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**STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED**

September 16, 2024 11:15 AM
Doc No(s) A - 9025000681-82 (2)

Pkg 12428836 ICL

/s/ LESLIE T KOBATA
REGISTRAR

LAND COURT SYSTEM

REGULAR SYSTEM

Return by Mail ☒ Pickup ☐ To:

Victoria Ward, Limited
1240 Ala Moana Boulevard, Suite 200
Honolulu, Hawaii 96814
Telephone: (808) 591-8411

Total Page(s): 11
(Deregistered)

Tax Map Key No.: (1) 2-3-005:006
Lots C, D, and E | Land Block 4

**SUPPLEMENT TO COMMUNITY COVENANT
FOR
WARD VILLAGE AND CONSENT**

THIS SUPPLEMENT TO COMMUNITY COVENANT FOR WARD VILLAGE AND CONSENT (this "Supplement") is made this 12th day of SEPTEMBER, 2024, by **VICTORIA WARD, LIMITED**, a Delaware corporation ("Declarant") with **CONSENT** provided by **BANK OF HAWAII**, a Hawaii corporation ("Trustee"), Trustee under that certain Land Trust Agreement and Conveyance dated October 21, 2004, filed with the Office of Assistant Registrar of the State of Hawaii as Land Court Document No. 3188119, as amended by that certain First Amendment to Land Trust Agreement and Conveyance dated August 8, 2024 recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A-8990000489 (collectively the "Land Trust Agreement"), for Land Trust No. 89433 (the "Land Trust").

BACKGROUND STATEMENT

Declarant recorded that certain Community Covenant for Ward Village, on September 13, 2013, in the Bureau of Conveyances of the State of Hawaii, as Document Number A-50040794 (as may be amended and supplemented from time to time, the "Community Covenant"). The property subjected to the Community Covenant is referred to as "Ward Village."

Pursuant to Section 17.1 of the Community Covenant, until December 31, 2045, Declarant may expand Ward Village by recording one or more "Supplements" submitting to the terms of the Community Covenant all or any portion of the real property described on Exhibit B to the Community Covenant. Declarant may record such a Supplement without the consent of any Person except the owner of such property, if not Declarant.

The property described on **Exhibit A** to this Supplement, being Lots C, D, and E as shown on DPP File No. 2023/SUB-64 (collectively, the "**Additional Property**") is a portion of the property described on Exhibit B to the Community Covenant. Declarant desires to submit the Additional Property to the terms of the Community Covenant and to subject the Additional Property to the additional covenants and easements, if any, set forth herein.

Trustee is the fee simple owner of the Additional Property and consents to the submittal of the Additional Property to the provisions of the Community Covenant and this Supplement.

NOW, THEREFORE, Declarant hereby submits the Additional Property to the provisions of the Community Covenant and this Supplement, which shall hereafter encumber the title to the Additional Property and shall be binding upon all persons having any right, title, or any interest in the Additional Property, their respective heirs, legal representatives, successors, successors-in-title, and assigns. The provisions of this Supplement also shall be binding upon Ward Village Owners Association, a Hawaii nonprofit corporation, in accordance with the terms of the Community Covenant.

Pursuant to Section 3.2 of the Community Covenant, Declarant reserves the right, by future Supplement or amendment, to assign the Additional Property to one or more Service Areas and to subject the Additional Property to additional covenants, restrictions, and easements in connection therewith.

CONSENT to the submittal of the Additional Property to the provisions of the Community Covenant and this Supplement is hereby provided by Trustee, as fee simple owner of the Additional Property.

In accordance with the exception clause of Section 554D-1010(a) Hawaii Revised Statutes, as amended, any liability of BANK OF HAWAII, as Trustee under the Land Trust Agreement which may arise as a result of Trustee's executing this instrument is a liability of the trust estate established under the Land Trust Agreement described above and not the personal liability of Bank of Hawaii. Any recovery against the Trustee based upon this Supplement and the Consent provided herein shall be limited solely to the assets of Land Trust No. 89433 referred to hereinabove.

