

## Statement of Harriet Enrique

On March 14, 2007, Harriet H. Enrique, employee of Bureau of Conveyances (BOC), Department of Land and Natural Resources (DLNR), telephone (808) 587-0151, and (808) 551-0052 was re-contacted by Hilton J. Lui.

Upon contact Enrique advised that Faith, who is Angie's sister, last name is spelt Hermaglio. Angie, her sister may be still a receptionist for Security Title Company.

Enrique explained in a time share situation, there are 52 different owners of a unit for the 52 week period in a given year. Therefore there should be 52 deeds for any given unit. Enrique also added there is also fee simple and leasehold ownership; therefore there are fee simple and leasehold timeshares. Each person(s) who own a week is issued a certificate of title in Land Court. Every one of the transactions for any given apartment and period should cost \$25 to record and \$25 for the issuance of this certificate which is called a Transfer Certificate of Title (TCT). Enrique advised Relative to the Marriott transactions that Kaiulani Lambert was referring to this investigator, their TCT book showed no additional charges for issuance of the CTs. Enrique added they do not have the audit tape going back to 1995, but maybe their fiscal department could find the copies and verify whether payment was made or not at a later date for the issuances of the CTs. There is great possibility there were no payments.

Enrique advised that Watanabe's son's name is Blane Watanabe and his age is about 27 years of age. Enrique did not know what University he went to but it was somewhere on the west coast, either Washington or Oregon. Enrique added one day after

200092

Watanabe took Blane to school while in his office Watanabe told her that Blane got a job at a Marriott. Enrique questioned Watanabe how did that happen because Blane came straight from high school and Watanabe told her that he, Watanabe could stay at any Marriott for free, anywhere, at any time because he had done something for them. Enrique then asked what he did and Watanabe added it doesn't matter and blew it off, but Watanabe added that Blane walked into the Marriott near his college, saw the Manager at the Marriott, didn't have to fill in an application, didn't go to any interview and was hired right on the spot. This was Watanabe's conversation with her. This made her suspicious and therefore she started looking at the Marriott transactions. Enrique added that Marriott would record in bulk and she could not tell if Marriott did not get charged except by looking at each deed which is time consuming. Enrique added everybody gets charged except for government transactions which are gratis. They, the employees do not have powers to waive fees, except only for one other condition and that is if they initially collected the fee and found out them, the BOC had made an error. Then the second time they come in to record the transaction that is gratis. If the escrow company makes an error and it needs to be corrected they need to go through the "amendment process" and pay the recording fee again. That is why Enrique feels Bradford Ishida as well as others come to make the corrections. They also do not want to wait. Enrique added title companies are insurance companies to insure the proper recording of properties. Technically Enrique added the title company should call all parties to sign again when an amendment is made acknowledging that a mistake was made on the first one, make the correction and re-record for \$25 more. Enrique however, added the title companies call Nicolene Gega-Chang or whoever has authorization at Land Court and inform them

200093

that they are missing pages for what ever transaction and say that they are going to bring it down so it can be re-scanned, causing the old one to be replaced by the corrected one. Enrique added this is being done, but it shouldn't, because they should come in and re-record the correct one, through their established channels. Enrique further added if someone sold a property to someone else, and Title Guaranty or any other title company screwed up and a Mortgage was taken out on the property, technically in the time frame where the amendment is being done, the Mortgagee is still paying the Mortgage but is not really the owner because the transaction is not correct. Say one week later an amendment is made but the title company screwed up. Title companies are title insurance companies, and they should have underwriters who should make them liable for that week or so that it was not properly recorded. If the mortgage is a million dollars there is a humongous amount that the title companies have to absorb. Enrique emphasized however, if they have "connections" at the BOC, you can just change it and nobody knows the difference because they just go to the original document and just put on the corrected stuff and just re-scan so the title company is in the clear and nobody knows of the change.

Enrique added that the BOC is the gate keeper for millions and millions of dollars of transactions each day. The changing of pages for documents without going through the right channels is not appropriate or not ethical.

Enrique noted that GECC is a company who finances many short term loans. GECC created a subsidiary company which was called something like GE Financial and wanted to assign every mortgage that GECC owned to that subsidiary without citing

200094

any mortgage number and without citing any TCT but just by renaming it. Enrique added GECC was told that they couldn't do that as the law says you need to cite mortgage number and CTC number for each mortgage. Enrique advised however, Watanabe got involved and told GECC to petition Land Court Judiciary, but Watanabe was told that it could not be done that way. Enrique then added Watanabe had a brilliant idea to have it recorded in their Regular System just as a notice that every page where the name of GECC is, it is assigned to the new subsidiary. Enrique questioned Watanabe about his recommendation and made him aware that he denied the BOC to receive funds it should have received and they should have collected \$1 for each TCT over and beyond the first five. Watanabe said, "I saved them money," but Enrique countered but you didn't give them justice as the title companies are not going to pick them up on their insurance policies. Furthermore when the Subsidiary comes to release the mortgage in land court the release is not to be taken because in their eyes the mortgage is held in the name of GECC and not the subsidiary. Enrique added Watanabe put GECC in a terrible situation. Enrique added Watanabe fooled GECC to think through his expertise he was saving the company money, but in essence Watanabe's duty is not to save anyone money but to say whether this is recordable or not. Enrique advised the reason why Watanabe does things like this is because Watanabe loves the "bravado," and the attention. Enrique added once an old mom and pop came in at the counter after closing and he just went up to them accepted the paperwork and gave it to one of the workers to do and then told them that they need not pay. Enrique added Watanabe just likes the attention and thinks he's getting connections for it.

Enrique added they have a Special fund to finance their staffing positions, supply and

200095

equipment. Out of every \$25 recording fee the BOC only keeps \$7 and the rest goes to the General fund. Watanabe went to the legislature without telling anyone and caused a ceiling of \$500,000 be put on the Special fund. Therefore every June 30<sup>th</sup> the excess is dumped into the General fund. Enrique figures why he did that. After every year the Governor tells each department that there will be a shortfall of "x" amount of dollars, and that they should cut something but make up the difference. Watanabe put up the difference from the BOC for DNLR, the whole department, therefore Peter Young didn't have to cut positions, or cut back on equipment. Enrique added that is how Watanabe earned the position with Peter Young and that is why Young is beholden to Watanabe. In essence Watanabe balanced the budget for DLNR. Enrique added that the BOC operating cost is 10% which she added is a phenomenal amount.

Enrique added all of their positions are paid by their Special fund and the Special fund is not controlled by the legislature, so she has asked, "Why can't they just go and hire who they want?" They did go however to the legislature last year to have an increase of five positions who Young lobbied against and it died. In the legislature this year Young is introducing the identical same bill which is requesting the same five positions and he is supporting it. When the bill passes Young wants the glory. Enrique added that people's ego is getting in the way of the BOC progressing.

Enrique provided a certificate for Launani Valley III. The developer built this building called the Luanani Valley Condominium and started selling apartments to everybody and therefore there were hundreds of certificates emerged from this master certificate. The certificate is for the merger for phases I, II and III and the developer

200096

is saying he is merging all the phases. Enrique learned that they were issuing from a merger document which they should not have. Enrique added she can tell what was collected and it was a mere \$25. There was to be 152 certificates and it was not done. Enrique added the Document 2235007 shows no additional charges for issuances of CTs 458,814 through 458,966. The amount that should have been collected was \$3,800. The TCT book shows the above listed TCTs as being issued on 6/30/95 but the cashier print-out was checked and although the CT's were issued, no document number was shown or charges noted. Enrique added that the audit tapes are not available going that far back, maybe fiscal could find copies or see if there was an unusual high deposit of \$3,800 or not. Enrique feels Watanabe is responsible for this.

Enrique also provided documents which included two copies of a contract with Notice to Proceed, Job ICS-FY-99-52 which is contract number 46716, dated March 20, 2000 whereby Title Guaranty were to provide services to develop and implement a Replacement Land Court and Regular Automated Tracking System for the State of Hawaii. Included in Appendix B were the term of the contract which noted it was for a nine month period beginning August 2, 1999 and ending March 21, 2000. The paragraph also mentions "Subsequent Supplemental Agreements" may be executed for Phase 2 and post implementation support, with final completion of all work and termination by December 31, 2004. Enrique is not aware of its origin or its status. Also provided by Enrique were billing by Title Guaranty which she feels is very suspect. Included was also other communication relative to payment of the invoices. Enrique is not aware of its origin or its status. Their Fiscal (DLNR) included this in their investigation and a report was submitted condemning their accounting practices. Relative to

200097

the bills or invoices received, it appears to Enrique that the BOC is buying back images it provided to Title Guarantee. Watanabe has been paying the invoices for a long time.

Enrique also provide copies of telephone bills Hawaiian Telecom for period 3/19/06 through 9/18/06 for telephone number 587-0117, telephone used by Carl Watanabe, which she suspects is excessively high since Watanabe moved upstairs.

