

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
TERRITORY OF HAWAII.

AT CHAMBERS

IN EQUITY.

BALDWIN PACKERS, LIMITED,

Petitioner,

-vs.-

KAPAHU AFONG (w), MRS MARY  
AHAIANI, et al.,

Respondents.

Equity #235.

PARTITION.

DECREE.

*Filed July 29th 1930*  
*11:55 AM*  
*Manuel de la*  
*Clerk*

Smith, Warren, Stanley & Vitousek,  
402 Alexander & Baldwin Building,  
Honolulu, T. H.

Attorneys for Petitioner.

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
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BALDWIN PACKERS, LIMITED,

Petitioner,

-vs.-

KAPAHU AFONG (w), MRS. MARY AHALANI, AH CHEEN, WILLIAM AHIA, AH TIM YOUNG, DAVID KANUHA AINOA (also known as D. S. Kanuha), MARIA ESPINDA AKANA, AMOY AKI (w), PHOEBE C. AMOY, WILLIAM AUKAI, BANK OF MAUI, LIMITED, B. BENS, BISHOP TRUST COMPANY, LIMITED, as Guardian of Estate of Thelma Katherine Espinda, a Minor, MARY K. BRAY, WILLIAM R. CASTLE, CHUNG KUM SHEE, CHUNG KWUN SHOU, CHUNG YING SHOU, CHUNG NEE CHEUN, HENRY CLARK, CATHERINE Y. COCKETT, ALBERT J. COCKETT, HATTIE CRAWFORD, ERNEST CUMMINGS, KEANAAI DAVIS, MRS. KEANAAI DAVID, EMILY DO REGO, MANUEL F. DE REGO, HEIRS OF DICK DIAMOND, VIOLET ROSALIND ESPINDA, THELMA KATHERINE ESPINDA, MRS. ANNIE K. FARDEN, D. T. FLEMING, K. FUJIYOSHI, EMMA ESPINDA GLAUBRECHT, SHINTARO HARA, GEORGE K. HASEGAWA, HAWAIIAN TRUST COMPANY, LIMITED, as Guardian of Estate of Edward Heen, an Incompetent Person, A. W. HEEN, EDWARD HEEN, ERNEST N. HEEN, E. LULU HEEN, M. L. HEEN, ROBERT HEEN, SARAH (MRS. GEORGE M.) HEEN, WILLIAM H. HEEN, ROSE M. HOLOKAHI, LOUIS HUBBARD, JR., LOUIS HUBBARD, SR., HU WLI, KAAUKA IAELA, MRS. KANUI IAELA, J. K. JAMES, DAVID P. JELLINGS, MRS. KAONOHI JOHNSON or her heirs, MARAEA KAAA, SAM KAHAI, LILLIA K. KAHOLUA, KALAMA KAHUE, a Minor, KAUHANE KAHUE, LETITIA KAHUE, a Minor, PEKEKEO KAHUE, a Minor, SONNY KAHUE, a Minor, D. KAHULAOPIO, DAVID KALEI, SARAH N. KALAI, HEIRS OF KAPILI KALAWAIA, HEIRS OF HAIKAA KALAWAIA, DANIEL MAHOE KALAWAIA, KEAHI KALAIPIAA, KUALANI KALAIPIAA, or her heirs, MRS. AKANEKI KANAMU, H. KANEKO, MOSES KAUAHAHA (also known as Moses Kaukau), ADAM MAIOHAO KAUKAU, ALICE KAUKAU, a Minor, HENRY KAUKAU, JOHN KAUKAU, a Minor, LOUISA KAUKAU, a Minor, KEKAHILIOPIO, S. KOBAYASHI, JOHN KUPIHEA, JUNIA KUPIHEA, a Minor, LAIKUPULIILII, VIOLET LEE, HELENE V. LUCAS, a Minor, MURIEL ETHEL K. LUCAS, a Minor, ROBERT LUCAS, WILLIAM B. L. LUCAS, a Minor, ELIZABETH LUMSDON, MRS. KALUNA LUNNING, H. E. MCINTYRE, MAHIOLLE or his Heirs, EMMA MAIKAI, a Minor, JOHN MAIKAI, VICTORIA MAIKAI, a Minor, CARRIE M. MAKAIPO, LOUISA MAKAKOA, ARAKI MANUWAI (also known as Albert Apaki Manuwai), MRS. HATTIE MARKHAM, MINNA LEDEIROS, HEIRS OF MIKI MOKU, MELEANA MOMONA, ABRAHAM MOORE, CHARLES MOORE, JR., EDWARD MOORE, ELIZABETH MOORE, GEORGE MOORE, JOHN MOORE of Honolulu, T. H., JOHN MOORE of New York, N. Y., JOSEPH MOORE, E. K. NAAUAO, S. NAKASHIMA, J. K. NAKOOKOO, and/or J. K. NAKOOKOO, TRUSTEE, LAHAPA A. NAONE, BLANCHE NAPAEPAE, a Minor, BEN NAPAEPAE, EDWARD NAPAEPAE, a Minor, EMALINE NAPAEPAE, a Minor, FLORENCE NAPAEPAE, a Minor, MATILDA NAPAEPAE, a Minor, VICTORIA NAPAEPAE, a Minor, MARGARET PUAMOHALA NAPE, HEIRS OF ASERA P. NAIPAAKAI, FRED LEE NAYLOR, a Minor, FRED NAYLOR, SYLVIA DALE NAYLOR, a Minor, JAMES NIHO, a Minor, KELIIAHONUI NIHO, a Minor,

C. B. NORTON (or his successors in interest), KANDO OMOTO, ALBERT ONTAI, ANNIE OPULELE, K. OTSUJI, MANUEL PAHANA, PALAU PAKI, or heirs, ADAM PALI, E. C. PETERS, PIONEER MILL CO., LTD., ABRAHAM POOLOA, JOSEPH PUA, AUGUST REIMANN, AUGUST REIMANN, JR., KAULA RICHARDSON (w), WILFRED K. RICHARDSON, WINNIFRED K. SAFFERY, JULIA SEONG, TOMISHIGE SHIBAO, KAZUICHI SHIMOTO, ANDREW SILVA, GEORGE SMYTHE (also known as George Ai Smith), ISAAC SMYTHE, JACK SMYTHE, JULIA SMYTHE, NOAH SMYTHE (also known as Noah Smith), PONI SMYTHE, WILLIAM SMYTHE, FRANK STARK, S. TAGUCHI, W. M. TSCHUDI, MRS. ANNIE VIEIRA (also known as Mrs. C. N. Vieira and as Annie Vierra and as ANNIE VIEIRA), CHARLES N. VIEIRA (also known as Charles N. Viiera and as Charles N. Vierra), HEIRS OF WAIHAHOLO, MARY B. WAIKOLOA, HELEN PILI SHAW WESSEL, ROMAN CATHOLIC CHURCH IN THE TERRITORY OF HAWAII, TERRITORY OF HAWAII, COUNTY OF MAUI, FIRST DOE, SECOND DOE, THIRD DOE, FOURTH DOE, FIFTH DOE, AND ALL OTHER PERSONS, ALTHOUGH UNKNOWN, HAVING OR CLAIMING TO HAVE ANY LEGAL OR EQUITABLE RIGHT, TITLE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED, OR ANY PART THEREOF OR ANY LIEN OR OTHER CLAIM WITH RESPECT THERETO,

Respondents.

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D E C R E E.

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The above entitled suit having come on to be heard before this court on Thursday and Friday, the 17th and 18th days of July, 1930, upon the verified petition of the above named Baldwin Packers, Limited, and evidence adduced, for a partition of the lands of the Hui Aina o Mailepai in said petition described, and upon the several answers thereto filed by certain of the respondents; R. A. Vitousek, Esq., of the firm of Smith, Warren, Stanley & Vitousek, appearing as counsel for the petitioner; Enos Vincent, Esq., appearing as counsel for the respondents Kualani Kalaipaa Bigno, Keahi Kalaipaa, Annie Opupele, Helen Kim Choy, John Maikai, Noah Smith, Catherine Y. Cockett, Louisa Makakoa, Akeneki Kanamu, Kando Omoto, Kaluna Lunning, Sam Kanalu, Frank Stark and Kazuichi Shimote; and Enos Vincent, Esq., appearing as guardian ad litem appointed herein by this court for the minor respondent Victoria Maikai; Wendell F.

