

Royal Patent 4475, Land Commission Award 7713, Apana 45 to V. Kamamalu conveyed to the State of Hawaii by Ducks Unlimited, Inc. by deed dated December 14, 1995 and recorded as Document No. 96-004072 (Land Office Deed S-28129), said deed is subject to:

1. the reservations in the instrument dated December 4, 1995 recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 94-004072, of the possibility of an easement or easement(s) for drainage purposes over and across the property, in favor of lands abutting the property on its southerly, southwesterly and westerly sides, and that the Grantee (State of Hawaii) agrees to cooperate fully with the owners from time to time of lands abutting the property on its southerly, southwesterly and westerly sides in creating any easements desired by such owners, at no out-of-pocket expense to the Grantee (State of Hawaii);

2. the reservations in the instrument dated September 8, 1993 recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 94-156933, being:

a. the absolute right to fill in up to 15,000 square feet of wetland at the southwesterly end of the property, at the sole expense of the owners of that right, if, in the judgment of those owners, it is more feasible to fill in said area than to construct a bridge over it in order to reach lands abutting the property on its southerly, southwesterly and westerly sides and if it is legally permissible at that time to fill in such area; and

b. the absolute right to create, at the sole expense of the owners of that right, new wetland adjacent to the property, as legally required compensation for said owner's filling in any existing wetland, in the exercise of the power referred to above, and the Grantee (State of Hawaii) agrees that it will maintain any such new wetland that is dedicated to the State of Hawaii at its sole expense, furthermore, the Grantee (State of Hawaii) agrees to cooperate fully with the owners of the aforesaid right in the efforts of those owners to create any such legally-required new wetland.

Said lands containing an area of 22.719 acres, more or less.

Vehicle access into and from Kailua Road shall not be permitted over and across Course 1. Subject, further, to:

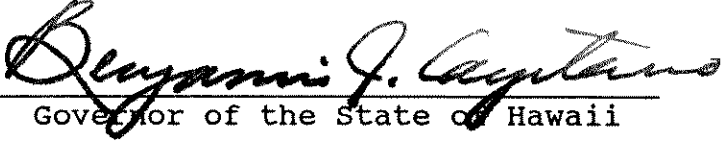
- i. Easement A for pedestrian access,
- ii. Easement B for access and utility purposes,
- iii. Easement J for slope purposes,
- iv. Hawaiian Electric Co. power line easement,
- v. Easement D5 for storm drain purposes, and
- vi. Road widening setback along the southwest side of Hamakua Drive between Kailua Road and Hekili Street (24.00 feet wide).

All more particularly described in Exhibit "A" and delineated on Exhibit "B," both of which are attached hereto and made parts hereof, said exhibits being respectively, a survey description and survey map prepared by the Survey Division, Department of Accounting and General Services, State of Hawaii, said description being designated C.S.F. No. 22,591 dated April 2, 1997, and said map being H.S.S. Plat 2202 dated April 1, 1997.

SUBJECT, HOWEVER, that upon cancellation of this executive order and/or in the event of non-use or abandonment of the premises or any portion thereof for a continuous period of one (1) year, or for any reason whatsoever, the Department of Land and Natural Resources, Division of Forestry and Wildlife, shall, within a reasonable time, restore the premises to a condition satisfactory and acceptable to the Department of Land and Natural Resources, State of Hawaii.

SUBJECT, FURTHER, to disapproval by the Legislature by two-thirds vote of either the Senate or the House of Representatives or by majority vote of both, in any regular or special session next following the date of this Executive Order.

IN WITNESS WHEREOF, I have hereunto set my hand and caused
the Great Seal of the State of Hawaii to be affixed. Done at
the Capitol at Honolulu this 7th day
of August, Nineteen Hundred and 97.


Governor of the State of Hawaii

APPROVED AS TO FORM:


Deputy Attorney General

Dated: 6/24/1997

2615(1)

STATE OF HAWAII

Office of the Lieutenant Governor

THIS IS TO CERTIFY That the within is a true copy of Executive Order No. _____ setting aside land for public purposes, the original of which is on file in this office.

IN TESTIMONY WHEREOF, the Lieutenant Governor of the State of Hawaii, has hereunto subscribed her name and caused the Great Seal of the State to be affixed.

Mazie Hironaka

DONE in Honolulu, this 11th day of August, A.D. 1997



STATE OF HAWAII

SURVEY DIVISION

DEPT. OF ACCOUNTING AND GENERAL SERVICES
HONOLULU

C.S.F. No. 22,591

April 2, 1997

STATE WILDLIFE SANCTUARY

Kailua, Koolaupoko, Oahu, Hawaii

Being portions of Royal Patent 7983, Land Commission Award 4452, Apana 12 to H. Kalama and Royal Patent 4475, Land Commission Award 7713, Apana 45 to V. Kamamalu conveyed to the State of Hawaii by Ducks Unlimited, Inc. by deed dated December 14, 1995 and recorded as Document No. 96-004072 (Land Office Deed S-28129).