Lastly Enrique advised there is a transaction on the Transfer Certificate of Title (CTC) for Richard Smart of Parker Ranch which was dated December 3, 1948. This shows that Smart owns the listed property as an individual. Enrique's concern was the Declaration of Trust on page 339. When a person owns a certificate of property by himself and passes away there is a procedure in Hawaii Revised Statutes 151-73 about probate and about descendents lines and tell exactly what the BOC is required to have when a person owns property and dies which is a Statement of Facts, if there is a will and a certified copy is needed, an order admitting the will to probate, order of distribution pursuant to the will. If the person dies without a will they still need a statement of facts, an order of probate, an interstate hearing because they know who the heirs are, order determining the heirs, and order distributing to the heirs. There is no other way you can convey property if there is a single owner. In the Smart case they did. They distributed Richard Smart's property by this land court order. First of all, they put on the document, "Declaration of Trust," which they never note a Declaration of Trust on a certificate of title. Enrique advised the handwriting is Sandra Furukawa's handwriting as she has seen it for years. But it was signed off by Nicolene Gega-Chang. This was recorded on June 4,

200098

2002. Interesting enough in 2002 Furukawa was long gone and left the BOC in 1997 Or 1998. Enrique questioned, "What is Furukawa writing on their records?" Furukawa should not even be there tampering with BOC documentation. Enrique questioned, "how come they didn't get the proper paperwork and do it like they do every other transaction?" Furthermore, Enrique added that June 4, 2002 was her date and every Assistant Registrar is assigned a date, and she never got the document. Enrique couldn't figure why it went around her and why didn't she get it? Enrique provided a copy of the page which includes the entries by Furukawa and Gega-Chang.

Enrique also advised at the time that the HGEA employees went on strike they had three vacancies at the Assistant Registrar level (those who writes the Transfer of Certificate Titles). During that time when they were on strike Furukawa and Watanabe announced, interviewed the people, hired and promoted three individuals. It became suspect. Those hired and promoted were Carol Ching, Susan Okamoto, and Nancy Geiger. The connection with Ching was that she was Watanabe's former girlfriend, Okamoto was Furukawa's son's friend and Geiger was an emergency hire secretary and was not even permanent employee. Enrique added in their office one of the top positions is to become an Assistant Registrar. To become one you must work up through the ranks and know what happens there at the BOC. This is because you are sworn in by Court to uphold the laws of Land Court and knowledge of those laws are important. It is a highly esteemed position. Watanabe however, when he came aboard watered down their creditability. The Union then became involved and stated that they were improperly recruited for. In the arbitration there is a transcript says about Carl's affair with Carol Ching, show the collusion between Furukawa and the

200099

secretary and other personnel. Charles Khim was their attorney and he may have copy of it. This was early 1995 possibly 1996. This case was settled and it was such that Carol Ching stay at the BOC, but the other two girls were to be re-recruited. Therefore Susan Okamoto had to re-apply, but Geiger left to the big island. Okamoto then got one of the other positions. Susan DeJesus also applied and got the last position. The dilemma currently is dates when the three individual started. Ching's entry date was noted before the strike when she first was recruited. Okamoto when she had to re-apply her date goes back before the strike, but DeJesus's date is one year later when she passed probation. Being that Okamoto quit, Ching and DeJesus are vying as to who is the senior person.

200100

## NO CHARGES INDICATED FOR Issuing TCTs

- Document 2235007 shows no additional charges for issuances of CT's 458,814 through 458,966 (152 Cts x \$25.00 = \$3,800.00)
- TCT book shows above-listed TCTs as being issued on 6/30/95 but cashier print-out was checked and although CT's were issued, no document # shown or charges noted
- Do not have the audit tapes going back that far – maybe fiscal could find copies or see an unusually high deposit for around that time frame
- Also question the legality of issuing CTs to owners from a “merger of phases”?? Neither the owners or the board of the association signed off. Appears that only the developer signed the merger. Shouldn't the owners, creditors (Mtg holders especially) sign off since the undivided interest somewhat changed?

70  
151 add'l

L-120

STATE OF HAWAII  
OFFICE OF ASSISTANT REGISTRAR  
RECORDED

MAY 03, 1995 08:01 AM

Doc No(s) 2235007

on Cert(s) AS LISTED

/s/ CARL T. WATANABE  
ASSISTANT REGISTRAR

gr

AFTER RECORDATION, RETURN BY MAIL (X) PICK UP ( )

lw

RUSH MOORE CRAVEN SUTTON MORRY & BEH  
2000 Hawaii Tower  
745 Fort Street Mall  
Honolulu, HI 96813  
ATTN: Irene A. Anzai

DO NOT  
WRITE IN THIS SPACE

TJ: P 207726

(4)

CERTIFICATE OF MERGER MERGING  
THE GARDENS AT LAUNANI VALLEY, PHASE I,  
THE GARDENS AT LAUNANI VALLEY, PHASE II, AND  
THE GARDENS AT LAUNANI VALLEY, PHASE III

THIS CERTIFICATE OF MERGER, dated this 1st day of May, 1995,  
is made by Waihuna Joint Venture, a Hawaii general partnership,  
with its principal place of business at 220 S. King Street, Suite  
680, Honolulu, Hawaii 96813 (the "Developer");

WITNESSETH:

WHEREAS, pursuant to the terms of Sections 20 of the  
Declaration of Horizontal Property Regime of The Gardens at Launani  
Valley, Phase I, dated October 12, 1993, recorded in the Office of  
the Assistant Registrar of the Land Court of the State of Hawaii as  
Document No. 2078274, as amended ("Phase I Declaration"), the  
Declaration of Horizontal Property Regime of The Gardens at Launani  
Valley, Phase II, dated October 12, 1993, recorded as aforesaid as  
Document No. 2078272, as amended ("Phase II Declaration"), and the  
Declaration of Condominium Property Regime of The Gardens at  
Launani Valley, Phase III, dated October 12, 1993, recorded as  
aforesaid as Document No. 2078276, as amended ("Phase III

F:\MPDATA\LAUNI\HAWAII\GARDENS\1995.DOC

200102

Declaration"), the Developer reserved the right to merge the condominium property regimes known as The Gardens at Launani Valley, Phase I ("The Gardens - Phase I"), The Gardens at Launani Valley, Phase II ("The Gardens - Phase II"), and The Gardens at Launani Valley, Phase III ("The Gardens - Phase III") without the need to obtain the joinder or consent of any apartment owner, lien holder or other person; and

WHEREAS, the Developer, pursuant to its aforesaid reserved rights, now desires to merge The Gardens - Phase I, The Gardens - Phase II, and The Gardens - Phase III (collectively the "Projects"); and

WHEREAS, the Land Court Certificate of Title Numbers covering the apartments in The Gardens - Phase I, The Gardens - Phase II, and The Gardens - Phase III are set forth in Exhibit "A" attached hereto and incorporated herein by this reference;

NOW, THEREFORE, the Developer does hereby declare that The Gardens - Phase I, The Gardens - Phase II, and The Gardens - Phase III are merged as of the recording of this Certificate of Merger in said Office, and, in support of said merger, the Developer does hereby submit the following documentation and certifications:

1. The Developer hereby certifies that all apartments in The Gardens - Phase I, The Gardens - Phase II, and The Gardens - Phase III have been completed, that notices of completion have been filed for all improvements in the Projects, and that the periods for the filing of mechanics' and materialmen's liens pursuant to Chapter 507 of the Hawaii Revised Statutes, as amended, have expired.

2. The Developer does hereby certify that all real property taxes and assessments due from the Projects and for which the Developer is liable have been paid.

3. The new common interest calculations for the apartments in the merged Projects are as set forth in Exhibit "B" attached hereto and incorporated herein by this reference.

4. Attached hereto as Exhibit "C" and incorporated herein are the verified statements of a registered architect certifying that the plans hereto filed as Condominium Map Nos. 1001, 1002 and 1003, as amended, fully and accurately depict the elevation of the buildings, and the layout, location, apartment numbers and dimensions of the apartments located in the buildings of the Projects, as built.

5. The Projects as hereby merged shall hereinafter be known as "The Gardens at Launani Valley."

IN WITNESS WHEREOF, the undersigned has executed these presents as of the day and year first above written.

WAIHUNA JOINT VENTURE

By Waikalani Developers, Inc., a Hawaii corporation, a joint venturer

By [Signature]  
Its Vice President

By WRD Limited Partnership, a Hawaii limited partnership, a joint venturer

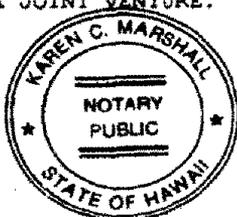
By CHD, Inc., a Hawaii corporation, Its general partner

By [Signature]  
Its Vice President

"Developer"

STATE OF HAWAII )  
 ) SS.  
CITY AND COUNTY OF HONOLULU )

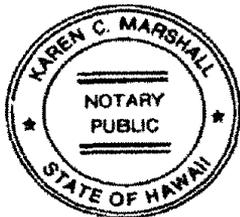
On this APR 27 1995, 19\_\_\_\_, before me appeared Christopher L. Lou, to me personally known, who, being by me duly sworn, did say that he is the Vice President of WAIKALANI DEVELOPERS, INC., a Hawaii corporation, one of the general partners of WAIHUNA JOINT VENTURE, a Hawaii general partnership, and that the instrument was signed in behalf of the corporation by authority of its Board of Directors, and Christopher L. Lou acknowledged the instrument to be the free act and deed of the corporation as general partner of WAIHUNA JOINT VENTURE.



Karen Marshall  
Notary Public, in and for said County and State.  
My commission expires: MAR 13 1998

STATE OF HAWAII )  
 ) SS.  
CITY AND COUNTY OF HONOLULU )

On this APR 27 1995, 19\_\_\_\_, before me appeared T. MATSUKATA, to me personally known, who, being by me duly sworn, did say that he is the Vice President of CHD, INC., a Hawaii corporation, a general partner of WRD LIMITED PARTNERSHIP, a Hawaii limited partnership, which limited partnership is one of the general partners of WAIHUNA JOINT VENTURE, a Hawaii general partnership, and that the instrument was signed in behalf of the corporation by authority of its Board of Directors, and T. MATSUKATA acknowledged the instrument to be the free act and deed of the corporation as general partner of WRD LIMITED PARTNERSHIP, as general partner of WAIHUNA JOINT VENTURE.



