

All of that certain parcel of land situate at Keaau, District of Puna, Island and County of Hawaii, State of Hawaii, described as follows:

**LOT 6551**, area 2.000 acres, more or less, as shown on **MAP 51**, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with **Land Court Application No. 1053** (amended) of W. H. Shipman, Limited.

TOGETHER WITH an undivided 1/2000<sup>th</sup> interest in Lot 8207, (a 50 foot roadway), said roadway to be used in common with others entitled thereto,

Being all the property conveyed by the following:

Instrument:	Quitclaim Deed
Grantor:	MARIAN H. ORSER, unmarried, as trustee of the Orser Family Living Trust
Grantee:	MARJORIE JOSEPHINE ORSER, unmarried, as Tenant in Severalty
Dated:	May 13, 2005
Recorded:	July 1, 2005, in the Office of the Assistant Registrar of the Land Court of the State of Hawaii, <b>Document No. 3289985</b> .

Being all of the property described in and covered by **Transfer Certificate of Title No. 756,125**.

Tax Map Key 3<sup>rd</sup> 1-1-039-003

**Subject, however, to the following:**

As to the undivided interest in Lot 8207:

- A. DECLARATORY JUDGMENT dated and filed in the Circuit Court of the Third Circuit, State of Hawaii, Civil No. 9870, on March 6, 1987; FERN ACRES COMMUNITY ASSOCIATION, as Hawaii non-profit corporation, "Plaintiff" (Attorney – Stuart H. Oda), vs. Pan American Land Co., et al, "Defendant"; re: Plaintiff is entitled to collect road maintenance fees, and assess all property owners within the Fern Acres Subdivision holding an undivided interest in and to roadway Lots 8207, 8208, 8209, 8210, 8211, 8212 and 8213, as shown on Map 51, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1053 (Not noted on Transfer Certificate of Title referred to herein).
- B. Rights of others who own undivided interest(s) or have easement or access rights, in said parcel.

All of that certain parcel of land situate at Keaau, District of Puna, Island and County of Hawaii, State of Hawaii, described as follows:

Lot 6552, area 2,000 acres, more or less, and an undivided 1/2000th interest in Roadway Lot 8207 (a 50 foot roadway) area 146.582 acres, more or less, to be used in common with others entitled thereto, as shown on Map 51, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1053 (amended) of W. H. Shipman, Limited.

Being all the property conveyed by the following:

Warranty Deed

Grantor: Dorothy Ann Cashero, unmarried  
Grantee: Andrey Georgiyevich Kuznetsov and Marina Dmitriyevna Kuznetsov, husband and wife, as Tenants by the Entirety  
Dated: May 13, 2005  
Recorded: May 24, 2005, in the Office of the Assistant Registrar of the Land Court of the State of Hawaii, Document No. 3272192.

Being all of the property described in and covered by Transfer Certificate or Title No. 749,828.

SUBJECT, HOWEVER, TO:

Declaratory Judgment dated and filed in the Circuit Court of the Third Circuit, State of Hawaii, Civil No. 9870, on March 6, 1987; Fern Acres Community Association, a Hawaii non-profit corporation, "Plaintiff" (Attorney - Stuart H. Oda), vs. Pan American Land Co., et al, "Defendant"; re: Plaintiff is entitled to collect road maintenance fees and assess all property owners within the Fern Acres Subdivision holding an undivided interest in and to roadway containing an area of 146.582 acres, as shown on Map 51, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1053. (Not noted on Transfer Certificate of Title referred to herein).

