

Certified to be a true and correct copy of the original recorded on 8/13/09 at 801am in the Office of the Assistant Registrar of the Land Court as Document No. _____ /Transfer Certificate of Title No. _____ and/or in the Bureau of Conveyances as Document No. 2009-124496
By: K. W. W. W.
FIRST HAWAII TITLE CORPORATION

LAND COURT SYSTEM

REGULAR SYSTEM

Return by Mail (X) Pickup () To:

MAKILA RIDGE PROPERTIES INC
33 LONO AVENUE, SUITE 470
KAHULUI, HI 96732

FHTC
Escrow No. 20 706602DU
Title No. 196175

Tax Keys: (2) 4-7-1:2 and (2) 4-7-5:1 Total No. of Pages: 8
Easement NE-1: Affecting Lot 11 (Benefiting Lot 10)

MAKILA RIDGE
DECLARATION OF EASEMENT

Landscaping, Recreational and Agricultural Use

This Declaration of Easement is dated this 15th day of July, 2009, and is executed by MAKILA RIDGE PROPERTIES INC., a Hawaii corporation, of 33 Lono Avenue, Suite 450, Kahului, Hawaii 96732 ("Declarant").

RECITALS:

A. Declarant is the developer and owner of all of the land comprising Makila Ridge Subdivision situated in Lahaina, Maui, Hawaii, including Lots 10 and 11 described on Exhibits "A" and "B", attached hereto and made a part hereof ("Lot 10" and "Lot 11", respectively).

B. Declarant has designated on the Makila Ridge subdivision map Easement NE-1, described on Exhibit "C" attached

hereto and made a part hereof (the "Easement Area") located on Lot 11.

C. The purpose of this easement is to establish an easement for certain uses over the Easement Area for the benefit of Lot 10.

DECLARATION OF EASEMENT: Declarant hereby declares and establishes a perpetual, exclusive easement over and across Easement NE-1 for the use and benefit of Lot 10, for the purpose of landscaping and agricultural use, as well as for cultural stewardship and archaeological preservation. The owner of Lot 10 may fence or otherwise control access to or use by others of the Easement Area, but subject to the rights and interests of those entitled to the use or benefit of other easements located within Easement NE-1, including but not limited to existing Easement "O-3", Easement "Q", Easement "Y" and Easement "L", as shown on the Makila Ridge subdivision plan.

1. Compliance With Laws and Regulations. Each person entitled to the use of the Easement Area by this document shall observe and perform all laws, ordinances, rules and regulations now or hereafter imposed by any governmental authority which are applicable to the Easement Area.

2. Binding Effect. This Declaration of Easement shall in ure to the benefit of and be binding upon Lot 10 and 11 and the owners and occupants thereof and their respective successors in interest and shall run with the land.

3. Governing Law. This Declaration of Easement shall be governed by and construed under the laws of the State of Hawaii.

4. As Is. Each person using the Easement Area pursuant to this Declaration of Easement accepts each such easement and the Easement Area in "as is" condition without any representations or warranties expressed or implied by the Declarant or the owner of the land upon which the easement is located as to the physical condition thereof or the suitability of the easement for the purposes of the easement or as to any improvements now or hereafter constructed within the Easement Area.

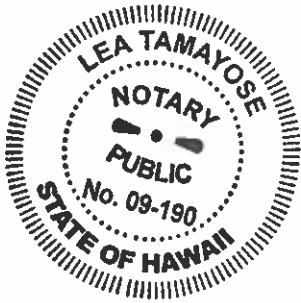
Executed the day and year first above written.

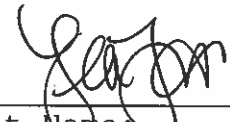
MAKILA RIDGE PROPERTIES, INC.

By 
PETER K. MARTIN
Its President

STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

On this 17 day of July, 2009, before me personally appeared PETER K. MARTIN, to me personally known, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable, in the capacities shown, having been duly authorized to execute such instrument in such capacities.




Print Name: Lea Tamayose
Notary Public, State of Hawaii.