Karen Marshall  
Notary Public, in and for said County and State.  
My commission expires: MAR 13 1998

EXHIBIT "A"

List of Apartments and  
Land Court Certificate of Title Numbers

<u>APARTMENT NUMBER</u>	<u>TRANSFER CERTIFICATE OF TITLE NO.</u>
A101	435394
A102	446815 /
A103	441640 /
A104	450693 /
A105	441800 /
A106	435394
A201	435394
A202	446876 /
A203	441872 /
A204	442014 /
A205	441798 /
A206	435394
A303	443575 /
A304	444207 /
B101	441609 /
B102	435394
B103	454408 /
B104	435394
B105	435394
B106	450306 /
B201	442015 /
B202	442016 /
B203	435394
B204	435394
B205	451004 /
B206	441799 /
B303	441871 /
B304	450308 /
C101	449768 /
C102	435394
C103	448041 /
C104	443301 /
C105	435394
C106	435394
C201	435394
C202	435394
C203	442780 /
C204	443202 /
C205	435394
C206	442964 /

8



<u>APARTMENT NUMBER</u>	<u>TRANSFER CERTIFICATE OF TITLE NO.</u>
-------------------------	--

G102	435846
G103	435846
G104	455614 /
G105	435846
G106	438441 /
G201	437832 /
G202	445806 /
G203	435846 /
G204	435846
G205	438206 /
G206	438204 /
G303	441835 /
G304	443237 /
H101	437928 /
H102	437829 /
H103	441870 /
H104	443090 /
H105	438444 /
H106	440505 /
H201	438964 /
H202	437466 /
H203	442778 /
H204	437927 /
H205	438770 /
H206	436771 /
H303	438203 /
H304	440325 /
J101	441145 /
J102	454522 /
J103	435846
J104	435846
J105	435846
J106	435846
J201	438003 /
J202	437926 /
J203	450691 /
J204	435846 /
J205	435846
J206	454617 /
J303	437831 /
J304	437828 /
K101	439023 /
K102	435846
K103	441062 /
K104	441869 /

<u>APARTMENT NUMBER</u>	<u>TRANSFER CERTIFICATE OF TITLE NO.</u>
-------------------------	--

K105	439456 /
K106	438447 /
K201	438205 /
K202	438672 /
K203	449374 /
K204	450692 /
K205	437325 /
K206	451594 /
K303	441797 /
K304	439371 /
L101	438507 /
L102	439636 /
L103	438772 /
L104	440993 /
L105	435846 /
L106	442012 /
L201	438673 /
L202	435846 /
L203	438508 /
L204	438767 /
L205	438445 /
L206	439370 /
L303	444688 /
L304	438443 /
M101	448137 /
M102	435847 /
M103	435847 /
M104	435847 /
M105	435847 /
M106	447255 /
M201	450468 /
M202	453419 /
M203	435847 /
M204	435847 /
M205	447505 /
M206	449376 /
M303	435847 /
M304	452420 /
N101	435847 /
N102	435847 /
N103	446310 /
N104	448400 /
N105	435847 /
N106	435847 /
N201	447507 /

33



<u>APARTMENT NUMBER</u>	<u>TRANSFER CERTIFICATE OF TITLE NO.</u>
-------------------------	--

R205	435847
R206	447254 ✓
R303	452046 ✓
R304	452465 ✓
S101	435847
S102	435847
S103	453258 ✓
S104	452709 ✓
S105	435847
S106	435847
S201	447903 ✓
S202	435847
S203	448401 ✓
S204	435847
S205	435847
S206	435847
S303	454500 ✓
S304	435847

8

EXHIBIT "B"

Common Interest Calculations for Apartments  
upon Merger of  
The Gardens - Phase I,  
The Gardens - Phase II, and  
The Gardens - Phase III

	<u>Apt. No.</u>	<u>Common Interest</u>
PHASE I	<u>Building A</u>	
	A-101	0.41368
	A-102	0.41368
	A-103	0.37578
	A-104	0.37578
	A-105	0.41368
	A-106	0.41368
	A-201	0.41368
	A-202	0.41368
	A-203	0.37578
	A-204	0.37578
	A-205	0.41368
	A-206	0.41368
	A-303	0.37578
	A-304	0.37578
	<u>Building B</u>	
	B-101	0.47998
	B-102	0.43228
	B-103	0.43228
	B-104	0.43228
	B-105	0.43228
	B-106	0.47998
	B-201	0.47998
	B-202	0.43228
	B-203	0.43228
	B-204	0.43228
	B-205	0.43228
	B-206	0.47998
	B-303	0.43238
	B-304	0.43238

<u>Apt. No.</u>	<u>Common Interest</u>
---------------------	----------------------------

Building C

C-101	0.4136%
C-102	0.4136%
C-103	0.3757%
C-104	0.3757%
C-105	0.4136%
C-106	0.4136%

C-201	0.4136%
C-202	0.4136%
C-203	0.3757%
C-204	0.3757%
C-205	0.4136%
C-206	0.4136%

C-303	0.3757%
C-304	0.3757%

Building D

D-101	0.4799%
D-102	0.4322%
D-103	0.4322%
D-104	0.4322%
D-105	0.4322%
D-106	0.4799%

D-201	0.4799%
D-202	0.4322%
D-203	0.4322%
D-204	0.4322%
D-205	0.4322%
D-206	0.4799%

D-303	0.4322%
D-304	0.4322%

Building E

E-101	0.4136%
E-102	0.4136%
E-103	0.3757%
E-104	0.3757%
E-105	0.4136%
E-106	0.4136%

<u>Apt. No.</u>	<u>Common Interest</u>
E-201	0.4136%
E-202	0.4136%
E-203	0.3757%
E-204	0.3757%
E-205	0.4136%
E-206	0.4136%
E-303	0.3757%
E-304	0.3757%

## PHASE II

Building F

F-101	0.4136%
F-102	0.4136%
F-103	0.3757%
F-104	0.3757%
F-105	0.4136%
F-106	0.4136%
F-201	0.4136%
F-202	0.4136%
F-203	0.3757%
F-204	0.3757%
F-205	0.4136%
F-206	0.4136%
F-303	0.3757%
F-304	0.3757%

Building G

G-101	0.4799%
G-102	0.4322%
G-103	0.4322%
G-104	0.4322%
G-105	0.4322%
G-106	0.4799%
G-201	0.4799%
G-202	0.4322%
G-203	0.4322%
G-204	0.4322%
G-205	0.4322%
G-206	0.4799%

<u>Apt. No.</u>	<u>Common Interest</u>
G-303	0.4322%
G-304	0.4322%
<u>Building H</u>	
H-101	0.4799%
H-102	0.4322%
H-103	0.4322%
H-104	0.4322%
H-105	0.4322%
H-106	0.4799%
H-201	0.4799%
H-202	0.4322%
H-203	0.4322%
H-204	0.4322%
H-205	0.4322%
H-206	0.4799%
H-303	0.4322%
H-304	0.4322%
<u>Building J</u>	
J-101	0.4799%
J-102	0.4322%
J-103	0.4322%
J-104	0.4322%
J-105	0.4322%
J-106	0.4799%
J-201	0.4799%
J-202	0.4322%
J-203	0.4322%
J-204	0.4322%
J-205	0.4322%
J-206	0.4799%
J-303	0.4322%
J-304	0.4322%
<u>Building K</u>	
K-101	0.4136%
K-102	0.4136%
K-103	0.3757%

<u>Apt. No.</u>	<u>Common Interest</u>
K-104	0.3757%
K-105	0.4136%
K-106	0.4136%
K-201	0.4136%
K-202	0.4136%
K-203	0.3757%
K-204	0.3757%
K-205	0.4136%
K-206	0.4136%
K-303	0.3757%
K-304	0.3757%

Building L

L-101	0.4136%
L-102	0.4136%
L-103	0.3757%
L-104	0.3757%
L-105	0.4136%
L-106	0.4136%
L-201	0.4136%
L-202	0.4136%
L-203	0.3757%
L-204	0.3757%
L-205	0.4136%
L-206	0.4136%
L-303	0.3757%
L-304	0.3757%

## PHASE III

Building M

M-101	0.4799%
M-102	0.4322%
M-103	0.4322%
M-104	0.4322%
M-105	0.4322%
M-106	0.4799%
M-201	0.4799%
M-202	0.4322%
M-203	0.4322%
M-204	0.4322%

<u>Apt. No.</u>	<u>Common Interest</u>
---------------------	----------------------------