**EXHIBIT**     D      
Page 2 of 11 Pages

IN THE LAND COURT OF THE STATE OF HAWAII

In the Matter of the Application ) Application No. 1053  
 )  
 of )  
 )  
 W. H. SHIPMAN, LIMITED, a Hawaii )  
 corporation, )  
 )  
 To consolidate land situate at Keaau, District )  
 of Puna, Island, County and State )  
 of Hawaii. )

2008 MAR 13 PM 12:47  
 KATHLEEN HANAWAHINE  
 REGISTRAR  
 LAND COURT  
 STATE OF HAWAII  
 FILED

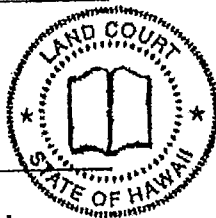
CONSOLIDATION OF LOTS 6551 and 6552  
 AS SHOWN ON MAP 51  
 AND RESUBDIVISION OF SAID CONSOLIDATION  
 INTO LOTS ~~6551-A AND 6551-B~~ 9752 and 9753  
 KEAAU, PUNA, ISLAND OF HAWAII, HAWAII

Referred to the Surveyor of the  
 State for check and report.  
 Map filed MAR 13 2008  
 and Land Court Certificate of  
 Title No. \_\_\_\_\_  
 transmitted herewith.

DATED: MAR 13 2008

Order of the Court:

KATHLEEN HANAWAHINE



REGISTRAR

3 Whiteprints required

PETER K. KUBOTA  
 505 Kilauea Avenue  
 Hilo, Hawaii 96720  
 Telephone No. (808) 935-2422

Attorney for Petitioners  
 Roland Gregory Ignacio and  
 Rebecca Waialele O Akaka Ignacio

A TRUE COPY, ATTEST WITH  
 THE SEAL OF SAID COURT.

JANNIS SHIROMA  
 Clerk

EXHIBIT D  
 Page 3 of 11 Pages

IN THE LAND COURT OF THE STATE OF HAWAII

In the Matter of the Application	)	Application No. 1053(Amended)
	)	
of	)	
	)	
W. H. SHIPMAN, LIMITED,	)	
	)	
To consolidate land situate at Keaau, District	)	
of Puna, Island, County and State	)	
of Hawaii.	)	

**CONSOLIDATION OF LOTS 6551 and 6552**  
**AS SHOWN ON MAP 51**  
**AND RESUBDIVISION OF SAID CONSOLIDATION**  
**INTO LOTS ~~6551-A AND 6551-B~~ 9752 and 9753 *M***  
**KEAAU, PUNA, ISLAND OF HAWAII, HAWAII**

Come now ROLAND GREGORY IGNACIO and REBECCA WAILELE O AKAKA IGNACIO, Petitioners herein, whose mailing address is 111 East Puainako Street, #585, PMB 184, Hilo, Hawaii 96720, and state as follows:

/ 1. Petitioners are the owners in fee simple of those certain parcels of land situate at Keaau, District of Puna, Island, County and State of Hawaii, as described as follows:

/ Lot 6551, area 2.000 acres, as shown on Map 51, Land Court Application No. 1053(amended), being the land described in Transfer Certificate of Title No. 850,020, and

/ Lot 6552, area 2.000 acres, as shown on Map 51, Land Court Application No. 1053 (amended), being the land described in Transfer Certificate of Title No. 850,058. ;

/ 2. Petitioners have applied for and obtained approval from the County of Hawaii for consolidation and resubdivision of the subject properties into 2 separate lots known as

~~Lot 6551-A~~<sup>9752</sup>, consisting of 2.000 acres, and ~~Lot 6551-B~~<sup>9753</sup>, consisting of 2.000 acres, in accordance with a letter of final approval from the County of Hawaii Planning Department through its Planning Director.

3. Access. New Lots ~~6551-A~~<sup>9752 and 9753</sup> and ~~6551-B~~ have access to State Highway No.11, also known as the Hawaii Belt Road or Volcano Road, by way of an undivided 1/2000th interest, as to each lot, in Roadway Lot 8207 (a 50 foot roadway), as shown on Map 51 of Land Court Application No. 1053 (amended) of W. H. Shipman, Limited, to be used in common with others entitled thereto, for roadway and utility purposes only, which road provides access from ~~Lots 6551-A and 6551-B~~<sup>9752 and 9753</sup> to the highway.