Crockett appearing as guardian ad litem appointed herein by this court for the minor respondents Fred Lee Naylor, Sylvia Dale Naylor, James Niho, Keliiahonui Niho, Muriel Ethel K. Lucas, William B. L. Lucas, Junia Kupihea, Sonny Kahue, Kalama Kahue, Letitia Kahue, Pekekeo Kahue, Victoria Napaepae, Edward Napaepae, Blanche Napaepae, Emaline Napaepae, Matilda Napaepae, Florence Napaepae, Helene Waiaholo, John Kaukau, Alice Kaukau and Louise Kaukau; W. F. Crockett and Wendell F. Crockett appearing as counsel for Moses Nahina; W. F. Crockett appearing as counsel for Ah Cheen; and Mary K. Bray, Naiwi Kaleiopu and Sam Ako appearing in person;

AND it appearing that Jonah Kumalae, Elizabeth Gilman Keith, Julia K. Chilton, David M. Keliiaa, Robert P. Keliiaa, Jonah A. Keliiaa, Mrs. Ella Victor, William Kuheleloa, Mikaele Kuheleloa, Charles Kookoo, Victor Kulanihokoi, Aalona Koahou, Abraham Koahou, Jacob Koahou, Julia Hanawahine, Mrs. Esther Joseph and Jue Anami (w) filed written answers herein and that Eugene K. Aiu, Esq. appears as counsel for them, that said answers, while contesting the title to certain interests do not contest the prayer of the petition for a partition; that Eugene K. Aiu had due notice of this hearing; and it also appearing that George K. Hasegawa, Albert Ontai and Adam Pali filed written answers herein in which they admitted all of the material allegations of the petition;

AND it also appearing that all of the persons named in said petition as respondents in said cause, and all other persons, known or unknown, having or claiming to have any legal or equitable right, title or interest in the premises described in the petition or any part thereof or any lien or other claim with respect thereto, have had notice of the action by summons duly served upon them respectively or by publication and posting of the summons in the manner required by law and the order of this court; and that im-

mediately after the filing of said petition the petitioner did file in the Office of the Registrar of Conveyances in Honolulu a notice of the pendency of the action in the manner and form required by law;

AND it further appearing from the said petition and the verified answers which have been filed in said cause, that there is no controversy or conflict between the claims of the petitioner and any respondents, or between the claims of any of the respondents, with respect to any estate, title, right, interest share or claim of any person named in said cause, nor any inconsistency between the pleadings filed by any party with the pleadings filed by any other party, save and except as follows:

(a) That there is a controversy between the respondent, Jonah Kumalae and the petitioner, Baldwin Packers, Ltd., as to the ownership of the share of said Hui and as to the ownership of the land of said Hui originally owned by one Upai;

(b) That there is a controversy between the respondents Elizabeth Gilman Keith, Julia K. Chilton, David M. Keliiaa, Robert P. Keliiaa and Jonah K. Keliiaa and the petitioner, Baldwin Packers, Ltd., and the respondents Laikupuliilii, Heirs of Haikaa Kalawaia, Joseph Pua, Heirs of Kapili Kalawaia, Ah Tim Young, Elizabeth Lumsdon, Amoy Aki (w), Kaonohi Johnson Paul, Palau (k) or his heirs, Mrs. Charles N. Vierra, Charles N. Viiera, Mrs. Kapahuliilii Ah Fong, Keahi Kalaipaa and Kualani Kalaipaa as to the ownership of the share of said Hui and in the land belonging to it originally owned by one Paki;

(c) That there is a controversy between the respondents Mrs. Ella Victor, William Kuheleloa, Mikaele Kuheleloa, Charles Kookoo and Victor Kulanihokoi and the petitioner, Baldwin Packers,

Ltd. and the respondents Noah Smith and George K. Hasegawa as to the ownership of the shares of the Hui and as to the ownership of the shares in the lands of said Hui originally owned by Keawe (k) and Kealoha;

(d) That there is a controversy between the respondents Aalona Koahou, Abraham Koahou, Jacob Koahou, Julia Hanawahine, Elizabeth Gilman Keith, Julia K. Chilton, David M. Keliiaa, Robert P. Keliiaa, Jonah K. Keliiaa, Mrs. Esther Joseph and Jonah Kumalae and the petitioner Baldwin Packers, Ltd., as to the ownership of the share of the said Hui and as to the ownership of the share in the lands of said Hui originally owned by Makaike;

(e) That there is a controversy between the respondent Jue Anami (w), the petitioner Baldwin Packers, Ltd., and the respondents Kekahiliopio and Kaluna Lunning as to the ownership of the shares of said Hui and as to the ownership of the shares in the lands of said Hui originally owned by Kaleiopu and Hualii;

(f) That there is a controversy between the respondent Frank Stark and the petitioner Baldwin Packers, Ltd. as to the ownership of .25 of each of the shares of said Hui and as to the ownership of .25 of each of the shares in the lands of said Hui originally owned by Panui and Maholowaa;

(g) That there is a controversy between the respondent Kazuichi Shimote and the petitioner Baldwin Packers, Ltd. as to the ownership of the share of said Hui and as to the ownership of the share in the lands of said Hui originally owned by Uahili;

(h) That there is a controversy between respondents Sonny Kahue, Kalamā Kahue, Letitia Kahue, Pekekeo Kahue, Victoria Napaepae, Edward Napaepae, Blanche Napaepae, Emaline Napaepae, Matilda Napaepae and Florence Napaepae and the petitioner Baldwin Packers, Ltd. as to

the ownership of .500 of the share of said Hui and as to the ownership of .500 of the share in the lands of said Hui originally owned by Keaka;

(i) That there is a controversy between the respondent Ah Cheen and the petitioner Baldwin Packers, Ltd., as to the ownership of .500 of the share of said Hui and as to the ownership of .500 of the share in the lands of said Hui originally owned by Kauwahikaua;

(j) That there is a controversy between the respondent Moses Nahina and the petitioner Baldwin Packers, Ltd., as to the ownership of .20 of the share of said Hui and as to the ownership of .20 of the share in the lands of said Hui originally owned by Nahaku;

(k) That there is a controversy between the respondents Frank Stark and Kazuichi Shimote and the petitioner Baldwin Packers, Ltd., and all other respondents answering in this suit, except the minor respondents, as to the total number of shares outstanding, the two respondents above named claiming that there are 107 shares instead of 113 shares, all other adult respondents answering having admitted that there are 113 outstanding shares, and the minor respondents making no claim in the matter but leaving petitioner to its proof; that said controversy actually resolves itself into a question between said respondents Frank Stark and Kazuichi Shimote and the petitioner as to the ownership of six (6) of the shares of said Hui and of the ownership of six (6) of the shares in the lands of said Hui originally claimed by Naiapaakai;

(l) That contests may develop between respondents Kaluna Lunning, Sam Kanalu, David Kanuha Ainoa, Mary K. Bray, Naiwi Kalei-opu, Helene Waiaholo, a minor, Sam Ako, John Kaukau, Alice Kaukau and Louise Kaukau and the petitioner and other respondents as to

the ownership of shares or interest in said Hui and in the lands owned by it when these named respondents file their respective answers as allowed by order of this court dated July 18, 1930.

That except for said controversies as to the title to said shares each of which is transferred and will by this court be transferred to the separate portion of the land or the share of proceeds allotted therefor in the general partition to be hereafter heard and determined as provided by law, all of the matters in said pleadings alleged with respect to the estate, title, rights, interests and claims of the parties, respectively, are taken as admitted by all parties appearing, and proof thereof is not required by this Court;

And it further appearing that there is presented to this Court by the pleadings and evidence aforesaid a proper case for a partition of the said property according to the respective rights of the parties interested therein, in accordance with law and the practice of courts of equity in cases of partition, and wherein the rights of all of the parties interested may be heard and determined as contemplated by law;

NOW THEREFORE, on the motion made on behalf of said petitioner in open court on said hearing, no objection being made thereto by any party or person interested, the Court does hereby order, adjudge and decree as follows:

1. That petitioner and the respondents named herein in paragraph 3 of this decree whose interests are not being contested and those ultimately prevailing in the contests hereinbefore mentioned are now the owners as tenants in common of an estate in freehold in all that certain tract or parcel of land generally known as the Hui Land of Mailepai and being more particularly:



All of L.C.A. 5524, R. P. 1663 to L. Konia in the District of Kaunapali, Island of Maui, Territory of Hawaii, which Land Commission Award and Royal Patent consists of the following four parts and includes the following lands:

Part 1, The Ahupuaas of Napili 2 and Napili 3,	Area	498	Acres
The Ahupuaa of Napili 1	Area	103	"
Part 2, The Ahupuaas of Honokeana 1 and Honokeana 2	Area	603	"
Part 3, The Ahupuaas of Alaeloa 1 and Alaeloa 2	Area	823	"
Part 4, The Ahupuaa of Mailepai	Area	<u>798</u>	"
	Total Area	2825	"

And being the same land covered by deed of Bernice P. Bishop to Halepo et al. dated June 28, 1860 and recorded in the Bureau of Conveyances of the Territory of Hawaii in Book 13 at page 84.

The lands above mentioned are contiguous and the entire area has the following general description:

Commencing at the sea shore on Kapalua Bay at the boundary of the lands known as Napili 2 and 3 and the lands known as Honokahua and thence mauka and in a southeasterly direction along the boundary of Honokahua and partly along the southwesterly edge of Honokahua Gulch to a point on the narrow ridge between Honokahua Gulch and Kahana Gulch at the mauka junction of the lands known as Mailepai and the said lands known as Honokahua, and thence across the North Branch of Kahana Gulch to the point where the said lands of Honokahua, Mailepai and the lands known as Kahana join and thence makai and northwesterly along the boundary of the lands of Kahana and partly along the southwesterly edge and partly along the northeasterly edge of Kahana Gulch to the seashore and along the seashore to the point of commencement; excepting, therefrom, however, all kuleanas situate within said boundaries and covered by Land Commission Awards and also excepting the lands called Napili 4 and 5. That a

more particular description of said land by metes and bounds is hereto attached marked Exhibit "D" and which exhibit is hereby referred to and is hereby made a part hereof; that the kuleanas within said lands and being excepted therefrom and not the property of the Hui are correctly set forth and described in part II of said Exhibit "D".

