

KAUAI RESORT VILLAS

Exhibit A

(to Declaration of Condominium Property Regime for Kauai Resort Villas)

Garden Parcel

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

Lot 267, area 10.730 acres, more or less, as shown on Map 67 filed with Land Court Application no. 956 of Bishop Trust Company, Limited, Trustee for Eric A. and Augustus F. Knudsen.

Being all of the premises described in and covered by Transfer Certificate of Title No. 687,179, issued to Kauai Blue, Inc., a Delaware Corporation, which Transfer Certificate of Title was recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A-72000883, also being the property conveyed to Kauai Blue, Inc., a Delaware Corporation, by Limited Warranty Deed recorded March 04, 2004 as Land Court Document No. 3078523.

SUBJECT, HOWEVER, TO THE FOLLOWING:

1. The lien of real property taxes.
2. All customary and traditional rights, of native Hawaiians as provided for by law, for subsistence, cultural and religious purposes, which rights may involve access to the subject property.
3. Easement "17", shown on Map No. 67 filed with Land Court Application No. 956, as set forth by Land Court Order No. 58301, recorded November 19, 1980.
4. Setback line (8 feet wide) for future road widening along Kapili Road as shown on Map 67 filed with Land Court Application No. 956.
5. A Right-of-Entry over Tax Keys 2-8-15-1 & 2 and 2-8-16-4, 5 & 6 for temporary easement for construction and maintenance of power and communication lines, etc., in favor of Citizens Utilities Company now (Frontier Communications Corporation) (whose interest is now held by Kauai Island Utility CO-OP), recorded October 20, 1980 as Book 15070 Page 788, as amended of Official Records.
6. Easement "44", shown on Map No. 78 filed with Land Court Application No. 956, as set forth by Land Court Order No. 63012, recorded June 17, 1982.
7. Easement "45", shown on Map No. 78 filed with Land Court Application No. 956, as set forth by Land Court Order No. 63012, recorded June 17, 1982.
8. A Grant of Easement for a perpetual easement for utility purposes over said Easement "17", "44" and "45", in favor of County of Kauai, a political subdivision of the State of Hawaii, by its Department of Water, recorded December 6, 1982 as Land Court Document No. 1142226 of Official Records.
9. The terms and provisions contained in the First Amended Agreement for Public Access to and Along Shoreline recorded September 22, 1987 as Book 21151 Page 315 of Official Records.
10. An unrecorded Leases (Paul Grab, Inc. dba The Stylist - Lease) as disclosed by the Limited Warranty Deed recorded March 04, 2004 as Land Court Document No. 3078523 of Official Records.
11. Easement 118, shown on Map No. 114 filed with Land Court Application No. 956, as set forth by Land Court Order No. 162258, recorded July 15, 2004.

12. A Grant of Easement for parking and utility conduit purposes, in favor of KVH Partners, a Hawaii limited partnership, et. al., recorded March 17, 2006 as Land Court Document No. 3405288 of Official Records.
13. Terms, provisions, reservations, covenants, conditions and restrictions, but deleting any of the aforementioned indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, marital status, ancestry, source of income or disability, to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes or Chapter 515 of the Hawaii Revised Statutes, as contained in the Declaration of Covenants, Conditions and Restrictions recorded March 17, 2006 as Land Court Document No. 3405289 of Official Records.
14. Terms, provisions, reservations, covenants, conditions and restrictions, but deleting any of the aforementioned indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, marital status, ancestry, source of income or disability, to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes or Chapter 515 of the Hawaii Revised Statutes, as contained in the Unilateral Declaration of Covenants, Conditions and Restrictions; Waiver and Relinquishment recorded March 17, 2006 as Land Court Document No. 3405290 of Official Records.
15. The terms and provisions contained in the Memorandum of Special Management Area Use Permit SMA (U)-2007-13, Project Development Use Permit PDU-2007-25, and Class IV Zoning Permit Z-IV- 2007-29 recorded June 02, 2008 as Land Court Document No. 3754224 of Official Records.
16. Terms, provisions, reservations, covenants, conditions and restrictions, but deleting any of the aforementioned indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, marital status, ancestry, source of income or disability, to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes or Chapter 515 of the Hawaii Revised Statutes, as contained in the Declaration of Public Facilities Easements recorded June 03, 2008 as Land Court Document No. 3754663 of Official Records.
17. Covenants, conditions, restrictions, reservations, agreements, obligations, easements and any other provisions set forth in that certain Declaration of Covenants, Conditions, Easements, and Restrictions, (Use and Access Rights), made by Kauai Blue, Inc., a Delaware corporation, dated December 3, 2019, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A-72770612, and in the Office of the Assistant Registrar of the Land Court as Document No. T-10931220.
18. Covenants, conditions, restrictions, reservations, agreements, obligations, easements and any other provisions set forth in that certain Declaration of Merger of Condominium Phases, made by Kauai Blue, Inc., a Delaware corporation, dated December 3, 2019, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A-72770613.

End of Exhibit A