

STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED

MAY 12, 1992 08:01 AM

Doc No(s) 92-073935

/s/ S. FURUKAWA
REGISTRAR OF CONVEYANCES

CONVEYANCE TAX: \$0.00

AFTER RECORDATION RETURN BY MAIL (XX) PICK-UP ()

Princeville Corporation
P.O. Box 3040
Princeville, Hawaii 96722

1992 MAY 12 10 10 AM (11)

RS

TITLE OF DOCUMENT:

Waiver and Release

PARTIES TO DOCUMENT:

PRINCEVILLE CORPORATION

PROPERTY DESCRIPTION:
Bluffs Residence Lot 85
TMK 5-3-11: 42
Princeville, Hawaii

LIBER:
PAGE:

DOCUMENT NO:
TRANSFER CERTIFICATE OF
TITLE NO(S):

WAIVER AND RELEASE

PRINCEVILLE CORPORATION, whose mailing address is P.O. Box 3040, Princeville, Hawaii, has full knowledge and is aware that the Bluffs Residence Lot 85 they intend to build at TMK 5-3-11:42 will be built upon property which is presently without water or water services from the County of Kauai; and is presently seeking a building permit from the Building Division of the Department of Public Works of the County of Kauai for such Bluffs Residence Lot 85. Princeville Corporation nevertheless desires to commence construction of the Bluffs Residence lot 85 knowing that no County-supplied water service of any kind exists and acknowledging and accepting the fact that no County-supplied water service may ever exist at the location.

Therefore, Princeville Corporation agrees, promises and covenants as follows:

1. The issuance to Princeville Corporation of a building permit by the County of Kauai for the subject Bluffs Residence Lot 85 on the property described above will not be construed by Princeville Corporation, its agent(s), successor(s) in interest, heir(s) or assign(s) to infer, warrant or guarantee that water or water services by the County will be provided to the property described above at any time in the future;
2. Princeville Corporation, its agent(s), successor(s) in interest, heir(s) or assign(s) will not use the issuance of the subject building permit as a basis for any claim, action, suit or demand of any kind for the providing of water or water services by the County of Kauai, at this time or any time in the future;
3. Princeville Corporation, its agent(s), successor(s) in interest, heir(s) or assign(s) waives any right it, he or they do, or does, could or will have to institute any claim, action, suit or demand of any kind which could or will arise out of the absence of County-supplied water or water services at the subject property;
4. Prior to taking any action that affects the title to subject property, Princeville Corporation will notify its agent(s),

successor(s) in interest, or assign(s) of the entire contents of this Waiver and Release, as such agency, successorship or assignment becomes legally effected, by having him or them affix his or their signature(s) upon a document attesting to such notice, and will provide to the Building Division a copy of such properly executed document upon execution: and

5. Princeville Corporation will indemnify and hold harmless the County of Kauai by and for the Department of Water and Board of Water Supply from any claim, action, suit or demand that is brought by its agent(s), successor(s) in interest or assign(s) for its failure to comply with any provision of this Waiver and Release.

DATED: Princeville, Kauai, Hawaii, _____, _____, 1992.

APPLICANT:

PRINCEVILLE CORPORATION

By Robert McFeeter
Robert McFeeter
Its Vice President

By Nancy Wattson
Nancy Wattson
Its Treasurer

STATE OF HAWAII)
) SS.
COUNTY OF KAUAI)

On this 25th day of March, 1992, before me appeared Robert McFeeter and Nancy Wattson, to me personally known, who being by me duly sworn, did say that they are the Vice President and Treasurer, respectively, of PRINCEVILLE CORPORATION, a Colorado corporation authorized to do business in the State of Hawaii, and that the seal affixed to the foregoing instrument is the seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and the said Robert McFeeter and Nancy Wattson acknowledged said instrument to be the free act and deed of said corporation.

Nancy A. Woodstein
Notary Public, State of Hawaii

My commission expires: 2-22-96

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