

THE ORIGINAL OF THE DOCUMENT  
RECORDED AS FOLLOWS:  
BUREAU OF CONVEYANCES

DATE JUL 08 2004 TIME 12:30  
DOCUMENT NO. 2004-138953

LAND COURT

REGULAR SYSTEM

AFTER RECORDATION, RETURN BY: MAIL ( X ) PICK-UP ( )

KCOM CORP.  
99-880 Iwaena Street  
Aiea, Hawaii 96701  
(808) 487-1445

Total No. of Pages: 15

Tax Map Key No.: (2) 3-9-45:15 portion

**FIRST AMENDMENT TO UNILATERAL AGREEMENT  
AND DECLARATION REGARDING OFF-SITE PARKING**

THIS FIRST AMENDMENT TO UNILATERAL AGREEMENT  
AND DECLARATION REGARDING OFF-SITE PARKING is dated this 8<sup>th</sup> day of  
July, 2004, by KCOM CORP., a Hawaii corporation, whose address is at  
99-880 Iwaena Street, Aiea, Hawaii 96701 ("**Declarant**").

**WITNESSETH:**

WHEREAS, Declarant executed that certain Unilateral Agreement and  
Declaration dated May 18, 1999, recorded in the Bureau of Conveyances of the State of  
Hawaii as Document No. 99-094202 (the "**Agreement**") to evidence Declarant's commitment  
to off-site parking;

WHEREAS, paragraph 6 of the Agreement provides:

- (a) That 53 off-site parking stalls to be located on TMK 3-9-045:15 (Lot 1-B) formerly a portion of TMK 3-9-045:012 (Lot 1) shall be reserved for the exclusive use by the patrons and employees of the Kihei Commercial Center located on TMK 3-9-045:14, formerly TMK 3-9-045:012 (Lot 2). Each parking stall shall be clearly marked as parking for the Kihei Commercial Center.

WHEREAS, Lot 1-B has been further subdivided into Lots 1-B-1 through 1-B-7, which lots are more particularly described in Exhibits "A" and "B" attached hereto; and

WHEREAS, Declarant desires to amend the Agreement;

NOW, THEREFORE, the Agreement is hereby amended as follows:

A. Paragraph 6 of the Agreement is hereby amended to read as follows:

6. The parcel shall be subject to the following restrictions:

- (a) That 53 off-site parking stalls to be located on TMK 3-9-045:15 (Lot 1-B-4 and Lot 1-B-6), formerly a portion of TMK 3-9-5-045:15 (Lot 1-B) and formerly a portion of TMK 3-9-045:012 (Lot 1) shall be reserved for the exclusive use by the patrons and employees of the Kihei Commercial Center located on TMK 3-9-045:14, formerly TMK 3-9-045:012 (Lot 2). Each parking stall shall be clearly marked as parking for the Kihei Commercial Center.
- (b) On the completion of a parking facility approved by the County containing not less than 53 off-site parking stalls to be located on Lot 1-B-4, Declarant and the County shall execute an instrument evidencing the release of Lot 1-B-6 from the conditions of the Agreement.

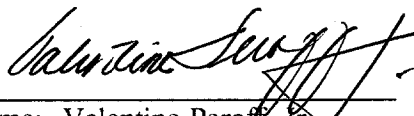
B. The conditions imposed by the Agreement shall continue to be effective as to and run in perpetuity with the land described as Lots 1-B-4 and 1-B-6, and which Lots 1-B-4 and 1-B-6 are more particularly described in Exhibit "A" attached hereto.

C. The conditions of the Agreement shall no longer be applicable to the land identified as Lots 1-B-1, 1-B-2, 1-B-3, 1-B-5 and 1-B-7, (the "**Released Parcels**"), which Released Parcels are more particularly described in Exhibit "B" attached hereto.

- The remainder of this page is intentionally left blank; the next page is the signature page -

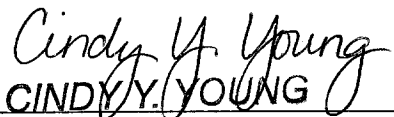
IN WITNESS WHEREOF, Declarant has executed this First Amendment to Unilateral Agreement and Declaration Regarding Off-Site Parking on the day and year first above written.