M-205	0.4322%
M-206	0.4799%

M-303	0.4322%
M-304	0.4322%

**Building N**

N-101	0.4136%
N-102	0.4136%
N-103	0.3757%
N-104	0.3757%
N-105	0.4136%
N-106	0.4136%

N-201	0.4136%
N-202	0.4136%
N-203	0.3757%
N-204	0.3757%
N-205	0.4136%
N-206	0.4136%

N-303	0.3757%
N-304	0.3757%

**Building P**

P-101	0.4799%
P-102	0.4322%
P-103	0.4322%
P-104	0.4322%
P-105	0.4322%
P-106	0.4799%

P-201	0.4799%
P-202	0.4322%
P-203	0.4322%
P-204	0.4322%
P-205	0.4322%
P-206	0.4799%

P-303	0.4322%
P-304	0.4322%

<u>Apt. No.</u>	<u>Common Interest</u>
<u>Building Q</u>	
Q-101	0.41368
Q-102	0.41368
Q-103	0.37578
Q-104	0.37578
Q-105	0.41368
Q-106	0.41368
Q-201	0.41368
Q-202	0.41368
Q-203	0.37578
Q-204	0.37578
Q-205	0.41368
Q-206	0.41368
Q-303	0.37578
Q-304	0.37578
<u>Building R</u>	
R-101	0.47998
R-102	0.43228
R-103	0.43228
R-104	0.43228
R-105	0.43228
R-106	0.47998
R-201	0.47998
R-202	0.43228
R-203	0.43228
R-204	0.43228
R-205	0.43228
R-206	0.47998
R-303	0.43228
R-304	0.43228
<u>Building S</u>	
S-101	0.41368
S-102	0.41368
S-103	0.37578
S-104	0.37578
S-105	0.41368
S-106	0.41368

<u>Apt. No.</u>	<u>Common Interest</u>
---------------------	----------------------------

Building Q

Q-101	0.41368
Q-102	0.41368
Q-103	0.37578
Q-104	0.37578
Q-105	0.41368
Q-106	0.41368

Q-201	0.41368
Q-202	0.41368
Q-203	0.37578
Q-204	0.37578
Q-205	0.41368
Q-206	0.41368

Q-303	0.37578
Q-304	0.37578

Building R

R-101	0.47998
R-102	0.43228
R-103	0.43228
R-104	0.43228
R-105	0.43228
R-106	0.47998

R-201	0.47998
R-202	0.43228
R-203	0.43228
R-204	0.43228
R-205	0.43228
R-206	0.47998

R-303	0.43228
R-304	0.43228

Building S

S-101	0.41368
S-102	0.41368
S-103	0.37578
S-104	0.37578
S-105	0.41368
S-106	0.41368

<u>Apt. No.</u>	<u>Common Interest</u>
S-201	0.41368
S-202	0.41368
S-203	0.37578
S-204	0.37578
S-205	0.41368
S-206	0.41368
S-303	0.37578
S-304	0.37578

EXHIBIT "C"

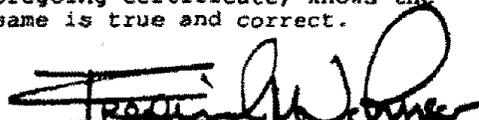
CERTIFICATE OF REGISTERED ARCHITECT

I hereby certify that the site plan, floor plan for each floor and elevation plan of each building of The Gardens at Launani Valley, Phase II condominium project, heretofore filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Condominium Map No. 1001, as amended, fully and accurately depict the layout, location, apartment numbers and dimensions of the apartments in said condominium project, as built.

  
FREDERICK M. JOHNSON  
Registration No. 2757

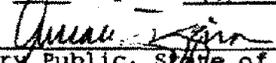
STATE OF HAWAII )  
 ) SS.  
CITY AND COUNTY OF HONOLULU )

Frederick M. Johnson, being first duly sworn on oath deposes and says that he is a Registered Architect in the State of Hawaii, that he has read the foregoing certificate, knows the contents thereof and that the same is true and correct.

  
FREDERICK M. JOHNSON  
Registration No. 2757

LS

Subscribed and sworn before me  
this 26 day of April, 1995.

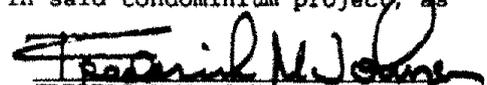
  
Notary Public, State of Hawaii.

My commission expires: 2/20/97

F:\MPDATA\CROWM\MHNA\GARDN\I\ASBUILT.CRT

CERTIFICATE OF REGISTERED ARCHITECT

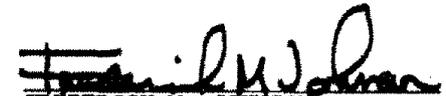
I hereby certify that the site plan, floor plan for each floor and elevation plan of each building of The Gardens at Launani Valley, Phase I condominium project, heretofore filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Condominium Map No. 1002, as amended, fully and accurately depict the layout, location, apartment numbers and dimensions of the apartments in said condominium project, as built.

  
FREDERICK M. JOHNSON  
Registration No. 2757

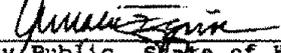
STATE OF HAWAII )  
CITY AND COUNTY OF HONOLULU ) SS.

Frederick M. Johnson, being first duly sworn on oath deposes and says that he is a Registered Architect in the State of Hawaii, that he has read the foregoing certificate, knows the contents thereof and that the same is true and correct.

LS

  
FREDERICK M. JOHNSON  
Registration No. 2757

Subscribed and sworn before me this 24th day of April, 1995.

  
Notary Public, State of Hawaii.

My commission expires: 2/20/97



- This bill is very suspect. Don't know it's origin or present status.
- Fiscal included this in the investigation
- Appears to have a twist in the timeline of how this "contract" transpired and where it presently stands
- Monies spent and services provided are questionable
- Fiscal dealt with this in depth and has raised questions via it's audit. Carl is to respond to inquiries raised by fiscal.



**TITLE GUARANTY OF HAWAII, INC.**

235 Queen Street • P. O. Box 3084 • Honolulu, HI 96813

TITLE SYSTEMS Phone (808) 533-6261 FAX (808) 532-3174

Mr. Carl Watanabe  
State of Hawaii  
Department of Land and Natural Resources  
Bureau of Conveyances  
1151 Punchbowl Street, Suite 122  
Honolulu, HI 96813

**INVOICE**

Date	Number
13-Sep-06	TG 205-06

**RE: Recorded Document Images**

**Agreement Number: ICS-FY-99-52**

**DESCRIPTION**

**Tape No: RS 1992 - Tape 1**

**Total Pages:** 432,561 @ \$.015/page 6,488.42  
Document Type: RS  
Document Range: 92145673 - 92215606  
Total Documents: 69,934

**Tape No: RS 1992 - Tape 4**

**Total Pages:** 11,218 @ \$.015/page 168.27  
Document Type: RS  
Document Range: 92000001 - 92002074  
Total Documents: 2,074

**Tape No: RS 1993 - Tape 2**

**Total Pages:** 427,210 @ \$.015/page 6,408.15  
Document Type: RS  
Document Range: 93078812 - 93150548  
Total Documents: 71,737

**Tape No: RS 1993 - Tape 3**

**Total Pages:** 433,200 @ \$.015/page 6,498.00  
Document Type: RS  
Document Range: 93003897 - 93078811  
Total Documents: 74,915

**Tape No: RS 1994 - Tape 1**

**Total Pages:** 466,204 @ \$.015/page 6,993.06  
Document Type: RS  
Document Range: 94138880 - 94215898  
Total Documents: 77,018

200125

**INVOICE**

Date	Number
13-Sep-06	TG 205-06

Continued

**Tape No: RS 1998 - Tape 3**

<b>Total Pages:</b> 494,780 @ \$.015/page	7,421.70
Document Type: RS	
Document Range: 98009099 - 98077350	
Total Documents: 68,252	

**Tape No: LC 1992 - Tape 1**

<b>Total Pages:</b> 422,006 @ \$.015/page	6,330.09
Document Type: LC	
Document Range: 1919513 - 1986246	
Total Documents: 66,731	

**Tape No: LC 1992 - Tape 2**

<b>Total Pages:</b> 269,833 @ \$.015/page	4,047.50
Document Type: LC	
Document Range: 1878342 - 1919512	
Total Documents: 41,171	

**Tape No: LC 1993 - Tape 2**

<b>Total Pages:</b> 342,366 @ \$.015/page	5,135.49
Document Type: LC	
Document Range: 1986247 - 2040562	
Total Documents: 54,316	

**Tape No: LC 1994 - Tape 2**

<b>Total Pages:</b> 198,104 @ \$.015/page	2,971.56
Document Type: LC	
Document Range: 2104784 - 2136570	
Total Documents: 31,787	

**Tape No: LC 1998 - Tape 2**

<b>Total Pages:</b> 226,378 @ \$.015/page	3,395.67
Document Type: LC	
Document Range: 2430377 - 2459068	
Total Documents: 28,692	

Subtotal	55,857.90
Tax	2,327.04
<b>Total</b>	<b><u>\$58,184.94</u></b>

**\*\* Payment due within 15 days of receipt\*\***

**200126**



"Nani Lindsey"  
<nllindsey@compuserve.com>

07/08/2006 03:35 PM

Please respond to  
"Nani Lindsey"  
<nllindsey@compuserve.com>

To: "Debra Pyrek" <dpyrek@tghawaii.com>  
cc: "Carl Watanabe" <Carl.T.Watanabe@hawaii.gov>, "Nancy Bartter" <Nancy.E.Bartter@hawaii.gov>  
bcc:  
Subject: TG/BoC Index File - RS 1998 Tape 3

Hello Debra,

This is to confirm that the format attached is correct. I did confirm with DPO that the BOC is missing this roll, and ready & waiting for it.

Thank you,  
Nani Lindsey  
The Lange Group

----- Original Message -----

**From:** Debra Pyrek  
**To:** Nani Lindsey  
**Sent:** Wednesday, July 05, 2006 1:13 PM  
**Subject:** TG/BoC Index File

Good afternoon Nani! I hope you are doing well.

