 Certificate Number 4596

**EXHIBIT BB**

EASEMENT W-2

LAND SITUATED AT KEALIA, KAUAI, HAWAII

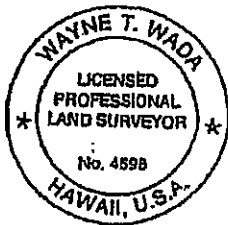
Being a Portion of Lot 28  
Being also a Portion of Royal Patent 5680,  
Land Court Award 11216, Apana 6 to Kekauonohi

Beginning at the south corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 12,206.00 feet South and 10,244.42 feet East, thence running by azimuths measured clockwise from true South:

- |    |              |        |  |
|----|--------------|--------|--|
| 1. | 130° 59' 35" | 52.91  | feet along the remainder of Lot 27;  |
| 2. | 100° 51'     | 91.45  | feet along the remainder of Lot 27;  |
| 3. | 190° 51'     | 117.79 | feet along the remainder of Lot 27;  |
|    |              |        | thence along the remainder of Lot 27 on a curve to the right with a radius of 4,110.00 feet, the chord azimuth and distance being: |
| 4. | 185° 02' 23" | 832.15 | feet;  |
| 5. | 219° 00'     | 21.34  | feet along the remainder of Lot 27;  |
| 6. | 323° 28' 44" | 10.33  | feet along the remainder of Lot 27;  |
| 7. | 39° 00'      | 15.15  | feet along Lot 28;   |
|    |              |        | thence along the remainder of Lot 27 on a curve to the right with a radius of 4,120.00 feet, the chord azimuth and distance being: |
| 8. | 5° 03' 53.5" | 830.58 | feet;  |

EXHIBIT CC

- |     |               |        |   |
|-----|---------------|--------|---|
| 9.  | 10° 51'       | 107.79 | feet along the remainder of R.P. 5680, L.C. Aw. 11216, Apana 6 to Kekauonohi (Lot 27);  |
| 10. | 280° 51'      | 84.14  | feet along the remainder of Lot 27;   |
| 11. | 310° 59' 35"  | 55.60  | feet along the remainder of Lot 27;<br><br>thence along Lot 30 on a curve to the left with a radius of 978.00 feet, the chord azimuth and distance being: |
| 12. | 40° 59' 34.5" | 10.00  | feet to the point of beginning and containing an area of 0.254 acre.  |



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
ESAKI SURVEYING AND MAPPING, INC.

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Certificate Number 4598

EXHIBIT - CC



EASEMENT L-5

LAND SITUATED AT KEALIA AND KUMUKUMU, KAUAI, HAWAII

Being a Portion of Lot 28  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi

Beginning at the northwest corner of this parcel of land, the east side of Kuhio Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 10,767.07 feet South and 10,129.70 feet East, thence running by azimuths measured clockwise from true South:

1. 288° 10' 27.61 feet along Lot 29;  
thence along the remainder of Lot 28 on a curve to the right with a radius of 4,085.00 feet, the chord azimuth and distance being:
2. 355° 13' 50.6" 300.34 feet;
3. 140° 34' 17" 42.00 feet along Lot 27;  
thence along the east side of Kuhio Highway on a curve to the left with a radius of 4,080.00 feet, the chord azimuth and distance being:
4. 174° 54' 39" 276.55 feet to the point of beginning and containing an area of 0.166 acre.



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
ESAKI SURVEYING AND MAPPING, INC.

*Wayne T. Wada*  
Wayne T. Wada  
Licensed Professional Land Surveyor  
Certificate Number 4596

EXHIBIT DD

EASEMENT W-3

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 28  
Being also a Portion of Royal Patent 5680,  
Land Court Award 11216, Apana 6 to Kekauonohi

Beginning at the north corner of this parcel of land, the east side of Kuhio Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 10,810.51 feet South and 10,210.51 feet East, thence turning by azimuths measured clockwise from true South:

1.	309° 35'	5.98	feet along Lot 29;
2.	291° 11'	4.76	feet along Lot 29;
3.	12° 00'	189.31	feet along the remainder of Lot 28;
4.	326° 56'	68.28	feet along the remainder of Lot 28;
5.	344° 26'	121.77	feet along the remainder of Lot 28;
6.	39° 00'	32.74	feet along the remainder of Lot 28;
7.	146° 28' 44"	10.33	feet along Lot 27;
8.	219° 00'	25.00	feet along the remainder of R.P. 5680, L.C. Aw. 11216, Apana 6 to Kekauonohi (Lot 28);
9.	164° 26'	115.08	feet along the remainder of Lot 28;
10.	146° 59'	70.88	feet along the remainder of Lot 28;

EXHIBIT E

11. 192° 00'

196.98 feet along the remainder of Lot 28  
to the point of beginning and  
containing an area of 0.094 acres.



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
ESAKI SURVEYING AND MAPPING, INC.

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Certificate Number 4596

EXHIBIT EE

EASEMENT L-6

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 29  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi

Beginning at the southwest corner of this parcel of land, the east side of Kuhio Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 10,767.07 feet South and 10,129.70 feet East, thence running by azimuths measured clockwise from true South:

- |    |                |        |  |
|----|----------------|--------|--|
|    |                |        | Along the east side of Kuhio Highway on a curve to the left with a radius of 4,060.00 feet, the chord azimuth and distance being:  |
| 1. | 170° 52' 33.5" | 295.16 | feet;  |
| 2. | 267° 57'       | 25.32  | feet along Government Lands;   |
|    |                |        | thence along the remainder of Lot 29 on a curve to the right with a radius of 4,085.00 feet, the chord azimuth and distance being: |
| 3. | 350° 59' 12"   | 304.70 | feet;  |
| 4. | 108° 10'       | 27.61  | feet along Lot 28 to the point of beginning and containing an area of 0.172 acre.  |



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
ESAKI SURVEYING AND MAPPING, INC.

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\_\_\_\_\_  
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Certificate Number 4596

EXHIBIT FF

EASEMENT AU-4

LAND SITUATED AT KEALIA, KAUAI, HAWAII

Being a Portion of Lot 29  
Being also a Portion of Royal Patent 5680,  
Land Commission Award 11216, Apana 6 to Kekauonohi

Beginning at the northwest corner of this parcel of land, the east side of Kuhio Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 10,734.12 feet South and 10,125.49 feet East, thence running by azimuths measured clockwise from true South:

1.	288° 10'	69.28	feet along the remainder of Lot 29;
2.	309° 35'	50.81	feet along the remainder of R.P. 5680, L.C. Aw. 11216, Apana 6, to Kekauonohi (Lot 29);
3.	291° 11'	184.66	feet along the remainder of Lot 29;
4.	296° 59'	150.07	feet along the remainder of Lot 29;
5.	291° 27'	177.66	feet along the remainder of Lot 29;
6.	88° 17'	76.25	feet along Lot 28;
7.	111° 27'	109.00	feet along Lot 28;
8.	116° 59'	150.00	feet along Lot 28;
9.	111° 11'	188.00	feet along Lot 28;
10.	129° 35'	50.00	feet along Lot 28;
11.	108° 10'	49.34	feet along Lot 28;

EXHIBIT GG

thence along the east side of  
Kuhio Highway on a curve to the  
left with a radius of 4,060.00 feet,  
the chord azimuth and distance  
being:

12. 172° 43' 28.7"

33.22 feet to the point of beginning and  
containing an area of 0.406 acre.



