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STATE OF HAWAII
BUREAU OF CONVEYANCES
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/s/ NICKI ANN THOMPSON
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**ROBERT D. TRIANTOS
CARLSMITH BALL LLP
75-1000 Henry Street, Suite 209
P.O. Box 1720
Kailua-Kona, Hawaii 96745-1720**

TOTAL NUMBER OF PAGES: 9

TITLE OF DOCUMENT:

**AMENDMENT TO AND SUPPLEMENTAL
DECLARATION OF THE KONA VIEW ESTATES
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

PARTIES TO DOCUMENT:

**DECLARANT: 327 KONA, LLC, a Delaware limited liability company, whose
mailing address is 4054 McKinney Avenue, Suite 310, Dallas, TX
75204**

TAX MAP KEY
Kona View Estates Subdivision

4818-4601-3229/058154-00002/2-2-16

AMENDMENT TO AND SUPPLEMENTAL DECLARATION OF THE KONA VIEW ESTATES DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

THIS AMENDMENT TO AND SUPPLEMENTAL DECLARATION OF THE KONA VIEW ESTATES DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, effective as of the 1st day of February, 2016, is made by **327 KONA, LLC, a Delaware limited liability company**, whose mailing address is **4054 McKinney Avenue, Suite 310, Dallas, TX 75204** (hereinafter referred to as "Declarant");

RECITALS:

WHEREAS, the original Declaration of Covenants Conditions and Restrictions for KONA VIEW ESTATES, was recorded on September 8, 2006, in the Bureau of Conveyances of the State of Hawaii as Document No. 2006-165193 ("Declaration"); and

WHEREAS, the Declaration affects the real property described therein; and

WHEREAS, pursuant to Section 14.1 of the Declaration, the Developer may amend the Declaration unilaterally until termination of the Class "B" membership; and

WHEREAS, the Class "B" membership has not been terminated as of the date of this Amendment; and

WHEREAS, pursuant to Article VIII of the Declaration the Declarant reserved the right to annex additional property to become part of the Subdivision and be subject to the Covenants, Conditions and Restrictions; and

WHEREAS, the Developer wishes to amend and supplement the Declaration by amending Exhibit "A" attached thereto to include an additional four (4) lots and one roadway lot and to add the legal descriptions of those said lots, being Lots 30, 31, 32, and 33 and Road Lot F, all as set forth in Exhibit "A" attached hereto and made a supplement to the existing Exhibit "A"; and

NOW, THEREFORE, the undersigned Declarant hereby certifies that pursuant to Section 16.1 of the Declaration the Declaration is amended as follows:

1. By adding the legal descriptions of the annexed lots, being Lots 30, 31, 32, 33 and Road Lot F to the existing Exhibit A

2. For all purposes Lots 30, 31, 32, and 33 and Road Lot F shall, after the recordation of this Amendment, be deemed to be a part of the Property comprising the Kona View Estates subdivision and subject to the Declaration of Covenants, Conditions and Restrictions for said subdivision.

Except as amended as hereinabove set forth, this Amendment shall not affect the interpretation or effect of any other Section, term or condition of the Declaration and the same shall continue in full force and effect and is hereby affirmed.

IN WITNESS WHEREOF, this instrument was executed this 4th day of FEBRUARY, 2016.

327 KONA, LLC, a Delaware limited liability company

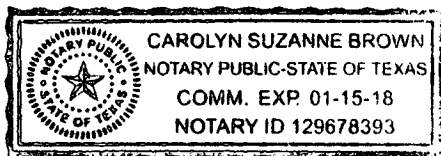
By: THOMAS M. SMITH
Its: Manager

"DECLARANT"

STATE OF TEXAS)
COUNTY OF DALLAS) ss.

On this 4th day of FEBRUARY, 2016, before me personally appeared **THOMAS M. SMITH**, to me known (or proved to me on the basis of satisfactory evidence) that he is the General Partner of **4327 KONA, LLC, a Delaware limited liability company**, and that such persons executed the foregoing instrument as the free act and deed of such persons, and if applicable in the capacity shown, having been duly authorized to execute such instrument in such capacity.