My commission expires: 17 May 13

(Notary Certification on Next Page)

Date of Doc: 15 July 09 # Pages: 8

Name: Lea Tamayose Second Circuit

Doc. Description: Makila Ridge - Declaration of Easement - Landscaping, Recreation & Agricultural Use



Notary Signature

NOTARY CERTIFICATION

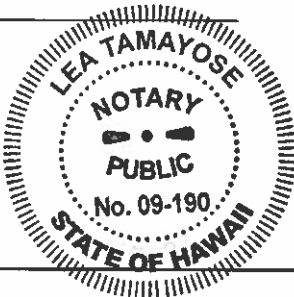


Exhibit "A"

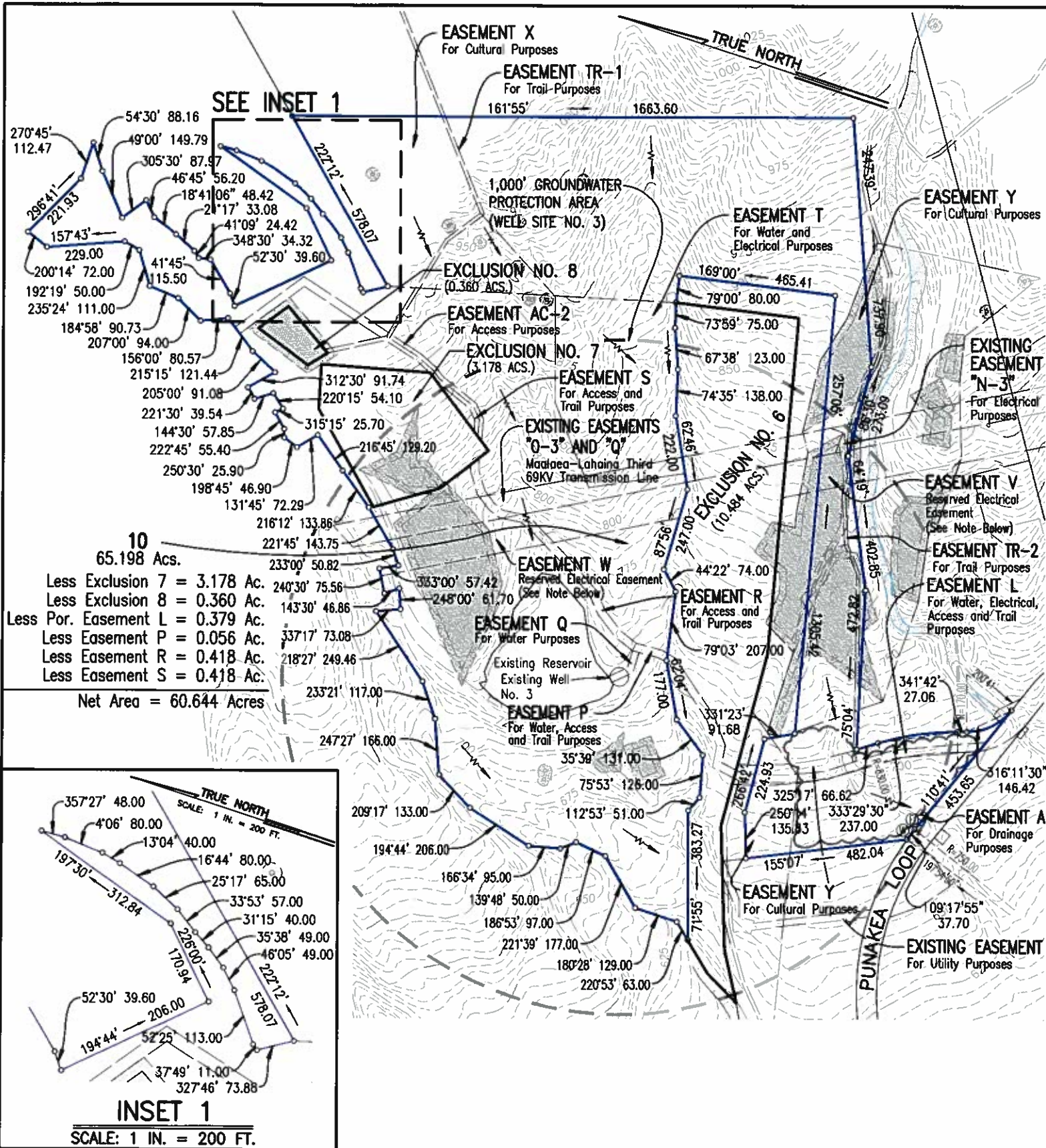
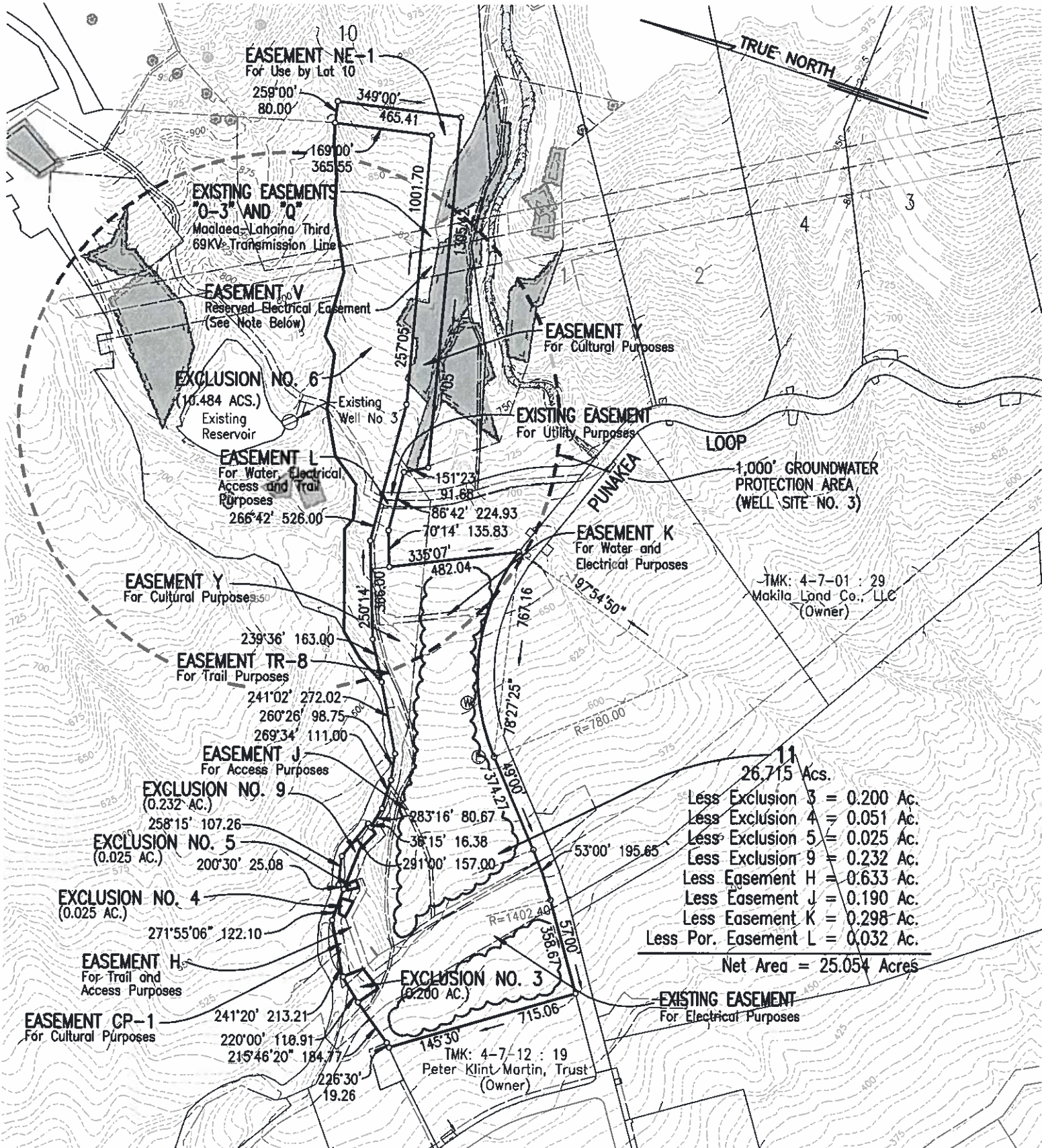