Lihue, Hawaii  
March 2000

DESCRIPTION PREPARED BY:  
ESAKI SURVEYING AND MAPPING, INC.

Wayne T. Wada  
Wayne T. Wada  
Licensed Professional Land Surveyor  
Certificate Number 4596

EXHIBIT GG

EXHIBIT "1"

All of that certain parcel of land (being a portion of the land described in and covered by Land Patent Grant Number 5265 to Rufus P. Spalding) situate, lying and being at Kapaa, Kawaihau, Island and County of Kauai, State of Hawaii, and thus bounded and described as per survey of James R. Thompson, Licensed Professional Land Surveyor, with Walter P. Thompson, Inc., dated February 19, 1998, to-wit:

Beginning at the northwest corner of this parcel of land at a point known as "KULAMANU" and being also on the boundary between the lands of Kealia and Kapaa, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 15,432.57 feet south and 7,705.31 feet east and thence running by azimuths measured clockwise from true South:

1.	254°	48'	3450.00	feet along R. P. 5680, L. C. Aw. 11216, Ap. 6 to M. Kekauonohi and along the boundary between the lands of Kealia and Kapaa;
2.	259°	56'	495.00	feet along R. P. 5680, L. C. Aw. 11216, Ap. 6 to M. Kekauonohi and along the boundary between the lands of Kealia and Kapaa;
3.	248°	54'	375.00	feet along R. P. 5680, L. C. Aw. 11216, Ap. 6 to M. Kekauonohi and along the boundary between the lands of Kealia and Kapaa;
4.	247°	23'	225.00	feet along R. P. 5680, L. C. Aw. 11216, Ap. 6 to M. Kekauonohi and along the boundary between the lands of Kealia and Kapaa;
5.	276°	17'	290.00	feet along R. P. 5680, L. C. Aw. 11216, Ap. 6 to M. Kekauonohi and along the boundary between the lands of Kealia and Kapaa;
6.	343°	20'	39.65	feet along R. P. 5680, L. C. Aw. 11216, Ap. 6 to M. Kekauonohi and along the boundary between the lands of Kealia and Kapaa;
7.	29°	00'	39.04	feet along the remainder of Grant 5265 to Rufus P. Spalding and along the westerly boundary of "Valley House";

8.	13°	40'	441.20	feet along the remainder of Grant 5265 to Rufus P. Spalding and along the westerly boundary of "Valley House";
9.	12°	55'	498.52	feet along the remainder of Grant 5265 to Rufus P. Spalding and along the westerly boundary of "Valley House" to the north bank of Kapaa River and passing over a pipe at 461.80 feet;
				Thence along the northerly bank of the Kapaa River in all its meanderings for the next ten (10) courses, the direct azimuth and distances between points being
10.	86°	18'	1318.00	feet;
11.	5°	56'	388.00	feet;
12.	117°	25'	407.00	feet;
13.	86°	26'	962.00	feet;
14.	68°	36'	609.00	feet;
15.	186°	39'	628.00	feet;
16.	49°	11'	684.00	feet;
17.	63°	59'	473.00	feet;
18.	46°	08'	883.00	feet;
19.	66°	58'	527.33	feet;
20.	236°	25'	47.27	feet along Lot 42-A, Kapaa Homesteads, First Series;
21.	174°	54'	98.00	feet along Lot 42-A, Kapaa Homesteads, First Series;
22.	79°	54'	44.10	feet along Lot 42-A, Kapaa Homesteads, First Series;
23.	101°	37'	42.20	feet along Lot 42-A, Kapaa Homesteads, First Series;



24.	86'	51'	105.00	feet along Lot 42-A, Kapaa Homesteads, First Series;
25.	113'	59'	123.70	feet along Lot 42-A, Kapaa Homesteads, First Series;
26.	151'	36'	126.00	feet along Lot 42-A, Kapaa Homesteads, First Series;
27.	199'	00'	1510.00	feet along the Kealia Forest Reserve, Executive Order No. 1205 to the point of beginning and containing an area of 131.205 acres, more or less.

EXHIBIT "2"

All of that certain parcel of land (being a portion of the land described in and covered by Royal Patent Number 5680, Land Commission Award Number 11216, Apana 6 to M. Kekauonohi), being a portion of the Kealia Forest Reserve and a portion of the Certificate of Boundaries No. 1, situate, lying and being at Kealia, Puna, Island and County of Kauai, State of Hawaii, bearing Tax Key designation 4-7-001-001 (4), and containing an area of 2,470.0 acres, more or less.

EXHIBIT "3"

DESCRIPTION OF  
TAX MAP KEY: (4) 4-7-02: 03

ALL that certain piece or parcel of land being a portion of Royal Patent 5680, Land Commission Award 11216, Apana 6 to M. Kekauonohi being all of Royal Patent 5379, Land Commission Award 10473, Apanas 1 and 2 to Nahi and being a portion of the Certificate of Boundaries No. 1.

Situate at Kealia, Kawaihau, Kauai, Hawaii.

Beginning at the northwest corner of this parcel of land at a point on the easterly boundary of the Kealia Forest Reserve known as "KANEHA" and being also on the boundary between the lands of Kealia and Kamalomalo, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 8,539.34 feet South and 9,902.38 feet East and thence running by azimuths measured clockwise from true South:

1.	276°	10'	434.95 feet along the Government Land of Kamalomalo;
2.	255°	12'	401.90 feet along the Government Land of Kamalomalo;
3.	267°	14'	400.00 feet along the Government Land of Kamalomalo;
4.	243°	38'	81.70 feet along the Government Land of Kamalomalo;
5.	221°	01'	219.70 feet along the Government Land of Kamalomalo;
6.	233°	20'	252.50 feet along the Government Land of Kamalomalo;

7.	252°	47'	30"	545.70 feet along the Government Land of Kamalomalo;
8.	265°	06'		256.10 feet along the Government Land of Kamalomalo;
9.	283°	38'		831.60 feet along the Government Land of Kamalomalo;
10.	267°	38'		765.50 feet along the Government Land of Kamalomalo;
11.	283°	11'		799.30 feet along the Government Land of Kamalomalo;
12.	265°	36'		351.10 feet along the Government Land of Kamalomalo;
13.	252°	36'		658.00 feet along the Government Land of Kamalomalo;
14.	223°	53'		242.60 feet along the Government Land of Kamalomalo;
15.	238°	33'		537.90 feet along the Government Land of Kamalomalo;
16.	291°	54'		403.30 feet along the Government Land of Kamalomalo;
17.	281°	11'		778.10 feet along the Government Land of Kamalomalo;
18.	246°	54'		352.40 feet along the Government Land of Kamalomalo;
19.	269°	30'	30"	642.50 feet along the Government Land of Kamalomalo;
20.	283°	33'		283.40 feet along the Government Land of Kamalomalo;

