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FIRST HAWAII TITLE CORPORATION

LAND COURT SYSTEM

REGULAR SYSTEM

Return by Mail (  ) Pickup (  ) To:

West Maui Land Company  
33 Lono Avenue Suite 450  
Kahului, HI 96732

**FHTC**

**Escrow No.** 20306465 DW

**Title No.** 194204

Tax Keys: (2) 4-7-11: 1 through 22 (Phase I)

Total No. of Pages: 28

Tax Keys: (2) 4-7-12: 1 through 24 (Phase II)

Tax Key: (2) 4-7-01: 29 (Phase III)

Third Amendment to Amended and Restated Makila Plantation  
Declaration of Covenants, Conditions and Restrictions

Declarant: MAKILA LAND CO., LLC  
33 Lono Avenue, Suite 450  
Kahului, Maui, Hawaii 96732



Third Amendment to Amended and Restated Makila Plantation  
Declaration of Covenants, Conditions and Restrictions

This Third Amendment is dated this 23<sup>rd</sup> day of February, 2009, and is executed by MAKILA LAND CO., LLC, a Hawaii limited liability company, whose principal place of business and post office address is 33 Lono Avenue, Suite 450, Kahului, Maui, Hawaii 96732 (the "Declarant").

Reference is made to the Amended and Restated Makila Plantation Declaration of Covenants, Conditions and Restrictions dated September 15, 2003, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 2003-227086, as amended by First and Second Amendments recorded in the said Bureau of Conveyances as Documents Nos. 2003-246052 and 2003-272575, respectively (collectively, the "Declaration").

The purpose of this Third Amendment is to identify and annex additional lots within and subject to the Declaration pursuant to Section 10.01 of the Declaration.

AMENDMENT

Makila Plantation - Phase III is hereby annexed to Makila Plantation Subdivision for all purposes and subject to the following terms and conditions:

1. Section 1, RECITALS, is hereby amended by adding a new subparagraph (c) to the descriptions of the lands to which the Declaration applies to read as follows:

"(c) The land described in Exhibit A-2 hereto and made a part hereof. This land has been subdivided into five (5) agricultural lots, all to be known as "Makila Plantation - Phase III".

2. Exhibit A-2 attached to this Third Amendment is hereby added to the Declaration as Exhibit A-2 thereto.

3. Easement A, described on Exhibit B attached hereto, is added to the list of Common Areas in Section 2.04. Easement A was granted to the existing and future owners of the land comprising Makila Plantation - Phase III (including the lots which now have been established therein) by that certain Grant of Nonexclusive Easement for Roadway Use (Easement A for Makila Plantation - Phase III) dated January 30, 2008, and

recorded in the said Bureau of Conveyances as Document No. 2008-015976.

4. In addition, the following easements are added to the list of Common Areas in Section 2.04:

(a) Easements D-1 through D-10, inclusive, for drainage;

(b) Easements T-1 through T-5, inclusive, for trail purposes;

(c) Easement H for drainage purposes; and

(d) A recreational trail easement located on the existing trail shown in red on the map attached hereto as Exhibit "C" and made a part hereof for greenway purposes as provided in Section 6.01(d); subject, however, to the right of the owner of Lot 1 or Lot 2 to relocate said trail at any time at said owner's own expense to a location which is wholly within that portion of Easement T-3 which crosses said Lot. Said relocation shall be accomplished by

(a) physically constructing a new trail over the relocated portion which shall be passable and convenient for reasonable non-vehicular passage; (b) notifying the Association in writing of said relocation; and (c) providing to the Association a survey showing the trail as relocated. Upon completion of said steps, this trail easement shall be deemed to be relocated to its new location. This easement is and shall be at least fifteen (15) feet wide.

Said easements are shown on the Makila Plantation - Phase III Subdivision Plan, County of Maui Subdivision File No. 4.928 (said plan to be referred to as the "Makila Plantation - Phase III Plan") and on Exhibit "C" hereto.

With regard to Easements D-1 through D-10, the Association shall provide and maintain a reasonable reserve fund to pay for ongoing maintenance and repairs of the drainage basins. In the event the Association fails to appropriately maintain any such drainage basin, the West Maui Water and Soil Conservation District shall have the right to enter said easement area by its own forces or by an outside contractor to

perform said maintenance work at the Association's expense, and the Association shall pay the cost thereof as a common expense, utilizing any such reserve funds as may be held by the Association for the drainage basins at that time.

With regard to Easements T-1, T-2 and T-5, the trails (greenways) in those easements have not yet been physically constructed as of the date of this Third Amendment. Their use as greenways under Section 6.01(d) shall not be permitted until the trail shall be constructed over the area to be used. The Association, the Declarant, and the owner of the land traversed by the easement shall each have the right, acting unilaterally, but not the legal obligation, to construct the trail within the easement area. Upon the Association receiving notice that the trail (or such portion) has been constructed, the Association shall then assume the management thereof under Section 6.01(d), and the recreational use shall commence.