KCOM CORP., a Hawaii corporation

By   
Name: Valentine Peroff, Jr.  
Title: President

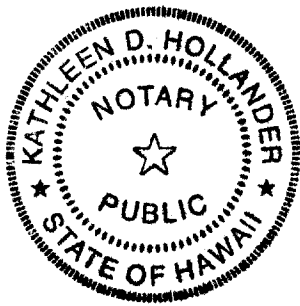
Declarant

APPROVED AS TO FORM AND LEGALITY:

  
CINDY Y. YOUNG  
Deputy Corporation Counsel  
County of Maui

STATE OF HAWAII )  
 ) ss.  
CITY AND COUNTY OF HONOLULU )

On this 29<sup>th</sup> day of June, 2004 before me personally appeared VALENTINE PEROFF, JR., to me personally known, who, being by me duly sworn, 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.



Kathleen D Hollander  
(Print or Type Name)

Kath D Hollander  
(Signature)  
Notary Public, State of Hawaii

My Commission Expires: 10/19/07

**EXHIBIT "A"**

(Property Description of Lots 1-B-4 and 1-B-6)

**LOT 1-B-4**

**KIHEI COMMERCIAL CENTER SUBDIVISION**

All of that certain parcel of land, being Lot 1-B-4 of the Kihei Commercial Center Subdivision (the map thereof not being recorded), being a portion of Grant 11400 to Ernest K. Naeole, situated at Waiakoa, Kihei, Kula, Island and County of Maui, State of Hawai'i and being more particularly described as follows:

Beginning at a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983" at the Southwest corner of this parcel of land, said pipe also being the Northeast corner of Lot 1-B-2, the Southwest corner of Lot 1-B-3 and the most Westerly corner of Lot 1-B-5 of said Kihei Commercial Center Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being:

15,141.14 feet North  
22,316.62 feet West

and running by azimuths measured clockwise from true South:

1. 176° 46' 30"                    52.28 feet along said Lot 1-B-3 of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983";
2. 166° 48' 00"                    245.61 feet along same to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983" on the South end of the Huku Li'i Place roadway lot;
3. 256° 48' 00"                    24.00 feet along said South end of the Huku Li'i Place roadway lot, along the remainder of said Grant 11400 to Ernest K. Naeole to a found ¾-inch pipe on the Southwesterly boundary of Lot 5 of the Piilani Business Park Subdivision;
4. 346° 48' 00"                    157.00 feet along said Lot 5 of the Piilani Business Park Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a found ½-inch pipe;
5. 256° 48' 00"                    152.50 feet along same to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983" on the West boundary of

said Lot 1-B-5 of the Kihei Commercial Center Subdivision;

6. 356° 46' 30" 173.51 feet along said Lot 1-B-5 of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983";
7. 88° 00' 00" 158.52 feet along same to the point of beginning and containing an area of 29,480 Square Feet, more or less.

**LOT 1-B-6**  
**KIHEI COMMERCIAL CENTER SUBDIVISION**

All of that certain parcel of land, being Lot 1-B-6 of the Kihei Commercial Center Subdivision (the map thereof not being recorded), being a portion of Grant 11400 to Ernest K. Naeole, situated at Waiakoa, Kihei, Kula, Island and County of Maui, State of Hawai'i and being more particularly described as follows:

Beginning at a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983" at the Northwest corner of this parcel of land, on the East boundary of Lot 1-B-7 (private roadway lot) of said Kihei Commercial Center Subdivision, said pipe also being the Southwest corner of Lot 1-B-5 of said Kihei Commercial Center Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being:

14,932.49 feet North  
22,280.82 feet West

and running by azimuths measured clockwise from true South:

1. 268° 00' 00" 170.52 feet along said Lot 1-B-5 of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983" on the East boundary of Lot 2 of said Kihei Commercial Center Subdivision;
2. 356° 46' 30" 226.99 feet along said Lot 2 of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a found ¾-inch pipe on the North boundary of Royal Patent 7447, Land Commission Award 3237, Part 2 to H. Hewahewa and Parcel 16 of Tax Map Key: (2) 3-9-001;

3. 90° 04' 30" 170.77 feet along said Royal Patent 7447, Land Commission Award 3237, Part 2 to H. Hewahewa, along said Parcel 16 of Tax Map Key: (2) 3-9-001 to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983" at the Southeast corner of Lot 1-B-1 of said Kihei Commercial Center Subdivision;
  
4. 176° 46' 30" 220.80 feet along Lots 1-B-1 and 1-B-7 (private roadway lot) of said Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to the point of beginning and containing an area of 38,169 Square Feet, more or less.

