# EXCEPTIONS

# PRELIMINARY REPORT

(No Liability Hereunder)

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This report (and any revisions thereto) is issued solely for the convenience of the titleholder, the titleholder's agent, counsel, purchaser or mortgagee, or the person ordering it for the purpose of facilitating the issuance of a policy of title insurance by Title Guaranty of Hawaii and no liability will arise under this report.

- 1189AF

# SCHEDULE A

Title Guaranty of Hawaii, Incorporated, hereby reports that, subject to those matters set forth in Schedule "B" hereof, the title to the estate or interest to the land described in Schedule "C" hereof is vested in:

And the set of the set

BRYAN SEIJI YOSHIDA, single, as Tenant in Severalty, as Fee Owner

This report is dated as of September 24, 2015 at 8:00 a.m.

Inquiries concerning this report should be directed to KRISTI KWOCK. Email kkwock@tghawaii.com Fax (808) 521-0288 Telephone (808) 539-7795. Refer to Order No. 201549034.

# SCHEDULE B EXCEPTIONS

PRELIMINARY REPORT

1. Real Property Taxes, if any, that may be due and owing.

Tax Key: (1) 2-3-003-105 C.P.R. No. 0144 Apt. No. 1912

Tax Classification: RESIDENTIAL

Street Address: 1009 KAPIOLANI BOULEVARD, #1912, HONOLULU, HAWAII 96814

2. Mineral and water rights of any nature in favor of the State of Hawaii.

3. -AS TO ITEM I (LOT 435):-

 (A) IMPROVEMENT ASSESSMENT: (HAWAII COMMUNITY DEVELOPMENT AUTHORITY, STATE OF HAWAII) - that may be due and owing.

DISTRICT NO. 0004 LOT NO. 47

(B) The terms and provisions contained in the following:

INSTRUMENT : AGREEMENT

DATED	:	July 19, 1943
FILED	:	Land Court Document No. <u>70018</u>
PARTIES	:	WILLIAM H. MULLIN and MARGARETHE F. MULLIN and
		HATTIE KULAMANU WARD, LUCY KAIAKA WARD and VICTORIA
		KATHLEEN WARD
RE	:	building within setback area along Waimanu Street
		for future road widening

- (C) Setback (8 feet wide) for road purposes, as shown on Map 20, filed with Land Court Application No. 670.
- (D) Designation of Easement "6" for sanitary sewer purposes, as shown on Map 20, as set forth by Land Court Order No. <u>24810</u>, filed October 19, 1965.

- (E) An easement in favor of the CITY AND COUNTY OF HONOLULU for sewer purposes over said Easement "6" acquired by AMENDED FINAL ORDER OF CONDEMNATION dated July 19, 1968, filed in the Circuit Court of the First Circuit, State of Hawaii, Civil No. 6484, filed as Land Court Document No. <u>449940</u>.
- (F) Setback (10 feet along Waimanu Street and 15 feet along Kapiolani Boulevard) for building purposes, as shown on survey map prepared by James R. Thompson, Land Surveyor, with Walter P. Thompson, Inc., dated September 5, 2008, last revised June 1, 2009.
  - -NOTE:- The building setback line along Waimanu Street is measured 20 feet from the existing property line.
  - (G) A 10-feet road widening setback along Waimanu Street, as shown on survey map prepared by James R. Thompson, Land Surveyor, with Walter P. Thompson, Inc., dated September 5, 2008, last revised June 1, 2009.
  - (H) The terms and provisions contained in the following:

INSTRUMENT : SEWER EASEMENT AGREEMENT

DATED	· Japuary 9 2001
DATED	: January 9, 2001
FILED	: Land Court Document No. 2769936
PARTIES	: HONOLULU DESIGN CENTER, LLC, a Hawaii limited
	liability company, and the CITY AND COUNTY OF HONOLULU
RE	: development over Easement "6" for sanitary sewer
	purposes

 (I) Designation of Easement "12" for water meter purposes, as shown on Map 43, as set forth by Land Court Order No. <u>144899</u>, filed February 15, 2002.