5. Section 2.06 is hereby amended by adding thereto Lots Numbered 1 through 5, consecutively, of Makila Plantation - Phase III, all to be developed within the land described on Exhibit A-2 attached to this Third Amendment.

6. Section 2.07 is hereby amended to add Makila Plantation - Phase III to the definition of "neighborhood" and "Makila Plantation".

7. Section 2.09 is hereby amended by adding to the list of plans included within the term "Plan" the Makila Plantation - Phase III Plan.

8. The amendments set forth in the Second Amended and Restated Makila Plantation Declaration of Covenants, Conditions and Restrictions, recorded in the said Bureau of Conveyances as Document No. 2003-272575, shall apply to all Makila Plantation - Phase III lots; provided, however, that any provision in Section 3.18 restricting or limiting condominium conversion or further subdivision shall not apply to any of the lots in Makila Plantation - Phase III. (Note, however, that further division of Phase III lots may be restricted by zoning laws or by recorded agreements with the County of Maui.)

9. Each of the lots within Makila Plantation - Phase III shall be subject to building setbacks as follows:

A sixty-foot (60') wide setback along any lot boundary which abuts Easement A (referred to in Paragraph 3

above), and a forty-foot (40') wide setback along every other boundary of each lot. No building or structure may be placed or erected within any such setback area except fences as permitted by County of Maui regulations, landscaping, improved driveway or walkway, and underground utilities.

10. Each of the lots within Makila Plantation - Phase III shall be subject to the following provisions:

(a) No plants shall be introduced or cultivated on any lot which is listed in "Hawaii's Most Invasive Horticultural Plants" attached to this Third Amendment as Exhibit "D", as said list may be amended or updated (or replaced) by the Hawaii State Department of Land and Natural Resources, Division of Forestry and Wildlife (or any successor agency).

(b) If in the future, any lot shall be rezoned and re-designated to a County of Maui zoning classification and a State of Hawaii land use designation which is other than agriculture, then the agricultural use restrictions set forth in Section 3.01 (and related sections) shall no longer apply to said lot, and the applicable setbacks may also be adjusted to conform to the setbacks applicable to the rezoned areas under applicable law.

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



EXHIBIT A-2

Launiupoko (Large-Lot) Subdivision No. 2  
Description of Lot 6

Land situated on the easterly side of Honoapiilani Highway  
(F.A.P. No. F-030-1(1)) at Launiupoko, Lahaina, Maui, Hawaii

Being a portion of Royal Patent 1358, Land Commission Award 82  
to Thomas Phillips

Beginning at a point at the southwesterly corner of this lot,  
being also the northwesterly corner of Lot 11 of Makila Plantation,  
the coordinates of said point of beginning referred to Government  
Survey Triangulation Station "LAUNIUPOKO" being: 5,520.22 feet North  
and 4,979.43 feet West and running by azimuths measured clockwise from  
True South:

1.	135' 53'	100.53 feet along the remainder of Royal Patent 1358, Land Commission Award 82 to Thomas Phillips, being also along Lot 5 of Launiupoko (Large-Lot) Subdivision No. 2 to a point;
2.	220' 00'	73.21 feet along same to a point;
3.	234' 00'	401.91 feet along same to a point;
4.	245' 00'	184.29 feet along same to a point;
5.	222' 00'	50.22 feet along same to a point;
6.	200' 00'	58.28 feet along same to a point;
7.	186' 00'	150.58 feet along same to a point;
8.	213' 00'	232.09 feet along same to a point;
9.	139' 30'	76.74 feet along same to a point;
10.	152' 00'	123.06 feet along same to a point;
11.	107' 00'	140.70 feet along same to a point;
12.	129' 30'	253.69 feet along same to a point;
13.	123' 30'	190.93 feet along same to a point;
14.	133' 30'	264.87 feet along same to a point;

15. 99° 30' 37.32 feet along same to a point;
16. 54° 30' 76.93 feet along same to a point;
17. 77° 00' 126.35 feet along same to a point;
18. 122° 00' 62.34 feet along same to a point;
19. 215° 30' 287.32 feet along same to a point;
20. 237° 00' 536.36 feet along same to a point;
21. 147° 00' 455.00 feet along same to a point;
22. 237° 00' 859.45 feet along the remainder of Royal Patent 1358, Land Commission Award 82 to Thomas Phillips, being also along Lots 5 and 1 of Launiupoko (Large-Lot) Subdivision No. 2 to a point;
23. Thence along the remainder of Royal Patent 1358, Land Commission Award 82 to Thomas Phillips, being also along Lot 1 of Launiupoko (Large-Lot) Subdivision No. 2 on a curve to the right, having a radius of 1,462.40 feet, the chord azimuth and distance being: 233° 00' 204.02 feet to a point;
24. 229° 00' 374.27 feet along same to a point;
25. Thence along same on a curve to the right, having a radius of 720.00 feet, the chord azimuth and distance being: 259° 50' 30" 738.24 feet to a point;
26. 290° 41' 558.85 feet along same to a point;
27. Thence along same on a curve to the right, having a radius of 170.00 feet, the chord azimuth and distance being: 326° 44' 30" 200.13 feet to a point;
28. 2° 48' 52.35 feet along same to a point;