**EXHIBIT "B"**

(Property Description of the Released Parcels:  
Lots 1-B-1, 1-B-2, 1-B-3, 1-B-5 and 1-B-7)

**LOT 1-B-1**

**KIHEI COMMERCIAL CENTER SUBDIVISION**

All of that certain parcel of land, being Lot 1-B-1 of the Kihei Commercial Center Subdivision (the map thereof not being recorded), being a portion of Grant 11400 to Ernest K. Naeole, situated at Waiakoa, Kihei, Kula, Island and County of Maui, State of Hawai'i and being more particularly described as follows:

Beginning at a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983" at the West corner of this parcel of land, on the East boundary of the Piilani Highway F.A.P. No. RF-031-1(5) right-of-way, said pipe also being the Southwest corner of Lot 1-B-7 (private roadway lot) of said Kihei Commercial Center Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being:

14,867.01 feet North  
22,492.61 feet West

and running by azimuths measured clockwise from true South:

Thence along said Lot 1-B-7 (private roadway lot) of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole, on the arc of a curve to the right, concave Southeasterly with a radius of 30.00 feet, the chord azimuth and distance being:

1. 217° 24' 00"                      46.36 feet to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983";
2. 268° 00' 00"                      184.99 feet along said Lot 1-B-7 (private roadway lot) of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983" on the West boundary of Lot 1-B-6 of said Kihei Commercial Center Subdivision;
3. 356° 46' 30"                      198.57 feet along said Lot 1-B-6 of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983" on the North



boundary of Royal Patent 7447, Land Commission Award 3237, Part 2 to H. Hewahewa and Parcel 16 of Tax Map Key: (2) 3-9-001;

4. 90° 04' 30" 187.92 feet along said Royal Patent 7447, Land Commission Award 3237, Part 2 to H. Hewahewa, along said Parcel 16 of Tax Map Key: (2) 3-9-001 to a found iron bolt on the East boundary of said Piilani Highway, F.A.P. No. RF-031-1(5)right-of-way;
5. 166° 48' 00" 158.92 feet along said East boundary of the Piilani Highway, F.A.P. No. RF-031-1(5) right-of-way to the point of beginning and containing an area of 39,560 Square Feet, more or less.

#### LOT 1-B-2

#### KIHEI COMMERCIAL CENTER SUBDIVISION

All of that certain parcel of land, being Lot 1-B-2 of the Kihei Commercial Center Subdivision (the map thereof not being recorded), being a portion of Grant 11400 to Ernest K. Naeole, situated at Waiakoa, Kihei, Kula, Island and County of Maui, State of Hawai'i and being more particularly described as follows:

Beginning at a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983" at the Northeast corner of this parcel of land, said pipe also being the Southeast corner of Lot 1-B-3, the Southwest corner of Lot 1-B-4 and the Northwest corner of Lot 1-B-5 of said Kihei Commercial Center Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being:

15,141.14 feet North  
22,316.62 feet West

and running by azimuths measured clockwise from true South:

1. 356° 46' 30" 188.04 feet along said Lot 1-B-5 of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983" on the North boundary of Lot 1-B-7 (private roadway lot) of said Kihei Commercial Center Subdivision;
2. 88° 00' 00" 180.63 feet along said Lot 1-B-7 (private roadway lot) of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a

¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983";

Thence along said Lot 1-B-7 (private roadway lot) of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole, on the arc of a curve to the right, concave Northeasterly with a radius of 30.00 feet, the chord azimuth and distance being:

3. 127° 24' 00"                      38.08 feet to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983" on the East boundary of the Piilani Highway , F.A.P. No. RF-031-1(5) right-of-way;
4. 166° 48' 00"                      70.79 feet along said East boundary of the Piilani Highway, F.A.P. No. RF-031-1(5) right-of-way to a found ½-inch pipe;
5. 256° 48' 00"                      15.00 feet along same to a found ¾-inch pipe;
6. 166° 48' 00"                      93.25 feet along same to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983" at the Southwest corner of said Lot 1-B-3 of the Kihei Commercial Center Subdivision;
7. 268° 00' 00"                      223.19 feet along said Lot 1-B-3 of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to the point of beginning and containing an area of 40,171 Square Feet, more or less.