Exhibit "B"



11	26.715 Ac.
Less Exclusion 3	= 0.200 Ac.
Less Exclusion 4	= 0.051 Ac.
Less Exclusion 5	= 0.025 Ac.
Less Exclusion 9	= 0.232 Ac.
Less Easement H	= 0.633 Ac.
Less Easement J	= 0.190 Ac.
Less Easement K	= 0.298 Ac.
Less Por. Easement L	= 0.032 Ac.
Net Area	= 25.054 Acres

EXCLUSION NO. 8
(0.360 ACS.)

10

EASEMENT NE-1
For Use by Lot 10

EASEMENT T
For Water and
Electrical Purposes

EASEMENT S
For Access and
Trail Purposes

EXISTING EASEMENT Q
For Electrical Purposes

EASEMENT R
For Access and
Trail Purposes

EXCLUSION NO. 6
(10.485 ACS.)

EASEMENT W
For Electrical Purposes

EASEMENT Q
For Water Purposes

EASEMENT B
For Drainage Purp

EASEMENT P
For Water and
Access Purposes

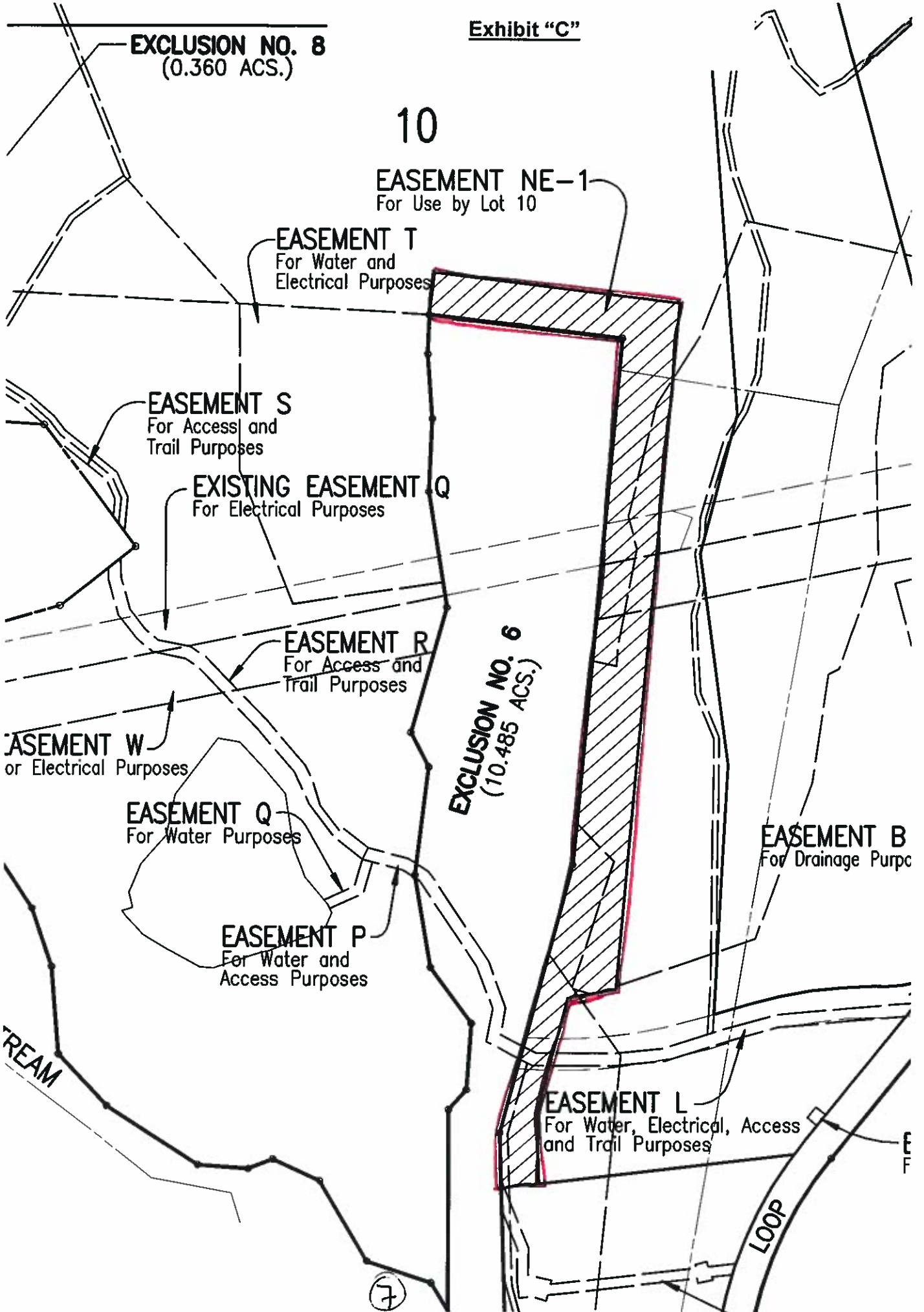
EASEMENT L
For Water, Electrical, Access
and Trail Purposes