-NOTE:- Said above Easement "12" was cancelled by Subdivision Map, prepared by James R. Thompson, Licensed Professional Land Surveyor, on December 8, 2011, approved by the Department of Planning and Permitting, City and County of Honolulu, on November 16, 2012, Subdivision File No. 2012/SUB-163; as mentioned in AFFIDAVIT OF JAMES R. THOMPSON REGARDING SUBDIVISION MAP APPROVAL (File NO. 2012/SUB-163, CITY AND COUNTY OF HONOLULU), dated October 7, 2013, recorded as Document No. A-50290503. (A Land Court Petition may be required because the above is not noted on Transfer Certificate(s) of Title referred to herein)

 (J) Designation of Easement "E-1" and "E-1-A" for power line purposes, as shown on Subdivision Map prepared by James R. Thompson, Licensed Professional Land Surveyor, on December 8, 2011, Approved by the Department of Planning and Permitting, City and County of Honolulu, on November 16, 2012, Subdivision File No. 2012/SUB-163, as mentioned in AFFIDAVIT OF JAMES R. THOMPSON REGARDING FINAL SUBDIVISION MAP APPROVAL (File No. 2012/SUB-163, City and County of Honolulu, dated October 7, 2013, recorded as Document No. A-50290503.

> -NOTE:- Said easement has not yet been approved by the Land Court of the State of Hawaii and is not noted on Transfer Certificate of Title referred to herein.

#### 4. -AS TO ITEM II (LOT 443):-

(A) Setback (8 feet wide) for road purposes, as shown on Map 20, filed with Land Court Application No. 670

- (B) Setback (10 feet along Waimanu Street and 15 feet along Kapiolani Boulevard) for building purposes, as shown on survey map prepared by James R. Thompson, Land Surveyor, with Walter P. Thompson, Inc., dated September 5, 2008, last revised June 1, 2009.
- -NOTE:- The building setback line along Waimanu Street is measured 20 feet from the existing property line.
- (C) A 10-feet road widening setback along Waimanu Street, as shown on survey map prepared by James R. Thompson, Land Surveyor, with Walter P. Thompson, Inc., dated September 5, 2008, last revised June 1, 2009.
  - (D) Designation of Easement "E-1" and "E-1-A" for power line purposes, as shown on Subdivision Map prepared by James R. Thompson, Licensed Professional Land Surveyor, on December 8, 2011, Approved by the Department of Planning and Permitting, City and County of Honolulu, on November 16, 2012, Subdivision File No. 2012/SUB-163, as mentioned in AFFIDAVIT OF JAMES R. THOMPSON REGARDING FINAL SUBDIVISION MAP APPROVAL (File No. 2012/SUB-163, City and County of Honolulu, dated October 7, 2013, recorded as Document No. A-50290503.
    - -NOTE:- Said easement has not yet been approved by the Land Court of the State of Hawaii and is not noted on Transfer Certificate of Title referred to herein.
- 5. -AS TO ITEM III (LOTS B, C, 1-A, 2 AND 1-B):-
  - (A) IMPROVEMENT ASSESSMENT: (HAWAII COMMUNITY DEVELOPMENT AUTHORITY, STATE OF HAWAII) - that may be due and owing.

DISTRICT NO. 0004 LOT NO. 48

(B) IMPROVEMENT ASSESSMENT: (HAWAII COMMUNITY DEVELOPMENT AUTHORITY, STATE OF HAWAII) - that may be due and owing.

DISTRICT NO. 0004 LOT NO. 49

(C) IMPROVEMENT ASSESSMENT: (HAWAII COMMUNITY DEVELOPMENT AUTHORITY, STATE OF HAWAII) - that may be due and owing.

DISTRICT NO. 0004 LOT NO. 50

(D) -AS TO PARCELS SECOND (LOT 1-A), THIRD (LOT 2) AND FOURTH (LOT 1-B):-

GRANT in favor of HAWAIIAN ELECTRIC COMPANY, INC., a Hawaii corporation, dated March 11, 2008, recorded as Document No. <u>2008-043974</u>; granting Easement "A" affecting Lot 1-B and Easement "B" affecting Lot 1-A and Lot 2, for utility purposes.