We were previously notified by Carl Watanabe that one of the tapes TG submitted to the BoC (as part of our image contract) was rejected and had not yet been resubmitted. It was **RS 1998 Tape 3**. We would like to provide the BoC with that final tape, if it is still needed. Since we have not created those tapes in quite awhile, we want to be sure we reproduce that tape correctly.

Can you please confirm that the BoC does need that tape resubmitted? If so, please also confirm that the attached index file sample is in the correct format. Once we receive your approval, we will recreate and resubmit that tape to the BoC.

Mahalalo!

Deb Pyrek  
VP Corporate Information Systems  
Title Guaranty of Hawaii, Inc.  
[dpyrek@tghawaii.com](mailto:dpyrek@tghawaii.com)  
[www.tghawaii.com](http://www.tghawaii.com)  
(808)533-5824

DISCLAIMER: This message is only intended for the addressee named above. Its contents may be confidential, privileged or otherwise protected. Any unauthorized use, disclosure or copying of this message or its contents is prohibited. If you are not the intended recipient, (i) please do not read or disclose it to others, (ii) please notify the sender by reply e-mail or phone, and (iii) please

200127

delete this communication from your system. Any personal opinions expressed in this message



do not necessarily represent the views of Title Guaranty. [index.txt](#)

200128

Carl T  
Watanabe/DLNR/StateHIUS  
09/11/2006 03:23 PM

To Cynthia Nakaya <cnakaya@TGHAWAII.com>  
cc Nancy E Bartter/DLNR/StateHIUS@StateHIUS  
bcc  
Subject Re: FW: Scanning 

All tapes have now been successfully imported. The last tape, one which we were having much problems with, was done last week.

Submit billing for payment.

Cynthia Nakaya <cnakaya@TGHAWAII.com>



Cynthia Nakaya  
<cnakaya@TGHAWAII.com>  
09/11/2006 09:40 AM

To "Carl Watanabe (E-mail)" <carl.t.watanabe@hawaii.gov>  
cc  
Subject FW: Scanning

Hi Carl,

Hope things are going well with you . . . Can you please see if the document below can be rescanned.

Also, Deb Pyrek has been in contact with you on the scanned documents sent to the Bureau. (I think at the end of August she seemed to think we had one final tape left.) Since my dept is responsible for the final billing, our list shows 11 tapes where we have not received confirmation from the Bureau that the tapes were accepted and returned. Are you aware of any pending tapes? I can give you the details if you need them. If you have all the scanned documents to your knowledge, I can make one final billing.

What is your phone number . . . has it change? Just wondering . . .

Thanks,  
Cyn

-----Original Message-----

**From:** Dale Sugiki  
**Sent:** Monday, September 11, 2006 8:45 AM  
**To:** Cynthia Nakaya  
**Subject:** Scanning

Aloha Cyn,

I'm not sure who to address this concern to, but you're the first person that I thought of.

200129



**TITLE GUARANTY OF HAWAII, INC.**

235 Queen Street • P. O. Box 3084 • Honolulu, HI 96813  
 TITLE SYSTEMS Phone (808) 533-6261 FAX (808) 532-3174

Mr. Carl Watanabe  
 State of Hawaii  
 Department of Land and Natural Resources  
 Bureau of Conveyances  
 1151 Punchbowl Street, Suite 122  
 Honolulu, HI 96813

Contract # 46716

GOODS/SERVICES REC'D IN SATISFACTORY CONDITION		
Signature	Init.	Date
Invoice Rec'd	8/27/04	8/27/04
OK to Pay	OK	
Circle	PARTIAL	FINAL

2009 AUG 27 AM 11 15  
 STATE OF HAWAII  
 BUREAU OF CONVEYANCES

INVOICE	
Date	Number
26-Aug-04	TG 571-04

**RE: Recorded Document Images**  
**Agreement Number: ICS-FY-99-52**

**DESCRIPTION**

✓ **Tape No: RS 1993 - Tape 4**  
**Total Pages: 22,543 @ \$.015/page** 338.15  
 Document Type: RS  
 Document Range: 93000001 - 93003896  
 Total Documents: 3,896

✓ **Tape No: LC 1993 - Tape 1**  
**Total Pages: 421,599 @ \$.015/page** 6,323.99  
 Document Type: LC  
 Document Range: 2040563 - 2104783  
 Total Documents: 64,221

✓ **Tape No: LCO - 1992 - 1995**  
**Total Pages: 108,813 @ \$.015/page** 1,632.20  
 Document Type: LCO  
 Document Range: 105337 - 123014  
 Total Documents: 17,678

Subtotal 8,294.33  
 Tax 345.54  
**Total \$8,639.87**

**\*\* Payment due within 15 days of receipt\*\***

200130

Bureau of Conveyances  
1151 Punchbowl Street  
Honolulu, Hawaii 96813

Date: August 28, 2003

To: Debra Pyrek, Vice-President  
Corporate Information Systems  
Title Guaranty

Fr: Carl Watanabe *cw*

No. of tapes returned: THREE - #33(RS2001(5)); #34(RS2001(6));  
#36(RS1997(1)). Tapes being returned for re-cycling. Data migration complete  
with no discrepancies.

Received by: STACEY MATHEWS  
(Print Name)

Signature: Stacey Mathews

Date: 8/25/2003 Time: 9:00am

Return completed acknowledgment to Carl Watanabe





# TITLE GUARANTY OF HAWAII, INC.

235 Queen Street • P. O. Box 3084 • Honolulu HI 96813  
TITLE SYSTEMS Phone (808) 533-6261 FAX (808) 532-3174

Mr. Carl Watanabe  
State of Hawaii  
Department of Land and Natural Resources  
Bureau of Conveyances  
1151 Punchbowl Street, Suite 122  
Honolulu, HI 96813

## INVOICE

Date                      Number  
22-May-03                TG 342-03

**RE:      Recorded Document Images**  
**Agreement Number: ICS-FY-99-52**

### DESCRIPTION

**Tape No: LC 1998 - Tape 1**

**Total Pages: 439,123 @ \$.015/page**

Document Type: LC

Document Range: 2459069 - 2511478

Total Documents: 52,184

6,586.85 - pd inv. #567-03  
8/1x103

**Tape No: RS 1998 - Tape 3**

**Total Pages: 490,118 @ \$.015/page**

Document Type: RS

Document Range: 98009099 - 98077350

Total Documents: 67,921

7,351.77

Subtotal

13,938.62

Tax

580.68

**Total**

**\$14,519.30**

*Tapes defective -  
Returned to TG -  
Do NOT pay.*

200133



# TITLE GUARANTY OF HAWAII, INC.

235 Queen Street • P. O. Box 3084 • Honolulu HI 96813  
TITLE SYSTEMS Phone (808) 533-6261 FAX (808) 532-3174

Mr. Carl Watanabe  
State of Hawaii  
Department of Land and Natural Resources  
Bureau of Conveyances  
1151 Punchbowl Street, Suite 122  
Honolulu, HI 96813

## INVOICE

Date	Number
22-May-03	TG 342-03

**RE: Recorded Document Images**  
**Agreement Number: ICS-FY-99-52**

### DESCRIPTION

**Tape No: LC 1998 - Tape 1**

**Total Pages: 439,123 @ \$.015/page** 6,586.85

Document Type: LC

Document Range: 2459069 - 2511478

Total Documents: 52,184

**Tape No: RS 1998 - Tape 3**

**Total Pages: 490,118 @ \$.015/page** 7,351.77

Document Type: RS

Document Range: 98009099 - 98077350

Total Documents: 67,921

Subtotal 13,938.62

Tax 580.68

**Total** \$14,519.30

**\*\* Payment due within 15 days of receipt\*\***

200134





# TITLE GUARANTY OF HAWAII, INC.

235 Queen Street • P. O. Box 3084 • Honolulu HI 96813  
TITLE SYSTEMS Phone (808) 533-6261 FAX (808) 532-3174

Mr. Carl Watanabe  
State of Hawaii  
Department of Land and Natural Resources  
Bureau of Conveyances  
1151 Punchbowl Street, Suite 122  
Honolulu, HI 96813

## INVOICE

Date	Number
21-May-03	TG 337-03

**RE: Recorded Document Images**  
**Agreement Number: ICS-FY-99-52**

### DESCRIPTION

**Tape No: RS 1998 - Tape 4**

**Total Pages: 61,319 @ \$.015/page** 919.79

Document Type: RS

Document Range: 98000001 - 98009098

Total Documents: 9,035

Subtotal	919.79
Tax	38.32
<b>Total</b>	<b>\$958.10</b>

**\*\* Payment due within 15 days of receipt\*\***

200136



TO: Conveyances *Ann Evelyn* DATE: 7/31/03

FROM: FISCAL OFFICE

PLEASE COMPLETE THE CHECKED ITEMS BELOW:

- PROVIDE P.O. NO.
- SIGN AND APPROVE INVOICES FOR PAYMENT
- PROVIDE ORIGINAL + 2 COPIES OF INVOICE
- HAVE INVOICE CERTIFIED AS ORIGINAL
- CHAIRPERSON'S APPROVAL
- APPROVAL: \_\_\_\_\_
- PROVIDE COPY OF INVOICE OR LETTERHEAD FOR NEW VENDOR (SEE COMPTROLLER'S MEMORANDUM 1989-9)
- PROVIDE COMPLETED IRS FORM W-9
- USE CORRECT VENDOR CODE IN THE FUTURE (SEE CORRECTION MADE ON P.O.)
- PROVIDE COMPLETED SPO FORM-10/SPO FORM 10-A
- OTHERS: as requested