2. That said land sought to be partitioned is in a compact area and should be partitioned by allotment as far as practicable, as prayed in said petition and concurred in by the answering respondents, with due regard, according to equity, for preferential rights of such particular occupants as it may appear have entered into actual use and occupation of and made improvements upon specific portions thereof by allotment under the rules and practice of the Hui Aina o Mailepai heretofore adopted by said parties or their predecessors in interest or otherwise;

3. That (except only as to the shares or interests in shares involved in said specific controversies and except as in this paragraph hereafter mentioned and except as controversies may hereafter develop upon the filing of answers by respondents Kaluna Lunning, Sam Kanaku, David Kanahu Ainoa, Mary K. Bray, Naiwi Kalei-opu, Helene Waiaholo, Sam Ako, John Kaukau, Alice Kaukau and Louise Kaukau), the said lands were at the date of filing of the said petition owned, held and vested as in said petition and answers set forth, that is to say

(a) The following parties are the owners in fee simple of undivided shares and/or portions of shares, to-wit:

Mrs. Mary Ahalani	.083
David Kanuha Ainoa (also known as D.S.Kanuha)	1.000
William Lukai	.120
Baldwin Packers, Limited	80.818

B. Bens	.250
Roman Catholic Church in the Territory of Hawaii	5.00 Acres
Henry Clark	.125
Catherine Y. Cockett	.333 (less 1/6 x 5 Acres)
Ernest Cummings	.067
Thelma Katherine Espinda, a minor, Honolulu, by Bishop Trust Co., Ltd., her Guardian	.396
Mrs. Annie K. Farden	.631
Chung Kwon Shou, China	}
Chung Ying Shou, China	
Chung Nee Cheun, China	
William H. Heen, Honolulu	
A. W. Heen, Honolulu	
M. L. Heen, Honolulu	
Phoebe C. Amoy, Honolulu	
E. Lulu Heen, Honolulu	
Sarah (Mrs. George M.) Heen, Los Angeles	
Ernest M. Heen, Honolulu	
Robert Heen, Mainland	}
Edward Heen (incompetent) by Hawaiian Trust Co., Guardian of his Estate	
Louis Hubbard, Jr.	.080
Kaaukea Iaela	.333 (less 1/6 x 5 Acres)
Maraea Kaaa	.025
Sam Kahai	.383
Lilia K. Kaholua	.500
Sonny Kahue	}
Kalama Kahue	
Letitia Kahue	
Pekekeo Kahue	
Minors, c/o Kauhane Kahue, Honolulu	
David Kalei	.025
Sarah N. Kalei	.050
Mrs. Akeneki Kanamu	.083
Junia Kupihea	.017
Violet Lee	.016

Helene V. Lucas,	.011
Muriel Ethel K. Lucas	.011
Robert Lucas	.011
William B. L. Lucas-	.011
Mrs. Kaluna Tunning	.125
Emma Maikai	.021
John Maikai	.021
Victoria Maikai	.021
Mrs. Hattie Markham	.080
Minna Medeiros	.733
Heirs of Mika Moku	.333
Rose M. Holokahi	}
Carrie M. Makaipo	
George Moore	
John Moore	
Charles Moore, Jr.	
Abraham Moore	
Edward Moore	
Joseph Moore	.333
John Moore	.333
J. K. Nakookoo and/or J. K. Nakookoo, Tr.,	.333
Margaret Puamohala Nape	.195
Victoria Napaepae	}
Edward Napaepae	
Blanche Napaepae	
Emaline Napaepae	
Matilda Napaepae	
Florence Napaepae	.334 (less 1/6 x 5 Acres)
Fred Lee Naylor	}
Sylvia Dale Naylor	
James Niho	.039
Keliiahonui Niho	.039
Kando Omoto	.166
Albert Ontai	.250
Annie Opupele	.125

Manuel Pahana	.083	
Adam Pali	.844	
Abraham Pooloa	.050	
Manuel F. de Rego	.250	
August Reimann	.734	
August, Reimann, Jr.	.733	
Mrs. Kaula Richardson	.187	
Wilfred K. Richardson	.799	
Julia Seong	.050	
Tomishige Shibao	.333	(less 1/6 x 5 Acres)
Kazuichi Shimota	.500	
Andrew Silva	1.	
Isaac Smythe	.006	
Jack Smythe	.006	
William Smythe	.006	
George Smythe	.085	
Noah Smythe (alias Noah Smith)	.005	
Poni Smythe	.006	
Julia Smythe	.006	
Frank Stark	.854	
Heirs of Waiaholo	.250	
Helen Pili Shaw Wessel	.798	

(b) The following persons are the owners of and entitled to dower rights in undivided shares or interests in said land, to-wit:-

<u>Owner of Dower</u>	<u>Interest or Share</u>	<u>Owner of Share</u>
Maria Espinda Akana	(Kanahoa (Lui (Pilipi	The petitioner 15/16 said int. Thelma Katherine Espinda 1/16 said interest.

<u>Owner of Dower</u>	<u>Interest or Share</u>	<u>Owner of share</u>
Emma Espinda Glaubrecht	(Halenalua .417 (Kauahoa .125 (Lui .125 (Pilipi .125	The petitioner 1/2 interest. Thelma Katherine Espinda 1/2 said interest.
Elizabeth Moore	John Moore .333	(Rose M. Holokahi (Carrie M. Makaipo (George Moore (John Moore (Charles Moore, Jr. (Abraham Moore (Edward Moore (Joseph Moore.
Chung Kum Shee - 19/180 of	(Halenalua .024 (Haloa .024 (Kaukau .051 (Kekahuna .072	(Chung Kwun Shou (Chung Ying Shou (Chung Nee Cheun (William H. Heen (A. W. Heen (M. L. Heen (Phoebe C. Amoy (E. Lulu Heen (Sarah (Mrs. George M.) (Heen (Ernest N. Heen (Robert Heen (Edward Heen

(c) The following persons are the owners of and entitled to estates by curtesy in undivided shares or interests in said land, to-wit:

<u>Holder of Curtesy</u>	<u>Interest or Share</u>	<u>Owner of Shares</u>
Louis Hubbard, Sr.	Kiau .080 Kiau .080	Louis Hubbard, Jr. Mrs. Hattie Markham.
Kauhane Kahue	Kalauwao .167 less 1/3 x 5 acres Lanikaula .333 Malo .167	Sonny Kahue Kalama Kahue Letitia Kahue Pekekeo Kahue All Minors.
Ben Napaepae	Kalauwao .084 less 1/6 x 5 acres Lanikaula .166 Malo .084	Victoria Napaepae Edward Napaepae Blanche Napaepae Emaline Napaepae Matilda Napaepae Florence Napaepae All Minors.
John Kupihea	Paele .017	Junia Kupihea, a Minor
Fred Naylor	Paele .017	Fred Lee Naylor Sylvia Dale Naylor Minors.

(d) The following persons are holders of mortgages upon interests in said land as set forth under their names respectively, to-wit:

<u>Mortgagee</u>	<u>Shares Mortgaged</u>	<u>Present Owner</u>
Bank of Maui, Ltd.	John Moore .250	Albert Ontai
D. T. Fleming	Habakuku .333 Kulailua .334	Ming Kedeiros

(e) That the following persons are the owners and holders of leases upon portions of the said land as herein set opposite their names respectively, to-wit:

<u>Lessee</u>	<u>Shares Leased</u>	<u>Present Owner</u>
Baldwin Packers, Ltd.	Kaihe Kalauwao	David K. Ainoa
Baldwin Packers, Ltd.	Kauahoa Lui Pilipi	Thelma Katherine Espinda
Baldwin Packers, Ltd.	Dower interest of Maria Espinda Ikana in shares of Kauahoa, Lui, Pilipi	Maria Espinda Ikana
K. Fujiyoshi, K. Otsuji and S. Taguchi	John Moore	Albert Ontai
K. Fujiyoshi, K. Otsuji and S. Taguchi	John Moore Nika	Adam Pali
George K. Hasegawa	Kalauwao Lanikaula Malo	Kauhane Kahue Ben Napaepae Sonny Kahue, a minor, Kalama Kahue, a minor, Letitia Kahue, a minor, Peke- keo Kahue, a minor, Kaaueka Iaaela, Jr Tomishige Shibao
S. Kobayashi	Nika	George Smythe
S. Nakashima and H. Kaneko	Nahi Koiku Wailiula	Helen Wessel
S. Nakashima and H. Kaneko	Kaakau Koiku	Amie Farden

Pioneer Mill Co., Ltd.

Certain Allotments  
as described in  
Lease recorded  
Book 562 at page  
482.

Baldwin Packers,  
Ltd.

4. That the said controversies shall be and are hereby transferred to the particular and separate portions of the land or share of proceeds which shall hereafter in each case be allotted and set apart in the general partition to such disputants collectively, in order that said controversies may in each case hereafter be heard and determined and with respect to which supplemental decrees may be entered whereby such portions so allocated may be awarded to the real owner or owners thereof among said disputants as though such portions were not now in dispute, and which portions so allotted and set apart shall thereafter alone be the subject of the said controversies, leaving the remaining interests and parties unaffected thereby.

5. That where the interests of any of the respondents is so small as to make it impracticable to apportion land to such respondent enough land shall be set aside to represent, collectively, the total aggregate interests of such respondents and shall be sold at auction and the proceeds divided among such respondents in proportion to their respective interests.

AND IT IS HEREBY FURTHER ORDERED AND DECREED that J. H. Kunewa (who shall be chairman), Charles Savage and Manuel Asue be and they are appointed Commissioners of this Court to act under the directions and subject to the approval of this Court, with power to prepare a plan for division of said land into lots or parcels, including provisions for necessary roads and rights of way, and make maps, and surveys in connection therewith; to appraise or procure appraisements to be made of the values of the whole property and of the various portions under any division thereof; to investigate and



report to this Court upon the extent to which particular portions of said land have been occupied or occupational rights are claimed by any of the parties in interest, whether under the rules or practice of the said Hui or otherwise, and upon the leases, mortgages, easements, and other liens and incumbrances and amounts involved in connection therewith, and contingent estates, which may exist or be claimed with respect to any portion, share or interest in said land; and upon any assignments, transfers or devolutions of any interest subsequent to the date of filing said petition, and any other matter or thing affecting the rights or claims of any persons interested in the premises which in their investigations may come to their attention, or which may otherwise be referred to them by this Court; and to find and report upon the interests of respondents too small to warrant apportioning land to them; and that said Commissioners present to this Court their recommendations as to the division or allotment of specific parcels among the parties interested, and as to the sale of any portion or portions and the application or division of the proceeds thereof.