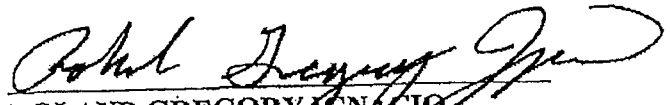
4. The Petitioners hereby submit an original and three (3) copies of this Petition.

WHEREFORE, Petitioners respectfully request that:

1. That the map filed herewith showing the consolidation and resubdivision of said Tax Map Key parcels (3) 1-1-039:002 (Lot 6552), and (3) 1-1-039:003 (Lot 6551) into 2 new ~~lots known as Lot 6551-A and 6551-B~~<sup>9752 and 9753</sup>, be examined and found correct; and

2. That an order issue: approving and authorizing this consolidation and resubdivision, and directing the Assistant Registrar of this Court to endorse on said Certificates of Title(s) a reference to the map in accordance with Section 501-85, Hawaii Revised Statutes; and ~~issuing a new Certificate of Title to the newly consolidated lots known as Lot 6551-A and 6551-B.~~<sup>9752 and 9753</sup>

Dated: Hilo, Hawaii, 2/21/08

  
ROLAND GREGORY IGNACIO

*Rebecca Wailele O Akara Ignacio*

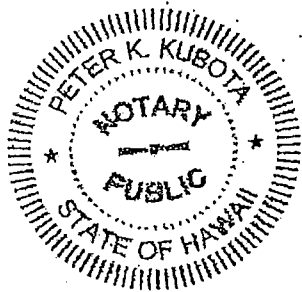
REBECCA WAILELE O AKARA  
IGNACIO

PETITIONER

STATE OF HAWAII )  
 )  
COUNTY OF HAWAII )

SS:

On February 21, 2008, before me personally appeared **ROLAND GREGORY IGNACIO**, 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.

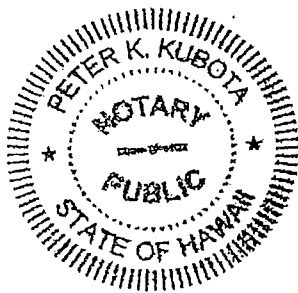


[Signature]  
Name: PETER KUBOTA  
Notary Public, State of Hawaii  
My commission expires: 4/17/2009

STATE OF HAWAII )  
 )  
COUNTY OF HAWAII )

SS:

On February 21, 2008, before me personally appeared **REBECCA WAILELE O AKAKA IGNACIO**, 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.



[Signature]  
Name: PETER KUBOTA  
Notary Public  
My commission expires: 4/17/2009

JSLEO  
DSC1  
C 7:11



L-478 STATE OF HAWAII  
OFFICE OF ASSISTANT REGISTRAR  
RECORDED  
MAY 13, 2008 09:00 AM  
L.C. Order No(s) 174863  
on Cert(s) 850,020 & 850,058  
Issuance of Cert(s) 907,735



20 1/1 27

/s/ CARL T. WATANABE  
ASSISTANT REGISTRAR

Reserved for Recording Information

After recording, return by mail  or pick-up

Peter K. Kubota  
505 Kilauea Avenue  
Hilo, Hawaii 96720

Document contains \_\_\_\_\_ pages

W



IN THE LAND COURT OF THE STATE OF HAWAII

In the matter of the application

Of

W.H. SHIPMAN, LIMITED

to register and confirm title to lands  
situate at Keaau, Puna, Island of Hawaii, State of  
Hawaii

SUBDIVISION  
of  
Application No. 1088  
(Map 619)

2008 MAY -1 PM 3:28  
KATHLEEN HANAWAHINE  
REGISTRAR  
LAND COURT  
STATE OF HAWAII  
FILED

Petition of ROLAND GREGORY IGNACIO AND REBECCA WAILELE O AKAKA IGNACIO,  
Owners, consolidation of Lots 6551 and 6552 as shown on Map 51 and resubdivision of said  
consolidation into Lots 9752 and 9753