11/10/97

8/18/03 - All orig. sent to T.G. - Grant Lamson

S 0097081

STATE OF HAWAII

000210

04/27/03

VOID ON  
JUNE 1, 2004

DATE  
04 08 2003

PAY TO

CASH  
\$4,883.35

\*\*\*\*\*FOUR THOUSAND SIX HUNDRED EIGHTY-THREE AND 35/100 DOLLARS\*\*\*\*\*

PAY TO THE ORDER OF  
01464

TITLE GUARANTY OF HAWAII INC.  
235 QUEEN ST  
HONOLULU HI 96813-4611

MEMBER OF  
First Hawaiian Bank  
HONOLULU, HAWAII

For and Charge Same To  
SPECIAL FUND  
Fiscal Year 2002-2003

VOUCHER: 031237 DEPARTMENT: C

⑈340097081⑈ ⑆121301015⑆ 01⑈088947⑈

⑈000048335⑈

01464 042403  
SEQ NO BUSINESS DTE

First Hawaiian Bank >121301015<  
Honolulu Hawaii  
0030520280 04232003 03 PRTO 01037846

APR 27 03

121301015  
FIRST HAWAIIAN BANK  
HONOLULU HI 96813-4611  
51010121

DO NOT WRITE / SIGN / STAMP BELOW THIS LINE  
DEPOSITORY BANK ENDORSEMENT  
9-285

ENDORSE CHECK HERE FOR DEPOSIT WITH  
X FIRST HAWAIIAN BANK  
TO THE ORDER OF  
TITLE GUARANTY OF HAWAII INC.  
01-037846

200139

STATE OF HAWAII

RECEIVED  
ADMIN SVCS OFFICE  
**CLAIM FOR NON-RECEIVED CHECK**

TO: **COMPTROLLER, State of Hawaii**  
(Attention: Accounting Division)

2003 JUL 11 AM 9:15

DEPT OF LAND &  
NATURAL RESOURCES

The check identified below, ~~has not been received by the payee.~~ The following action is therefore requested:

- 1. If check is still outstanding, enter date as of which the outstanding check file was checked and return a copy of this form to the expending agency.
- 2. If check is still outstanding, place stop payment on check, issue duplicate payment, and forward duplicate payment to expending agency.
- 3. If check is void as stated on the face of the check, reissue payment and forward reissued payment to expending agency.
- 4. If check has been received and paid by the State Treasury, forward photocopy of cashed check (front and back) to expending agency.

If this check was not mailed to the payee by the Pre-Audit Branch of the Accounting Division, but was distributed by the vouchering department, the following information is provided regarding the manner in which the check was distributed and the last known point of check possession: \_\_\_\_\_

**FOR COMPTROLLER USE ONLY**

Action Taken on Above Request:

- 1. Outstanding date \_\_\_\_\_
- 2. Stop payment date \_\_\_\_\_
- 3. Issued duplicate check:  
Number \_\_\_\_\_ Date \_\_\_\_\_
- 4. Photocopy of cashed check sent.
- 5. (Other) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Initials \_\_\_\_\_ Date \_\_\_\_\_

*X Lorenz* Manager Acct Receivable  
(Signature of Payee/Title, if applicable)

\_\_\_\_\_  
(Signature of Payee/Title, if applicable)

*X 533-2292* \_\_\_\_\_ *X 7/9/03*  
(Telephone No.) (Date)

**LORENZ** **587-0358**  
(Departmental Contact Person) (Telephone Number)

**LAND & NATURAL RESOURCES**  
(Department / Name of Expendng Agency)

**CHECK IDENTIFICATION**

**INSTRUCTION:** Payee name must be completely and exactly as shown on the State of Hawaii check. Refer to Report 106 for exact payee name, if applicable.

Payee TITLE GUARANTY OF HAWAII INC.

Department Voucher No. C35471 Check Amount \$ 4683.35

Comptroller Voucher No. 031237 Check Date ... 04/08/03

Payroll No. & Check Distribution Code ..... 200140  
(if applicable) Check Number ... S0097081  
(Fund) (Number)

RECEIVED  
 ADMIN SVCS OFFICE  
 2003 JUL 24 PM 1:12  
 DEPT OF LAND &  
 NATURAL RESOURCES



# Title Guaranty of Hawaii, Inc

235 QUEEN STREET □ P. O. BOX 3084 □ HONOLULU, HAWAII 96802  
FINANCE AND ACCOUNTING Phone (808) 539-7763 Fax (808) 532-2061

June 12, 2003

Mr. Carl Watanabe  
State of Hawaii  
Department of Land and Natural Resources  
Bureau of Conveyances  
1151 Punchbowl Street, Suite 122  
Honolulu, HI 96813

RE: TG 107-03  
Recorded Documents Images  
Tape No: LC2001 – Tape 2

Dear Mr. Carl Watanabe,

Our records indicate that invoice TG 107-03 remains outstanding and I am requesting your assistance in bringing this invoice current. Enclosed, please find a copy of the above reference invoice for your review.

Please remit the past due amount of \$4,683.35 accordingly, along with a copy of this letter. Your prompt attention to this matter would be most appreciated.

If there is a reason that this invoice has not been paid, please let me know so we may address any issues you may have. Please do not hesitate in giving me a call at (808) 533-2292.

Sincerely,

Grant Yamauchi  
Accounts Receivable

Encl.

200141

**Evelyn Ng**

**From:** "Carl T. Watanabe" <watact@pixi.com>  
**To:** "Nicole Gega-Chang" <gegachang2002@yahoo.com>; "Nani" <nindsey@compuserve.com>; "Susan Okamoto" <susano@pixi.com>; "Evelyn K Ng" <ekng@pixi.com>; "Carol Ching" <carol\_ching2002@yahoo.com>  
**Sent:** Wednesday, August 14, 2002 5:28 PM  
**Subject:** Fw: request to modify image export date range

Evelyn, do we have \$\$\$ for this? I don't like the idea but we have little choice if we don't want to have holes in our images.

----- Original Message -----

**From:** "Debra Pyrek" <dpyrek@tghawaii.com>  
**To:** "'Carl T. Watanabe'" <watact@pixi.com>  
**Sent:** Wednesday, August 14, 2002 4:47 PM  
**Subject:** request to modify image export date range

> Hello Carl!

>

> I am responding to your request that we modify the years for which we are  
 > delivering images. We understand that the new date range will better meet  
 > your needs and we are happy to adjust the export process to accommodate  
 > this

> request. This change will require us to recompile the document number  
 > master list and tape batches as well as adjust our systems to export the  
 > new

> range of images. We estimate that this will take us approximately 8  
 > additional hours to complete.

>

> It is our understanding that the new date ranges for document images to be  
 > delivered to the BoC are as follows:

>

> Feb 28, 2002 back to March 1, 1997 (first five year part of contract)  
 > Feb 28, 1997 back to March 1, 1992 (second five year part of contract)

>

> We will not re-deliver images that have already been transmitted. We will  
 > adjust our export process to make sure that you receive all documents  
 > within  
 > these time periods.

>

> If you would like us to proceed, please authorize this additional work,  
 > which will be billed at a rate of \$100/hour. Also, please confirm the new  
 > date ranges.

>

> Thank you!

>

> Deb Pyrek  
 > Vice President  
 > Corporate Information Systems  
 > Title Guaranty  
 > 235 Queen Street

200142



# Title Guaranty of Hawaii, Inc

235 QUEEN STREET P. O. BOX 3084 HONOLULU, HAWAII 96802  
FINANCE AND ACCOUNTING Phone (808) 539-7763 Fax (808) 532-2081

May 7, 2002

State of Hawaii Department of Land and Natural Resources  
Bureau of Conveyances  
Mr. Carl Watanabe  
1151 Punchbowl Street, Suite 122  
Honolulu, HI 96813

RE: PAST DUE INVOICES: TG 704-01 and TG 181-02

Dear Mr. Carl Watanabe,

Our records indicate that these invoices are still out standing and I am requesting your assistance in bringing these invoices current. Enclosed, please find copies of the invoices referenced above.

If there is a reason that these invoices has not been paid, please let me know so we can rectify any error that may have occurred.

Please remit the past due amount of \$15,330.39 accordingly, along with a copy of this letter. Your prompt attention to this matter would be most appreciated.

Please do not hesitate in giving me a call at (808) 539-7763, should you have any questions.

Sincerely,

Grant Yamauchi  
Accounts Receivable

Encl.

200143

5/9/02 9:45 (3) Called Grant Y. that payments s/b rec'd by T.G. next week. Also if he could pass on that CW is waiting to get more papers.