21.	275°	38'		502.50 feet along the Government Land of Kamalomalo;
22.	259°	23'		314.80 feet along the Government Land of Kamalomalo;
23.	278°	03'		187.60 feet along the Government Land of Kamalomalo;
24.	280°	51'		143.50 feet along the Government Land of Kamalomalo;
25.	275°	37'		619.90 feet along the Government Land of Kamalomalo;
26.	269°	47'	30"	598.00 feet along the Government Land of Kamalomalo;
27.	279°	53'		431.80 feet along the Government Land of Kamalomalo;
28.	287°	45'		327.70 feet along the Government Land of Kamalomalo;
29.	270°	19'		147.17 feet along the Government Land of Kamalomalo;
30.	48°	08'		280.21 feet along Roadway Parcel "B";
				Thence along Roadway Parcel "B" on a curve to the right with a radius of 535.00 feet, the chord azimuth and distance being
31.	67°	34'		356.00 feet;
32.	87°	00'		27.78 feet along Roadway Parcel "B";

Thence along Roadway Parcel "B"  
on a curve to the left with a radius  
of 315.00 feet, the chord azimuth  
and distance being

33. 64° 47' 30" 207.27 feet;

34. 48° 35' 212.26 feet along Roadway Parcel "B";

Thence along Roadway Parcel "B"  
on a curve to the right with a radius  
of 985.00 feet, the chord azimuth  
and distance being -

35. 50° 17' 30" 58.73 feet;

36. 52° 00' 79.21 feet along Roadway Parcel "B";

Thence along Roadway Parcel "B"  
on a curve to the left with a radius  
of 1515.00 feet, the chord azimuth  
and distance being

37. 48° 10' 202.57 feet;

38. 44° 20' 442.06 feet along Roadway Parcel "B";

Thence along Roadway Parcel "B"  
on a curve to the left with a radius  
of 1115.00 feet, the chord azimuth  
and distance being

39. 36° 35' 300.72 feet;

40. 28° 50' 836.25 feet along Roadway Parcels "B", "A" and "C";

Thence along Roadway Parcel "C"  
on a curve to the left with a radius  
of 215.00 feet, the chord azimuth  
and distance being

41. 7° 16' 158.06 feet;

42. 345° 42' 491.64 feet along Roadway Parcel "C";

Thence along Roadway Parcel "C"  
on a curve to the right with a radius  
of 1285.00 feet, the chord azimuth  
and distance being

43. 354° 36' 397.61 feet;

44. 3° 30' 62.40 feet along Roadway Parcel "C";

Thence along Roadway Parcel "C"  
on a curve to the left with a radius  
of 1015.00 feet, the chord azimuth  
and distance being

45. 356° 19' 30" 253.55 feet;

46. 349° 09' 93.15 feet along Roadway Parcel "C";

Thence along Roadway Parcel "C"  
on a curve to the right with a radius  
of 585.00 feet, the chord azimuth  
and distance being

47. 3° 53' 297.56 feet;

48. 18° 37' 76.44 feet along Roadway Parcel "C";

Thence along Roadway Parcel "C"  
on a curve to the right with a radius  
of 2985.00 feet, the chord azimuth  
and distance being

49	22°	31'	406.05 feet;
50.	26°	25'	363.05 feet along Roadway Parcel "C";  Thence along Roadway Parcel "C" on a curve to the left with a radius of 2215.00 feet, the chord azimuth and distance being
51.	18°	50'	584.62 feet;
52.	11°	15'	393.09 feet along Roadway Parcel "C";  Thence along Roadway Parcel "C" on a curve to the right with a radius of 435.00 feet, the chord azimuth and distance being
53.	28°	15'	254.48 feet;
54.	45°	16'	204.44 feet along Roadway Parcel "C";  Thence along Roadway Parcel "C" on a curve to the left with a radius of 215.00 feet, the chord azimuth and distance being
55.	20°	43'	178.66 feet;
56.	356°	10'	52.26 feet along Roadway Parcel "C";  Thence along Roadway Parcel "C" on a curve to the right with a radius of 335.00 feet, the chord azimuth and distance being
57.	19°	10'	261.79 feet;
58.	42°	10'	108.98 feet along Roadway Parcel "C";



Thence along Roadway Parcel "C" on a curve to the left with a radius of 90.00 feet, the chord azimuth and distance being

59. 359° 55' 121.03 feet;

60. 317° 40' 57.88 feet along Roadway Parcel "C";

Thence along Roadway Parcel "C" on a curve to the right with a radius of 485.00 feet, the radial azimuth at the point of curvature being 227° 40' and radial azimuth to a point of the curve being 237° 12' 12", the chord azimuth and distance being

61. 322° 26' 06" 80.64 feet;

62. 89° 04' 302.90 feet along Lot 1 of the "Valley House Subdivision";

63. 81° 12' 79.40 feet along Lot 1 of the "Valley House Subdivision";

Thence along the northerly boundary of "Valley House" on a curve to the left with a radius of 285.10 feet, the chord azimuth and distance being

64. 124° 26' 40" 156.18 feet;

65. 108° 33' 420.00 feet along the northerly boundary of "Valley House";

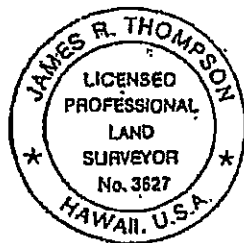
66. 121° 08' 59.10 feet along the northerly boundary of "Valley House";

67. 129° 05' 19.00 feet along the northerly boundary of "Valley House";

68.	154°	44'	85.70 feet along the northerly boundary of "Valley House";
69.	182°	03'	76.85 feet along the northerly boundary of "Valley House";
70.	203°	56'	36.80 feet along the northerly boundary of "Valley House";
71.	103°	54'	70.30 feet along the northerly boundary of "Valley House";
72.	54°	20'	130.20 feet along the northerly boundary of "Valley House";
73.	33°	36'	132.20 feet along the northerly boundary of "Valley House";
74.	15°	24'	133.50 feet along the northerly boundary of "Valley House";
75.	339°	04'	50.80 feet along the northerly boundary of "Valley House";
76.	90°	14'	179.20 feet along the northerly boundary of "Valley House";
77.	126°	53'	347.00 feet along the northerly boundary of "Valley House";
78.	104°	02'	125.60 feet along the northerly boundary of "Valley House";
79.	130°	18'	167.40 feet along the northerly boundary of "Valley House";
80.	159°	26'	187.20 feet along the northerly boundary of "Valley House";
81.	99°	38'	71.50 feet along the northerly boundary of "Valley House";