In connection with all or any of the matters aforesaid the said Commissioners may call and hold hearings, and, subject to the approval of this Court first obtained, may hire assistance, including surveyors; and they shall act as Receivers of this Court to collect all funds belonging to said Hui Aina o Mailepai both now held and heretofore accrued and unpaid and which may hereafter accrue pending the final decree of this Court herein.

IT IS FURTHER ORDERED that the costs of this proceeding shall hereafter be ascertained and apportioned in the manner provided by law.

This Court hereby reserves the right at any time to make such other interlocutory orders or decrees as shall in its judgment from time to time seem necessary or proper in the premises.

Done in open court this 29 day of July, 1930.

*DN case.*

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Judge of the Circuit Court of the  
Second Judicial Circuit, in Equity,  
at Chambers.

ATTEST:

*Manuel Osue*

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Clerk of the said Court.

E X H I B I T " D "

PETITION FOR THE PARTITION OF THE MAILEPAI HUI,

KAANAPALI, ISLAND OF MAUI, TERRITORY OF HAWAII.

BALDWIN PACKERS, LIMITED, LAHAINA, MAUI, T. H., PETITIONER.

PART I.

MODERN SURVEY DESCRIPTION OF THE OUTER BOUNDARIES  
OF THE LANDS OF MAILEPAI HUI.

PART II.

MODERN SURVEY DESCRIPTION OF KULEANAS WITHIN THE  
MAILEPAI HUI BOUNDARY, EXCEPTIONS 1 TO 37 INCLUSIVE.

PART III.

MODERN SURVEY DESCRIPTIONS OF GOVERNMENT ROAD RIGHTS  
OF WAY WITHIN THE MAILEPAI HUI, EXCEPTION 38, SECTIONS  
1 to 3 INCLUSIVE.

E X H I B I T " D "PETITION FOR THE PARTITION OF THE MAILEPAI HUI,  
KAANAPALI, ISLAND OF MAUI, TERRITORY OF HAWAII.BALEWIN PACKERS, LIMITED, LAHAINA, MAUI, T. H., PETITIONER.PART I.MODERN SURVEY DESCRIPTION OF THE OUTER BOUNDARIES  
OF THE LANDS OF THE MAILEPAI HUI.

Being all of L.C.A. 5524, R.P. 1663 to L. Konia, District of Kaanapali, Island of Maui, Territory of Hawaii, comprising of the Ahupuaas of Napili 1, 2 and 3, Honokeana 1 and 2, Alaeloa 1 and 2, and Mailepai.

Beginning at "X" in concrete cemented on a large rock on sea shore at Keakaha, the coordinates of which point, referred to Government Triangulation Station "MALO" are

7,896.1 feet South and

9,590.0 feet West, and running thence by true azimuths:-

1. 327° 45' 66.0 feet along the Honokahua-Napili Boundary to a concrete monument on said beach, thence
2. 292° 45' 1488.5 feet along the Honokahua-Napili Boundary to a concrete monument, thence
3. 311° 45' 2707.5 feet along the Honokahua-Napili Boundary to a concrete monument, thence
4. 325° 45' 771.0 feet along the Honokahua-Napili Boundary to a concrete monument, thence
5. 313° 15' 1706.1 feet along the Honokahua-Napili Boundary to a concrete monument, thence
6. 301° 30' 1221.0 feet along the Honokahua-Napili Boundary to a concrete monument, thence
7. 297° 45' 574.2 feet along the Honokahua-Napili Boundary to a concrete monument, thence
8. 292° 15' 736.6 feet along the Honokahua-Napili Boundary to a concrete monument, thence
9. 326° 45' 1112.1 feet along the Honokahua-Napili Boundary to a concrete monument, thence
10. 329° 45' 1042.8 feet along the Honokahua-Napili Boundary to a concrete monument, thence

- 1. 321° 45' 1603.8 feet along the Honokahua-Napili Boundary to a concrete monument, thence
- 2. 310° 45' 1260.6 feet along the Honokahua-Napili Boundary to a concrete monument, thence
- 3. 317° 45' 1584.0 feet along the Honokahua-Napili Boundary to a concrete monument, thence
- 4. 324° 00' 277.9 feet along the Honokahua-Napili Boundary, along edge of gulch to a 2" pipe, thence
- 5. 348° 00' 521.4 feet along the Honokahua-Napili Boundary, along edge of gulch to a 2" pipe, thence
- 6. 316° 00' 623.7 feet along the Honokahua-Napili Boundary, along edge of gulch to a 2" pipe, thence
- 7. 279° 30' 267.3 feet along the Honokahua-Napili Boundary, along edge of gulch to a 2" pipe, thence
- 8. 296° 30' 1669.8 feet along the Honokahua-Napili Boundary, along edge of gulch to a 2" pipe, thence
- 9. 327° 00' 679.8 feet along the Honokahua-Napili Boundary, along edge of gulch to a 2" pipe, thence
- 10. 330° 30' 541.2 feet along the Honokahua-Napili Boundary, along edge of gulch to a 2" pipe, thence
- 11. 350° 30' 541.2 feet along the Honokahua-Napili Boundary, along edge of gulch to a 2" pipe, thence
- 12. 310° 50' 518.0 feet along the Honokahua-Napili Boundary, along edge of gulch to a 2" pipe, thence
- 13. 355° 30' 633.6 feet along the Honokahua-Honokeana Boundary, along edge of gulch to a 2" pipe, thence
- 14. 15° 30' 389.4 feet along the Honokahua-Alaeloa Boundary, along edge of gulch to a 2" pipe, thence
- 15. 357° 30' 512.2 feet along the Honokahua-Alaeloa Boundary, along edge of gulch to a 2" pipe, thence
- 16. 335° 30' 1095.6 feet along the Honokahua-Alaeloa Boundary, along edge of gulch to a 2" pipe, thence
- 17. 24° 30' 313.5 feet along the Honokahua-Alaeloa Boundary, along edge of gulch to a 2" pipe, thence
- 18. 332° 00' 1716.0 feet along the Honokahua-Mailepai Boundary along edge of gulch to a 2" pipe, thence
- 19. 50° 45' 603.1 feet across the North Branch of Kahana Gulch to a 2" pipe on narrow ridge, thence
- 20. 114° 00' 800.0 feet along narrow ridge along the Kahana-Mailepai Boundary to a 2" pipe, thence

31.	134° 37'	840.5	feet along the Kahana-Mailepai Boundary along edge of gulch to a 2" pipe, thence
32.	100° 13'	560.3	feet along the Kahana-Mailepai Boundary along edge of gulch to a 2" pipe, thence
33.	118° 30'	785.4	feet along the Kahana-Mailepai Boundary along edge of gulch to a 2" pipe, thence
34.	121° 30'	788.7	feet along the Kahana-Mailepai Boundary along edge of gulch to a 2" pipe, thence
35.	122° 30'	320.1	feet along the Kahana-Mailepai Boundary along edge of gulch to a 2" pipe, thence
36.	116° 00'	1452.0	feet along the Kahana-Mailepai Boundary along edge of gulch to a 2" pipe, thence
37.	85° 30'	640.2	feet along the Kahana-Mailepai Boundary to a 2" pipe, thence
38.	124° 30'	105.6	feet along the Kahana-Mailepai Boundary to a 2" pipe, thence
39.	59° 30'	244.2	feet along the Kahana-Mailepai Boundary to a 2" pipe, thence
40.	88° 30'	316.8	feet along the Kahana-Mailepai Boundary along edge of Main Branch of Kahana Gulch to a 2" pipe, thence
41.	84° 30'	136.0	feet along the Kahana-Mailepai Boundary along edge of gulch to a 2" pipe, thence
42.	124° 30'	294.4	feet along the Kahana-Mailepai Boundary along edge of gulch to a 2" pipe, thence
43.	117° 30'	293.0	feet along the Kahana-Mailepai Boundary along narrow ridge to a 2" pipe, thence
44.	184° 00'	101.6	feet along the Kahana-Mailepai Boundary down side of narrow ridge to a 2" pipe, thence
45.	152° 30'	102.3	feet along the Kahana-Mailepai Boundary across branch of Kahana Stream to a 2" pipe, thence
46.	124° 50'	392.7	feet along the Kahana-Mailepai Boundary across arm of Kahana Gulch to a 2" pipe, thence
47.	112° 30'	363.0	feet along the Kahana-Mailepai Boundary along edge of gulch, to a 2" pipe, thence
48.	125° 10'	1610.4	feet along the Kahana-Mailepai Boundary along edge of gulch, to a 2" pipe, thence
49.	135° 10'	1234.2	feet along the Kahana-Mailepai Boundary along edge of gulch, to a 2" pipe, thence
50.	122° 00'	1485.0	feet along the Kahana-Mailepai Boundary along edge of gulch, to a 2" pipe, thence