TO: Conveyances DATE: 7/9/03

FROM: FISCAL OFFICE Attn: Evelyn

PLEASE COMPLETE THE CHECKED ITEMS BELOW:

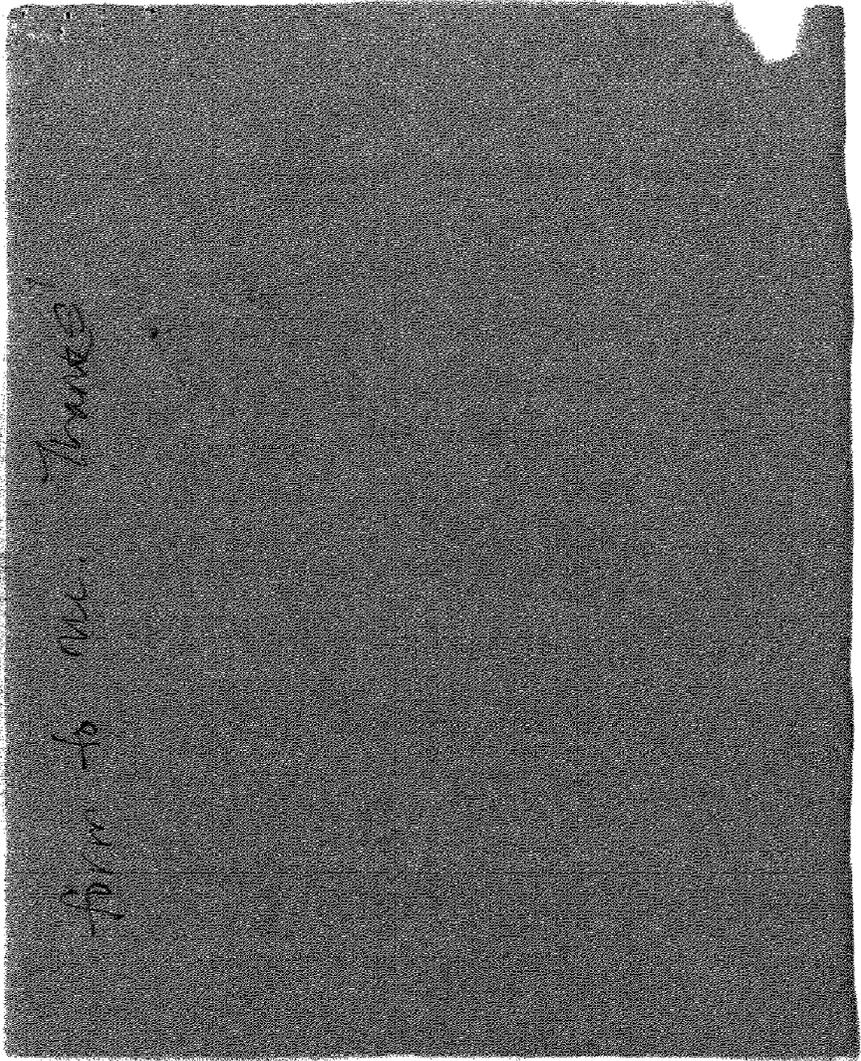
- PROVIDE P.O. NO.
- SIGN AND APPROVE INVOICES FOR PAYMENT
- PROVIDE ORIGINAL + 2 COPIES OF INVOICE
- HAVE INVOICE CERTIFIED AS ORIGINAL
- CHAIRPERSON'S APPROVAL
- APPROVAL \_\_\_\_\_
- PROVIDE COPY OF INVOICE OR LETTERHEAD FOR NEW VENDOR (SEE COMPTROLLER'S MEMORANDUM 1989-9)
- PROVIDE COMPLETED IRS FORM W-9
- USE CORRECT VENDOR CODE IN THE FUTURE (SEE CORRECTION MADE ON P.O.)
- PROVIDE COMPLETED SPO FORM-10/SPO FORM 10-A

*Handwritten notes:*  
#4613 - sent CSR from to [unclear] [unclear]

*Handwritten notes:*  
James Hunt  
to Fiscal  
7/16/03

OTHERS: as requested -

have representative of Title Guaranty 11/10/97 sign where I have indicated and return



form to Mr. Jones

STATE OF HAWAII

CLAIM FOR NON-RECEIVED CHECK

TO: COMPTROLLER, State of Hawaii
(Attention: Accounting Division)

The check identified below, has not been received by the payee. The following action is therefore requested:

- 1. If check is still outstanding, enter date as of which the outstanding check file was checked and return a copy of this form to the expending agency.
2. If check is still outstanding, place stop payment on check, issue duplicate payment, and forward duplicate payment to expending agency.
3. If check is void as stated on the face of the check, reissue payment and forward reissued payment to expending agency.
4. If check has been received and paid by the State Treasury, forward photocopy of cashed check (front and back) to expending agency.

If this check was not mailed to the payee by the Pre-Audit Branch of the Accounting Division, but was distributed by the vouchering department, the following information is provided regarding the manner in which the check was distributed and the last known point of check possession:

FOR COMPTROLLER USE ONLY
Action Taken on Above Request:
1. Outstanding date
2. Stop payment date
3. Issued duplicate check: Number Date
4. Photocopy of cashed check sent.
5. (Other)
Initials Date

(Signature of Payee/Title, if applicable)
(Signature of Payee/Title, if applicable)
(Telephone No.) (Date)
LORENE 587-0358
(Departmental Contact Person) (Telephone Number)
LAND & NATURAL RESOURCES
(Department / Name of Expending Agency)

CHECK IDENTIFICATION

INSTRUCTION: Payee name must be completely and exactly as shown on the State of Hawaii check. Refer to Report 106 for exact payee name, if applicable.

Payee TITLE GUARANTY OF HAWAII INC.
Department Voucher No. C35471 Check Amount \$ 4683.35
Comptroller Voucher No. 031237 Check Date 04/08/03
Payroll No. & Check Distribution Code (if applicable) Check Number S0097081 (Fund) (Number) 200146



# Title Guaranty of Hawaii, Inc

235 QUEEN STREET P. O. BOX 3084 HONOLULU, HAWAII 96802  
FINANCE AND ACCOUNTING Phone (808) 539-7763 Fax (808) 532-2081

June 12, 2003

Mr. Carl Watanabe  
State of Hawaii  
Department of Land and Natural Resources  
Bureau of Conveyances  
1151 Punchbowl Street, Suite 122  
Honolulu, HI 96813

RE: TG 107-03  
Recorded Documents Images  
Tape No: LC2001 – Tape 2

Dear Mr. Carl Watanabe,

Our records indicate that invoice TG 107-03 remains outstanding and I am requesting your assistance in bringing this invoice current. Enclosed, please find a copy of the above reference invoice for your review.

Please remit the past due amount of \$4,683.35 accordingly, along with a copy of this letter. Your prompt attention to this matter would be most appreciated.

If there is a reason that this invoice has not been paid, please let me know so we may address any issues you may have. Please do not hesitate in giving me a call at (808) 533-2292.

Sincerely,

Grant Yamauchi  
Accounts Receivable

Encl.

*ok*  
*ok*  
*ok*  
*Chalen*  
6/19/03

200147

4/28/03

No.		Date	Data	Tape #	ret	No.	Date	Data	Tape #	ret
1	1		RS2000(1)	1						
2	1		RS2000(2)	2			3/18/03	Recycle	6	21 1
3	1		RS2000(3)	3			4/2/03	Recycle	5	22 1
4	1		RS2000(4)	4			4/2/03	Recycle	4	23 1
5	1		RS2000(5)	5		28	4/10/03	RS1998(2)	5	
6	1		LC2000(1)	6			4/21/03	Recycle	4	24 1
7	1		LC2000(2)	7			4/21/03	Recycle	3	25 1
8	1		LC2000(3)	8					3	
9	1		RS1999(1)	9					3	
10	1		LCO96-00	10					3	
		10/21/02	Recycle	9	1 1				3	
		10/21/02	Recycle	8	2 1				3	
		11/4/02	Recycle	7	3 1				3	
		11/4/02	Recycle	6	4 1				3	
		11/4/02	Recycle	5	5 1				3	
11	1	11/15/02	RS1999(2)	6	22-Nov				3	
12	1	12/2/02	RS1999(3)	7	9-Dec				3	
		12/4/02	Recycle	6	6 1				3	
		12/4/02	Recycle	5	7 1				3	
		12/4/02	Recycle	4	8 1				3	
13	1	12/13/02	RS1999(4)	5	18-Dec				3	
14	1	12/17/02	RS1999(5)	6	19-Dec				3	
15	1	12/24/02	LC1999(1)	7	31-Dec				3	
		12/24/02	Recycle	6	9 1				3	
		12/24/02	Recycle	5	10 1				3	
		12/24/02	Recycle	4	11 1				3	
16	1	12/30/02	LC1999(2)	5	3-Jan				3	
17	1	12/31/02	LC1999(3)	6	14-Jan				3	
		1/6/02	Recycle of 16	5	16 1				3	
			Defective	5					3	
18	1	1/16/03	RS1998(1)	6	30-Jan				3	
16	1	1/21/03	LC1999(2)	7	24-Jan				3	
		1/27/03	Recycle	6	12 1				3	
		1/27/03	Recycle	5	13 1				3	
		1/27/03	Recycle	4	14 1				3	
19	1	1/29/03	RS2002	5	10-Feb				3	
20	1	1/30/03	LC2002	6	15-Feb				3	
21	1	2/3/03	LCO01-02	7	25-Feb				3	
22	1	2/4/03	LC2001(1)	8	3-Mar				3	
23	1	2/13/03	LC2001(2)	9	6-Mar				3	
		2/13/03	Recycle	8	15 1				3	
		2/13/03	Recycle	7	16 1				3	
		2/13/03	Recycle	6	17 1				3	
24	1	2/14/03	LC2001(3)	7	25-Mar				3	
* 25	1	2/25/03	4/2/2003	8				RS Tape 1	3	
		2/26/03	Recycle	7	18 1				3	
		2/27/03	Recycle	6	19 1				3	
* 26	1	3/7/03	4/2/2003	7				RS 2001 Taped	3	
* 27	1	3/18/03	4/2/2003	8				RS 2001 Taped	3	
		3/18/03	Recycle	7	20 1				3	