82.	29°	00'	200.46 feet along the westerly boundary of "Valley House";
83.	163°	20'	39.65 feet along Grant 5265 to Rufus P. Spalding;
84.	96°	17'	290.00 feet along Grant 5265 to Rufus P. Spalding;
85.	67°	23'	225.00 feet along Grant 5265 to Rufus P. Spalding;
86.	68°	54'	375.00 feet along Grant 5265 to Rufus P. Spalding;
87.	79°	56'	495.00 feet along Grant 5265 to Rufus P. Spalding;
88.	74°	48'	3450.00 feet along Grant 5265 to Rufus P. Spalding to a point known as "KULAMANU";
89.	111°	34'	3353.00 feet along the Kealia Forest Reserve, Executive Order No. 1205 to a point known as "PUU LAWII";
90.	170°	34'	2821.70 feet along the remainder of R.P. 5680, L.C. Aw, 11216, Ap. 6 to M. Kekauonohi along the Kealia Forest Reserve;
91.	205°	41'	3192.60 feet along the remainder of R.P. 5680, L.C. Aw, 11216, Ap. 6 to M. Kekauonohi along the Kealia Forest Reserve to the point of beginning and containing an area of 1,679.883 acres.

Honolulu, Hawaii  
February 19, 1998



WALTER P. THOMPSON, INC.

By *James R. Thompson*  
Licensed Professional  
Land Surveyor, 3627  
Exhibit "3"

EXHIBIT "4"

All of that certain parcel of land (being all of the land described in and covered by Land Patent Grant Number 4262 to Makee Sugar Company) situate, lying and being at Kamalomalo, Kawaihau, Island and County of Kauai, State of Hawaii, and thus bounded and described as per survey of James R. Thompson, Licensed Professional Land Surveyor, with Walter P. Thompson, Inc., dated February 13, 1998, to-wit:

Beginning at the north corner of this parcel of land and on the easterly boundary of the Old Kealia Forest Reserve Boundary, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 5,829.85 feet south and 15,146.56 feet west and thence running by azimuths measured clockwise from true South:

1.	292°	02'	1510.40	feet along the Government Land of Kamalomalo;
2.	334°	15'	1036.00	feet along the Government Land of Kamalomalo;
3.	85°	00'	610.50	feet along R. P. 5680, L. C. Aw. 11216, Ap. 6 to M. Kekauonohi;
4.	95°	01'	171.60	feet along R. P. 5680, L. C. Aw. 11216, Ap. 6 to M. Kekauonohi;
5.	95°	05'	862.60	feet along R. P. 5680, L. C. Aw. 11216, Ap. 6 to M. Kekauonohi;
6.	88°	15'	247.26	feet along R. P. 5680, L. C. Aw. 11216, Ap. 6 to M. Kekauonohi;
7.	172°	10'	942.33	feet along R. P. 5680, L. C. Aw. 11216, Ap. 6 to M. Kekauonohi;
8.	197°	00'	560.00	feet along R. P. 5680, L. C. Aw. 11216, Ap. 6 to M. Kekauonohi and along the Government Land of Kamalomalo to the point of beginning and containing an area of 47.438 acres, more or less.

EXHIBIT "5".

DESCRIPTION OF  
LOT D

ALL that certain piece or parcel of land being a portion of Royal Patent 5680, Land Commission Award 11216, Apana 6 to M. Kekauonohi and all of the following: Royal Patent 6905, Land Commission Award 10148, Apanas 1 and 2 to Mamaki, Royal Patent 6386, Land Commission Award 8834, Apanas 1 and 2 to Kalawaia, Royal Patent 6801, Land Commission Award 10906, Apanas 1 and 2 to Umiumi, Royal Patent 6387, Land Commission Award 1980, Apanas 1 and 2 to Puali, Royal Patent 6919, Land Commission Award 7966 to Keaonui, Royal Patent 6686, Land Commission Award 8060 to Hulialo, Royal Patent 7361, Land Commission Award 10628, Apanas 1 and 2 to Puhl, Royal Patent 7610, Land Commission Award 10907, Apanas 1 and 2 to Naumiumi, Royal Patent 7360, Land Commission Award 8833, Apanas 1 and 2 to Kiaipa and Royal Patent 6735, Land Commission Award 10149, Apana 1 to Makuahine, Land Commission Award 8842, Apanas 1 and 2 to Kaawapupuole, a portion of Royal Patent 3919, Land Commission Award 3413-B to Kaaki and being a portion of the Certificate of Boundaries No. 1.

Excluding therefrom Royal Patent 6735, Land Commission Award 10149, Apana 1 to Makuahine.

Situate at Kealia, Kawaihau, Kauai, Hawaii.

Beginning at the south corner of this parcel of land, the same being the intersection of Kuhio Highway, Federal Aid Project No. F 12(20) and the northerly bank of the Kapaa River, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 20,419.47 feet South and 7,743.46 feet East and thence running by azimuths measured clockwise from true South:

Along the northerly bank of the Kapaa River in all its meandering for the next eight (8) courses, the direct azimuth and distance between points being

1.	79°	00'	1058.00 feet;
2.	163°	30'	986.50 feet ;
3.	160°	43'	855.00 feet;
4.	63°	54'	956.50 feet;
5.	119°	42'	1271.00 feet;
6.	134°	00'	1037.50 feet;
7.	144°	38'	952.80 feet;
8.	147°	39'	487.24 feet;
9.	240°	04'	17.33 feet along Lot 3-B;
10.	149°	19'	152.19 feet along Lot 3-B;
11.	143°	43'	90.00 feet along Lot 3-B;
12.	132°	33'	120.00 feet along Lot 3-B;
13.	127°	30'	370.48 feet along Lots 3 -B and 3-A;
14.	213°	35'	44.96 feet along the remainder of R.P. 5680, L.C. Aw. 11216, Ap. 6 to M. Kekauonohi;
15.	142°	43' 30"	25.41 feet along the remainder of R.P. 5680, L.C. Aw. 11216, Ap. 6 to M. Kekauonohi;
16.	146°	52'	143.88 feet along the remainder of R.P. 5680, L.C. Aw. 11216, Ap. 6 to M. Kekauonohi;