(Notary Stamp or Seal)



Carolyn Suzanne Brown
Name: Carolyn Suzanne Brown
Notary Public
State of Texas

My commission expires: 1-15-18

DESCRIPTION OF

LOT 30 OF KONA VIEW ESTATES

(Page 1 of 1)

All of that certain Property being a portion of Royal Patent Number 7587, Land Commission Award Number 11216, Apana 36 to M. Kekauonohi (Certificate of Boundaries No. 138), situate at Honokohau 1st, District of North Kona, Island, County and State of Hawaii, containing an area of 1.00 acre, more or less, and thus bounded and described as per survey as follows:

Beginning at a set 1/2 inch rebar with a red plastic cap marked No. 10743 at the Northeast corner of this parcel of land, being also the Northwest corner of Lot 29 of Kona View Estates as found on Hawaii County Subdivision Map No. 05-000036, also being a South angle corner of Road Lot F of this subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MOANUIAHEA" being 18,895.14 feet South and 8,916.36 feet West and running by azimuths measured clockwise from True South:

Thence along the remainder of R. P. 7587, L. C. Aw. 11216, Apana 36 to M. Kekauonohi. (Certificate of Boundaries No. 138) with the following nine (9) courses:

- | | | | |
|--|--------------|--------|---|
| 1. | 06° 45' 02" | 53.97 | feet along Lot 29 of Kona View Estates as found on Hawaii County Subdivision Map No. 05-000036; |
| 2. | 345° 00' 00" | 180.07 | feet along same; |
| 3. | 75° 00' 00" | 71.84 | feet along Lot 28 of Kona View Estates as found on Hawaii County Subdivision Map No. 05-000036; |
| 4. | 06° 45' 02" | 66.75 | feet along same; |
| 5. | 75° 00' 00" | 101.86 | feet along Lot 2-A-3-A of this subdivision; |
| 6. | 165° 00' 00" | 203.60 | feet along same; |
| 7. | 229° 32' 58" | 132.93 | feet along same; |
| Thence along a curve to the left with a radius of 45.00 feet, the chord azimuth and distance being: | | | |
| 8. | 243° 52' 21" | 65.67 | feet along Road Lot F of this subdivision; |
| Thence along a curve to the right with a radius of 40.00 feet, the chord azimuth and distance being: | | | |
| 9. | 226° 02' 50" | 38.83 | feet along same to the point of beginning and containing an area of 1.00 acre, more or less. |

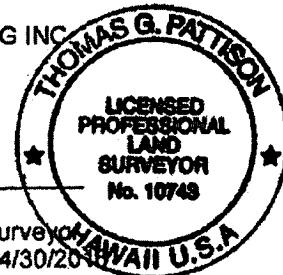
Description prepared by:

PATTISON LAND SURVEYING INC

January 4th, 2016



Thomas G. Pattison
 Licensed Professional Land Surveyor
 Certificate No. 10743 Expires 4/30/2018



DESCRIPTION OF

LOT 31 OF KONA VIEW ESTATES

(Page 1 of 1)

All of that certain Property being a portion of Royal Patent Number 7587, Land Commission Award Number 11216, Apana 36 to M. Kekauonohi (Certificate of Boundaries No. 138), situate at Honokohau 1st, District of North Kona, Island, County and State of Hawaii, containing an area of 1.00 acre, more or less, and thus bounded and described as per survey as follows:

Beginning at a set ½ inch rebar with a red plastic cap marked No. 10743 at the Southeast corner of this parcel of land, being also the Southwest corner of Lot 20 of Kona View Estates as found on Hawaii County Subdivision Map No. 05-000036, also being the Northwest corner of Road Lot B (Waiha Street), the coordinates of said point of beginning referred to Government Survey Triangulation Station "MOANUIAHEA" being 18,811.72 feet South and 8,798.24 feet West and running by azimuths measured clockwise from True South:


Thence along the remainder of R. P. 7587, L. C. Aw. 11216, Apana 36 to M. Kekauonohi. (Certificate of Boundaries No. 138) with the following four (4) courses:

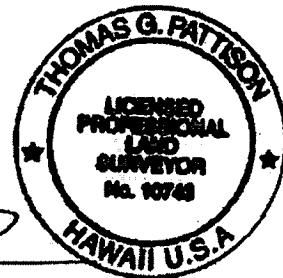
- | | | | |
|----|--------------|--------|---|
| 1. | 75° 00' 00" | 190.55 | feet along Road Lot F of this subdivision; |
| 2. | 165° 00' 00" | 230.00 | feet along Lot 2-A-3-A of this subdivision; |
| 3. | 255° 00' 00" | 190.55 | feet along Lot 2-A-3-A and Lot 32 of this subdivision; |
| 4. | 345° 00' 00" | 230.00 | feet along Lot 20 of Kona View Estates as found on Hawaii County Subdivision Map No. 05-000036 to the point of beginning and containing an area of 1.00 acre, more or less. |

Description prepared by:

PATTISON LAND SURVEYING INC.

January 4th, 2016


Thomas G. Pattison
Licensed Professional Land Surveyor
Certificate No. 10743 Expires 4/30/2016



DESCRIPTION OF

LOT 32 OF KONA VIEW ESTATES

(Page 1 of 1)

All of that certain Property being a portion of Royal Patent Number 7587, Land Commission Award Number 11216, Apana 36 to M. Kekauonohi (Certificate of Boundaries No. 138), situate at Honokohau 1st, District of North Kona, Island, County and State of Hawaii, containing an area of 1.00 acre, more or less, and thus bounded and described as per survey as follows:

Beginning at a set ½ inch rebar with a red plastic cap marked No. 10743 at the Northeast corner of this parcel of land, being also the Northwest corner of Lot 19 of Kona View Estates as found on Hawaii County Subdivision Map No. 05-000036, also being on the South side of Road Easement "A-1" (Part 2) (Walaha Street), the coordinates of said point of beginning referred to Government Survey Triangulation Station "MOANUIAHEA" being 18,307.77 feet South and 8,849.33 feet West and running by azimuths measured clockwise from True South:

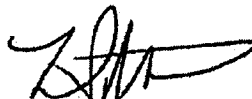
Thence along the remainder of R. P. 7587, L. C. Aw. 11216, Apana 36 to M. Kekauonohi. (Certificate of Boundaries No. 138) with the following four (4) courses:

- | | | | |
|----|--------------|--------|--|
| 1. | 345° 00' 00" | 270.00 | feet along Lot 19 of Kona View Estates as found on Hawaii County Subdivision Map No. 05-000036; |
| 2. | 75° 00' 00" | 161.34 | feet along said Lot 19 and Lot 31 of this subdivision; |
| 3. | 165° 00' 00" | 270.00 | feet along Lot 2-A-3-A of this subdivision; |
| 4. | 255° 00' 00" | 161.34 | feet along Road Easement "A-1" (Part 2) (Walaha Street) to the point of beginning and containing an area of 1.00 acre, more or less. |

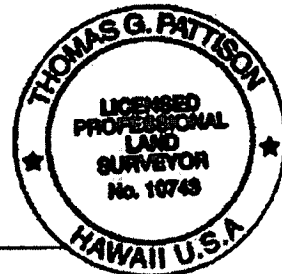
Description prepared by:

PATTISON LAND SURVEYING INC.

January 4th, 2016



Thomas G. Pattison
Licensed Professional Land Surveyor
Certificate No. 10743 Expires 4/30/2016



DESCRIPTION OF

LOT 33 OF KONA VIEW ESTATES

(Page 1 of 1)

All of that certain Property being a portion of Royal Patent Number 7587, Land Commission Award Number 11216, Apana 36 to M. Kekauonohi (Certificate of Boundaries No. 138), situate at Honokohau 1st, District of North Kona, Island, County and State of Hawaii, containing an area of 1.00 acre, more or less, and thus bounded and described as per survey as follows:

Beginning at a set 1/2 Inch rebar with a red plastic cap marked No. 10743 at the Southeast corner of this parcel of land, being also the Southwest corner of Lot 5 of Kona View Estates as found on Hawaii County Subdivision Map No. 05-000036, also being on the North side of Road Lot A (Waiha Street), the coordinates of said point of beginning referred to Government Survey Triangulation Station "MOANUIAHEA" being 18,232.54 feet South and 8,761.74 feet West and running by azimuths measured clockwise from True South:


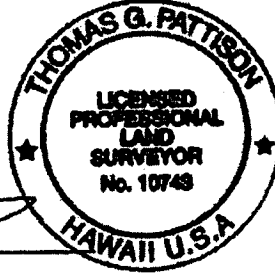
Thence along the remainder of R. P. 7587, L. C. Aw. 11216, Apana 36 to M. Kekauonohi. (Certificate of Boundaries No. 138) with the following four (4) courses:

- | | | | |
|----|--------------|--------|--|
| 1. | 75° 00' 00" | 168.61 | feet along Easement "A-1" (Part 2) (Waiha Street); |
| 2. | 165° 00' 00" | 248.83 | feet along Lot 2-A-2-A of this subdivision; |
| 3. | 255° 00' 00" | 181.65 | feet along same; |
| 4. | 348° 00' 00" | 249.17 | feet along Lot 5 of Kona View Estates as found on Hawaii County Subdivision Map No. 05-000036 to the point of beginning and containing an area of 1.00 acre, more or less. |

Description prepared by:

PATTISON LAND SURVEYING INC.

January 4th, 2016

Thomas G. Pattison
 Licensed Professional Land Surveyor
 Certificate No. 10743 Expires 4/30/2016

**DESCRIPTION OF
ROAD LOT F OF KONA VIEW ESTATES**

(Page 1 of 1)

All of that certain Property being a portion of Royal Patent Number 7587, Land Commission Award Number 11216, Apana 36 to M. Kekauonohi (Certificate of Boundaries No. 138), situate at Honokohau 1st, District of North Kona, Island, County and State of Hawaii, containing an area of 0.345 acre, more or less, and thus bounded and described as per survey as follows:

Beginning at a set ½ inch rebar with a red plastic cap marked No. 10743 at the Northeast corner of this parcel of land, being the Southeast corner of Lot 31 and being also the Southwest corner of Lot 20 of Kona View Estates as found on Hawaii County Subdivision Map No. 05-000036, also being the Northwest corner of Road Lot B (Waiha Street), the coordinates of said point of beginning referred to Government Survey Triangulation Station "MOANUIAHEA" being 18,811.72 feet South and 8,798.24 feet West and running by azimuths measured clockwise from True South:

Thence along the remainder of R. P. 7587, L. C. Aw. 11216, Apana 36 to M. Kekauonohi. (Certificate of Boundaries No. 138) with the following five (5) courses:

- | | | | |
|----|--------------|--------|---|
| 1. | 345° 00' 00" | 50.00 | feet along Road Lot B (Waiha Street); |
| 2. | 75° 00' 00" | 136.68 | feet along Lot 29 of Kona View Estates as found on Hawaii County Subdivision Map No. 05-000036; |

Thence along a curve to the left with a radius of 40.00 feet, the chord azimuth and distance being

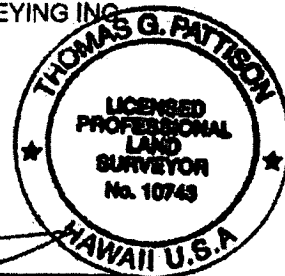
- | | | | |
|----|-------------|-------|--|
| 3. | 46° 02' 50" | 38.83 | feet along Lot 30 of this subdivision; |
|----|-------------|-------|--|

Thence along a curve to the right with a radius of 45.00 feet, the chord azimuth and distance being

- | | | | |
|----|--------------|--------|---|
| 4. | 137° 26' 58" | 77.60 | feet along Lot 30 and Lot 2-A-3-A of this subdivision; |
| 5. | 255° 00' 00" | 205.54 | feet along Lot 2-A-3-A and Lot 31 of this subdivision to the point of beginning and containing an area of 0.345 acre, more or less. |

Description prepared by:

PATTISON LAND SURVEYING INC



January 4th, 2016

Thomas G. Pattison
 Thomas G. Pattison
 Licensed Professional Land Surveyor
 Certificate No. 10743 Expires 4/30/2016