-NOTE:- Said above Easement "A" and Easement "B" were cancelled by Subdivision Map prepared by James R. Thompson, Licensed Professional Land Surveyor on December 8, 2011, approved by the Department of Planning and Permitting, City and County of Honolulu, Approved on November 16, 2012, Subdivision File No. 2012/SUB-163; as mentioned in AFFIDAVIT OF JAMES R. THOMPSON REGARDING FINAL SUBDIVISION MAP APPROVAL (File No. 2012/SUB-163, CITY AND COUNTY OF HONOLULU), dated October 7, 2013, recorded as Document No. A-50290503. (A Land Court Petition may be required because the above is not noted on Transfer Certificate(s) of Title referred to herein)

Title Guaranty of Hawaii, Inc., is unable to locate of record a cancellation of said Grant.

(E) -AS TO PARCEL FOURTH (LOT 1-B):-

(1) License in favor of the BOARD OF WATER SUPPLY OF THE CITY AND COUNTY OF HONOLULU, dated July 6, 1931, recorded in Liber <u>1109</u> at Page <u>480</u>; granting an easement to lay, operate, maintain, repair and remove an underground water pipe line or pipe lines across a strip of land 5 feet in width.

(2) Rights of others who may have easement or access rights in the land described in Schedule C.

-NOTE:- This parcel lies within Waimanu Street.

- (3) Designation of Easement "G" for underground communication line purposes as shown on Subdivision Map prepared by James R. Thompson, Licensed Professional Land Surveyor, on December 8, 2011, Approved by the Department of Planning and Permitting, City and County of Honolulu, on November 16, 2012, Subdivision File No. 2012/SUB-163; as mentioned in AFFIDAVIT OF JAMES R. THOMPSON REGARDING FINAL SUBDIVISION MAP APPROVAL (File No. 2012/SUB-163, CITY AND COUNTY OF HONOLULU), dated October 7, 2013, recorded as Document NO. A-50290503.
  - -NOTE:- Said Easement has not yet been approved by the Land Court of the State of Hawaii and is not noted on Transfer Certificate of Title referred to herein.
    - (4) Designation of Easement "E-1-B" for power line purposes as shown on Subdivision Map prepared by James R. Thompson, Licensed Professional Land Surveyor, on December 8, 2011, Approved by the Department of Planning and Permitting, City and County of Honolulu, on November 16, 2012, Subdivision File No. 2012/SUB-163; as mentioned in AFFIDAVIT OF JAMES R. THOMPSON REGARDING FINAL SUBDIVISION MAP APPROVAL (File No. 2012/SUB-163, CITY AND COUNTY OF HONOLULU), dated October 7, 2013, recorded as Document NO. A-<u>50290503</u>.
  - -NOTE:- Said Easement has not yet been approved by the Land Court of the State of Hawaii and is not noted on Transfer Certificate of Title referred to herein.

(F) The terms and provisions contained in the following:

INSTRUMENT : DECLARATION OF TRANSFER OF USES

DATED	:	January 27, 2006
FILED	:	Land Court Document No. 3384035
RECORDED	:	Document No. <u>2006-017389</u>

- (G) -AS TO PARCELS FIRST, SECOND AND THIRD (LOTS B, C, 1-A, AND 2):-
- (1) 10 feet building setback line along Waimanu Street as shown on survey map prepared by James R. Thompson, Land Surveyor, with Walter P. Thompson, Inc., dated September 5, 2008, last revised June 1, 2009.
- -NOTE:- The building setback line along Waimanu Street is measured 20 feet from the existing property line.
- (2) A 10-feet road widening setback line along Waimanu Street as shown on survey map prepared by James R. Thompson, Land Surveyor, with Walter P. Thompson, Inc., dated September 5, 2008, last revised June 1, 2009.