- |     |      |     |   |
|-----|------|-----|---|
| 17. | 123° | 07' | 116.60 feet along the remainder of R.P. 5680,<br>L.C. Aw.11216, Ap. 6 to M.<br>Kekauonohi;  |
| 18. | 120° | 07' | 97.02 feet along the remainder of R.P. 5680,<br>L.C. Aw.11216, Ap. 6 to M.<br>Kekauonohi;   |
| 19. | 113° | 07' | 111.54 feet along the remainder of R.P. 5680,<br>L.C. Aw.11216, Ap. 6 to M.<br>Kekauonohi;  |
| 20. | 105° | 37' | 128.04 feet along the remainder of R.P. 5680,<br>L.C. Aw.11216, Ap. 6 to M.<br>Kekauonohi;  |
| 21. | 99°  | 37' | 71.28 feet along the remainder of R.P. 5680,<br>L.C. Aw.11216, Ap. 6 to M.<br>Kekauonohi;   |
| 22. | 58°  | 02' | 166.32 feet along the remainder of R.P. 5680,<br>L.C. Aw.11216, Ap. 6 to M.<br>Kekauonohi;  |
| 23. | 51°  | 47' | 66.00 feet along the remainder of R.P. 5680,<br>L.C. Aw.11216, Ap. 6 to M.<br>Kekauonohi;   |
| 24. | 40°  | 07' | 137.90 feet along the remainder of R.P. 5680,<br>L.C. Aw.11216, Ap. 6 to M.<br>Kekauonohi;  |
| 25. | 23°  | 37' | 312.59 feet along the remainder of R.P. 5680,<br>L.C. Aw. 11216, Ap. 6 to M.<br>Kekauonohi to the centerline of the<br>Kapaa River and passing over a<br>pipe at 271.00 feet; |

- |     |      |     |   |
|-----|------|-----|---|
| 26. | 101° | 43' | 151.27 feet along the centerline of the Kapaa River;  |
| 27. | 86°  | 53' | 209.79 feet along the centerline of the Kapaa River;  |
| 28. | 58°  | 20' | 176.56 feet along the centerline of the Kapaa River to its northwesterly bank;  |
| 29. | 49°  | 30' | 310.17 feet along the Kealia and Kapaa boundary and along the Government Road;<br><br>Thence along the Government Road on a curve to the left with a radius of 2500.00 feet, the chord azimuth and distance being |
| 30. | 48°  | 00' | 130.88 feet;  |
| 31. | 46°  | 30' | 468.73 feet along the Kealia and Kapaa boundary and along the Government Road;<br><br>Thence along Roadway Parcel "C" on a curve to the right with a radius of 85.00 feet, the chord azimuth and distance being   |
| 32. | 92°  | 05' | 121.43 feet;  |
| 33. | 137° | 40' | 191.22 feet along Roadway Parcel "C";<br><br>Thence along Roadway Parcel "C" on a curve to the left with a radius of 290.00 feet, the chord azimuth and distance being  |



34.	124°	01'		136.87 feet;
35.	110°	22'		64.55 feet along Roadway Parcel "C";
				Thence along Roadway Parcel "C" on a curve to the right with a radius of 485.00 feet, the chord azimuth and distance being
36.	119°	11'		148.68 feet;
37.	128°	00'		66.65 feet along Roadway Parcel "C";
				Thence along Roadway Parcel "C" on a curve to the right with a radius of 135.00 feet, the chord azimuth and distance being
38.	155°	02'	30"	122.75 feet;
39.	182°	05'		171.19 feet along Roadway Parcel "C";
				Thence along Roadway Parcel "C" on a curve to the left with a radius of 765.00 feet, the chord azimuth and distance being
40.	166°	49'	30"	402.65 feet;
41.	151°	34'		35.43 feet along Roadway Parcel "C";
				Thence along Roadway Parcel "C" on a curve to the right with a radius of 485.00 feet, the chord azimuth and distance being
42.	169°	20'		295.99 feet;

43. 187° 06' 87.37 feet along Roadway Parcel "C";  
 Thence along Roadway Parcel "C" on a curve to the left with a radius of 2015.00 feet, the chord azimuth and distance being
44. 185° 37' 104.32 feet;
45. 184° 08' 68.44 feet along Roadway Parcel "C";  
 Thence along Roadway Parcel "C" on a curve to the right with a radius of 1985.00 feet, the chord azimuth and distance being
46. 187° 54' 260.80 feet;
47. 191° 40' 172.77 feet along Roadway Parcel "C";  
 Thence along Roadway Parcel "C" on a curve to the left with a radius of 265.00 feet, the chord azimuth and distance being
48. 175° 35' 146.83 feet;
49. 159° 30' 50.51 feet along roadway Parcel "C";  
 Thence along Roadway Parcel "C" on a curve to the left with a radius of 515.00 feet, the chord azimuth and distance being
50. 148° 35' 195.06 feet;
51. 137° 40' 57.88 feet along Roadway Parcel "C";

Thence along Roadway Parcel "C"  
on a curve to the right with a radius  
of 60.00 feet, the chord azimuth  
and distance being

52. 179° 55' 80.68 feet;

53. 222° 10' 108.98 feet along Roadway Parcel "C";

Thence along Roadway Parcel "C"  
on a curve to the left with a radius of  
365.00 feet, the chord azimuth and  
distance being

54. 199° 10' 285.23 feet;

55. 176° 10' 52.26 feet along Roadway Parcel "C";

Thence along Roadway Parcel "C"  
on a curve to the right with a radius  
of 185.00 feet, the chord azimuth  
and distance being

56. 200° 43' 153.73 feet;

57. 225° 16' 204.44 feet along Roadway Parcel "C";

Thence along Roadway Parcel "C"  
on a curve to the left with a radius of  
465.00 feet, the chord azimuth and  
distance being

58. 208° 15' 272.04 feet;

59. 191° 15' 393.09 feet along Roadway Parcel "C";

Thence along Roadway Parcel "C"  
on a curve to the left with a radius of  
2185.00 feet, the chord azimuth and  
distance being

60. 198° 50' 576.70 feet;

61. 206° 25' 363.05 feet along Roadway Parcel "C";

Thence along Roadway Parcel "C"  
on a curve to the left with a radius of  
3015.00 feet, the chord azimuth and  
distance being

62. 202° 31' 410.13 feet;

63. 198° 37' 76.44 feet along Roadway Parcel "C";

Thence along Roadway Parcel "C"  
on a curve to the left with a radius of  
615.00 feet, the chord azimuth and  
distance being

64. 183° 53' 312.81 feet;

65. 169° 09' 93.15 feet along Roadway Parcel "C";

Thence along Roadway Parcel "C"  
on a curve to the right with a radius  
of 985.00 feet, the chord azimuth  
and distance being

66. 176° 19' 30" 246.05 feet;

67.	183°	30'	62.40 feet along Roadway Parcel "C";
			Thence along Roadway Parcel "C" on a curve to the left with a radius of 1315.00 feet, the chord azimuth and distance being
68.	174°	36'	406.89 feet;
69.	165°	42'	491.64 feet along Roadway Parcel "C";
			Thence along Roadway Parcel "C" on a curve to the right with a radius of 185.00 feet, the chord azimuth and distance being
70.	187°	16'	136.01 feet;
71.	208°	50'	124.64 feet along Roadway Parcel "C" to Roadway Parcel "A";
			Thence along Roadway Parcel "A" on a curve to the right with a radius of 30.00 feet, the radial azimuth at the point of curvature being 118° 50', the radial azimuth at the point of compound curvature being 222° 04' 56", the chord azimuth and distance being
72.	260°	27' 28"	47.04 feet;
			Thence along Roadway Parcel "A" on a curve to the right with a radius of 180.00 feet, the radial azimuth at the point of compound curvature being 222° 04' 56", the radial azimuth at the point of reverse

curvature being 240° 59' 02", the  
chord azimuth and distance being

73. 321° 32' 02" 59.12 feet;