Beginning at the northwest corner of this parcel of land and on the southeast side of Kailua Road, Federal Aid Project No. S-230(2), the coordinates of said point of beginning referred to Government Survey Triangulation Station "U.S. MON. NO. 1" being 4304.23 feet North and 8817.08 feet West, as shown on Government Survey Registered Map H.S.S. Plat 2202, thence running by azimuths measured clockwise from True South:-

1. 237° 00' 120.00 feet along the southeast side of Kailua Road;
2. Thence along the south corner of the intersection of Kailua Road and Hamakua Drive on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
279° 44' 35" 40.72 feet;
3. 322° 29' 10" 197.41 feet along the southwest side of Hamakua Drive;
4. Thence along the southwest side of Hamakua Drive on a curve to the left with a radius of 628.00 feet, the chord azimuth and distance being:
318° 35' 05" 85.46 feet;
5. 314° 41' 334.67 feet along the southwest side of Hamakua Drive;

EXHIBIT "A"

6. Thence along the southwest side of Hamakua Drive on a curve to the left with a radius of 528.00 feet, the chord azimuth and distance being:
312° 28' 40" 40.64 feet;
7. 40° 16' 20" 10.00 feet along a jog on the southwest side of Hamakua Drive;
8. 314° 41' 21.22 feet along the southwest side of Hamakua Drive;
9. Thence along the southwest side of Hamakua Drive and Lots 8 to 14, inclusive, of WYCO Industrial Park, File Plan 1223 on a curve to the left with a radius of 1800.00 feet, the chord azimuth and distance being:
301° 23' 30" 827.67 feet;
10. 288° 06' 102.79 feet along Lots 14 and 15 of WYCO Industrial Park, File Plan 1223 to the top of the north bank of Kawainui Stream;

Thence along the top of the north bank of Kawainui Stream along the remainder of R.P. 7983, L.C.Aw. 4452, Ap. 12 to H. Kalama for the next five (5) courses, the direct azimuths and distances between points on said top of the north bank of Kawainui Stream being:

11. 295° 30' 156.00 feet;
12. 325° 30' 64.20 feet;
13. 317° 00' 204.00 feet;
14. 314° 30' 141.00 feet;
15. 299° 02' 30" 77.65 feet;
16. 334° 50' 72.21 feet along the southwest side of Hamakua Drive;
17. 244° 50' 10.00 feet along a jog on the southwest side of Hamakua Drive;
18. 334° 50' 160.00 feet along the southwest side of Hamakua Drive;

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| 19. | 64° | 50' | 25.00 feet along a jog on the southwest side of Hamakua Drive; |
| 20. | 334° | 50' | 35.00 feet along the southwest side of Hamakua Drive; |
| 21. | 244° | 50' | 25.00 feet along a jog on the southwest side of Hamakua Drive; |
| 22. | 334° | 50' | 45.00 feet along the southwest side of Hamakua Drive; |
| 23. | 244° | 50' | 35.00 feet along a jog on the southwest side of Hamakua Drive; |
| 24. | 334° | 50' | 564.16 feet along the southwest side of Hamakua Drive; |
| 25. | 64° | 50' | 10.38 feet along the remainder of R.P. 4475,
L.C.Aw. 7713, Ap. 45 to V. Kamamalu; |
| 26. | 329° | 49' | 15.00 feet along the remainder of R.P. 4475,
L.C.Aw. 7713, Ap. 45 to V. Kamamalu; |
| 27. | 8° | 14' | 32.00 feet along the remainder of R.P. 4475,
L.C.Aw. 7713, Ap. 45 to V. Kamamalu; |
| 28. | 330° | 47' | 129.00 feet along the remainder of R.P. 4475,
L.C.Aw. 7713, Ap. 45 to V. Kamamalu; |
| 29. | 109° | 01' | 137.00 feet along the remainder of R.P. 4475,
L.C.Aw. 7713, Ap. 45 to V. Kamamalu; |
| 30. | 40° | 57' | 35.00 feet along the remainder of R.P. 4475,
L.C.Aw. 7713, Ap. 45 to V. Kamamalu; |
| 31. | 78° | 29' | 47.00 feet along the remainder of R.P. 4475,
L.C.Aw. 7713, Ap. 45 to V. Kamamalu; |
| 32. | 145° | 00' | 78.00 feet along the remainder of R.P. 4475,
L.C.Aw. 7713, Ap. 45 to V. Kamamalu; |
| 33. | 151° | 38' | 109.00 feet along the remainder of R.P. 4475,
L.C.Aw. 7713, Ap. 45 to V. Kamamalu; |