# (H) -AS TO PARCEL SECOND (LOT 1-A):-

- (1) Designation of Easement "F" for underground communication line purposes, as shown on Subdivision Map prepared by James R. Thompson, Licensed Professional Land Surveyor, on December 8, 2011, Approved by the Department of Planning and Permitting, City and County of Honolulu on November 16, 2012, Subdivision File No. 2012/SUB-163, as mentioned in AFFIDAVIT OF JAMES R. THOMPSON REGARDING FINAL SUBDIVISION MAP APPROVAL (File No. 2012/SUB-163, CITY AND COUNTY OF HONOLULU), dated October 7, 2013, recorded as Document No. A-50290503.
- -NOTE:- Said easement has not yet been approved by the Land Court of the State of Hawaii and is not noted on Transfer Certificate of Title referred to herein.

- (2) Designation of Easement "E" underground communication line purposes as shown on Subdivision Map prepared by James R. Thompson, Licensed Professional Land Surveyor, on December 8, 2011, approved by the Department of Planning and Permitting, City and County of Honolulu, on November 16, 2012, Subdivision File No. 2012/SUB-163; as mentioned in AFFIDAVIT OF JAMES R. THOMPSON REGARDING FINAL SUBDIVISION MAP APPROVAL (FILE NO. 2012/SUB-163, CITY AND COUNTY OF HONOLULU, dated October 7, 2013, recorded as Document NO. A-50290503.
  - -NOTE:- Said easement has not yet been approved by the Land Court of the State of Hawaii and is not noted on Transfer Certificate of Title referred to herein.
  - (I) -AS TO LOTS B AND C:-

Designation of Easement "E-1-C" for power line purposes as shown on Subdivision Map prepared by James R. Thompson, Licensed Professional Land Surveyor, on December 8, 2011, approved by the Department of Planning and Permitting, City and County of Honolulu, on November 16, 2012, Subdivision File No. 2012/SUB-163; as mentioned in AFFIDAVIT OF JAMES R. THOMPSON REGARDING FINAL SUBDIVISION MAP APPROVAL (FILE No. 2012/SUB-163, CITY AND COUNTY OF HONOLULU, dated October 7, 2013, recorded as Document No. A-50290503.

-NOTE:- Said easement has not yet been approved by the Land Court of the State of Hawaii and is not noted on Transfer Certificate of Title referred to herein.

### 6. -AS TO ITEM IV:-

 (A) GRANT in favor of HAWAIIAN ELECTRIC COMPANY, INC., a Hawaii corporation, dated March 11, 2008, recorded as Document No. <u>2008-043973</u>; granting Easement "C" for utility purposes. -NOTE:- Said above Easement "C" was cancelled by Subdivision Map prepared by James R. Thompson, Licensed Professional Surveyor, on December 8, 2011, approved by the Department of Planning and Permitting, City and County of Honolulu, on November 16, 2012; Subdivision File No. 2012/SUB-163; as mentioned in AFFIDAVIT OF JAMES R. THOMPSON REGARDING SUBDIVISION MAP APPROVAL (File NO. 2012/SUB-163, CITY AND COUNTY OF HONOLULU), dated October 7, 2013, recorded as Document No. A-50290503. (A Land Court Petition may be required because the above is not noted on Transfer Certificate(s) of Title referred to herein)

Title Guaranty of Hawaii, Inc is unable to locate of record a cancellation of said above grant.

- (B) Setback (15 feet along Kapiolani Boulevard) for building purposes, as shown on survey map prepared by James R. Thompson, Land Surveyor, with Walter P. Thompson, Inc., dated September 5, 2008, last revised June 1, 2009.
- (C) Designation of Easement "1" for water meter purposes, as shown on map dated December 17, 2010, approved by the Department of Planning and Permitting, City and County of Honolulu, on March 14, 2011 (2010/SUB-261), recorded as Document No. <u>2011-045928</u>, more particularly described therein.
  - (D) GRANT OF WATER METER EASEMENT in favor of the BOARD OF WATER SUPPLY, CITY AND COUNTY OF HONOLULU, dated May 7, 2012, filed as Land Court Document No. T-<u>8198263</u>, recorded as Document No. A-<u>45460638</u>; granting a perpetual easement for utility purposes, as to the "Easement Area" further described in Exhibit A attached thereto.