Thence along Roadway Parcel "A"  
on a curve to the right with a radius  
of 520.00 feet, the radial azimuth at  
the point of curvature being 60°  
59' 02", the radial azimuth at the  
point of compound curvature being  
31° 35', the chord azimuth and  
distance being

74. 316° 17' 01" 263.91 feet;

75. 301° 35' 106.04 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the right with a radius  
of 1980.00 feet, the chord azimuth  
and distance being

76. 307° 23' 30" 400.76 feet;

77. 313° 12' 120.78 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the right with a radius  
of 1980.00 feet, the chord azimuth  
and distance being

78. 316° 36' 234.85 feet;

79. 320° 00' 400.66 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the left with a radius  
of 620.00 feet, the chord azimuth  
and distance being

80. 311° 26' 184.71 feet;

81. 302° 52' 157.68 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the right with a radius  
of 1330.00 feet, the chord azimuth  
and distance being

82. 308° 41' 269.58 feet;

83. 314° 30' 59.16 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the right with a radius  
of 1980.00 feet, the chord azimuth  
and distance being

84. 320° 04' 30" 384.71 feet along Roadway Parcel "A";

85. 325° 39' 172.06 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the left with a radius  
of 620.00 feet, the chord azimuth  
and distance being

86. 310° 47' 30" 317.97 feet;

87. 295° 56' 767.16 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the left with a radius  
of 10020.00 feet, the chord azimuth  
and distance being

88. 294° 04' 652.78 feet;

89. 292° 12' 35.63 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the right with a radius  
of 580.00 feet, the chord azimuth  
and distance being

90. 306° 46' 291.75 feet;

91. 321° 20' 252.22 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the left with a radius  
of 520.00 feet, the chord azimuth  
and distance being

92. 311° 22' 30" 179.85 feet;

93. 301° 25' 322.68 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the right with a radius  
of 680.00 feet, the chord azimuth  
and distance being

94. 312° 12' 30" 254.64 feet;

95. 323° 00' 167.22 feet along Roadway Parcel "A";



Thence along Roadway Parcel "A"  
on a curve to the left with a radius  
of 1020.00 feet, the chord azimuth  
and distance being

96. 321° 03' 30" 69.12 feet;

97. 319° 07' 290.14 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the right with a radius  
of 1180.00 feet, the chord azimuth  
and distance being

98. 324° 32' 222.78 feet;

99. 329° 57' 165.80 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the left with a radius  
of 1520.00 feet, the chord azimuth  
and distance being

100. 318° 16' 30" 615.17 feet;

101. 306° 36' 99.62 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the right with a radius  
of 480.00 feet, the chord azimuth  
and distance being

102. 313° 12' 30" 110.48 feet;

103. 319° 49' 77.80 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the right with a radius  
of 380.00 feet, the chord azimuth  
and distance being

104.	335°	41'		207.78 feet;
105.	351°	33'		15.86 feet along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the left with a radius of 495.00 feet, the chord azimuth and distance being
106.	325°	32'	30"	434.12 feet;
107.	299°	32'		376.71 feet along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the left with a radius of 420.00 feet, the chord azimuth and distance being
108.	284°	42'	30"	214.93 feet;
109.	269°	53'		28.19 feet along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the right with a radius of 230.00 feet, the chord azimuth and distance being
110.	293°	18'		182.81 feet;
111.	316°	43'		159.07 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
 on a curve to the left with a radius  
 of 395.00 feet, the chord azimuth  
 and distance being

112. 296° 19' 275.37 feet;

113. 275° 55' 123.53 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
 on a curve to the right with a radius  
 of 230.00 feet, the chord azimuth  
 and distance being

114. 296° 11' 30" 159.40 feet;

115. 316° 28' 130.88 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
 on a curve to the right with a radius  
 of 180.00 feet, the chord azimuth  
 and distance being

116. 336° 51' 30" 125.44 feet;

117. 357° 15' 194.59 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
 on a curve to the left with a radius  
 of 820.00 feet, the chord azimuth  
 and distance being

118. 347° 22' 30" 281.26 feet;

119. 337° 30' 112.85 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the right with a radius  
of 460.00 feet, the chord azimuth  
and distance being

120. 348° 36' 177.12 feet;

121. 359° 42' 157.00 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the left with a radius  
of 500.00 feet, the chord azimuth  
and distance being

122. 339° 15' 349.39 feet;

123. 318° 48' 83.00 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the right with a radius  
of 250.00 feet, the chord azimuth  
and distance being

124. 348° 38' 248.74 feet;

125. 18° 28' 139.00 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the left with a radius  
of 280.00 feet, the chord azimuth  
and distance being

126. 357° 59' 195.96 feet;

127. 337° 30' 403.00 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
 on a curve to the right with a radius  
 of 880.00 feet, the chord azimuth  
 and distance being

128.	339°	50'		71.65 feet;
129.	342°	10'		150.62 feet along Roadway Parcel "A";
130.	18°	04'	30"	954.17 feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31[1]) and (F.A.P. No. F-12[20]);
131.	108°	04'	30"	10.00 feet along the westerly side of Kuhio Highway, (F.A.P. No. F-12[20]);
132.	18°	04'	30"	150.00 feet along the westerly side of Kuhio Highway, (F.A.P. No. F-12[20]);
133.	288°	04'	30"	10.00 feet along the westerly side of Kuhio Highway, (F.A.P. No. F-12[20]);
134.	18°	04'	30"	340.00 feet along the westerly side of Kuhio Highway, (F.A.P. No. F-12[20]);
135.	69°	25'		25.61 feet along the westerly side of Kuhio Highway, (F.A.P. No. F-12[20]);
136.	18°	04'	30"	152.51 feet along the westerly side of Kuhio Highway, (F.A.P. No. F-12[20]) to the point of beginning and containing a gross area of 935.451 acres less R.P. 6735, L.C. Aw. 10149, Ap. 1 to Makuahine containing an area of 1.00 acre leaving a net area of 934.451 acres.

EXCLUDING THEREFROM Royal Patent Number  
Award Number 10149, Apana 1 to Makuahine  
containing an area of 1.00 acre, leaving a net area of 934.451  
acres.

FURTHER EXCLUDING THEREFROM all of Royal Patent  
Number 6905, Land Commission Award Number 10148, Apanas 1 and 2  
to Mamaki, Royal Patent Number ----, Land Commission Award  
Number 8842, Apanas 1 and 2 to Kaawapupuole, Royal Patent  
Number 6387, Land Commission Award Number 1980, Apana 2 to  
Puali, Royal Patent Number 7361, Land Commission Award Number  
10628, Apanas 1 and 2 to Puhi, and Royal Patent Number 7360,  
Land Commission Award Number 8833, Apanas 1 and 2 to Kiaipa.