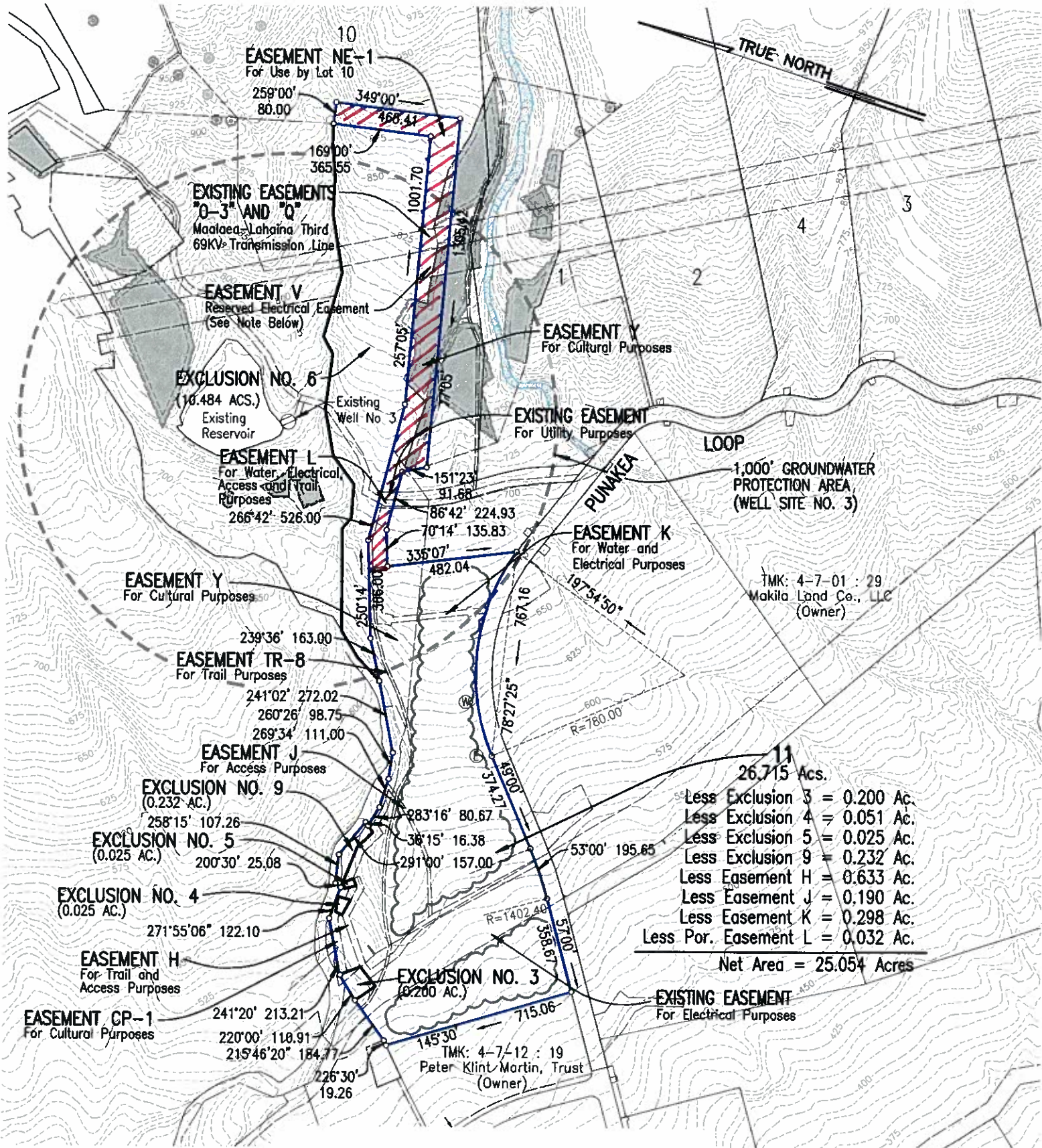
STREAM

LOOP

7

E
F





11	26.715 Ac.
Less Exclusion 3	= 0.200 Ac.
Less Exclusion 4	= 0.051 Ac.
Less Exclusion 5	= 0.025 Ac.
Less Exclusion 9	= 0.232 Ac.
Less Easement H	= 0.633 Ac.
Less Easement J	= 0.190 Ac.
Less Easement K	= 0.298 Ac.
Less Por. Easement L	= 0.032 Ac.
Net Area	= 25.054 Acres

End of Exhibit "C"