29. Thence along same on a curve to the left, with the point of curvature azimuth from the radial point being: 92' 48' and the point of tangency azimuth from the radial point being: 34' 29' 36", having a radius of 250.00 feet, the chord azimuth and distance being: 333' 38' 48" 243.57 feet to a point;
30. Thence along same on a curve to the right, with the point of curvature azimuth from the radial point being: 214' 29' 36" and the point of tangency azimuth from the radial point being: 269' 36' 18", having a radius of 170.00 feet, the chord azimuth and distance being: 332' 02' 57" 157.29 feet to a point;
31. Thence along same on a curve to the left, with the point of curvature azimuth from the radial point being: 89' 36' 18" and the point of tangency azimuth from the radial point being: 9' 10' 14", having a radius of 180.00 feet, the chord azimuth and distance being: 319' 23' 16" 232.45 feet to a point;
32. Thence along same on a curve to the right, with the point of curvature azimuth from the radial point being: 189' 10' 14" and the point of tangency azimuth from the radial point being: 281' 03', having a radius of 95.00 feet, the chord azimuth and distance being: 325' 06' 37" 136.54 feet to a point;
33. 11' 03' 134.16 feet along same to a point;

34. Thence along same on a curve to the left, with the point of curvature azimuth from the radial point being: 101° 03' and the point of tangency azimuth from the radial point being: 48° 06' 26", having a radius of 240.00 feet, the chord azimuth and distance being: 344° 34' 43" 213.96 feet to a point;
35. Thence along same on a curve to the right with the point of curvature azimuth from the radial point being: 228° 06' 26" and the point of tangency azimuth from the radial point being: 264° 00', having a radius of 270.00 feet, the chord azimuth and distance being: 336° 03' 13" 166.39 feet to a point;
36. 354° 00' 449.74 feet along same to a point;
37. Thence along same on a curve to the right with the point of curvature azimuth from the radial point being: 264° 00' and the point of tangency azimuth from the radial point being: 271° 11' 44', having a radius of 470.00 feet, the chord azimuth and distance being: 357° 35' 52" 58.99 feet to a point;
38. 121° 48' 616.31 feet along the remainder of Royal Patent 1358, Land Commission Award 82 to Thomas Phillips, being also along Lot 16 of Makila Plantation to a point;
39. 68° 00' 575.47 feet along same to a point;
40. 82° 00' 139.25 feet along the remainder of Royal Patent 1358, Land Commission Award 82 to Thomas Phillips, being also along Lot 17 of Makila Plantation to a point;

41.	51'	00'	68.22 feet along same to a point;
42.	72'	00'	94.09 feet along same to a point;
43.	56'	00'	130.62 feet along same to a point;
44.	51'	00'	152.46 feet along the remainder of Royal Patent 1358, Land Commission Award 82 to Thomas Phillips, being also along Lot 18 of Makila Plantation to a point;
45.	86'	00'	54.69 feet along same to a point;
46.	61'	00'	65.00 feet along same to a point;
47.	36'	00'	40.00 feet along same to a point;
48.	44'	00'	110.99 feet along same to a point;
49.	63'	00'	50.20 feet along same to a point;
50.	55'	00'	158.48 feet along the remainder of Royal Patent 1358, Land Commission Award 82 to Thomas Phillips, being also along Lot 19 of Makila Plantation to a point;
51.	86'	00'	43.78 feet along same to a point;
52.	113'	00'	48.00 feet along same to a point;
53.	93'	00'	66.00 feet along same to a point;
54.	78'	00'	73.20 feet along same to a point;
55.	69'	00'	71.12 feet along same to a point;
56.	53'	00'	52.42 feet along same to a point;
57.	33'	00'	270.02 feet along the remainder of Royal Patent 1358, Land Commission Award 82 to Thomas Phillips, being also along Lots 19 and 11 of Makila Plantation to a point;

58.	349'	00'	45.00 feet along the remainder of Royal Patent 1358, Land Commission Award 82 to Thomas Phillips, being also along Lot 11 of Makila Plantation to a point;
59.	6'	00'	70.00 feet along same to a point;
60.	20'	00'	90.01 feet along same to a point;
61.	42'	00'	90.00 feet along same to a point;
62.	65'	00'	195.00 feet along same to a point;
63.	54'	00'	380.00 feet along same to a point;
64.	40'	00'	71.23 feet along same to the point of beginning and containing an AREA of 122.840 Acres.

