

Doc 3531826  
CTN 506,334  
DEC 22, 2006 10:30 AM

THE OFFICIAL OF THE DEPARTMENT  
REGISTERED AS FOLLOWING:  
STATE OF HAWAII

2006-235862

Doc 2006-235862  
DEC 22, 2006 10:30 AM

LAND COURT SYSTEM

REGULAR SYSTEM

Return by Mail ☐ Pickup ☒ To:

Randall K. Steverson  
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Total Pages: 7

Tax Map Key No.: See Exhibit A

**TWENTIETH AMENDMENT OF THE  
MAUNA LANI RESORT ASSOCIATION  
DECLARATION OF COVENANTS AND RESTRICTIONS  
(Annexation of Common Properties)**

THIS TWENTIETH AMENDMENT OF THE MAUNA LANI RESORT ASSOCIATION DECLARATION OF COVENANTS AND RESTRICTIONS is made as of December 19, 2006, by MAUNA LANI SERVICE, INC., a Hawaii corporation, whose address is 68-1310 Mauna Lani Drive, Suite 101, Kohala Coast, Hawaii 96743-9704, hereinafter called the "Declarant."

**Recitals:**

(a) The Mauna Lani Resort Association Declaration of Covenants and Restrictions made on June 3, 1982, was originally filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 1120889 and noted on Transfer Certificate of Title No. 154,928 and also recorded in the Bureau of

Conveyances of the State of Hawaii in Liber 16425 at Page 203 ("**Original Declaration**").

(b) The Original Declaration was amended by, among other amendments, the Ninth Amendment of the Mauna Lani Resort Association Declaration of Covenants and Restrictions, dated as of November 7, 1995, filed in said Assistant Registrar's Office as Document No. 2281205 and noted on Transfer Certificate of Title No. 154,928, and recorded in said Bureau as Document No. 95-168247 (the "**Ninth Amendment**").

(c) The Ninth Amendment clarified the description of the Annexed Property as described in Exhibit "1" and clarified the description of the Master Plan Area as described in Exhibit "2".

(d) The Original Declaration was last amended by the Nineteenth Amendment of the Mauna Lani Resort Association Declaration of Covenants and Restrictions, dated as of June 26, 2006, recorded in said Bureau as Document No. 2006-132711 (the Original Declaration, as amended through the last amendment, the "**Declaration**").

(e) All of the Declarant's rights under the Declaration were assigned from Mauna Lani Resort, Inc., a Hawaii corporation, to Mauna Lani Service, Inc. by the Designation of Declarant and Co-Declarant of the Mauna Lani Resort Association Declaration of Covenants and Restrictions and Acceptance, dated March 10, 1998, filed in said Assistant Registrar's Office as Document No. 2445165, and recorded in said Bureau as Document No. 98-033812.

(f) Pursuant to Article III, Section 2 of the Declaration, Declarant may unilaterally annex property within the Mauna Lani Resort Master Plan Area (the "**Master Plan Area**") up to January 1, 2007.

(g) Declarant desires to annex certain property, more particularly described in Exhibit A attached hereto and made a part hereof (the "**Property**"), which is included in the Master Plan Area.

**Amendment:**

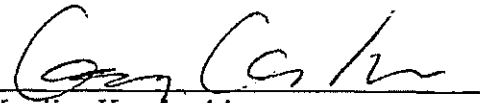
NOW, THEREFORE, Declarant hereby agrees as follows:

1. **Amendment.** Declarant hereby amends the Declaration by annexing the Property into the Mauna Lani Resort Association. The Property shall be included in the property described in Exhibit "1" of the Declaration and in the term "Annexed Property" as defined in the Declaration.

2. **Terms of the Declaration.** All other terms, conditions, covenants and provisions of the Declaration shall be and remain unchanged and shall continue to be valid, binding, and fully enforceable.

IN WITNESS WHEREOF, the Declarant has executed these presents as of the day and year first above written.

**MAUNA LANI SERVICE, INC., a**  
Hawaii corporation

By   
Kenjiro Karahashi  
Its President

**Declarant**



**ITEM ONE [Tax Map Key: (3) 6-8-1-53]**

All of that certain parcel of land situate at Kalahuipuaa, Anaehoomalu and Waikoloa, District of South Kohala, Island and County of Hawaii, State of Hawaii, being LOT 2 of the "MAUNA LANI RESORT NORTH KANIKU DRIVE AND HO'OHANA STREET SUBDIVISION", as shown on **File Plan Number 2395**, filed in the Bureau of Conveyances of the State of Hawaii, and containing an area of 10.939 acres, more or less.