- (E) Designation of Easement "D" for underground power line purposes, as shown on Subdivision Map prepared by James R. Thompson, Licensed Professional Land Surveyor, on December 8, 2011, Approved by the Department of Planning and Permitting, City and County of Honolulu, on November 16, 2012, Subdivision File No. 2012/SUB-163, as mentioned in AFFIDAVIT OF JAMES R. THOMPSON REGARDING FINAL SUBDIVISION MAP APPROVAL (File No. 2012/SUB-163, City and County of Honolulu, dated October 7, 2013, recorded as Document NO. A-50290503.
  - -NOTE:- Said easement has not yet been approved by the Land Court of the State of Hawaii and is not noted on Transfer Certificate of Title referred to herein.
- (F) GRANT in favor of HAWAIIAN ELECTRIC COMPANY, INC., a Hawaii corporation, dated May 23, 2012, filed as Land Court Document No. T-<u>8198264</u>, recorded as Document No. A-<u>45460639A</u>; granting a perpetual right and easement for utility purposes, over, under, upon, across and through Easement "D", as shown on Exhibit A attached thereto.
- -NOTE:- Said Easement has not been approved by the Land Court of the State of Hawaii and is not noted on the Transfer Certificate of Title referred to herein.
- 7. -AS TO ITEM I (LOT 435) AND ITEM III, PARCELS SECOND AND THIRD (LOTS 1-A AND 2):-

GRANT in favor of HAWAIIAN ELECTRIC COMPANY, INC., a Hawaii corporation, and HAWAIIAN TELCOM, INC., a Hawaii corporation, dated March 24, 2011, filed as Land Court Document No. <u>4061659</u>, recorded as Document No. <u>2011-053624</u>; granting a perpetual right and easement for utility purposes, over, under, upon, across and through the premises described therein.

 Encroachments or any other matters as shown on survey map prepared by James R. Thompson, Land Surveyor, with Walter P. Thomson, Inc., dated September 5, 2008, last revised June 1, 2009.

# 9. The terms and provisions contained in the following:

INSTRUMENT : DECLARATION OF CONDOMINIUM PROPERTY REGIME FOR "MOANA VISTA" CONDOMINIUM PROJECT

DATED	: September 26, 2008
FILED	: Land Court Document No. <u>3793547</u>
RECORDED	: Document No. <u>2008-151496</u>
MAPS	: 1970 filed in the Office of the Assistant Registrar
	of the Land Court, and 4715 recorded in the Bureau
	of Conveyances, and any amendments thereto

Said Declaration was amended by instruments dated November 24, 2009, filed as Land Court Document No. <u>3921299</u>, recorded as Document No. <u>2009-185088</u>; re: change of name from MOANA VISTA to PACIFICA HONOLULU, dated March 4, 2010, filed as Land Court Document No. <u>3947521</u>, recorded as Document No. <u>2010-034790</u>, dated June 17, 2011, filed as Land Court Document No. <u>4082332</u>, recorded as Document No. <u>2011-100797</u>, and dated October 14, 2011, filed as Land Court Document No. <u>2011-100797</u>, recorded as Document No. <u>2011-110797</u>, and dated October 14, 2011, filed as Land Court Document No. <u>2011-10797</u>, and dated October 14, 2011, filed as Land Court Document No. <u>2011-174726</u>.

Attention is invited to the following:

(1) Consolidation of Lots 435 and 443 of Land Court Application No. 670; Lots B and C of Land Court Application No. 1400, and Lots 1-A and 2, Portion of Royal Patent 1807, Land Commission Award Number 3169, Apana 1 to Koalele, and the resubdivision thereof into LOT A and LOT B, being more particularly described in AFFIDAVIT dated October 7, 2013, recorded as Document No. A-50290503.

- (2) Consolidation of Lots 1-A, 2, and Remainder of R. P. 1807, L. C. Aw. 3169 Ap.1 to Koalele, and resubdivided into Lots A-1 and B-1, being more particularly described in AFFIDAVIT dated October 7, 2013, recorded as Document No. A-<u>50290503</u>.
- (3) Consolidation of Lots 435 and 443, and resubdivided into Lots 1 and 2, being more particularly described in AFFIDAVIT dated October 7, 2013, recorded as Document No. A-50290503.
- (4) Consolidation of Lots B and C and Resubdivided into Lots D and E, being more particularly described in AFFIDAVIT dated October 7, 2013, recorded as Document NO. A-50290503.
  - (5) Title Guaranty of Hawaii Inc is unable to locate of record, an amendment to the Declaration of Condominium Property Regime to reflect proper land description.