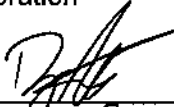
This instrument may be signed by the parties in counterparts, all of which together shall be deemed to constitute one and the same instrument which shall be binding on the parties.

[SIGNATURES APPEAR ON NEXT PAGE]

IN WITNESS WHEREOF, the undersigned have executed this instrument this on the date first written above.


DECLARANT:


VICTORIA WARD, LIMITED, a Delaware corporation

By 
Name David Johnstone
Title Vice President

TRUSTEE:

BANK OF HAWAII, a Hawaii corporation, as
Trustee under LAND TRUST NO. 89433

By 
Name RACHEL S. UEHARA
Title ASST. VICE PRESIDENT

By 
Name Kristen Kubota
Title VICE PRESIDENT

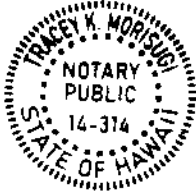
VICTORIA WARD, LIMITED – ACKNOWLEDGMENT

STATE OF HAWAII

CITY AND COUNTY OF HONOLULU

SS:

On this 26th day of August, 2024, in the First Judicial Circuit, State of Hawaii, before me personally appeared DAVID THURSTONE, to me known or proved to me on the basis of satisfactory evidence to be the persons whose name(s) is/are subscribed to this instrument, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument identified or described as **SUPPLEMENT TO COMMUNITY COVENANT FOR WARD VILLAGE AND CONSENT** as the free act and deed of such person(s), and if applicable, in the capacity(ies) shown, having been duly authorized to execute such instrument in such capacity(ies). The foregoing instrument is dated undated at time of notarization, and contained 11 pages, at the time of this acknowledgment/certification.



Tracey K. Morisugi
Signature of Notary Public

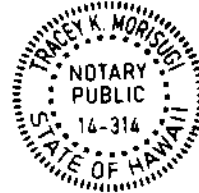
Printed Name: Tracey K. Morisugi
Notary Public, State of Hawaii

Place Notary Seal or Stamp Above

My commission expires: 9/14/2026

Document Date: undated at time of notarization #Pages: 11
Notary Name: TRACEY K. MORISUGI First Circuit
Doc. Description: Supplement to Community Covenant for Ward Village and Consent
Tracey K. Morisugi Date 8-26-24
Notary Signature

NOTARY CERTIFICATION



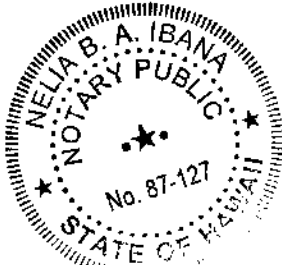
TRUSTEE BANK OF HAWAII – ACKNOWLEDGMENT

STATE OF HAWAII

CITY AND COUNTY OF HONOLULU

ss:

On this 12th day of September, 2024, in the First Judicial Circuit, State of Hawaii, before me personally appeared RACHEL S. IIEHARA and Kristen Kubota, to me known or proved to me on the basis of satisfactory evidence to be the persons whose name(s) is/are subscribed to this instrument, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument identified or described as **SUPPLEMENT TO COMMUNITY COVENANT FOR WARD VILLAGE AND CONSENT** as the free act and deed of such person(s), and if applicable, in the capacity(ies) shown, having been duly authorized to execute such instrument in such capacity(ies). The foregoing instrument is dated SEP 12 2024, and contained 11 pages, at the time of this acknowledgment/certification.



Place Notary Seal or Stamp Above

A handwritten signature in black ink, appearing to read "Nelia B. A. Ibana".

Signature of Notary Public

Printed Name: NELIA B. A. IBANA

Notary Public, State of Hawaii

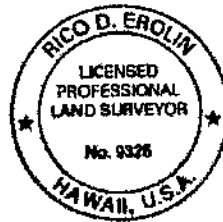
My commission expires: 4/18/2028

ADDITIONAL PROPERTY

Subject, however, to the following easements:

- a) Easements 1 and 2 for drainage purposes as shown on Map 20 of Land Court Consolidation 53.
- b) Easements 3 and 4 for sewerline purposes as shown on Map 20 of Land Court Consolidation 53.