51. 118° 10' 1848.0 feet along the Kahana-Mailepai Boundary along edge of gulch, to a 2" pipe, thence
52. 133° 10' 1026.3 feet along the Kahana-Mailepai Boundary across narrow flat to a 2" pipe, thence
53. 125° 40' 646.8 feet along the Kahana-Mailepai Boundary along ridge to a 2" pipe, thence
54. 155° 40' 778.8 feet along the Kahana-Mailepai Boundary across North Branch of Kahana Gulch to a concrete monument, thence
55. 124° 10' 745.8 feet along the Kahana-Mailepai Boundary along edge of gulch, to a concrete monument, thence
56. 132° 40' 778.8 feet along the Kahana-Mailepai Boundary to a concrete monument, thence
57. 109° 10' 1643.4 feet along the Kahana-Mailepai Boundary to a concrete monument, thence
58. 110° 10' 2138.4 feet along the Kahana-Mailepai Boundary to a concrete monument, on the east side of the Government Road, thence
59. 110° 10' 42.7 feet across Government Road to an 1" pipe, near sea shore, thence
60. along sea shore to a concrete monument on the south boundary of Napili 4 and 5, the direct azimuth and distance being  
206° 00' 20" 6326.96 feet, thence
61. 319° 00' 1266.9 feet along the Napili-Honokeana boundary to a concrete monument, thence
62. 320° 30' 1207.8 feet along the Napili-Honokeana boundary to a concrete monument, thence
63. 294° 30' 1029.6 feet along the Napili-Honokeana boundary to a concrete monument, thence
64. 301° 30' 2455.2 feet along the Napili-Honokeana boundary to a concrete monument, thence
65. 323° 00' 1412.4 feet along the Napili-Honokeana boundary to a concrete monument, thence
66. 323° 30' 805.2 feet along the Napili-Honokeana boundary to a concrete monument, thence
67. 311° 48' 3119.7 feet along the Napili-Honokeana boundary to a concrete monument, thence
68. 287° 30' 528.0 feet along the Napili-Honokeana Boundary to a concrete monument, thence
69. 283° 01' 479.9 feet along the Napili-Honokeana boundary to a concrete monument, thence
70. 335° 00' 267.3 feet along the Napili-Honokeana boundary to a concrete monument, thence

71. 282° 30' 2158.2 feet along the Napili-Honokeana boundary to a concrete monument, thence
72. 292° 30' 219.1 feet along the Napili-Honokeana boundary to a concrete monument, thence
73. 211° 45' 462.0 feet along the Napili I- Napili 4 and 5 boundary to a concrete monument, thence
74. 124° 45' 1168.2 feet along the Napili 2 and 3 - Napili 4 and 5 boundary to a concrete monument, thence
75. 110° 45' 2547.6 feet along the Napili 2 and 3 - Napili 4 and 5 boundary to a concrete monument thence
76. 132° 45' 2739.7 feet along the Napili 2 and 3 - Napili 4 and 5 boundary to a concrete monument, thence
77. 136° 30' 1894.2 feet along the Napili 2 and 3 - Napili 4 and 5 boundary to a concrete monument, thence
78. 120° 45' 3833.1 feet along the Napili 2 and 3 - Napili 4 and 5 boundary to a concrete monument, thence
79. 140° 45' 2352.6 feet along the Napili 2 and 3 - Napili 4 and 5 boundary to a concrete monument, on the beach of Napili Bay, thence
80. along the sea shore to the point of beginning, the direct azimuth and distance being  
178° 43' 30" 1927.2 feet, containing an area of 2831.434 acres, more or less.

GROSS AREA-----	2831.434 acres
Less EXCEPTIONS-----	109.518 "
Kuleanas-(Exceptions 1 - 37, incl.)	99.590 acres
Govt. Roads (Exception 38)	9.928 "
	<hr/>
NET AREA-----	2721.916 Acres.



PART II.MODERN SURVEY DESCRIPTION OF KULEANAS WITHIN THEMAILEPAI HUI BOUNDARY, EXCEPTIONS 1 TO 37 INCLUSIVE:EXCEPTION 1.

L.C.A. 3687, R.P. 4570, Apana 3; to Ioba Malo, Situate in Honokeana, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "MALO" are 10,599.5 feet South,

10,465.7 feet West, and running thence by true azimuths:

1. 245° 10' 66.0 feet, to a concrete monument, thence
2. 335° 10' 165.0 feet, to a concrete monument, thence
3. 65° 10' 66.00 feet, to a concrete monument, thence
4. 155° 10' 165.0 feet to the point of beginning, containing an area of 0.250 Acre.

EXCEPTION 2.

L.C.A. 3925-L, R.P. 729, Apana 1 to Ili, Situate in Honokeana, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "MALO" are

11,317.2 feet South,

10,102.5 feet West, and running thence by true azimuths:

1. 291° 45' 119.5 feet to a concrete monument, thence
2. 358° 00' 196.7 feet along stonewall, along old Government Road, to a concrete monument, thence
3. 118° 26' 347.0 feet, along pali, thence
4. 248° 00' 202.0 feet, along sea shore to the point of commencement, containing an area of 0.867 acre.

EXCEPTION 3.

L.C.A. 3925-L, R.P. 729, Apana 2, to Ili, Situate in Honokeana, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which referred to Government Triangulation Station "HALO" are

12,053.2 feet South

9,578.2 feet West, and running thence by true azimuths:

1. 140° 30' 610.5 feet, along edge of gulch, thence
2. 223° 15' 238.9 feet, across gulch, thence
3. 315° 45' 653.4 feet along edge of gulch, thence
4. 52° 34' 291.3 feet across gulch to the point of beginning, containing an area of 3.830 acres.

EXCEPTION 4.

L.C.A. 3925-L, R.P. 729, Apana 5, to Ili, Situate in Honokeana, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "HALO" are

12,965.9 feet South,

8,716.1 feet West, and running thence by true azimuths:

1. 126° 00' 547.8 feet along edge of gulch, thence
2. 212° 35' 338.9 feet across gulch, thence
3. 305° 30' 565.0 feet along edge of gulch, thence
4. 35° 30' 343.2 feet across gulch to the point of beginning, containing an area of 4.353 acres.

EXCEPTION 5.

L.C.A. 4240, R.P. 6384, Apana 4 to Kau, Situate in Honokeana, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "MALO" are 14,319.6 feet South,

6,419.1 feet West, and running thence by true azimuths:

1. 66° 00' 292.0 feet across Gulch, thence
2. 161° 30' 245.0 feet along edge of gulch, thence
3. 150° 30' 370.5 feet along edge of gulch, thence
4. 230° 02' 315.0 feet across gulch, thence
5. 332° 15' 321.5 feet along edge of gulch, thence
6. 339° 00' 379.0 feet along edge of gulch to the point of beginning, containing an area of 4.451 acres.

EXCEPTION 6.

L.C.A. 3687, R.P. 4570, Apana 2, to I. Malo, Situate in Honokeana, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "MALO" are 14,810.7 feet South,

6,150.0 feet West, and running thence by true azimuths:

1. 62° 44' 328.3 feet across Gulch along L.C.A. 4740, Apana 3 to Manuwai, thence
2. 148° 45' 186.8 feet along edge of gulch, thence
3. 257° 20' 347.3 feet across gulch, thence
4. 329° 45' 99.0 feet to the point of beginning, containing an area of 1.078 acres.

EXCEPTION 7.

L.C.A. 4740, R.P. 4699, Apana 3, to Manuwai, Situate in Honokeana, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "MALO" are

14,810.7 feet South

6,150.0 feet West, and running thence by true azimuths:

1. 330° 13' 387.97 feet along edge of gulch, thence
2. 26° 47' 367.49 feet across gulch along L.C.A. 3925-L, Apana 3, to Ili, thence
3. 148° 12' 605.15 feet along edge of gulch, thence
4. 242° 44' 328.26 feet across gulch along L.C.A. 3687, Apana 2, to Malo, to the point of beginning, containing an area of 3.639 acres.

EXCEPTION 8.

L.C.A. 3925-L, R.P. 729, Apana 3, to Ili, Situate in Honokeana, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which referred to Government Triangulation Station "MALO" are

15,147.4 feet South,

5,957.3 feet West, and running thence by true azimuths:

1. 301° 33' 1697.94 feet along edge of gulch, thence
2. 45° 49' 364.92 feet across gulch along L.C.A. 4740, R.P. 4699, Apana 4 to Manuwai, thence
3. 121° 05-1/2' 1577.48 feet along Pali, thence
4. 206° 47' 367.49 feet across gulch along L.C.A. 4740, R.P. 4699, Apana 3 to Manuwai, to the point of beginning, containing an area of 13.528 acres.

EXCEPTION 9.

L.C.A. 47±0, R.P. 4699, Apana 4 to Manuwai, Situate in Honokeana, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "MALO" are 16,035.8 feet South,

4,510.4 feet West, and running thence by true azimuths:

1. 305° 08' 369.52 feet along edge of gulch, thence
2. 40° 11' 454.14 feet across gulch, along L.C.As. 3925-L, Apana 4 to Ili and 3925-0 to Kekaa, thence
3. 138° 25' 408.10 feet along edge of gulch, thence
4. 225° 49' 364.92 feet across gulch along L.C.A. 3925-L, Apana 3 to Ili, to the point of beginning, containing an area of 3.626 acres.

EXCEPTION 10.

L.C.A. 3925-L, R.P. 729, Apana 4 to Ili, Situate in Honokeana, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "MALO" are

16,248.5 feet South,

4,208.2 feet West, and running thence by true azimuths:

1. 317° 34' 647.55 feet along edge of gulch, thence
2. 22° 45' 132.54 feet down side of gulch, along L.C.A. 3925-0 to Kekaa to stream, thence
3. 116° 11' 174.79 feet along bank of stream, along L.C.A. 3925-0 to Kekaa, thence
4. 159° 41' 240.06 feet along stream, along L.C.A. 3925-0 to Kekaa, thence
5. 93° 40' 241.40 feet along stream, along L.C.A. 3925-0 to Kekaa, thence

6. 137° 20' 110.18 feet along Stream, along L.C.A. 3925-0 to Kekaa, thence
7. 220° 11' 263.54 feet up side of gulch along L.C.A. 4740, Apana 4 to Manuwai, to the point of beginning, containing an area of 2.669 acres.