**LOT 1-B-3**

**KIHEI COMMERCIAL CENTER SUBDIVISION**

All of that certain parcel of land, being Lot 1-B-3 of the Kihei Commercial Center Subdivision (the map thereof not being recorded), being a portion of Grant 11400 to Ernest K. Naeole, situated at Waiakoa, Kihei, Kula, Island and County of Maui, State of Hawai'i and being more particularly described as follows:

Beginning at a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983" at the Southeast corner of this parcel of land, said pipe also being the Northeast corner of Lot 1-B-2, the Southwest corner of Lot 1-B-4 and the Northwest corner of Lot 1-B-5 of said Kihei Commercial Center Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being:

15,141.14 feet North  
22,316.62 feet West

and running by azimuths measured clockwise from true South:

1. 88° 00' 00" 223.19 feet along said Lot 1-B-2 of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983" on the East boundary of the Piilani Highway, F.A.P. No. RF-031-1(5) right-of-way;
2. 166° 48' 00" 96.75 feet along said East boundary of the Piilani Highway, F.A.P. No. RF-031-1(5) right-of-way to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983" at the Southwest corner of Lot 6 of the Piilani Business Park Subdivision;
3. 256° 48' 00" 187.00 feet along said Lot 6 of the Piilani Business Park Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a found iron bolt;
4. 166° 48' 00" 161.69 feet along same to a found ¾-inch pipe on the south end of the Huku Li'i Place roadway lot;

Thence along said South end of the Huku Li'i Place roadway lot, along the remainder of said Grant 11400 to Ernest K. Naeole, on the arc of a curve to the left, concave Northerly with a radius of 45.00 feet, the chord azimuth and distance being:

5. 269° 59' 38" 20.54 feet to a found chiseled hole in concrete;
6. 256° 48' 00" 21.00 feet along said South end of the Huku Li'i Place roadway lot, along the remainder of said Grant 11400 to Ernest K. Naeole to a found ¾-inch pipe at the Northwest corner of said Lot 1-B-4 of the Kihei Commercial Center Subdivision;
7. 346° 48' 00" 245.61 feet along said Lot 1-B-4 of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983";
8. 356° 46' 30" 52.28 feet along same to the point of beginning and containing an area of 33,431 Square Feet, more or less.

LOT 1-B-5  
KIHEI COMMERCIAL CENTER SUBDIVISION

All of that certain parcel of land, being Lot 1-B-5 of the Kihei Commercial Center Subdivision (the map thereof not being recorded), being a portion of Grant 11400 to Ernest K. Naeole, situated at Waiakoa, Kihei, Kula, Island and County of Maui, State of Hawai'i and being more particularly described as follows:

Beginning at a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983" at the Southwest corner of this parcel of land, on the East boundary of Lot 1-B-7 (private roadway lot) of said Kihei Commercial Center Subdivision, said pipe also being the Northwest corner of Lot 1-B-6 of said Kihei Commercial Center Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being:

14,932.49 feet North  
22,280.82 feet West

and running by azimuths measured clockwise from true South:

1. 176° 46' 30"            21.79 feet along said Lot 1-B-7 (private roadway lot) of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983";
2. 88° 00' 00"            24.01 feet along same to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983" at the Southeast corner of Lot 1-B-2 of said Kihei Commercial Center Subdivision;
3. 176° 46' 30"            188.04 feet along said Lot 1-B-2 of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983" at the Southeast corner of Lot 1-B-3 and the Southwest corner of Lot 1-B-4 of said Kihei Commercial Center Subdivision;
4. 268° 00' 00"            158.52 feet along said Lot 1-B-4 of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983";