10. The terms and provisions contained in the following:

INSTRUMENT : BY-LAWS OF THE ASSOCIATION OF UNIT OWNERS

DATED	:	September 26, 2008
FILED	:	Land Court Document No. 3793548
RECORDED	:	Document No. <u>2008-151497</u>

Said By-Laws were amended by instrument dated November 24, 2009, filed as Land Court Document No. <u>3921300</u>, recorded as Document No. <u>2009-185089</u>.

11. The terms and provisions contained in the following:

INSTRUMENT : LIMITED WARRANTY DEED AND ASSIGNMENT OF DEVELOPER'S RIGHTS

DATED :	:	October 21, 2009
FILED :		Land Court Document Nos. 39808604 thru 3908605
RECORDED :	:	Document Nos. 2009-161500 thru 2009-161501

12. The terms and provisions contained in the following:

	PLANNED DEVELOPMENT AGREEMENT
DATED : FILED : RECORDED :	August 3, 2009 Land Court Document No. <u>3934463</u> thru <u>3934464</u> Document No. <u>2010-010471</u> thru <u>2010-010472</u>
	HAWAII COMMUNITY DEVELOPMENT AUTHORITY, a body corporate and a public instrumentality of the State of Hawaii, KC RAINBOW II, LLC, a Hawaii limited liability company, EVERSHINE X, an affiliate of
	KCRII and a California limited partnership, and PUBLIC STORAGE, a Maryland real estate investment trust

JOINDER IN AND CONSENT TO PLANNED DEVELOPMENT AGREEMENT dated January 12, 2010, by OLIVERMCMILLAN PACIFICA, LLC, a Delaware limited liability company, filed as Land Court Document No. <u>3934465</u>, recorded as Document No. <u>2010-010473</u> thru <u>2010-010474</u>.

- 13. The terms and provisions contained in UNIT DEED WITH RESERVATIONS AND CONDITIONS (RESERVED HOUSING), dated August 22, 2011, filed as Land Court Document No. <u>4110105</u>, recorded as Document Nos. <u>2011-186345</u> thru <u>2011-186346</u>.
- 14. Restrictions on sale, including but not limited to Shared Appreciation, Buyback, and/or Deferred Sales Price, mentioned in PACIFICA HONOLULU UNIT DEED WITH RESERVATIONS AND CONDITIONS (RESERVED HOUSING), dated August 22, 2011, filed as Land Court Document No. <u>4110105</u>, recorded as Document Nos. <u>2011-186345</u> thru <u>2011-186346</u>.
- 15. The terms and provisions contained in UNILATERAL DECLARATION OF RESTRICTIVE COVENANTS FOR UNIT DESIGNATED AS RESERVED HOUSING UNIT, dated August 22, 2011, filed as Land Court Document No. <u>4110106</u>, recorded as Document No. <u>2011-186347</u>.

- 16. Restrictions on sale or permitted transfers, including but not limited to Shared Appreciation, Buyback, Subsidy, and/or Deferred Sales Price, mentioned in UNIT DEED WITH RESERVATIONS AND CONDITIONS (RESERVED HOUSING), dated August 22, 2011, filed as Land Court Document No. <u>4110105</u>, recorded as Document No. <u>2011– 183645</u> thru <u>2011–183646</u>.
  - -Note:- Before the issuance of a policy associated with a resale or transfer of the property described herein, verification of full payment of the net appreciation in the property must be received. In the event of a permitted transfer, as defined in the aforesaid conveyance, consent will be required by the grantor or from the appropriate administrative authority set forth therein.