EXCEPTION 11.

L.C.A. 3925-0, R.P. 7948, to Kekaa, situate in Honokaa, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "KALO" are 16,595.4 feet South

4,501.2 feet West, and running thence by true azimuths:

1. 220° 11' 190.60 feet down to stream, along L.C.A. 4740, R.P. 4699, Apana 4 to Manuwai, thence
2. 317° 20' 110.18 feet along stream, along L.C.A. 3925-L R.P. 729, Apana 4 to Ili, thence
3. 273° 40' 241.40 feet along stream, along L.C.A. 3925-L R.P. 729, Apana 4 to Ili, thence
4. 339° 41' 240.06 feet along stream, along L.C.A. 3925-L R.P. 729, Apana 4 to Ili, thence
5. 296° 11' 174.79 feet along Stream, along L.C.A. 3925-L, R.P. 729, Apana 4 to Ili, thence
6. 202° 45' 132.34 feet up side of gulch, along L.C.A. 3925-L, R.P. 729, Apana 4 to Ili, thence
7. 324° 22' 495.09 feet across stream to ridge, thence
8. 34° 00' 209.90 feet across stream to edge of gulch, thence
9. 118° 38' 446.26 feet along edge of gulch, thence
10. 129° 45' 536.60 feet along edge of gulch, thence
11. 147° 15' 178.90 feet along edge of gulch to the point of beginning, containing an area of 7.670 acres.

EXCEPTION 12.

L.C.A. 3925-K, R.P. 4568, Apana 3 to Miki, Situate in Honokeana, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "MALO" are 18,343.6 feet South,

2,758.1 feet West, and running thence by true azimuths:

1. 128° 15' 468.60 feet along edge of gulch, thence
2. 213° 00' 415.80 feet across gulch, thence
3. 293° 45' 605.20 feet along edge of gulch, thence
4. 43° 45' 205.90 feet down to stream, thence
5. 47° 38' 365.52 feet up gulch to the point of beginning, containing an area of 5.465 acres.

EXCEPTION 13.

L.C.A. 3925-K, R.P. 4568, Apana 2 to Miki, situate in Honokeana, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "MALO" are 18,679.8 feet South,

1,782.3 feet West, and running thence by true azimuths:

1. 203° 00' 95.00 feet across gulch, thence
2. 285° 00' 462.00 feet along side of gulch, thence
3. 309° 30' 342.50 feet along side of gulch, thence
4. 292° 00' 382.80 feet along side of gulch, thence
5. 66° 15' 139.64 feet down gulch, along L.C.A. 3925-L, R.P. 729, Apana 6 to Ili, thence
6. 114° 45' 1073.44 feet along side of gulch to the point of beginning, containing an area of 3.112 acres.

EXCEPTION 14.

L.C.A. 3925-L, R.P. 729, Apana 6 to Ili, Situate in Honokeana, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "HALO" are 19,225.5 feet South

436.3 feet West, and running thence by true azimuths:

1. 345° 15' 198.00 feet along side of gulch, thence
2. 42° 45' 184.80 feet across gulch, thence
3. 145° 00' 516.49 feet along side of gulch, thence
4. 246° 15' 139.64 feet across gulch, along L.C.A. 3925-K, R.P. 4568, Apana 2 to Iiki, thence
5. 302° 00' 287.10 feet along side of gulch to the point of beginning, containing an area of 2.212 acres.

EXCEPTION 15.

L.C.A. 4740, R.P. 4699, Apana 1, to Manuwai, situate in Alaeloa, Kaanapali, Maui, T. H.

Beginning at an iron pipe, the coordinates of which, referred to Government Triangulation Station "HALO" are

22,665.8 feet South, and  
4,077.3 feet East, and running thence by true azimuths:

1. 174° 52' 39.6 feet, along pali, thence
2. 261° 52' 105.6 feet along Pali, thence
3. 1° 22' 79.2 feet, along pali, thence
4. 104° 03' 102.2 feet along pali to point of beginning, containing an area of 0.139 acre.



EXCEPTION 16.

L.C.A. 3801, R.P. 4569. Apana 1 to Lupea, situate in Alaeloa, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "MALO" are 12,412.3 feet South

10,508.8 feet West, and running thence by true azimuths:

1. 42° 04' 157.1 feet along L.C.A. 3925-K, Apana 1 to Miki, to pali, thence
2. 132° 02' 99.0 feet along pali to beach, thence
3. 226° 30' 163.0 feet along beach, thence
4. 156° 15' 104.9 feet along sea shore, thence
5. 229° 00' 20.5 feet, thence
6. 333° 00' 192.1 feet to the point of beginning, containing an area of 0.422 acre.

EXCEPTION 17.

L.C.A. 3925-K, R.P. 4568, Apana 1 to Miki, situate in Alaeloa, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "MALO" are 12,412.3 feet South,

10,508.8 feet West, and running thence by true azimuths:

1. 321° 15' 116.2 feet, thence
2. 341° 00' 219.1 feet to a cross on rock, thence
3. 126° 00' 308.2 feet along Pali, thence
4. 222° 04' 157.1 feet along L.C.A. 3801, Apana 1 to Lupea, to the point of beginning, containing an area of 0.651 acre.

EXCEPTION 18.

L.C.A. 4245, R.P. 4567, Apana 4 to Kaleiopu, Situate in Alaeloa, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "MALO" are

12,870.0 feet South, and  
11,046.5 feet West, and running thence by true azimuths:

1. 108° 30' 489.0 feet along L.C.A. 4240, Apana 3 to Kau, to sea shore, thence
2. 238° 15' 546.0 feet along sea shore, thence
3. 252° 00' 250.1 feet along sea shore, thence
4. 315° 00' 193.4 feet along pali, thence
5. 23° 15' 217.8 feet, thence
6. 57° 41' 342.2 feet to the point of beginning, containing an area of 5.238 acres.

EXCEPTION 19.

L.C.A. 4240, R.P. 6384, Apana 3, to Kau, Situate in Alaeloa, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "MALO" are

12,870.0 feet South  
11,046.5 feet West, and running thence by true azimuths:

1. 34° 00' 396.00 feet, thence
2. 51° 30' 219.80 feet, thence
3. 149° ~~01~~<sup>10</sup>' 460.54 feet along sea shore, thence
4. 216° 30' 280.5 feet along sea shore, thence
5. 288° 30' 489.00 feet along L.C.A. 4245, Apana 4 to Kaleiopu, to the point of beginning, containing an area of 4.847 acres.

EXCEPTION 20.

L.C.A. 4807, R.P. 4697, Apana 3, to Nika 2, Situate in Alaeloa, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "MALO" are

13,315.3 feet South

11,460.2 feet West, and running thence by true azimuths:

1. 316° 18' 82.5 feet, thence
2. 46° 18' 132.0 feet, to beach, thence
3. 136° 18' 82.5 feet, along beach, thence
4. 226° 18' 132.0 feet to point of beginning, containing an area of 0.250 acre.

EXCEPTION 21.

L.C.A. 4252, R.P. 4566, Apana 5, to Kaaukea, Situate in Alaeloa, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "Malo" are

13,398.6 feet, South,

9,758.3 feet West, and running thence by true azimuths:

1. 238° 27' 389.40 feet ~~along wire fence to a 1" iron pipe at fence corner,~~ thence
2. 321° 53' 760.30 feet, thence
3. 72° 45' 358.40 feet, thence
4. 137° 30' 679.10 feet, to point of beginning, containing an area of 5.902 acres.

EXCEPTION 22.

L.C.A. 4240, R.P. 6384, Apana 2 to Kau; Situate in Alaeloa, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "MALO" are 15,350.3 feet South,

7,737.6 feet West, and running thence by true azimuths:

1. 141° 02' 491.75 feet along side of gulch, thence
2. 234° 55' 134.18 feet across gulch, thence
3. 317° 33' 436.23 feet along side of Gulch, thence
4. 34° 37' 167.20 feet across gulch, along L.C.A. 4252 Apana 3 to Kaaueka, to the point of beginning, containing an area of 1.572 acres.

EXCEPTION 23.

L.C.A. 4252, R.P. 4566, Apana 3, to Kaaueka, situate in Alaeloa, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "MALO" are 15,350.3 feet South,

7,737.6 feet West, and running thence by true azimuths:

1. 214° 37' 167.20 feet across gulch along L.C.A. 4240 Apana 2 to Kau, thence
2. 304° 33' 777.40 feet, along side of gulch, thence
3. 28° 17' 152.97 feet across gulch, thence
4. 129° 01' 361.00 feet along side of gulch, thence
5. 118° 52-1/2' 436.54 feet along side of gulch to the point of beginning, containing an area of 2.563 acres.

EXCEPTION 24.

L.C.A. 3801, R.P. 4569, Apana 3 to Lupea, Situate in  
Alaeloa, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of  
which, referred to Government Triangulation Station "MALO" are  
19,222.8 feet South,

1,761.6 feet West, and running thence by true azimuths:

1. 306° 30' 601.90 feet, thence
2. 47° 00' 213.80 feet, thence
3. 129° 18' 597.20 feet, thence
4. 227° 00' 184.10 feet to the point of beginning, containing  
an area of 2.703 acres.

EXCEPTION 25.

L.C.A. 3687, R.P. 4570, Apana 1 to Malo, Situate in  
Alaeloa, Kaanapali, Maui, T. H.