SUBJECT, HOWEVER, to the following:

1. A Utility Easement C (60-feet wide) in favor of Makila Homeowners Association and being more particularly described as follows:

Beginning at a point at the northwesterly corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LAUNIUPOKO" being: 7,022.40 feet North and 5,379.17 feet West and running by azimuths clockwise from True South:

1.	215'	30'	60.12 feet along the remainder of Royal Patent 1358, Land Commission Award 82 to Thomas Phillips, being also along Lot 5 of Launiupoko (Large-Lot) Subdivision No. 2 to a point;
2.	302'	00'	33.82 feet over and across a portion of Royal Patent 1358, Land Commission Award 82 to Thomas Phillips;
3.	257'	00'	89.56 feet over and across same;
4.	234'	30'	89.85 feet over and across same;
5.	279'	30'	80.52 feet over and across same;
6.	313'	30'	277.96 feet over and across same;

7.	303'	30'	188.82 feet over and across same;
8.	309'	30'	244.90 feet over and across same;
9.	287'	00'	153.61 feet over and across same;
10.	332'	00'	141.35 feet over and across same;
11.	319'	30'	156.69 feet over and across same;
12.	33'	00'	163.92 feet along the remainder of Royal Patent 1358 Land Commission Award 82 to Thomas Phillips, being also along Lot 19 of Makila Plantation;
13.	139'	30'	62.58 feet over and across a portion of Royal Patent 1358, Land Commission Award 82 to Thomas Phillips;
14.	213'	00'	101.34 feet over and across same;
15.	139'	30'	118.45 feet over and across same and along the remainder of Royal Patent 1358, Land Commission Award 82 to Thomas Phillips, being also along Lot 5 of Launiupoko (Large-Lot) Subdivision No. 2;
16.	152'	00'	123.06 feet along the remainder of Royal Patent 1358, Land Commission Award 82 to Thomas Phillips, being also along Lot 5 of Launiupoko (Large-Lot) Subdivision No. 2;
17.	107'	00'	140.70 feet along same;
18.	129'	30'	253.69 feet along same;
19.	123'	30'	190.93 feet along same;
20.	133'	30'	264.87 feet along same;
21.	99'	30'	37.32 feet along same;
22.	54'	30'	76.93 feet along same;
23.	77'	00'	126.35 feet along same;

24. 122' 00' 62.34 feet along same and containing an Area of 2.147 Acres, more or less.

2. A Electrical, Cable and Telephone Easement E-1 in favor of Maui Electric Company, Ltd., Verizon Hawaii, Inc. and Oceanic Time Warner Cable of Hawaii ad being more particularly described as follows:

Beginning at a point at the northeasterly corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LAUNIUPOKO" being 8,037.56 feet North and 4,844.73 feet West and running by azimuths measured clockwise from True South:

1. 327' 00' 20.00 feet over and across a portion of Royal Patent 1358, Land Commission Award 82 to Thomas Phillips;
2. 57' 00' 197.45 feet over and across same;
3. 147' 00' 20.00 feet along the remainder of Royal Patent 1358, Land Commission Award 82 to Thomas Phillips, being also along Lot 5 of Launiupoko (Large-Lot) Subdivision No. 2;
4. 237' 00' 197.45 feet along same to the point of beginning and containing an Area of 0.091 Acre, more or less.

3. A Drainage Easement H in favor of Makila Homeowners Association and being more particularly described as follows:

Beginning at a point at the northeasterly corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LAUNIUPOKO" being 8,015.25 feet North and 4,879.09 feet West and running by azimuths measured clockwise from True South:

1. 327' 00' 24.00 feet over and across a portion of Royal Patent 1358, Land Commission Award 82 to Thomas Phillips;
2. 57' 00' 20.06 feet over and across same;
3. 147' 00' 24.00 feet over and across same;

4. 237' 00'

20.06 feet along the remainder of Royal Patent 1358, Land Commission Award 82 to Thomas Phillips, being also along Lot 5 of Launiupoko (Large-Lot) Subdivision No. 2 to the point of beginning and containing an Area of 0.011 Acre, more or less.

EXHIBIT-B

Launiupoko (Large-Lot) Subdivision No. 2  
Description of Easement A

Easement A in favor of Makila Homeowners Association, over and across a portion of Royal Patent 1358, Land Commission Award 82 to Thomas Phillips, also affecting Lot 1 of Launiupoko (Large-Lot) Subdivision No. 2 and being more particularly described as follows:

Beginning at a point at the southwesterly corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LAUNIUPOKO" being 8,037.56 feet North and 4,844.73 feet West and running by azimuths measured clockwise from True South:

1. 147' 00' 60.00 feet along the remainder of R.P. 1358, L.C. Aw. 82 to Thomas Phillips, being also along Lot 5 of Launiupoko (Large-Lot) Subdivision No. 2;
2. 237' 00' 662.00 feet along the remainder of and over and across a portion of R.P. 1358, L.C. Aw. 82 to Thomas Phillips, being also along Lot 5 and over and across a portion of Lot 1 of Launiupoko (Large-Lot) Subdivision No. 2;
3. Thence over and across a portion of R.P. 1358, L.C. Aw. 82 to Thomas Phillips, being also over and across a portion of Lot 1 of Launiupoko (Large-Lot) Subdivision No. 2 on a curve to the left, having a radius of 1,402.40 feet, the chord azimuth and distance being:  
233' 00' 195.65 feet;
4. 229' 00' 374.27 feet over and across same;
5. Thence over and across same on a curve to the right having a radius of 780.00 feet, the chord azimuth and distance being:  
259' 50' 30" 799.76 feet;

6. 290° 41' 558.85 feet over and across same;
7. Thence over and across same on a curve to the right having a radius of 230.00 feet, the chord azimuth and distance being:  
326° 44' 30" 270.76 feet;
8. 2° 48' 52.35 feet over and across same;
9. Thence over and across same on a curve to the left with the point of curvature azimuth from the radial point being:  
92° 48' and the point of tangency azimuth from the radial point being:  
34° 29' 36", having a radius of 190.00 feet, the chord azimuth and distance being:  
333° 38' 48" 185.12 feet;
10. Thence over and across same on a curve to the right with the point of curvature azimuth from the radial point being:  
214° 29' 36" and the point of tangency azimuth from the radial point being:  
269° 36' 18", having a radius of 230.00 feet, the chord azimuth and distance being:  
332° 02' 57" 212.80 feet;
11. Thence over and across same on a curve to the left with the point of curvature azimuth from the radial point being:  
89° 36' 18" and the point of tangency azimuth from the radial point being:  
9° 10' 14", having a radius of 120.00 feet, the chord azimuth and distance being:  
319° 23' 16" 154.96 feet;

12. Thence over and across same on a curve to the right with the point of curvature azimuth from the radial point being: 189° 10' 14" and the point of tangency azimuth from the radial point being: 281° 03', having a radius of 155.00 feet, the chord azimuth and distance being: 325° 06' 37" 222.77 feet;
13. 11° 03' 134.16 feet over and across same;
14. Thence over and across same on a curve to the left with the point of curvature azimuth from the radial point being: 101° 03' and the point of tangency azimuth from the radial point being: 48° 06' 26", having a radius of 180.00 feet, the chord azimuth and distance being: 344° 34' 43" 140.47 feet;
15. Thence over and across same on a curve to the right with the point of curvature azimuth from the radial point being: 228° 06' 26" and the point of tangency azimuth from the radial point being: 264° 00', having a radius of 330.00 feet, the chord azimuth and distance being: 336° 03' 13" 203.36 feet;
16. 354° 00' 449.74 feet over and across same;
17. Thence over and across same on a curve to the right with the point of curvature azimuth from the radial point being: 264° 00' and the point of tangency azimuth from the radial point being: 275° 33' 40", having a radius of 530.00 feet, the chord azimuth and distance being: 359° 46' 50" 106.76 feet;

18. 154' 45' 9.12 feet along the remainder of R.P. 1358, L.C. Aw. 82 to Thomas Phillips, being also Lot 20 (Punakea Loop) of Makila Plantation;
19. 121' 48' 63.20 feet along same;
20. Thence along the remainder of R.P. 1358, L.C. Aw. 82 to Thomas Phillips, being also along Lot 6 of Launiupoko (Large-Lot) Subdivision No. 2 on a curve to the left with the point of curvature azimuth from the radial point being: 271' 11' 44" and the point of tangency azimuth from the radial point being: 264' 00', having a radius of 470.00 feet, the chord azimuth and distance being: 177' 35' 52" 58.99 feet;
21. 174' 00' 449.74 feet along same;
22. Thence along same on a curve to the left with the point of curvature azimuth from the radial point being: 264' 00' and the point of tangency azimuth from the radial point being: 228' 06' 26", having a radius of 270.00 feet, the chord azimuth and distance being: 156' 03' 13" 146.39 feet;
23. Thence along same on a curve to the right with the point of curvature azimuth from the radial point being: 48' 06' 26" and the point of tangency azimuth from the radial point being: 101' 03', having a radius of 240.00 feet, the chord azimuth and distance being: 164' 34' 43" 213.96 feet;
24. 191' 03' 134.16 feet along same;

25. Thence along same on curve to the left with the point of curvature azimuth from the radial point being: 281° 03' and the point of tangency azimuth from the radial point being: 189° 10' 14", having a radius of 95.00 feet, the chord azimuth and distance being: 145° 06' 37" 136.54 feet;
26. Thence along same on a curve to the right with the point of curvature azimuth from the radial point being: 9° 10' 14" and the point of tangency azimuth from the radial point being: 89° 36' 18", having a radius of 180.00 feet, the chord azimuth and distance being: 139° 23' 16" 232.45 feet;
27. Thence along same on a curve to the left with the point of curvature azimuth from the radial point being: 269° 36' 18" and the point of tangency azimuth from the radial point being: 214° 29' 36", having a radius of 170.00 feet, the chord azimuth and distance being: 152° 02' 57" 157.29 feet;
28. Thence along same on a curve to the right with the point of curvature azimuth from the radial point being: 34° 29' 36" and the point of tangency azimuth from the radial point being: 92° 48', having a radius of 250.00 feet, the chord azimuth and distance being: 153° 38' 48" 243.57 feet;
29. 182° 48' 52.35 feet along same;