### 17. MORTGAGE

LOAN/ACCOUNT NO. 1770759 (LAF)

MORTGAGOR :		BRYAN	SEIJI	YOSHIDA,	single
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MORTGAGEE : MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., solely as nominee for FIRST HAWAIIAN BANK, a Hawaii corporation

DATED	1	October 17, 2011
FILED	:	Land Court Document No. 4110107
RECORDED		Document No. <u>2011-186348</u>
AMOUNT	<b>f</b> =	\$312,120.00

ABOVE MORTGAGE ASSIGNED

TO : FIRST HAWAIIAN BANK, a Hawaii corporation

DATED	:	January 13, 2014
FILED	:	Land Court Document No. T-8943001
RECORDED	:	Document No. A- <u>52910006</u>

END OF SCHEDULE B

# SCHEDULE C

# -FIRST: - PC PC IN SUM CAN CAREFORD IN STREET IN SALES NO. SALES SET MEDI

Unit No. 1912 of the Condominium Project known as "PACIFICA HONOLULU", formerly known as "MOANA VISTA", as established by Declaration of Condominium Property Regime dated September 26, 2008, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Land Court Document No. <u>3793547</u>, recorded in the Bureau of Conveyances as Document No. <u>2008-</u> <u>151496</u>, as amended, and as shown on Condominium Map No. 1970 filed in said Office, and 4715 recorded in said Bureau, and any amendments thereto.

Together with easements appurtenant to said Unit established by and described in the Declaration, including the following:

- (A) The exclusive right to use those certain limited common elements of the Project, as described in the Declaration, as amended.
- (B) Nonexclusive easements in the common elements designed for such purposes for ingress to, egress from, utility services for, and support, maintenance, and repair of said Unit; in the other common elements for use according to the purposes, for which they are intended without hindering or encroaching upon the lawful rights of the other Unit Owners; and in all other Units and common elements for support.

#### SECOND:-

An undivided 0.166% interest in all common elements of the Project, as established for said Unit by the Declaration, as tenant in common with all other owners from time to time of undivided interests in and to said common elements.

The lands upon which said Condominium Project "PACIFICA HONOLULU" is located are described as follows:

-ITEM I:-

All of that certain parcel of land situate at Kewalo, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

LOT 435, area 41,681 square feet, more or less, as shown on Map 20, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 670 of Victoria Ward.

Being land(s) described in Transfer Certificate of Title No. 1,034,137 issued to BRYAN SEIJI YOSHIDA, unmarried, as to an undivided 0.166% interest.

-ITEM II:-

All of that certain parcel of land situate at Kewalo, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

LOT 443, area 10,405 square feet, more or less, as shown on Map 25, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 670 of Victoria Ward.

Being land(s) described in Transfer Certificate of Title No. 1,034,137 issued to BRYAN SEIJI YOSHIDA, unmarried, as to an undivided 0.166% interest.

-ITEM III:-

-FIRST:-

All of those certain parcels of land situate on Waimanu Street at Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

LOTS: B, area 2,917 square feet, more or less, and C, area 1,260 square feet, more or less,

as shown on Map 2, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1400 of Kodak Hawaii, Limited.

Being land(s) described in Transfer Certificate of Title No. 1,034,137 issued to BRYAN SEIJI YOSHIDA, unmarried, as to an undivided 0.166% interest.

#### -SECOND:-

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 1807, Land Commission Award Number 3169, Apana 1 to Koalele) situate, lying and being at Kewalo, Honolulu, City and County of Honolulu, State of Hawaii, being LOT 1-A, being a portion of Lot 1, and containing an area of 21,888 square feet, more or less.

#### -THIRD:-

All of that certain parcel of land (portion of the land described in and covered by Royal Patent No. 1807, Land Commission Award No. 3169, Apana 1 to Koalele) situate, lying and being at Kewalo, Honolulu, City and County of Honolulu, State of Hawaii, being LOT 2, and containing an area of 9,289 square feet, more or less.

#### -FOURTH:-

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 1807, Land Commission Award Number 3169, Apana 1 to Koalele) situate, lying and being at Kewalo, City and County of Honolulu, State of Hawaii, being LOT 1-B, and containing an area of 2,781 square feet, more or less.

#### -ITEM IV:-

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 1807, Land Commission Award Number 3169, Apana 1 to Koalele) situate, lying and being on the southwest side of Kapiolani Boulevard, at Kewalo, Honolulu, City and County of Honolulu, State of Hawaii, and containing an area of 11,312 square feet, more or less.

