

# KOHALA RANCH Amendment 11

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/s/ CARL T. WATANABE  
ASSISTANT REGISTRAR

LAND COURT SYSTEM

REGULAR SYSTEM

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Gail Muneoka

LC-1

Total Pages 9

TITLE OF DOCUMENT:

ELEVENTH AMENDMENT OF KOHALA RANCH  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

PARTIES TO DOCUMENT:

DECLARANT: KOHALA JOINT VENTURE, a registered Hawaii joint venture  
P. O. Box 4406  
Kailua-Kona, Hawaii 96745-4406

TAX MAP KEY(S): Hawaii 5-9-001:010 (Lot 755) (This document consists of 9 pages.)  
and as shown on Exhibit "A" attached hereto

**ELEVENTH AMENDMENT OF KOHALA RANCH  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

THIS ELEVENTH AMENDMENT OF KOHALA RANCH DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (this "Amendment") is made this 31<sup>st</sup> day of March, 2000, by KOHALA JOINT VENTURE, a registered Hawaii joint venture ("Declarant"), whose address is P. O. Box 4406, Kailua-Kona, Hawaii 96745-4406.

**WITNESSETH:**

WHEREAS, Declarant is the fee simple owner of certain real property situated at Kahua 1<sup>st</sup>, Kahua and Waika, District of North Kohala, Island and County of Hawaii, State of Hawaii, more particularly described in Exhibit A attached hereto and made a part hereof; and

WHEREAS, Declarant is the Declarant under that certain Kohala Ranch Declaration of Covenants, Conditions and Restrictions dated October 4, 1985, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 1327679, as amended and all as more particularly described in Exhibit B attached hereto and made a part hereof (as amended, the "Declaration");

WHEREAS, pursuant to Sections 2.02 and 2.05 of the Declaration, Declarant may in its sole discretion submit to the provisions of the Declaration the real property owned by Declarant described in Exhibit "A" by filing an amendment to the Declaration executed only by Declarant;

WHEREAS, pursuant to Section 2.06 of the Declaration, Declarant may de-annex a property covered by the Declaration prior to the sale of such property to a member of the general public by filing an amendment to the Declaration executed only by the Declarant;

WHEREAS, by that certain Tenth Amendment of Kohala Ranch Declaration of Covenants, Conditions and Restrictions dated February 16, 2000 and filed in said Office as Document No. 2608798, Declarant annexed to the Declaration, besides other lands, Lot 755, as shown on Map 100, filed in said Office with Land Court Consolidation 117 and described in Transfer Certificate of Title No. 460,571; and

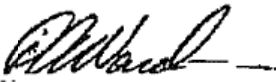
WHEREAS, Declarant has not sold said Lot 755 to a member of the general public and wishes to de-annex said Lot 755 from the Declaration;

NOW, THEREFORE, Declarant hereby declares and confirms that (1) all of the real property described in Exhibit "A" attached hereto and made a part hereof (the "Property") is hereby submitted to the provisions of the Declaration, and shall, at all times, be held, transferred, sold, conveyed, leased, occupied and used subject to the easements, restrictions, covenants, charges, liens and conditions set forth in said Declaration which are for the purpose of protecting the value and desirability of and which shall touch and concern and run with title to the Property subjected to the Declaration and which shall be binding on all parties having any interest in the Property or any portion thereof, and their respective heirs, personal representatives, successors, successors-in-title, and assigns, and shall inure to the benefit of each owner thereof, and (2) Lot 755, as shown on Map 100, filed in said Office with Land Court Consolidation 117, and described in Transfer Certificate of Title No. 460,571, is hereby de-annexed from the Declaration.

IN WITNESS WHEREOF, Declarant has caused this Amendment to be executed  
on the day and year first above written.

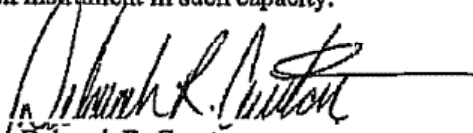
**KOHALA JOINT VENTURE**, a registered Hawaii joint  
venture

By **OXFORD KOHALA, INC.**, General Partner

By   
Richard A. Warden  
Its President

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF DELAWARE

On this 3<sup>rd</sup> day of March, 2000, before me personally appeared RICHARD A. WARDEN, to me personally known (or proved to me on the basis of satisfactory evidence) to be the person described in and executed the foregoing instrument, who, being by me sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and, is applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.

  
Deborah R. Cureton  
Notary Public

NOTARIAL SEAL  
DEBORAH R. CURETON, Notary Public  
Radnor Twp., Delaware County  
My Commission Expires March 10, 2003

EXHIBIT A

All of those certain parcels of land situate at Kahua 1<sup>st</sup>, Kahua and Waika, District of North Kohala, Island and County of Hawaii, State of Hawaii, being portions of Land Court Consolidation No. 117, and more particularly described as follows:

Lot No.	Transfer Certificate of Title Number	Tax Map Key No.
102	417,693	(3) 5-9-9-24
155	478,849	(3) 5-9-10-27
281	526,554	(3) 5-9-12-37
398	491,429	(3) 5-9-13-27
401	472,739	(3) 5-9-13-30
407	430,495	(3) 5-9-13-36
411	491,431	(3) 5-9-13-40
434	516,283	(3) 5-9-13-63
441	312,065	(3) 5-9-13-70
469	507,856	(3) 5-9-14-11
489	423,248	(3) 5-9-14-31
495	464,136	(3) 5-9-14-37
498	476,345	(3) 5-9-14-40
514	490,521	(3) 5-9-13-89
516	312,065	(3) 5-9-13-97
517	525,291	(3) 5-9-13-92
518	519,509	(3) 5-9-13-93
525	492,074	(3) 5-9-13-100
550	481,663	(3) 5-9-13-83
618	356,594	(3) 5-9-15-1
619	356,594	(3) 5-9-15-2
620	356,594	(3) 5-9-15-3
621	356,594	(3) 5-9-15-4
624	356,594	(3) 5-9-15-7
625	356,594	(3) 5-9-15-8
626	356,594	(3) 5-9-15-9
627	356,594	(3) 5-9-15-10
628	356,594	(3) 5-9-15-11