Yellow - contacted DPO  
 Green - P/U by DPO  
 Grey - Return by DPO

200148





*pd des 12-2-82*



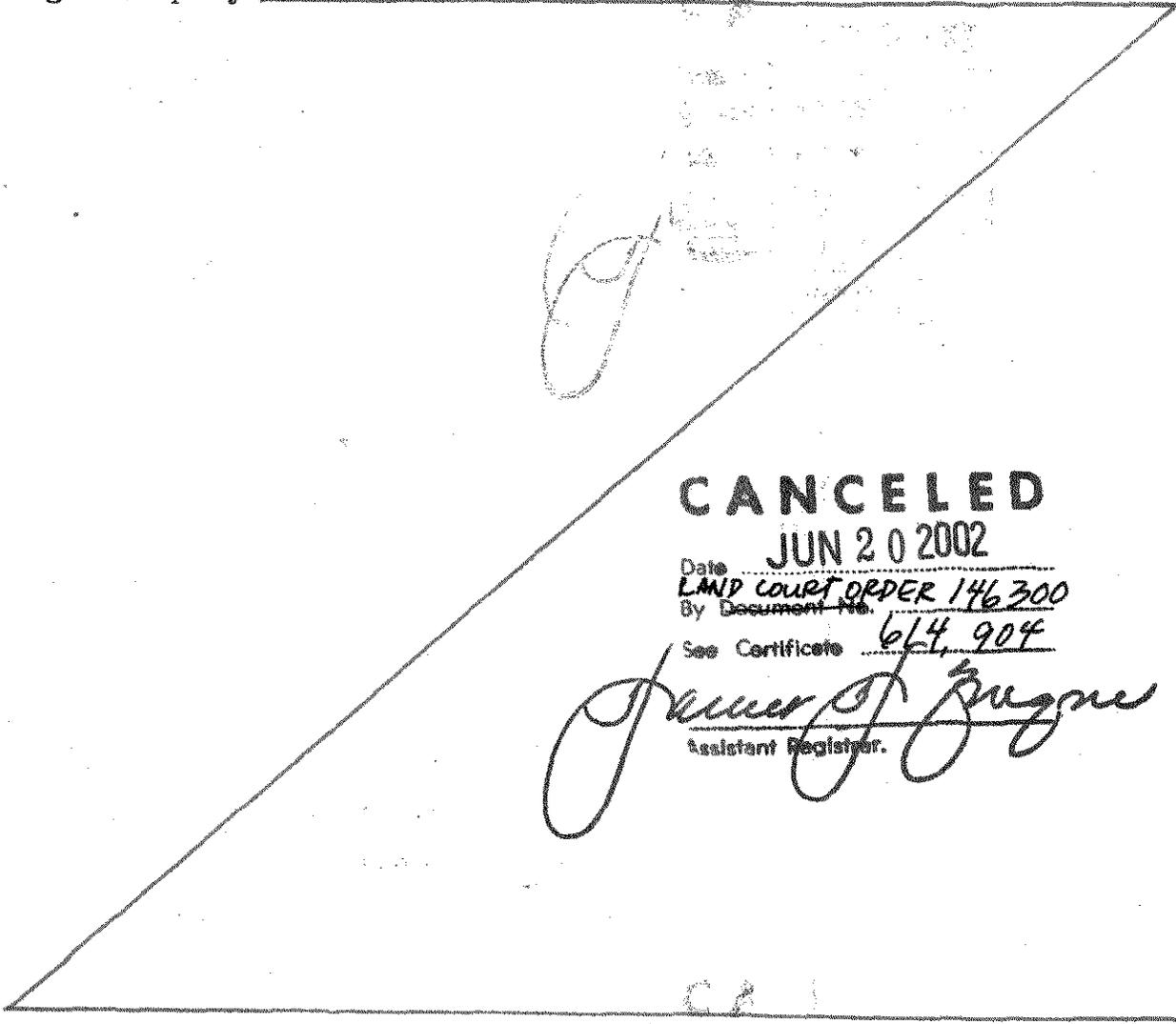
# Transfer Certificate of Title

No. 42,385

From Original Certificate No. 18,775, Originally Registered August 5, 1938  
in Registration Book 188 Page 297 for the Registry District of the Territory of Hawaii.

*This is to Certify that* -RICHARD SMART-, unmarried, whose residence and post office address is Kamuela, District of North Kohala, Island and County of Hawaii, Territory of Hawaii, is the owner in fee simple of those certain parcels of land situate at North Kohala, District of North Kohala, Island and County of Hawaii, said Territory, described as follows:

LOTS: 19, area 263.000 acres, and  
20, area 110.400 acres, as shown on Map 2, filed in the Office of the Assistant Registrar of the Land Court of the Territory of Hawaii with Land Court Application No. 1120 of Kohala Sugar Company, and being portions of the land described in Original Certificate of Title No. 18,775 issued to Kohala Sugar Company.



**CANCELED**

Date JUN 20 2002  
By LAND COURT ORDER 146300  
See Certificate 64,904

*James J. Bugner*  
Assistant Registrar.

And it is further certified that said land is under the operation and provisions of Chapter 307 of the Revised Laws of Hawaii, 1945, and that the title of said

-RICHARD SMART-

to said land is registered under said Chapter subject, however, to any of the encumbrances mentioned in Section 12641 of said Revised Laws of Hawaii which may be subsisting, and subject also to:

"(a) The right for the period of six months from the date hereof to enter upon the Parker Ranch lands in North Kohala aforesaid, including the lands hereinabove conveyed, with its servants and equipment, and within said period of six months to remove from said lands the rails, ties and railway appurtenances from the areas formerly comprising the said Hawaii Railway Company, Limited, right of way;

"(b) An option for five (5) years from the date hereof to repurchase a certain area or areas of land totaling not more than twenty-five (25) acres, to be designated by the Grantor, within the above mentioned Grant 744 and those portions of Lot 19 of Land Court Application No. 1120, comprising Grants 2576 and 786, as outlined on the Land Court map or plan showing Lot 19 of Land Court Application No. 1120, to be used for terminal facilities, together with a perpetual easement for road purposes and the installation of water pipe lines, electric power transmission lines, and other utilities, as an appurtenance to the land repurchased, but subject nevertheless to the payment by the Grantor to the Grantee of the purchase price therefor at the rate of Thirty Dollars (\$30.00) per acre applicable to the total area purchased under this option, including the area comprising the appurtenant road easement. The Grantor shall give the Grantee written notice of the exercise of the option on or before five (5) years from the date hereof. Expenses of survey and preparation of a proper Land Court subdivision map shall be borne by the Grantor. The deed shall be in a form satisfactory to the Grantor but shall not contain a warranty and such deed shall be delivered within ninety (90) days after delivery of such written notice."

The foregoing encumbrances are set forth in that certain Deed made by Kohala Sugar Company to Richard Smart, dated November 23, 1948, filed in the Office of the Assistant Registrar of the Land Court a ~~MEMO~~ A Duplicate Transfer Certificate of Title to which reference is hereby made.

Issued by Land Court Order No. 81489  
Attest: [Signature]  
Assistant Registrar

MEMO: A Duplicate Transfer Certificate of Title was issued by Land Court Order No. 72593  
Attest: [Signature]  
Assistant Registrar

Witness, the Honorable A. M. Cristy, Judge of the Land Court at Honolulu, in the City and County of Honolulu, Territory of Hawaii, the 3rd day of December in the year nineteen hundred and forty-eight at 10 o'clock and 08 minutes in the fore-noon.

Attest, with the Seal of Said Court,

[Signature]  
Assistant Registrar.

MEMORANDA OF ENCUMBRANCES ON THE LAND DESCRIBED IN THIS CERTIFICATE 42385

DOCUMENT NUMBER	KIND	RUNNING IN FAVOR OF	TERMS	DATE OF INSTRUMENT	DATE OF REGISTRATION					SIGNATURE OF ASSISTANT REGISTRAR	DISCHARGE	
					YEAR & MONTH	D.	H.	M.	A. M. OF P. M.			
374136 Land Court Order No. 59747	Mortgage	The Federal Land Bank of Berkeley	\$4,750,000.00	Oct. 14, 1965	1965	NOV	4	2	40	p.m.	Patty K. Wetanahie	RELEASED JAN 15, 1987 BY DOC 1432665 Calvin S. Sarno
		Clarification of Seward Boundaries of Lots 19 & 20, Subdivision of Lots 19 & 20 into Lots 19-A, 19-B, 20-A & 20-B - map 34 NOTE: For access, see order		May 8, 1981	1981	May	14	3	28	PM	Frank Chen	
1073991	Parcel	Richard Smart	Lots 19-B & 20-A	May 11, 1981	1981	Jun	29	1	40	PM	Kileen Hayakawa	
1076285 Land Court order 72574	Deed amending	George K. Isaacs & wife Map 34	Lots 19-B & 20-A	May 18, 1981	1981	Jul	14	8	01	AM	Frank Chen	CT 234412
1420011	DEED	UNITED STATES OF AMERICA	LOT 19-A	NOV 12, 1986	1986	DEC	2	8	01	AM	Calvin S. Sarno	CT 289521
1998240	Memo	Duplicate release	see Doc 1432665	Jan 18, 1993	1993	Feb	17	8	01	AM	Ng Nga Chan	
2811278	Declaration of Trust	Richard Smart Melvins D. Hemett & Warren J. Bunker Trustees of the Richard Smart Revocable Personal Trust under Trust agreement dated May 3, 1978 + restated by instrument dated Sep 20, 1991	in holding in trust with powers to sell, lease, mortgage and other powers as set forth in said Trust agreement	Sep 20, 1991	2002	Jun	4	8	01	AM	Ng Nga Chan	

200153