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| 34. | 117° 49' 30" | 167.00 feet along the remainder of R.P. 4475,
L.C.Aw. 7713, Ap. 45 to V. Kamamalu; |
| 35. | 172° 20' | 200.00 feet along the remainder of R.P. 4475,
L.C.Aw. 7713, Ap. 45 to V. Kamamalu; |
| 36. | 139° 12' | 156.00 feet along the remainder of R.P. 4475,
L.C.Aw. 7713, Ap. 45 to V. Kamamalu; |
| 37. | 176° 20' | 137.00 feet along the remainder of R.P. 4475,
L.C.Aw. 7713, Ap. 45 to V. Kamamalu; |
| 38. | 108° 59' | 238.00 feet along the remainder of R.P. 4475,
L.C.Aw. 7713, Ap. 45 to V. Kamamalu; |
| 39. | 123° 35' | 138.00 feet along the remainders of R.P. 4475,
L.C.Aw. 7713, Ap. 45 to V. Kamamalu
and R.P. 7983, L.C.Aw. 4452, Ap. 12 to
H. Kalama; |
| 40. | 133° 36' | 192.00 feet along the remainder of R.P. 7983,
L.C.Aw. 4452, Ap. 12 to H. Kalama; |
| 41. | 117° 08' | 160.00 feet along the remainder of R.P. 7983,
L.C.Aw. 4452, Ap. 12 to H. Kalama; |
| 42. | 113° 19' | 333.00 feet along the remainder of R.P. 7983,
L.C.Aw. 4452, Ap. 12 to H. Kalama; |
| 43. | 161° 15' | 70.00 feet along the remainder of R.P. 7983,
L.C.Aw. 4452, Ap. 12 to H. Kalama; |
| 44. | 92° 55' | 98.00 feet along the remainder of R.P. 7983,
L.C.Aw. 4452, Ap. 12 to H. Kalama; |
| 45. | 118° 30' | 80.00 feet along the remainder of R.P. 7983,
L.C.Aw. 4452, Ap. 12 to H. Kalama; |
| 46. | 120° 40' | 132.00 feet along the remainder of R.P. 7983,
L.C.Aw. 4452, Ap. 12 to H. Kalama; |
| 47. | 124° 39' | 103.00 feet along the remainder of R.P. 7983,
L.C.Aw. 4452, Ap. 12 to H. Kalama; |
| 48. | 147° 49' | 71.00 feet along the remainder of R.P. 7983,
L.C.Aw. 4452, Ap. 12 to H. Kalama; |
| 49. | 137° 11' | 53.00 feet along the remainder of R.P. 7983,
L.C.Aw. 4452, Ap. 12 to H. Kalama; |

50.	125°	12'	96.00 feet along the remainder of R.P. 7983, L.C.Aw. 4452, Ap. 12 to H. Kalama;
51.	119°	36'	60.00 feet along the remainder of R.P. 7983, L.C.Aw. 4452, Ap. 12 to H. Kalama;
52.	139°	54'	126.00 feet along the remainder of R.P. 7983, L.C.Aw. 4452, Ap. 12 to H. Kalama;
53.	120°	21'	67.00 feet along the remainder of R.P. 7983, L.C.Aw. 4452, Ap. 12 to H. Kalama;
54.	147°	40'	121.00 feet along the remainder of R.P. 7983, L.C.Aw. 4452, Ap. 12 to H. Kalama;
55.	154°	39'	59.00 feet along the remainder of R.P. 7983, L.C.Aw. 4452, Ap. 12 to H. Kalama;
56.	177°	30'	70.00 feet along the remainder of R.P. 7983, L.C.Aw. 4452, Ap. 12 to H. Kalama;
57.	228°	25'	60.00 feet along the remainder of R.P. 7983, L.C.Aw. 4452, Ap. 12 to H. Kalama;
58.	240°	05'	80.00 feet along the remainder of R.P. 7983, L.C.Aw. 4452, Ap. 12 to H. Kalama;
59.	233°	15'	47.00 feet along the remainder of R.P. 7983, L.C.Aw. 4452, Ap. 12 to H. Kalama;
60.	222°	30'	21.00 feet along the remainder of R.P. 7983, L.C.Aw. 4452, Ap. 12 to H. Kalama;
61.	262°	38'	16.00 feet along the remainder of R.P. 7983, L.C.Aw. 4452, Ap. 12 to H. Kalama;
62.	128°	33' 50"	258.50 feet along the remainder of R.P. 7983, L.C.Aw. 4452, Ap. 12 to H. Kalama to the point of beginning and containing an AREA OF 22.719 ACRES, MORE OR LESS.

Vehicle access into and from Kailua Road shall not be permitted over and across Course 1 of the above-described State Wildlife Sanctuary.

The above-described State Wildlife Sanctuary is subject, however, to the following as shown on map attached hereto and made a part hereof:

1. Easement A for Pedestrian Access.

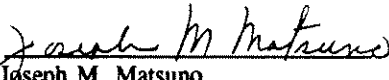
22,591

C.S.F. No. _____

April 2, 1997

2. Easement B for Access and Utility Purposes.
3. Easement J for Slope Purposes.
4. Hawaiian Electric Co., Power Line Easement.
5. Easement D5 for Storm Drain Purposes.
6. Road widening setback along the southwest side of Hamakua Drive between Kailua Road and Hekili Street (24.00 feet wide).

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By: 
Joseph M. Matsuno
Land Surveyor gm

Compiled from map by
P. Cummins, L.O.D. S-28129,
C&C maps 18-2-2-89,
18-2-1-122, 18-2-1-121-A, File
Plans 635, 1223 and Govt.
Survey Records.
TMK: 4-2-03:30