**ITEM TWO [Tax Map Key: (3) 6-8-22-1]**

All of that certain parcel of land situate at Kalahuipuaa and Waikoloa, District of South Kohala, Island of Hawaii, State of Hawaii, being LOT 2 of the "MAUNA LANI RESORT NORTH PAUOA ROAD SUBDIVISION", as shown on **File Plan Number 2426**, filed in the Bureau of Conveyances of the State of Hawaii, and containing an area of 28,076 square feet, more or less.

**ITEM THREE [Tax Map Key: (3) 6-8-22-50]**

All of that certain parcel of land situate on the northeasterly side of Lot 12 (Mauna Lani Drive) of Mauna Lani Resort - Phase IV (File Plan 1926) at Kalahuipuaa and Waikoloa, South Kohala, Island of Hawaii, State of Hawaii, being LOT 3 of the "MAUNA LANI RESORT SITE B SUBDIVISION", as shown on **File Plan Number 2312**, filed in the Bureau of Conveyances of the State of Hawaii, and containing an area of 1.305 acres, more or less.

**ITEM FOUR [Tax Map Keys: (3) 6-8-22-33, 44 and 45]**

All of that certain parcel of land situate at Kalahuipuaa and Waikoloa, District of South Kohala, Island and County of Hawaii, State of Hawaii, being LOT 2 of the "MAUNA LANI RESORT, GROVE SUBDIVISION", as shown on **File Plan Number 2425**, filed in the Bureau of Conveyances of the State of Hawaii, and containing a Gross Area of 2.919 acre, more or less.

Excepting and excluding Exclusion 4, containing an area of 0.739 acre, leaving a Net Area of 2.180 acres, more or less.

**ITEM FIVE** [Tax Map Keys: (3) 6-8-1-53 and (3) 6-8-22-35]

All of that certain parcel of land situate at Kalahuipuaa, Anaehoomalu and Waikoloa, District of South Kohala, Island and County of Hawaii, State of Hawaii, being **LOT 3** of the "MAUNA LANI RESORT NORTH KANIKU DRIVE AND HO'OHANA STREET SUBDIVISION", as shown on **File Plan Number 2395**, filed in the Bureau of Conveyances of the State of Hawaii, and containing an area of 7.910 acres, more or less.

**ITEM SIX** [Tax Map Keys: (3) 6-8-22-35 and (3) 6-8-22-3]

All of that certain parcel of land situate at Waikoloa, District of South Kohala, Island and County of Hawaii, State of Hawaii, being **LOT 2** of the "MAUNA LANI RESORT SITE B SUBDIVISION NO. 2", as shown on **File Plan Number 2344**, filed in the Bureau of Conveyances of the State of Hawaii, and containing an area of 21.396 acres, more or less.

**ITEM SEVEN** [Tax Map Key: (3) 6-8-22-35]

All of that certain parcel of land situate at Waikoloa, Anaehoomalu and Kalahuipuaa, District of South Kohala, Island and County of Hawaii, State of Hawaii, being **LOT 2** of the "MAUNA LANI RESORT - PHASE V, PART A", as shown on **File Plan Number 2100**, filed in the Bureau of Conveyances of the State of Hawaii, and containing an area of 12.648 acres, more or less.

Excepting and excluding therefrom portion of Exclusion 1 containing an area of 0.021 acre, leaving a net area of 12.627 acres, more or less.

**ITEM EIGHT** [Tax Map Key: (3) 6-8-22-33]

All of that certain parcel of land situate at Kalahuipuaa and Waikoloa, District of South Kohala, Island and County of Hawaii, State of Hawaii, being **LOT 6** of the "MAUNA LANI RESORT CLUBHOUSE ROAD SUBDIVISION", as shown on **File Plan Number 2425**, filed in the Bureau of Conveyances of the State of Hawaii, and containing an area of 1.318 acres, more or less.

**ITEM NINE [Tax Map Key: (3) 6-8-22-48]**

All of that certain parcel of land situate at Kalahuipuaa, Waimea, District of South Kohala, Island and County of Hawaii, State of Hawaii, described as follows:

**LOT 21-B**, area 31.369 acres, more or less, as shown on **Map 17**, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1785 of Francis Hyde Ii Brown.

Being land(s) described in **Transfer Certificate of Title No. 506,334** issued to **MAUNA LANI SERVICE, INC.**, a Hawaii corporation

Doc 3531827  
CTN 506,334  
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THE ORIGINAL OF THE DOCUMENT  
RECORDED AS FOLLOWS:  
STATE OF HAWAII

BUREAU OF CONVEYANCES

Doc 2006-235863  
DEC 22, 2006 10:30 AM

LAND COURT SYSTEM

REGULAR SYSTEM

Return by Mail ☐ Pickup ☒ To:

Randall K. Steverson  
Goodsill Anderson Quinn & Stifel  
Alii Place, Suite 1800  
1099 Alakea Street  
Honolulu, Hawaii 96813  
Phone: (808) 547-5600

Total Pages: 5

Tax Map Key No.: (3) 6-8-22-26

**TWENTY-FIRST AMENDMENT OF THE  
MAUNA LANI RESORT ASSOCIATION  
DECLARATION OF COVENANTS AND RESTRICTIONS  
(Annexation of Beach Club)**

THIS TWENTY-FIRST AMENDMENT OF THE MAUNA LANI RESORT ASSOCIATION DECLARATION OF COVENANTS AND RESTRICTIONS is made as of December 18, 2006, by **MAUNA LANI SERVICE, INC.**, a Hawaii corporation, whose address is 68-1310 Mauna Lani Drive, Suite 101, Kohala Coast, Hawaii 96743-9704, hereinafter called the "**Declarant**."