Beginning at a concrete monument near foot of stone wall,  
the coordinates of which, referred to Government Triangulation  
Station "MALO" are

20,592.9 feet South

160.1 feet West, and running thence by true azimuths:

1. 33° 34' 112.51 feet across gulch, thence
2. 122° 30' 343.90 feet along pali, thence
3. 245° 00' 109.60 feet along foot of pali, thence
4. 298° 30' 287.80 feet along foot of pali to the point  
of beginning, containing an area of  
0.735 acre.

EXCEPTION 26.

L.C.A. 4252, R.P. 4566, Apana 1 to Kaaueka, Situate in  
Alaaloa, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of  
which, referred to Government Triangulation Station "MALO" are  
14,868.9 feet South

9,728.9 feet West, and running thence by true azimuths:

1. 75° 23' 131.35 feet to stream, thence
2. 133° 10' 175.60 feet along stream to edge of Pali, thence
3. 207° 26' 34.30 feet along edge of Pali, thence
4. 278° 35' 94.40 feet along edge of pali, thence
5. 305° 17' 178.90 feet along side of gulch to point of  
beginning, containing an area of  
0.416 acre.

EXCEPTION 27.

L.C.A. 4807, R.P. 4569, Apana 1 to Nika 2, Situate in  
Alaaloa, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of  
Which, referred to Government Triangulation Station "MALO" are

15,913.0 feet South,

8,503.3 feet West, and running thence by true azimuths:

1. 51° 30' 136.0 feet across stream, thence
2. 120° 30' 262.7 feet along side of gulch, thence
3. 110° 45' 151.1 feet along side of gulch, thence
4. 90° 45' 165.0 feet along side of gulch, thence
5. 173° 45' 134.0 feet along side of gulch, thence
6. 86° 30' 213.8 feet along side of gulch, thence
7. 235° 00' 257.4 feet across gulch, thence
8. 313° 45' 174.2 feet along side of gulch, thence
9. 303° 00' 396.0 feet along side of gulch, thence
10. 280° 18' 201.5 feet along side of gulch to the point of  
beginning, containing an area of  
1.925 acres.

EXCEPTION 28.

L.C.A. 4807, R.P. 4697, Apana 5 to Nika, 2, situate in Alaeloa, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "HALO" are 17,925.0 feet South,

5,128.6 feet West, and running thence by true azimuths:

1. 99° 06' 00" 545.15 feet along side of stream, thence
2. 176° 19' 00" 191.94 feet across gulch, thence
3. 271° 33' 30" 519.82 feet along side of gulch, thence
4. 353° 18' 00" 265.51 feet across gulch and along L.C.A. 4245, Apana 1 to Kaleiopu to the point of beginning, containing an area of 2.739 acres.

EXCEPTION 29.

L.C.A. 4245, R.P. 4567, Apana 1 to Kaleiopu, situate in Alaeloa, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which referred to Government Triangulation Station "HALO" are 17,925.0-foot South,

5,128.6 feet West, and running thence by true azimuths:

1. 173° 18' 134.51 feet across gulch, along L.C.A. 4807 Apana 5 to Nika 2, to edge of pali, thence
2. 289° 19' 249.36 feet along edge of pali, thence
3. 322° 51' 209.50 feet along edge of Pali, thence
4. 7° 00' 125.40 feet across stream along L.C.A. 4245, Apana 2 to Kaleiopu, thence
5. 134° 15' 250.0 feet along edge of pali, thence
6. 113° 30' 165.50 feet along side of gulch to the point of beginning, containing an area of 1.187 acres.

EXCEPTION 30.

L.C.A. 4245, R.P. 4567, Apana 2 to Kaleiopu, situate in Alaeloa, Kaaupali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "MALO" are 18,656.8 feet South,

4,478.8 feet West, and running thence by true azimuths:

1. 178° 43' 316.81 feet along pali along edge of stream, thence
2. 158° 00' 213.2 feet along pali along edge of stream, thence
3. 89° 00' 229.70 feet along pali, along edge of stream, thence
4. 187° 00' 83.80 feet across stream, along L.C.A. 4245, Apana 1 to Kaleiopu, thence
5. 238° 58' 215.65 feet along pali, thence
6. 310° 00' 193.40 feet along pali, thence
7. 348° 41' 474.85 feet along pali, thence
8. 46° 15' 165.70 feet across stream along L.C.A. 4240, Apana 1 to Kau, to the point of beginning, containing an area of 2.165 acres.

EXCEPTION 31.

L.C.A. 4240, R.P. 6384, Apana 1 to Kau, situate in Alaeloa, Kaaupali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "MALO" are

18,674.5 feet South

4,280.7 feet West, and running thence by true azimuths:

1. 110° 45' 166.0 feet to L.C.A. 4245, Apana 2 to Kaleiopu, thence
2. 226° 15' 106.3 feet along L.C.A. 4245, Apana 2 to Kaleiopu, thence
3. 222° 38' 275.4 feet along edge of pali, thence
4. 274° 00' 236.3 feet along edge of Pali, thence
5. 22° 44' 191.9 feet across gulch, along L.C.A. 4740, Apana 2 to Manuwai, thence



6. 98° 50' 103.6 feet along side of gulch, thence
7. 46° 45' 229.7 feet to the point of beginning, containing an area of 1.787 acres.

EXCEPTION 32.

L.C.A. 4740, R.P. 4699, Apana 2 to Manuwai, situate in Alaaloa, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "MALO" are 19,023.0 feet South,

3,414.4 feet West, and running thence by true azimuths:

1. 132° 09' 549.22 feet along side of gulch, thence
2. 122° 40' 225.00 feet along side of gulch, thence
3. 202° 44' 191.88 feet across gulch along L.C.A. 4240, Apana 1 to Kau, thence
4. 313° 55' 632.33 feet along edge of pali, thence
5. 282° 48' 130.65 feet along edge of pali, thence
6. 16° 53' 208.24 feet across gulch along L.C.A. 4252, Apana 2 to Kaaukea to the point of beginning, containing an area of 2.563 acres.

EXCEPTION 33.

L.C.A. 4252, R.P. 4566, Apana 2 to Kaaueka, situate in Alaeloa, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "HALO" are

19,275.7 feet South,  
3,260.7 feet West, and running thence by true azimuths:

1. 148° 30' 180.80 feet along side of gulch, thence
2. 190° 53' 131.40 feet along side of gulch, thence
3. 128° 31' 77.03 feet along side of gulch, thence
4. 196° 53' 126.24 feet across gulch along L.C.A. 4740, Apana 2 to Manuwai, thence
5. 283° 34' 171.56 feet along edge of Pali, thence
6. 330° 45' 252.27 feet along edge of Pali, thence
7. 106° 11' 186.39 feet along L.C.A. 10813, Apana 5 to Pahina, thence
8. 8° 30' 59.4 feet along L.C.A. 10813, Apana 5 to Pahina, along edge of stream, thence
9. 331° 00' 115.50 feet along L.C.A. 10813, Apana 5 to Pahina, along edge of stream, thence
10. 37° 54' 106.00 feet across stream along L.C.A. 4807, Apana 2 to Nika 2 to the point of beginning, containing an area of 1.542 acres.

EXCEPTION 34.

L.C.A. 10813, Apana 5 to Pahina, situate in Alaeloa, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "MALO" are

19,084.2 feet South,  
3,063.8 feet West, and running thence by true azimuths:

1. 67° 10' 77.20 feet down side of gulch, thence
2. 37° 54' 98.71 feet down side of gulch along L.C.A. 4807, Apana 2 to Nika 2, thence
3. 151° 00' 115.50 feet along stream along L.C.A. 4252, Apana 2 to Kaaueka, thence
4. 188° 30' 59.40 feet along stream along L.C.A. 4252, Apana 2 to Kaaueka, thence
5. 286° 11' 186.39 feet up side of gulch along L.C.A. 4252, Apana 2 to Kaaueka, to the point of beginning, containing an area of 0.305 acre.

EXCEPTION 35.

L.C.A. 4807, R.P. 4697, Apana 2 to Nika 2, situate in Alaeloa, Kaanapali, Maui, T. H.

Beginning at a concrete monument, the coordinates of which, referred to Government Triangulation Station "MALO" are

19,501.2 feet South,  
2,734.3 feet West, and running thence by true azimuths:

1. 105° 45' 291.85 feet along edge of stream, thence
2. 127° 13' 212.86 feet along edge of stream, thence
3. 103° 00' 78.00 feet up side of gulch, thence
4. 217° 54' 204.71 feet across gulch along L.C.A. 4252, Apana 2 to Kaaueka and L.C.A. 10813, Apana 5 to Pahina, thence
5. 316° 50' 330.00 feet along side of gulch, thence
6. 288° 30' 182.80 feet along edge of pali, thence
7. 359° 00' 88.40 feet across gulch to the point of beginning, containing an area of 1.543 acres.

EXCEPTION 36.

L.C.A. 3801, R.P. 4569, Apana 2 to Lupea, situate in Alaeloa, Kaanapali, Maui, T. H.

Beginning at a concrete monument at the edge of a pali, the coordinates of which, referred to government Triangulation Station "MALO" are

19,780.1 feet South,  
2,387.1 feet West, and running thence by true azimuths:

1. 48° 00' 184.10 feet across gulch, thence
2. 107° 05' 105.79 feet across gulch, thence
3. 228° 30' 176.00 feet along edge of pali, thence
4. 283° 00' 108.90 feet along edge of pali to the point of beginning, containing an area of 0.371 acre.

EXCEPTION 37.

L.C.A. 4807, R.P. 4697, Apana 4 to Nika, 2, situate in Alaeloa, Kaanapali, Maui, T. H.