30. Thence along same on a curve to the left having a radius of 170.00 feet, the chord azimuth and distance being:  
146' 44' 30" 200.13 feet;
31. 110' 41' 558.85 feet along same;
32. Thence along same on a curve to the left having a radius of 720.00 feet, the chord azimuth and distance being:  
79' 50' 30" 738.24 feet;
33. 49' 00' 374.27 feet along same;
34. Thence along same on a curve to the right having a radius of 1,462.40 feet, the chord azimuth and distance being:  
53' 00' 204.02 feet;
35. 57' 00' 662.00 feet along same to the point of beginning and containing an Area of 6.584 Acres, more or less.

END OF EXHIBIT B



## Exhibit "D"

# Hawaii's Most Invasive Horticultural Plants

This is a list of the worst invasive horticultural plants in Hawaii as put forth by the Hawaii State Alien Species Coordinator (Department of Land & Natural Resources [DLNR], Division of Forestry & Wildlife [DOFAW]). It is urged that species on this list not be grown anywhere in the state of Hawaii.

For more information about invasiveness of these & other horticultural plants, the problems they cause, and the criteria by which these species were selected for this list, see the [introductory text](#) for this site.

Questions regarding this list should be directed to the State Alien Species Coordinator, DLNR/DOFAW, 1151 Punchbowl St., Rm. 325, Honolulu, HI 96813; ph. 808-587-0164.

Species (Family)	Common Name	Other names
<i>Acacia confusa</i> (Fabaceae)	Formosan koa	
<i>Angiopteris evecta</i> (Marattiaceae)	mule's foot fern	giant fern
<i>Antigonon leptopus</i> (Polygonaceae)	Mexican creeper	mountain rose, coral bells, confederate vine, chain-of-love, hearts-on-a-chain
<i>Ardisia crenata</i> (Myrsinaceae)	Hilo holly	hens eyes, <i>Ardisia crispa</i> , <i>Ardisia crenulata</i>
<i>Ardisia elliptica</i> (Myrsinaceae)	shoebutton ardisia	<i>Ardisia humilis</i> , <i>Ardisia solanacea</i> , <i>Ardisia squamulosa</i>
<i>Artabotrys hexapetalus</i> (Annonaceae)	climbing ylang-ylang	lanalana
<i>Arthrostemma ciliatum</i> (Melastomataceae)	arthrostemma	<i>Arthrostemma latifolia</i> , <i>Arthrostemma fragile</i>
<i>Asparagus densiflorus</i> (Liliaceae)	asparagus fern	sprengeri fern, foxtail asparagus, <i>Asparagus sprengeri</i> Regel
<i>Asparagus setaceus</i> (Liliaceae)	climbing asparagus fern	plumosa, <i>Asparagus plumosus</i> Baker, <i>Protasparagus plumosus</i>
<i>Azolla</i> (all species) (Azollaceae)	mosquito fern	ferny azolla
<i>Buddleja davidii</i> (Buddlejaceae)	orange-eyed butterfly bush	summer lilac, buddleia
<i>Buddleja madagascariensis</i>	butterfly bush	smoke bush, buddleia

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(Buddlejaceae)		
<i>Carmona retusa</i> (Boraginaceae)	Fukien tea	Philippine tea, <i>Carmona microphylla</i> , <i>Ehretia buxifolia</i> , <i>Ehretia microphylla</i>
<i>Casuarina</i> (all species) (Casuarinaceae)	ironwood	Australian pine, she-oak, beefwood, toa
<i>Cestrum diurnum</i> (Solanaceae)	day cestrum	makahala, Chinese inkberry
<i>Cestrum nocturnum</i> (Solanaceae)	night cestrum	night-blooming jasmine, 'Ala-aumoe, kupaoa, onaona-iapana
<i>Chrysophyllum oliviforme</i> (Sapotaceae)	satin leaf	caimitillo; <i>Chrysophyllum monopyrenum</i>
<i>Cinnamomum burmannii</i> (Lauraceae)	Padang cassia	cinnamon tree
<i>Cissus nodosa</i> (Vitaceae)	grape ivy	
<i>Citharexylum caudatum</i> (Verbenaceae)	fiddlewood	juniper berry
<i>Citharexylum spinosum</i> (Verbenaceae)	fiddlewood	<i>Citharexylum quadrangulare</i>
<i>Clerodendrum buchanani</i> (Verbenaceae)	pagoda flower	lau'awa, <i>Clerodendrum fallax</i> , <i>C. speciosissimum</i>
<i>Clerodendrum chinense</i> (Verbenaceae)	glory bower	<i>Clerodendrum philippinum</i> , <i>Clerodendrum fragrans</i>
<i>Clerodendrum macrostegium</i> (Verbenaceae)	(no common name)	
<i>Clusia rosea</i> (Clusiaceae)	autograph tree	copey, Scotch attorney
<i>Coccinia grandis</i> (Cucurbitaceae)	ivy gourd	scarlet-fruited gourd
<i>Conocarpus erectus</i> (Combretaceae)	buttonwood	sea mulberry, button mangrove
<i>Cortaderia jubata</i> and <i>Cortaderia selloana</i> (Poaceae)	pampas grass	
<i>Cotoneaster panicosus</i> (Rosaceae)	cotoneaster	
<i>Cryptostegia</i> (all species) (Asclepidaceae)	rubber vine, India rubber vine	(includes <i>Cryptostegia grandiflora</i> and <i>Cryptostegia madagascariensis</i> )
<i>Cupaniopsis anacardioides</i> (Sapindaceae)	carrotwood	
<i>Delairea odorata</i> (Asteraceae)	German ivy	<i>Senecio mikantoides</i> , Italian ivy, African