**Recitals:**

(a) The Mauna Lani Resort Association Declaration of Covenants and Restrictions made on June 3, 1982, was originally filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 1120889 and noted on Transfer Certificate of Title No. 154,928 and also recorded in the Bureau of



Conveyances of the State of Hawaii in Liber 16425 at Page 203 ("**Original Declaration**").

(b) The Original Declaration was amended by, among other amendments, the Ninth Amendment of the Mauna Lani Resort Association Declaration of Covenants and Restrictions, dated as of November 7, 1995, filed in said Assistant Registrar's Office as Document No. 2281205 and noted on Transfer Certificate of Title No. 154.928, and recorded in said Bureau as Document No. 95-168247 (the "**Ninth Amendment**").

(c) The Ninth Amendment clarified the description of the Annexed Property as described in Exhibit "1" and clarified the description of the Master Plan Area as described in Exhibit "2".

(d) The Original Declaration was last amended by the Twentieth Amendment of the Mauna Lani Resort Association Declaration of Covenants and Restrictions, filed contemporaneously with this amendment (the Original Declaration, as amended through the last amendment, the "**Declaration**").

(e) All of the Declarant's rights under the Declaration were assigned from Mauna Lani Resort, Inc., a Hawaii corporation, to Mauna Lani Service, Inc. by the Designation of Declarant and Co-Declarant of the Mauna Lani Resort Association Declaration of Covenants and Restrictions and Acceptance, dated March 10, 1998, filed in said Assistant Registrar's Office as Document No. 2445165, and recorded in said Bureau as Document No. 98-033812.

(f) Pursuant to Article III, Section 2 of the Declaration, Declarant may unilaterally annex property within the Mauna Lani Resort Master Plan Area (the "**Master Plan Area**") up to January 1, 2007.

(g) Declarant desires to annex certain property, more particularly described in **Exhibit A** attached hereto and made a part hereof (the "**Property**"), which is included in the Master Plan Area.

**Amendment:**

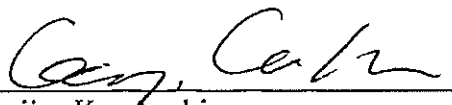
NOW, THEREFORE, Declarant hereby agrees as follows:

1. **Amendment.** Declarant hereby amends the Declaration by annexing the Property into the Mauna Lani Resort Association. The Property shall be included in the property described in Exhibit "1" of the Declaration and in the term "Annexed Property" as defined in the Declaration.

2. **Terms of the Declaration.** All other terms, conditions, covenants and provisions of the Declaration shall be and remain unchanged and shall continue to be valid, binding, and fully enforceable.

IN WITNESS WHEREOF, the Declarant and the Owner have executed these presents as of the day and year first above written.

**MAUNA LANI SERVICE, INC., a**  
Hawaii corporation

By   
Kenjiro Karamashi  
Its President

**Declarant**

[illegible]

On this 18<sup>th</sup> day of December, 2006 before me appeared **Kenjiro Karahashi**, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable in the capacity shown. having been duly authorized to execute such instrument in such capacity.

Print Name: SHERI L. RAPOZA  
Notary Public  
State of Hawaii

My commission expires: MARCH 5, 2010 <sup>th</sup>

LS

[Tax Map Key: (3) 6-8-22-26]

**-PARCEL FIRST:-**

All of that certain parcel of land situate at Kālahuipūaa, Waimea, Island and County of Hawaii, State of Hawaii, described as follows:

**LOT 21-A**, area 4,494 acres, more or less, as shown on Map 17, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1785 of Francis Hyde li Brown:

Being the land(s) described in **Transfer Certificate of Title No. 506,733** issued to MAUNA LANI RESORT (OPERATION). INC.. a Hawaii corporation.

**- PARCEL SECOND: -**

All of that certain parcel of land situate at Kālahuipūaa, Waimea, Island and County of Hawaii, State of Hawaii, being **LOT 7** of the "MAUNA LANI-THE CAPE", as shown on **File Plan Number 1994**, filed in the Bureau of Conveyances of the State of Hawaii, and containing an area of 16,301 square feet, more or less.

**END OF EXHIBIT A**