Lot No.	Transfer Certificate of Title Number	Tax Map Key No.
629	356,594	(3) 5-9-15-12
630	356,594	(3) 5-9-15-13
631	356,594	(3) 5-9-15-14
632	356,594	(3) 5-9-15-15
633	356,594	(3) 5-9-15-16
634	356,594	(3) 5-9-15-17
635	356,594	(3) 5-9-15-18
638	356,594	(3) 5-9-15-21
639	356,594	(3) 5-9-15-22
640	356,594	(3) 5-9-15-23
641	356,594	(3) 5-9-15-24
642	356,594	(3) 5-9-15-25
643	356,594	(3) 5-9-15-26
644	356,594	(3) 5-9-15-27
645	356,594	(3) 5-9-15-28
646	356,594	(3) 5-9-15-29
647	356,594	(3) 5-9-15-30
648	356,594	(3) 5-9-15-31
649	356,594	(3) 5-9-15-32
650	356,594	(3) 5-9-15-33
651	356,594	(3) 5-9-15-34
652	356,594	(3) 5-9-15-35
653	356,594	(3) 5-9-15-36
654	356,594	(3) 5-9-15-37
655	356,594	(3) 5-9-15-38
656	356,594	(3) 5-9-15-39
657	356,594	(3) 5-9-15-40
660	356,594	(3) 5-9-15-43
661	356,594	(3) 5-9-15-44
662	356,594	(3) 5-9-15-45
663	356,594	(3) 5-9-15-46
664	356,594	(3) 5-9-15-47
665	356,594	(3) 5-9-15-48
666	356,594	(3) 5-9-15-49
669	356,594	(3) 5-9-15-52
671	356,594	(3) 5-9-15-54
672	356,594	(3) 5-9-15-55

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Lot No.	Transfer Certificate of Title Number	Tax Map Key No.
673	356,594	(3) 5-9-15-56
674	356,594	(3) 5-9-15-57
675	356,594	(3) 5-9-15-58
676	356,594	(3) 5-9-15-59
683	356,594	(3) 5-9-15-66
684	356,594	(3) 5-9-15-67
685	356,594	(3) 5-9-15-68
686	356,594	(3) 5-9-15-69
687	356,594	(3) 5-9-15-70
690	356,594	(3) 5-9-15-73
691	356,594	(3) 5-9-15-74
699	356,594	(3) 5-9-15-82
700	384,845	(3) 5-9-15-83
701	356,594	(3) 5-9-15-84
702	463,480	(3) 5-9-15-85
703	356,594	(3) 5-9-15-86
704	356,594	(3) 5-9-15-87
705	356,594	(3) 5-9-15-88
708	388,632	(3) 5-9-15-91
709	356,594	(3) 5-9-15-92
710	356,594	(3) 5-9-15-93
711	356,594	(3) 5-9-15-94
712	356,594	(3) 5-9-15-95
713	356,594	(3) 5-9-15-96
714	356,594	(3) 5-9-15-97
715	356,594	(3) 5-9-15-98
717	356,594	(3) 5-9-15-100
734	356,594	(3) 5-9-15-71
735	356,594	(3) 5-9-15-72
737	356,594	(3) 5-9-15-6
738	356,594	(3) 5-9-15-61

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EXHIBIT "B"

Kohala Ranch Declaration of Covenants, Conditions and Restrictions dated October 4, 1985, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 1327679, as amended by the following: First Amendment and Restatement of Kohala Ranch Declaration of Covenants, Conditions and Restrictions dated January 8, 1986, and filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 1345901, as amended by the Second Amendment of Kohala Ranch Declaration of Covenants, Conditions and Restrictions dated March 17, 1986, filed as aforesaid as Document No. 1361562, and as further amended by the Third Amendment of Kohala Ranch Declaration of Covenants, Conditions and Restrictions dated April 9, 1987, filed as aforesaid as Document No. 1464649, the Fourth Amendment of Kohala Ranch Declaration of Covenants, Conditions and Restrictions dated May 6, 1988 and filed as aforesaid as Document No. 1549027, the Fifth Amendment of Kohala Ranch Declaration of Covenants, Conditions and Restrictions dated June 15, 1988 and filed as aforesaid as Document No. 1557977, the Sixth Amendment of Kohala Ranch Declaration of Covenants, Conditions and Restrictions dated December 30, 1988 and filed as aforesaid as Document No. 1605945, the Seventh Amendment of Kohala Ranch Declaration of Covenants, Conditions and Restrictions dated September 10, 1990, and filed as aforesaid as Document No. 1765788, the Eighth Amendment of Kohala Ranch Declaration of Covenants, Conditions and Restrictions dated October 31, 1991, filed as aforesaid as Document No. 1864316, the Ninth Amendment of Kohala Ranch Declaration of Covenants, Conditions and Restrictions dated June 27, 1994, but effective on May 27, 1994, filed as aforesaid as Document No. 2159244, and the Tenth Amendment of Kohala Ranch Declaration of Covenants, Conditions and Restrictions dated February 16, 2000, filed as aforesaid as Document No. 2608798.