ORDER OF SUBDIVISION

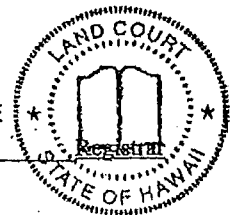
Upon the record and the evidence herein, and the map or plan filed with the application for subdivision in this  
matter having been referred to the Surveyor of the State of Hawaii, and he having examined and checked the same and  
certified the same to be correct, Copy of said petition and the Return of the Surveyor by reference made a part hereof,

IT IS ORDERED, ADJUDGED AND DECREED, that the said subdivision, as certified by the Surveyor of  
the State of Hawaii, is hereby authorized and approved, and the Assistant Registrar of this court is hereby directed to  
endorse on Owner's Certificate of Title No. 850,020 and 850,058  
a reference to said map or plan as approved, and, upon presentation to him of proper deeds of transfer, to issue a new  
certificate, or certificates, for the lots conveyed, and enter same on said Owner's Certificate of Title No. 850,020 and  
850,058, in accordance with Hawaii Revised Statutes, Section 501-89 and 501-109.

Dated: Honolulu, Hawaii,     MAY 1 - 2008    

KATHLEEN HANAWAHINE

for Judge of the Land Court



A TRUE COPY ATTEST WITH  
THE SEAL OF SAID COURT

JANNIS SHIROMA  
Clerk

EXHIBIT     D      
Page     9     of     11     Pages

**IN THE LAND COURT OF THE STATE OF HAWAII**

In the Matter of the Application )  
 )  
W. H. SHIPMAN, LIMITED )  
 )  
to register and confirm title situate at )  
Keeau, Puna, Island of Hawaii, State of )  
Hawaii )  
\_\_\_\_\_ )

SUBDIVISION  
of  
Application 1053  
(Map 619)

KATHLEEN HANAWAHI  
REGISTRAR

2008 MAY -1 PM 2:58

LAND COURT  
STATE OF HAWAII  
FILED

Petition of ROLAND GREGORY IGNACIO AND REBECCA WAILELE O AKAKA  
IGNACIO, Owners, consolidation of Lots 6551 and 6552 as shown on Map 51 and  
resubdivision of said consolidation into Lots 9752 and 9753

**RETURN OF THE STATE LAND SURVEYOR**

To the Honorable Judge of the Land Court,  
State of Hawaii

Pursuant to an Order duly made and issued out of said Honorable Court on the 13th day of March 2008, referring the map filed for approval of subdivision in the above entitled matter, to the State Land Surveyor for verification, check on the ground if necessary and report.

The undersigned, the State Land Surveyor begs to report that the same has been examined and checked as to form and mathematical correctness and found to be in order.

And further, that said map has been compared with Transfer Certificates of Title 850,020 and 850,058 found to be in accord therewith.

Ld.Ct.App. 1053 (Map 619)  
Return of the State Land Surveyor  
Page 2

NOTE:

Allegations in the petition have been checked and found to be in accord therewith except for the following:

1. Lots 6551-A and 6551-B have been changed to Lots 9752 and 9753, respectively.

Only encumbrances as noted in the petition have been checked.

APPROVED by the Hawaii County Planning Department on October 23, 2007.

And pending approval of the Court, the map and said Transfer Certificates of Title will be held for further instructions.

DATED at Honolulu, this 1st day of May, 2008.

Examined by:

*Ronald L. K. Amuda*  
Assistant.  
lk

*Neil F. [Signature]*  
STATE LAND SURVEYOR

=====

Received from the State Land Surveyor \_\_\_\_\_ whiteprints of, and the approved tracing map in the above entitled matter and Transfer Certificates of Title No.

Honolulu, Hawaii  
MAY 1 - 2008, 2008

AMY T. CORCORAN  
CLERK OF THE LAND COURT.