EXHIBIT "6"

DESCRIPTION OF  
TAX MAP KEY: (4) 4-7-04: 1

ALL that certain piece or parcel of land being a portion of Royal Patent 5680, Land Commission Award 11216, Apana 6 to M. Kekauonohi and all of Royal Patent 7149, Land Commission Award 10689 to Puukuakahi, Royal Patent 6814, Land Commission Award 10660 to Pakaa and Grant 3158 to E. Krull and being a portion of the Certificate of Boundaries No 1.

Siluate at Kumukumu and Kealia, Kawaihau, Kauai, Hawaii.

Beginning at the northeast corner of this parcel of land, the same being on the boundary of the lands of Kealia and Kamalomalo and on the westerly side of Kuhio Highway, Federal Aid Project No. F-31 (1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KIKOO" being 10,480.38 feet South and 9,951.24 feet East and thence running by azimuths measured clockwise from true South:

Along the westerly side of Kuhio Highway, ( F.A.P. No. F-31[1]) on a curve to the right with a radius of 3930.00 feet, the radial azimuth to the point of curvature being  $258^{\circ} 29' 14''$  and to the point of tangency being  $263^{\circ} 13' 10''$ , the chord azimuth and distance being

1.       $340^{\circ}$        $51'$        $12''$       324.50 feet:

- 2. 263° 13' 10" 20.00 feet along the westerly side of Kuhio Highway (F.A.P. No. F-31 [1]);  

Thence along the westerly side of Kuhio Highway, (F.A.P. No. F-31[1]) on a curve to the right with a radius of 3950.00 feet, the radial azimuth at the point of curvature being 263° 13' 10" and at the point of tangency being 271° 48' 50", the chord azimuth and distance being
- 3. 357° 31' 591.95 feet;
- 4. 91° 48' 50" 10.00 feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31[1]);  

Thence along the westerly side of Kuhio Highway, (F.A.P. No. F-31[1]) on a curve to the right with a radius of 3940.00 feet, the radial azimuth at the point of curvature being 271° 48' 50" and at the point of tangency being 280° 51', the chord azimuth and distance being
- 5. 6° 19' 55" 620.73 feet;
- 6. 10° 51' 317.79 feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31 [1]);
- 7. 280° 51' 20.00 feet along the westerly side of Kuhio Highway, (F.A.P. No. F-31 [1]);
- 8. 10° 51' 1600.00 feet along the westerly side of Kuhio Highway (F.A.P. No. F-31 [1]);



- |     |      |     |     |   |
|-----|------|-----|-----|---|
| 9.  | 100° | 51' |     | 10.00 feet along the westerly side of Kuhio Highway<br>(F.A.P. No. F-31 [1]);   |
| 10. | 10°  | 51' |     | 450.00 feet along the westerly side of Kuhio Highway<br>(F.A.P. No. F-31 [1]);  |
| 11. | 100° | 51' |     | 20.00 feet along the westerly side of Kuhio Highway<br>(F.A.P. No. F-31 [1]);   |
| 12. | 10°  | 51' |     | 400.00 feet along the westerly side of Kuhio Highway<br>(F.A.P. No. F-31 [1]);  |
| 13. | 280° | 51' |     | 10.00 feet along the westerly side of Kuhio Highway<br>(F.A.P. No. F-31 [1]);   |
| 14. | 10°  | 51' |     | 200.00 feet along the westerly side of Kuhio Highway<br>(F.A.P. No. F-31 [1]);  |
| 15. | 280° | 51' |     | 10.00 feet along the westerly side of Kuhio Highway<br>(F.A.P. No. F-31 [1]);   |
| 16. | 10°  | 51' |     | 582.76 feet along the westerly side of Kuhio Highway<br>(F.A.P. No. F-31 [1]);  |
|     |      |     |     | Thence along the westerly side of<br>Kuhio Highway, (F.A.P. No. F-31[1])<br>on a curve to the right with a radius<br>of 5950.00 feet, the chord distance<br>being |
| 17. | 14°  | 27' | 45" | 749.80 feet;  |
| 18. | 18°  | 04' | 30" | 910.64 feet along the westerly side of Kuhio Highway<br>(F.A.P. No. F-31 [1]);  |
| 19. | 108° | 04' | 30" | 20.00 feet along the westerly side of Kuhio Highway<br>(F.A.P. No. F-31 [1]);   |

- |     |      |     |     |   |
|-----|------|-----|-----|---|
| 20. | 18°  | 04' | 30" | 500.62 feet along the westerly side of Kuhio Highway (F.A.P. No. F-31 [1]);   |
| 21. | 120° | 45' |     | 389.29 feet along Kaao Road and Lots 17, 18, 19 20 and 21, File Plan 505, Kealia Town Tract, Block A<br><br>Thence along Lot 21, a 10-ft. wide drainage right-of-way, Lots 22, 23, 24, and a portion of a 40-ft. wide roadway, File Plan 505, Kealia Town Tract, Block A on a curve to the right with a radius of 280.00 feet, the chord azimuth and distance being |
| 22. | 146° | 07' | 30" | 239.98 feet;  |
| 23. | 171° | 30' |     | 387.47 feet along a 40-ft. wide roadway and Lots 25, 26, 27 and 28, File Plan 505, Kealia Town Tract, Block A;<br><br>Thence along Lots 28, 29, 30 and 31, File Plan 505, Kealia Town Tract, Block A on a curve to the left with a radius of 360.00 feet, the chord azimuth and distance being  |
| 24. | 148° | 30' | 50" | 281.17 feet;  |
| 25. | 215° | 31' | 40" | 140.00 feet along Lot 36, File Plan 505, Kealia Town Tract, Block A and along Hopoe Road;   |

Thence along Hopoe Road on a curve to the left with a radius of 500.00 feet, the chord azimuth and distance being

26. 123° 14' 09" 39.99 feet;

27. 30° 56' 38" 10.00 feet along Hopoe Road;

Thence along Hopoe Road on a curve to the left with a radius of 490.00 feet, the chord azimuth and distance being

28. 104° 28' 19" 277.88 feet;

29. 88° 00' 2.57 feet along Hopoe Road;

Thence along Hopoe Road on a curve to the right with a radius of 25.00 feet, the chord azimuth and distance being

30. 138° 16' 30" 38.46 feet;

31. 98° 33' 30.00 feet along Roadway Parcel "A";

32. 8° 33' 27.51 feet along Roadway Parcel "A";

33. 136° 28' 173.31 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A" on a curve to the left with a radius of 270.00 feet, the chord azimuth and distance being

34.	116°	11'	30"	187.12 feet;
35.	95°	55'		123.53 feet along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the right with a radius of 355.00 feet, the chord azimuth and distance being
36.	116°	19'		247.49 feet;
37.	136°	43'		159.07 feet along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the left with a radius of 270.00 feet, the chord azimuth and distance being
38.	113°	18'		214.60 feet;
39.	89°	53'		28.19 feet along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the right with a radius of 380.00 feet, the chord azimuth and distance being
40.	104°	42'	30"	194.46 feet;
41.	119°	32'		376.71 feet along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the right with a radius of 455.00 feet, the chord azimuth and distance being
42.	145°	32'	30"	399.04 feet;