		ivy, Cape ivy, climbing groundsel
<i>Dillenia suffruticosa</i> (Dilleniaceae)	shrubby simpoh	
<i>Duranta erecta</i> (Verbenaceae)	golden dewdrop	duranta, pigeon berry, <i>Duranta repens</i>
<i>Eichhornia crassipes</i> (Pontederiaceae)	water hyacinth	
<i>Elaeagnus umbellata</i> (Elaeagnaceae)	oleaster	autumn olive
<i>Erigeron karvinskianus</i> (Asteraceae)	daisy fleabane	Mexican daisy
<i>Eriobotrya japonica</i> (Rosaceae)	loquat	Japanese medlar
<i>Ficus cf. platypoda</i> (Moraceae)	Port Jackson fig (local name)	(this plant is commonly referred to in Hawaii incorrectly as <i>Ficus rubiginosa</i> )
<i>Ficus microcarpa</i> (Moraceae)	Chinese banyan	Malayan banyan, <i>Ficus ratufa</i> , <i>Ficus nitida</i>
<i>Fuchsia boliviana</i> (Onagraceae)	fuchsia	lady's eardrops
<i>Fuchsia magellanica</i> (Onagraceae)	hardy fuchsia	lady's eardrops, earring flower, kulapepeiao
<i>Fuchsia paniculata</i> (Onagraceae)	fuchsia	Lady's eardrops
<i>Furcraea foetida</i> (Agavaceae)	Mauritius hemp	maguey, <i>Furcraea gigantea</i>
<i>Grevillea robusta</i> (Proteaceae)	silk oak	she oak, he oak, silver oak, kahili flower, spider flower, ha'iku-ke'oke'o
<i>Hedychium coronarium</i> (Zingiberaceae)	white ginger	butterfly lily, ginger lily, garland flower, 'awapuhi-ke'oke'o
<i>Hedychium flavescens</i> (Zingiberaceae)	yellow ginger	cream ginger, 'awapuhi-melemele
<i>Hedychium gardnerianum</i> (Zingiberaceae)	kahili ginger	
<i>Heterocentron subtriplinervium</i> (Melastomataceae)	pearl flower	
<i>Hiptage benghalensis</i> (Malpighiaceae)	hiptage	
<i>Hydrilla verticillata</i> (Hydrocharitaceae)	hydrilla	water thyme, Florida elodea
<i>Jasminum fluminense</i> (Oleaceae)	jasmine	<i>Jasminum azoricum</i>
<i>Kalanchoe delagoensis</i> (Crassulaceae)	chandelier plant	<i>Kalanchoë tubiflora</i> , <i>Bryophyllum</i> <i>tubiflorum</i> , <i>Kalanchoe verticillata</i>