Said parcel(s) of land being more particularly described in Declaration of Condominium Property Regime dated September 26, 2008, filed in said Office of the Assistant Registrar of the Land Court as Document No. <u>3793547</u>, recorded in said Bureau of Conveyances as Document No. <u>2008-151496</u>, as amended.

BEING THE PREMISES ACQUIRED BY UNIT DEED WITH RESERVATIONS AND CONDITIONS (RESERVED HOUSING)

GRANTOR	: OLIVERMcMILLAN PACIFICA, LLC, a Delaware limited liability company
GRANTEE	: BRYAN SEIJI YOSHIDA, single, as Tenant in Severalty
DATED FILED RECORDED	: August 22, 2011 : Land Court Document No. <u>4110105</u> : Document Nos. <u>2011-186345</u> thru <u>2011-186346</u>

# END OF SCHEDULE C

1. There is hereby omitted from any covenants, conditions and reservations contained herein any covenant or restriction based on race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law. Lawful restrictions under state or federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.

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### GUIDELINES FOR THE ISSUANCE OF INSURANCE

A. Taxes shown in Schedule B are as of the date such information is available from the taxing authority. Evidence of payment of all taxes and assessments subsequent to such date must be provided prior to recordation.

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- B. Evidence of authority regarding the execution of all documents pertaining to the transaction is required prior to recordation.This includes corporate resolutions, copies of partnership agreements, powers of attorney and trust instruments.
- C. If an entity (corporation, partnership, limited liability company, etc.) is not registered in Hawaii, evidence of its formation and existence under the laws where such entity is formed must be presented prior to recordation.
- D. If the transaction involves a construction loan, the following is required:
  - (1) a letter confirming that there is no construction prior to recordation; or
  - (2) if there is such construction, appropriate indemnity agreements, financial statements and other relevant information from the owner, developer, general contractor and major subcontractors must be submitted to the Title Company for approval at least one week prior to the anticipated date of recordation.

Forms are available upon request from Title Guaranty of Hawaii.

- E. Chapter 669, Hawaii Revised Statutes, sets forth acceptable tolerances for discrepancies in structures or improvements relative to private property boundaries for various classes of real property. If your survey map shows a position discrepancy that falls within the tolerances of Chapter 669, call your title officer as affirmative coverage may be available to insured lenders.
  - F. The right is reserved to make additional exceptions and/or requirements upon examination of all documents submitted in connection with this transaction.
  - G. If a policy of title insurance is issued, it will exclude from coverage all matters set forth in Schedule B of this report and in the printed Exclusions from Coverage contained in an ALTA policy or in the Hawaii Standard Owner's Policy, as applicable. Different forms may have different exclusions and should be reviewed. Copies of the policy forms are available upon request from Title Guaranty of Hawaii or on our website at www.tghawaii.com.

DATE PRINTED: 9/29/2015

STATEMENT OF ASSESSED VALUES AND REAL PROPERTY TAXES DUE

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DIVISION ZONE SECTION PLAT PARCEL HPR NO. 

CLASS: RESIDENTIAL AREA ASSESSED:

SF

ASSESSED VALUES FOR CURRENT YEAR TAXES: 2015

The records of this division show the assessed values and taxes on the property designated by Tax Key shown above are as follows:

BUILDING	\$ 539,900
EXEMPTION	\$ 0
NET VALUE	\$ 539,900
LAND	\$ 30,900
EXEMPTION	\$ 0
NET VALUE	\$ 30,900
TOTAL NET VALUE	\$ 570,800

Installment (1 - due 8/20; 2 - due 2/20) Tax Info As Of - 7/01/2015

Tax	Installment Tax		Penalty	Interest	Other	Total	
Year		Amount	Amount	Amount	Amount	Amount	
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2015	2	998.90				998.90	PENDING
2015	1	998.90				998.90	PENDING
2014	2	823.02				823.02	PAID
2014	1	823.03				823.03	PAID
2013	2	822.67				822.67	PAID
2013	1	822.68				822.68	PAID
				Total Amour	nt Due:	1,997.80	

Penalty and Interest Computed to: 7/01/2015