Beginning at a concrete monument on boundary of 40 Foot Government Road right of way, the coordinates of which, referred to Government Triangulation Station "MALO" are

13,729.4 feet South,  
11,118.3 feet West, and running thence by true azimuths:

1. 83° 44' 233.0 feet, thence
2. 159° 00' 252.1 feet, thence
3. 201° 30' 143.9 feet, thence
4. 321° 57' 435.7 feet, to the point of beginning, containing an area of 1.274 acres.

PART III.

MODERN SURVEY DESCRIPTION OF GOVERNMENT ROAD RIGHTS OF WAY

WITHIN THE MAILEPAI HUI, EXCEPTION 38, SECTIONS 1 TO 3 INCLUSIVE:

EXCEPTION 38, SECTION 1.

A Portion of L.C.A. 5524, R.P. 1663 to L. Konia, District of Kaanapali, Island of Maui, Territory of Hawaii, situate in Napili 2 and 3.

A parcel of land 40 feet wide and 2,506.8 feet long, containing an area of 2.302 acres, the center line of which is described as follows:-

Beginning at a point on the Honokahua-Napili Boundary, the coordinates of which, referred to Government Triangulation Station "MALO" are

8,295.9 feet South,

8,734.5 feet West and running thence by true azimuths:

- 1. 32° 56' 00" 134.18 feet, thence
- 2. 28° 26' 00" 90.30 feet, thence
- 3. along the arc of a circular curve having a radius of 322.16 feet for a central angle of 31° 13', the direct azimuth and distance being  
44° 02' 30" 173.36 feet, thence
- 4. 59° 39' 00" 173.40 feet, thence
- 5. along the arc of a circular curve having a radius of 208.44 feet for a central angle of 32° 07', the direct azimuth and distance being  
43° 35' 30" 115.32 feet, thence
- 6. 27° 32' 00" 125.19 feet, thence
- 7. along the arc of a circular curve having a radius of 160.19 feet for a central angle of 89° 50', the direct azimuth and distance being  
342° 34' 00" 234.89 feet, thence
- 8. 297° 36' 00" 109.17 feet, thence
- 9. 286° 27' 00" 199.04 feet, thence

10. along the arc of a circular curve having a radius of 103.56 feet for a central angle of  $100^{\circ} 43'$ , the direct azimuth and distance being  
 $336^{\circ} 48' 30''$  159.49 feet, thence
11.  $27^{\circ} 09' 30''$  574.21 feet, thence
12. along the arc of a circular curve having a radius of 1081.72 feet for a central angle of  $13^{\circ} 11'$ , the direct azimuth and distance being  
 $20^{\circ} 34' 15''$  248.35 feet, thence
13.  $13^{\circ} 59' 00''$  117.19 feet to the Napili 2 and 3 and Napili 4 and 5 Boundary.

EXCEPTION 38, SECTION 2.

A portion of L.C.A. 5524, R.P. 1603, to L. Konia, District of Kaanapali, Island of Maui, Territory of Hawaii, situate in Honokeana 1 and 2, Alaeloa 1 and 2 and Milepai.

A parcel of land forty (40) feet wide, and 7,018.7 feet long, containing an area of 6.445 acres, the center line of which is described as follows:

Beginning at a point on the Napili-Honokeana Boundary, the coordinates of which, referred to Government Triangulation Station "HALO" are

- 10,807.95 feet South,  
 9,575.12 feet West, and running thence by true azimuths:
1.  $40^{\circ} 15' 00''$  39.03 feet, thence
2.  $43^{\circ} 42' 00''$  329.00 feet, thence
3. along the arc of a circular curve having a radius of 286.26 feet for a central angle of  $39^{\circ} 56'$ , the direct azimuth and distance being  
 $23^{\circ} 44' 00''$  195.50 feet, thence
4.  $3^{\circ} 46' 00''$  114.07 feet, thence
5. along the arc of a circular curve having a radius of 145.68 feet for a central angle of  $69^{\circ} 28'$ , the direct azimuth and distance being  
 $38^{\circ} 30' 00''$  166.01 feet, thence

6.  $73^{\circ} 14' 00''$  33.85 feet, thence
7. along the arc of a circular curve having a radius of 395.03 feet for a central angle of  $59^{\circ} 48'$ , the direct azimuth and distance being  
 $53^{\circ} 20' 00''$  268.92 feet, thence
8.  $33^{\circ} 26' 00''$  95.62 feet, thence
9. along the arc of a circular curve having a radius of 900.98 feet for a central angle of  $12^{\circ} 40'$ , the direct azimuth and distance being  
 $27^{\circ} 06' 00''$  198.78 feet, thence
10.  $20^{\circ} 46' 00''$  131.99 feet, thence
11. along the arc of a circular curve having a radius of 247.92 feet for a central angle of  $57^{\circ} 51'$ , the direct azimuth and distance being  
 $351^{\circ} 50' 30''$  239.82 feet, thence
12.  $322^{\circ} 55' 00''$  156.00 feet, thence
13.  $320^{\circ} 21' 00''$  153.97 feet, thence
14. along the arc of a circular curve having a radius of 172.79 feet for a central angle of  $72^{\circ} 12'$ , the direct azimuth and distance being  
 $356^{\circ} 27' 00''$  203.61 feet, thence
15.  $32^{\circ} 33' 00''$  66.51 feet, thence
16. along the arc of a circular curve having a radius of 187.84 feet for a central angle of  $56^{\circ} 32'$ , the direct azimuth and distance being  
 $60^{\circ} 49' 00''$  177.91 feet, thence
17.  $89^{\circ} 05' 00''$  129.42 feet, thence
18.  $81^{\circ} 38' 00''$  74.02 feet, thence
19. along the arc of a circular curve having a radius of 293.60 feet for a central angle of  $25^{\circ} 06'$ , the direct azimuth and distance being  
 $70^{\circ} 05' 00''$  117.57 feet, thence
20.  $58^{\circ} 52' 00''$  500.03 feet, thence
21. along the arc of a circular curve having a radius of 157.80 feet for a central angle of  $107^{\circ} 57'$ , the direct azimuth and distance being  
 $4^{\circ} 33' 30''$  255.25 feet, thence
22.  $310^{\circ} 35' 00''$  154.84 feet, thence

23. along the arc of a circular curve having a radius of 91.10 feet, for a central angle of  $77^{\circ} 45'$ , the direct azimuth and distance being  
 $349^{\circ} 27' 30''$  114.35 feet, thence
24. along the arc of a circular curve having a radius of 206.10 feet, for a central angle of  $40^{\circ} 10'$ , the direct azimuth and distance being  
 $48^{\circ} 25' 00''$  182.75 feet, thence
25. along the arc of a circular curve having a radius of 501.13 feet, for a central angle of  $18^{\circ} 25'$ , the direct azimuth and distance being  
 $59^{\circ} 17' 30''$  160.38 feet, thence
26.  $50^{\circ} 05' 00''$  342.57 feet, thence
27.  $54^{\circ} 43' 00''$  67.00 feet, thence
28. along the arc of a circular curve having a radius of 467.17 feet, for a central angle of  $24^{\circ} 52'$ , the direct azimuth and distance being  
 $42^{\circ} 17' 00''$  201.17 feet, thence
29.  $29^{\circ} 51' 00''$  84.99 feet, thence
30. along the arc of a circular curve having a radius of 345.49 feet, for a central angle of  $30^{\circ} 45'$ , the direct azimuth and distance being  
 $14^{\circ} 28' 30''$  183.20 feet, thence
31.  $359^{\circ} 06' 00''$  70.92 feet, thence
32. along the arc of a circular curve having a radius of 262.64 feet, for a central angle of  $35^{\circ} 52'$ , the direct azimuth and distance being  
 $17^{\circ} 02' 00''$  161.74 feet, thence
33.  $34^{\circ} 58' 00''$  308.37 feet, thence
34.  $39^{\circ} 00' 00''$  378.00 feet, thence
35.  $42^{\circ} 55' 00''$  280.60 feet, thence
36. along the arc of a circular curve having a radius of 454.43 feet, for a central angle of  $16^{\circ} 02'$ , the direct azimuth and distance being  
 $34^{\circ} 54' 00''$  126.75 feet, thence
37.  $26^{\circ} 53' 00''$  206.53 feet, thence
38.  $30^{\circ} 31' 30''$  193.69 feet, thence
39.  $38^{\circ} 56' 00''$  37.62 feet to the Mailepai-Kahana Boundary.



EXCEPTION 38, SECTION 3.

A Portion of L.C.A. 5524, R.P. 1663 to L. Konia, District of Kaanspali, Island of Maui, Territory of Hawaii, Situate in Napili 2 and 3.

A parcel of land 40 feet wide and 1,287.1 feet long, containing an area of 1.182 acres, the center line of which is described as follows:-

Beginning at a point, the coordinates of which referred to Government Triangulation Station "HALO" are

9,112.4 feet South

9,155.8 feet West, and running thence by true azimuths:

- 1. along the arc of a circular curve, having a radius of 218.0 feet for a central angle of 35° 22', the direct azimuth and distance being  
163° 48' 132.44 feet, thence
- 2. along the arc of a circular curve having a radius of 174.5 feet for a central angle of 35° 32', the direct azimuth and distance being  
199° 15' 106.50 feet, thence
- 3. 217° 00' 80.13 feet, thence
- 4. along the arc of a circular curve having a radius of 159.74 feet for a central angle of 25° 24', the direct azimuth and distance being  
229° 42' 70.24 feet, thence
- 5. 242° 24' 268.23 feet, thence
- 6. 231° 36' 108.09 feet, thence
- 7. along the arc of a circular curve having a radius of 279.76 feet for a central angle of 35° 40', the direct azimuth and distance being  
249° 26' 171.35 feet, thence
- 8. 267° 16' 342.90 feet to the Honokahua-Napili 2 and 3 Boundary.