June 14, 2024
Honolulu, Hawaii





Rico D. Erolin
Licensed Professional Land Surveyor
Certificate Number 9325

Tax Map Key: (1) 2-3-005: 006 (Por.)

Lot D

Being Lot D, as shown on DPP File No. 2023/SUB-64. Being also a portion of R.P. 1944 to E.W. Clark on L.C. Aw. 387 to the American Board of Commissioners for Foreign Missions.

Situated at Kaakaukui, Kewalo and Kukuluaeo, Honolulu, Oahu, Hawaii.

Beginning at the Northwest corner of this parcel, and being also the Northeast corner of Lot C, as shown on DPP File No. 2023/SUB-64, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUNCHBOWL" being 6,865.85 feet South and 1,270.74 feet West, and running by azimuths measured clockwise from True South:

1. 302° 55' 73.38 feet along South side of Auahi Street;
2. Thence, along same on a curve to the left with a radius of 1100.63 feet, the chord azimuth and distance being:
297° 09' 06" 211.11 feet;
3. 21° 23' 12" 250.00 feet along Lot E, as shown on DPP File No. 2023/SUB-64, being a portion of R.P. 1944 to E.W. Clark on L.C. Aw. 387 to the American Board of Commissioners for Foreign Missions;
4. Thence, along North side of Ala Moana Boulevard on a curve to the right with a radius of 1350.63 feet, the chord azimuth and distance being:
117° 09' 06" 271.34 feet;
5. 122° 55' 73.38 feet along same;

6. 212° 55'

250.00 feet along Lot C, as shown on DPP File No. 2023/SUB-64, being a portion of R.P. 1944 to E.W. Clark on L.C. Aw. 387 to the American Board of Commissioners for Foreign Missions, to the point of beginning and containing an area of 80,005 square feet.

June 14, 2024
Honolulu, Hawaii




Rico D. Erolin
Licensed Professional Land Surveyor
Certificate Number 9325

Tax Map Key: (1) 2-3-005: 006 (Por.)

Lot E

Being Lot E, as shown on DPP File No. 2023/SUB-64. Being also a portion of R.P. 1944 to E.W. Clark on L.C. Aw. 387 to the American Board of Commissioners for Foreign Missions.

Situated at Kaakaukui, Kewalo and Kukuluaeo, Honolulu, Oahu, Hawaii.

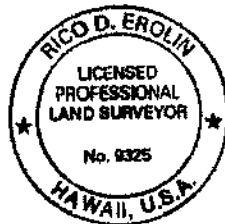
Beginning at the Northwest corner of this parcel, and being also the Northeast corner of Lot 7, as shown on Map 2 of Land Court Consolidation 53, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUNCHBOWL" being 7,075.51 feet South and 734.16 feet West, and running by azimuths measured clockwise from True South:

1. 6° 25' 22" 250.00 feet along Lot 7 as shown on Map 2 of Land Court Consolidation 53;
2. Thence, along North side of Ala Moana Boulevard on a curve to the right with a radius of 1350.63 feet, the chord azimuth and distance being:
103° 54' 17" 351.74 feet;
3. 201° 23' 12" 250.00 feet along Lot D as shown on DPP File No. 2023/SUB-64, being a portion of R.P. 1944 to E.W. Clark on L.C. Aw. 387 to the American Board of Commissioners for Foreign Missions;
4. Thence, along South side of Auahi Street on a curve to the left with a radius of 1100.63 feet, the chord azimuth and distance being:
283° 54' 17" 286.63 feet;
to the point of beginning and containing an area of 80,024 square feet.

Subject, however, to the following easements:

- a) Easement D for water meter purposes as shown on DPP File No. 2011/SUB-162.
- b) Easement 15 for traffic signal facilities as shown on Map 30 of Land Court Consolidation 53.
- c) Easement 16 for pedestrian purposes as shown on Map 30 of Land Court Consolidation 53.
- d) Transformer Vault Easement as shown on DPP File No. 2012/SUB-197.

June 14, 2024
Honolulu, Hawaii




Rico D. Erolin
Licensed Professional Land Surveyor
Certificate Number 9325

Tax Map Key: (1) 2-3-005: 006 (Por.)