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<i>Kalanchoe pinnata</i> (Crassulaceae)	air plant	life plant, 'oliwa ku kahakai, <i>Bryophyllum pinnatum</i> , <i>Cotyledon pinnata</i>
<i>Lantana camara</i> (Verbenaceae)	lantana	lakana, mikinolia-hihiu, sage
<i>Lemna</i> (all species) (Lemnaceae)	duckweed	
<i>Leptospermum scoparium</i> (Myrtaceae)	New Zealand tea	manuka
<i>Ligustrum lucidum</i> (Oleaceae)	tree privet	broadleaf privet
<i>Ligustrum sinense</i> (Oleaceae)	Chinese privet	hedge privet, small-leaved privet
<i>Lonicera japonica</i> (Caprifoliaceae)	Japanese honeysuckle	honekakala
<i>Medinilla cumingii</i> (Melastomataceae)	medinilla	
<i>Medinilla venosa</i> (Melastomataceae)	medinilla	
<i>Melaleuca quinquenervia</i> (Myrtaceae)	paperbark	cajeput tree
<i>Melastoma candidum</i> (Melastomataceae)	Indian rhododendron	<i>Melastoma malabathricum</i> , Malabar melastome
<i>Melastoma sanguineum</i> (Melastomataceae)	fox-tongued melastoma	
<i>Melia azedarach</i> (Meliaceae)	Chinaberry	pride-of-India, margosa tree
<i>Miconia calvescens</i> (Melastomataceae)	miconia	velvet tree, purple plague
<i>Montanoa hibiscifolia</i> (Asteraceae)	tree daisy	
<i>Najas</i> (all species) (Najadaceae)	naiad	pondweed
<i>Nymphaea</i> (all species) (Nymphaeaceae)	water lily	
<i>Ochna thomasiiana</i> (Ochnaceae)	Mickey Mouse plant	ochna, <i>Ochna kirkii</i>
<i>Olea europaea</i> (Oleaceae)	olive	'oliwa
<i>Passiflora laurifolia</i> (Passifloraceae)	yellow granadilla	yellow water lemon, bell apple
<i>Pennisetum setaceum</i> (Poaceae)	fountain grass	<i>Pennisetum ruppelii</i>
<i>Philadelphus karwinskyanus</i> (Hydrangeaceae)	mock orange	philadelphus, syringa

<i>Photinia davidiana</i> (Rosaceae)	photinia	<i>Stranvaesia davidiana</i> , <i>Cotoneaster frigidus</i>
<i>Pimenta dioica</i> (Myrtaceae)	allspice	<i>Pimenta officinalis</i>
<i>Pimenta racemosa</i> (Myrtaceae)	bay-rum	malagueta, bay tree, <i>Pimenta acris</i>
<i>Pinus patula</i> (Pinaceae)	Mexican weeping pine	jelecote pine, patula pine, pino triste
<i>Pistia stratiotes</i> (Araceae)	water lettuce	
<i>Pittosporum pentandrum</i> (Pittosporaceae)	mamalis	
<i>Pittosporum undulatum</i> (Pittosporaceae)	Victorian box	Victorian laurel, orange pittosporum
<i>Pittosporum viridiflorum</i> (Pittosporaceae)	Cape pittosporum	
<i>Platycerium bifurcatum</i> (Polypodiaceae)	elkhorn fern	common staghorn fern
<i>Psidium cattleianum</i> (Myrtaceae)	strawberry guava	waiawi-'ula'ula
<i>Pyracantha angustifolia</i> (Rosaceae)	firethorn	
<i>Rhodomyrtus tomentosa</i> (Myrtaceae)	rose myrtle	downy myrtle
<i>Rubus</i> (all species) (Rosaceae)	blackberry, raspberry	thimbleberry, brambles, 'ohelo 'ele 'ele
<i>Ruellia devosiana</i> (Acanthaceae)	Ruellia	
<i>Salvinia</i> (all species) (Salviniaceae)	floating fern	
<i>Schefflera actinophylla</i> (Araliaceae)	octopus tree	<i>Brassaia actinophylla</i> , umbrella tree
<i>Schinus molle</i> (Anacardiaceae)	pepper tree	California pepper tree
<i>Schinus terebinthifolius</i> (Anacardiaceae)	Christmas berry	Brazilian pepper, wilelaiki, nani-o-hilo
<i>Solandra maxima</i> (Solanaceae)	cup-of-gold	golden cup, chalice vine
<i>Spathodea campanulata</i> (Bignoniaceae)	African tulip tree	fountain tree, fire bell
<i>Sphaeropteris cooperi</i> (Cyatheaceae)	Australian treefern	<i>Cyathea cooperi</i>
<i>Sphagneticola trilobata</i> (Asteraceae)	wedelia	Wedelia trilobata

<u><i>Stapelia gigantea</i></u> (Asclepiadaceae)	carrion flower	starfish flower, Zulu-giant, giant toad plant
<u><i>Tamarix</i> (all species)</u> (Tamaricaceae)	?	
<u><i>Terminalia catappa</i></u> (Combretaceae)	tropical almond	Indian almond, false kamani, kamani-haole
<u><i>Tetrazgyia bicolor</i></u> (Melastomataceae)	(no common name)	
<u><i>Thunbergia grandiflora</i></u> (Acanthaceae)	Bengal trumpet	blue trumpet vine, large-flowered thunbergia
<u><i>Thunbergia laurifolia</i></u> (Acanthaceae)	laurel-leaved thunbergia	
<u><i>Tibouchina herbacea</i></u> (Melastomataceae)	cane tibouchina	glorybush
<u><i>Tibouchina urvilleana</i></u> (Melastomataceae)	glorybush	princess flower, lasiandra
<u><i>Verbascum thapsus</i></u> (Scrophulariaceae)	common mullein	woolly mullein, velvet plant

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