5. 176° 46' 30"            749.01 feet along said Lot 1-B-4 of the Kihei Commercial Center Subdivision and along Lots 5, 4, 3, 2 and 1 of the Piilani Business Park Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a point on the South boundary of the Ohukai Road right-of-way;
6. 263° 18' 30"            93.36 feet along said South boundary of the Ohukai Road right-of-way to a found chiseled cross in concrete sidewalk on the North boundary of Lot 2 of said Kihei Commercial Center Subdivision;

Thence along said Lot 2 of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole, on the arc of a curve to the left, concave Southeasterly with a radius of 30.00 feet, the chord azimuth and distance being:

7. 40° 02' 30"            41.12 feet to a found ¾-inch pipe at a point of reverse curvature;

Thence along said Lot 2 of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole, on the arc of a curve to the right, concave Westerly with a radius of 407.00 feet, the chord azimuth and distance being:

8. 1° 30' 22"            67.14 feet to a found ¾-inch pipe;
9. 6° 14' 14"            73.55 feet along said Lot 2 of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a found ¾-inch pipe;

Thence along same on the arc of a curve to the left, concave Easterly with a radius of 395.00 feet, the chord azimuth and distance being:

10. 1° 30' 22"            65.16 feet to a found iron bolt;
11. 356° 46' 30"        531.68 feet along said Lot 2 of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a found ¾-inch pipe;

Thence along same on the arc of a curve to the left, concave Northeasterly with a radius of 20.00 feet, the chord azimuth and distance being:

12. 311° 46' 30"        28.28 feet to a found chiseled cross;
13. 356° 46' 30"        20.00 feet along said Lot 2 of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a found chiseled hole in top of concrete curb;

14. 86° 46' 30" 16.00 feet along same to a found chiseled hole in top of concrete curb;

Thence along same on the arc of a curve to the left, concave Southeasterly with a radius of 10.00 feet, the chord azimuth and distance being:

15. 41° 46' 30" 14.14 feet to a found chiseled cross;
16. 356° 46' 30" 149.24 feet along said Lot 2 of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983" at the Northeast corner of said Lot 1-B-6 of said Kihei Commercial Center Subdivision;
17. 88° 00' 00" 170.52 feet along said Lot 1-B-6 of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to the point of beginning and containing an area of 75,789 Square Feet, more or less.

**LOT 1-B-7  
(PRIVATE ROADWAY LOT)  
KIHEI COMMERCIAL CENTER SUBDIVISION**

All of that certain parcel of land, being Lot 1-B-7 (private roadway lot) of the Kihei Commercial Center Subdivision (the map thereof not being recorded), being a portion of Grant 11400 to Ernest K. Naeole, situated at Waiakoa, Kihei, Kula, Island and County of Maui, State of Hawai'i and being more particularly described as follows:

Beginning at a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983" at the Southwest corner of this parcel of land, on the East boundary of the Piilani Highway, F.A.P. No. RF-031-1(5) right-of-way, said pipe also being the West corner of Lot 1-B-1 of said Kihei Commercial Center Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being:

14,867.01 feet North  
22,492.61 feet West

and running by azimuths measured clockwise from true South:

1. 166° 48' 00" 106.02 feet along said East boundary of the Piilani Highway, F.A.P. No. RF-031-1(5) right-of-way to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983"

on the West boundary of Lot 1-B-2 of said Kihei Commercial Center Subdivision;

Thence along said Lot 1-B-2 of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole, on the arc of a curve to the left, concave Northeasterly with a radius of 30.00 feet, the chord azimuth and distance being:

2. 127° 24' 00"                      38.08 feet to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983";
3. 268° 00' 00"                      204.64 feet along Lots 1-B-2 and 1-B-5 of said Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983";
4. 356° 46' 30"                      44.02 feet along Lots 1-B-5 and 1-B-6 of said Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983";
5. 88° 00' 00"                        184.99 feet along said Lot 1-B-1 of the Kihei Commercial Center Subdivision, along the remainder of said Grant 11400 to Ernest K. Naeole to a ¾-inch pipe with yellow plastic cap marked "RLS 2715, RLS 5983";

Thence along same, on the arc of a curve to the left, concave Southeasterly with a radius of 30.00 feet, the chord azimuth and distance being:

6. 37° 24' 00"                        46.36 feet to the point of beginning and containing an area of 10,341 Square Feet, more or less.