43.	171°	33'		15.86 feet along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the left with a radius of 420.00 feet, the chord azimuth and distance being
44.	155°	41'		229.66 feet;
45.	139°	49'		77.80 feet along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the left with a radius of 520.00 feet, the chord azimuth and distance being
46.	133°	12'	30"	119.69 feet;
47.	126°	36'		99.62 feet along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the right with a radius of 1480.00 feet, the chord azimuth and distance being
48.	138°	16'	30"	598.99 feet;
49.	149°	57'		165.80 feet along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the left with a radius of 1220.00 feet, the chord azimuth and distance being
50.	144°	32'		230.33 feet;

51.	139°	07'		290.14 feet along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the right with a radius of 980.00 feet, the chord azimuth and distance being
52.	141°	03'	30"	66.41 feet;
53.	143°	00'		167.22 feet along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the left with a radius of 720.00 feet, the chord azimuth and distance being
54.	132°	12'	30"	269.62 feet;
55.	121°	25'		322.68 feet along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the right with a radius of 480.00 feet, the chord azimuth and distance being
56.	131°	22'	30"	166.01 feet;
57.	141°	20'		252.22 feet along Roadway Parcel "A";
				Thence along Roadway Parcel "A" on a curve to the left with a radius of 620.00 feet, the chord azimuth and distance being
58.	126°	46'		311.87 feet;
59.	112°	12'		35.63 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the right with a radius  
of 9980.00 feet, the chord azimuth  
and distance being

60. 114° 04' 650.17 feet;

61. 115° 56' 767.16 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the right with a radius  
of 580.00 feet, the chord azimuth  
and distance being

62. 130° 47' 30" 297.46 feet;

63. 145° 39' 172.06 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the left with a radius of  
2020.00 feet, the chord azimuth and  
distance being

64. 140° 04' 30" 392.48 feet;

65. 134° 30' 59.16 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the left with a radius of  
1370.00 feet, the chord azimuth and  
distance being

66. 128° 41' 277.69 feet;

67. 122° 52' 157.68 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the right with a radius

of 580.00 feet, the chord azimuth  
and distance being

68. 131° 26' 172.79 feet;

69. 140° 00' 400.66 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the left with a radius of  
2020.00 feet, the chord azimuth and  
distance being

70. 136° 36' 239.60 feet;

71. 133° 12' 120.78 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the left with a radius of  
2020.00 feet, the chord azimuth and  
distance being

72. 127° 23' 30" 408.85 feet;

73. 121° 35' 106.04 feet along Roadway Parcel "A";

Thence along Roadway Parcel "A"  
on a curve to the right with a radius  
of 480.00 feet, the radial azimuth at  
the point of curvature being 31° 35',  
the radial azimuth at the point of  
reverse curve being 60° 59' 02", the  
chord azimuth and distance being

74. 136° 17' 01" 243.61 feet;



Thence along Roadway Parcel "A" on a curve to the left with a radius of 220.00 feet, the radial azimuth at the point of reverse curve being 240° 59' 02" and the radial azimuth at the point of reverse curve being 216° 44' 14", the chord azimuth and distance being

75. 138° 51' 38" 92.41 feet;

Thence along Roadway Parcel "A" on a curve to the right with a radius of 30.00 feet, the radial azimuth at the point of reverse curve being 36° 44' 14" and the radial azimuth at the point of tangency being 118° 50', the chord azimuth and distance being

76. 167° 47' 07" 39.40 feet;

77. 208° 50' 609.99 feet along Roadway Parcel "B";

Thence along Roadway Parcel "B" on a curve to the right with a radius of 1085.00 feet, the chord azimuth and distance being

78. 216° 35' 292.62 feet;

79. 224° 20' 442.06 feet along Roadway Parcel "B";

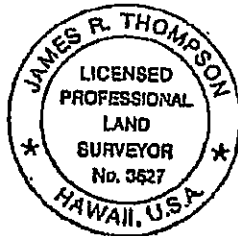
Thence along Roadway Parcel "B" on a curve to the right with a radius of 1485.00 feet, the chord azimuth and distance being

80.	228°	10'		198.56 feet;
81.	232°	00'		79.21 feet along Roadway Parcel "B";
				Thence along Roadway Parcel "B" on a curve to the left with a radius of 1015.00 feet, the chord azimuth and distance being
82.	230°	17'	30"	60.52 feet;
83.	228°	35'		212.26 feet along Roadway Parcel "B";
				Thence along Roadway Parcel "B" on a curve to the right with a radius of 285.00 feet, the chord azimuth and distance being
84.	247°	47'	30"	187.53 feet;
85.	267°	00'		27.78 feet along Roadway Parcel "B";
				Thence along Roadway Parcel "B" on a curve to the left with a radius of 565.00 feet, the chord azimuth and distance being
86.	247°	34'		375.96 feet;
87.	228°	08'		313.32 feet along Roadway Parcel "B";
88.	270°	19'		56.25 feet along the Government Land of Kamalomalo;
89.	265°	34'		635.30 feet along the Government Land of Kamalomalo;

90.	287°	46'		205.50 feet along the Government Land of Kamalomalo;
91.	310°	40'	30"	1006.10 feet along the Government Land of Kamalomalo;
92.	255°	59'	30"	805.30 feet along the Government Land of Kamalomalo;
93.	281°	50'		428.60 feet along the Government Land of Kamalomalo;
94.	307°	57'		351.80 feet along the Government Land of Kamalomalo;
95.	293°	03'		391.30 feet along the Government Land of Kamalomalo;
96.	279°	29'		249.90 feet along the Government Land of Kamalomalo;
97.	273°	37'		331.40 feet along the Government Land of Kamalomalo;
98.	265°	55'		440.30 feet along the Government Land of Kamalomalo;
99.	296°	02'		1097.00 feet along the Government Land of Kamalomalo;
100.	311°	02'		163.00 feet along the Government Land of Kamalomalo;
101.	288°	16'		180.80 feet along the Government Land of Kamalomalo;
102.	298°	32'		899.60 feet along the Government Land of Kamalomalo;

- |      |      |     |   |
|------|------|-----|---|
| 103. | 297° | 54' | 498.30 feet along the Government Land of<br>Kamalomalo;   |
| 104. | 283° | 02' | 540.50 feet along the Government Land of<br>Kamalomalo;   |
| 105. | 267° | 57' | 279.83 feet along the Government Land of<br>Kamalomalo to the point of<br>beginning and containing an area of<br>1075.599 acres |

Honolulu, Hawaii  
February 19, 1998



WALTER P. THOMPSON, INC.

By *James R. Thompson*  
Licensed Professional  
Land Surveyor 3627

Tax Map Key: (4) 4-7-04: 1  
97-156g

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