

CORDATION REQUESTED BY:

DAVID BASQUE

TER RECORDATION, RETURN TO:

PLANNING DEPT

25 AUPUNI ST

HILLO HI 96720

TURN BY: Mail () Pickup ()

73- 80207

STATE OF HAWAII
BUREAU OF CONVEYANCES
RECEIVED FOR RECORD
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A G R E E M E N T

[Signature]
DEPUTY REGISTRAR

WHEREAS, DAVID BASQUE,
hereinafter called "Owner," whose residence address is P. O. Box 135,
Kealahakua, Kona, Hawaii 96750, desires to enter into
an agreement with the PLANNING DEPARTMENT of the County of
Hawaii, hereinafter called "County";

WHEREAS, the said Owner is constructing Second Farm Dwelling
for his own convenience and in consideration for the
permission received by the County to construct and install said
Second farm dwelling, Owner assures
the County that the said property will be used only for single-
family residential use unless otherwise permitted by the County
and makes the said agreement of record; and

WHEREAS, the subject area is zoned A-5 by the County
of Hawaii and classified Agricultural by the State Land Use Commission;

NOW, THEREFORE, in consideration of the foregoing, owner
does hereby impose on the property described hereinafter, the
following restrictions:

1. Unless the applicable zone for the property shall be
changed or the Planning Department of the County of Hawaii, or
its successor body shall consent, the subject property and the
improvements located thereon shall be used only as a single-family
dwelling and no part thereof shall be rented out as a separate
unit. This agreement shall run with the land, and shall be included
or mentioned in any future conveyance of the property; and

2. That the owner shall grant to the Planning Department the right-of-entry at the Planning Department's convenience to periodically inspect the premises to assure compliance with provisions of this agreement;

3. That this agreement shall run with the land and apply to all persons who may or in the future use or occupy the dwelling above described; and

4. That all of the provisions of these conditions shall be recorded with the State of Hawaii Bureau of Conveyances. A copy of the recordation shall be forwarded to the Planning Department, County of Hawaii, no later than six (6) months from the date of approval of the building permit; and

5. Failure of owner to abide by this agreement shall result in the immediate removal of the said Second farm dwelling

by Owner at Owner's expense upon demand by County.

The property upon which the restriction is imposed is described as follows:

Honuaino First, District of North Kona, Island and State of Hawaii, Lot 6-A, Portion Lot 6, L.C.Aw. 8559-B:7, Tax Key 7-9-09-29, containing an area of 1.88 Ac.

IT IS HEREBY FURTHER AGREED that if this agreement is with a Lessee, the legal owner shall be a party to this agreement.

IN CONSIDERATION OF THE AFORESAID, the Planning Department, County of Hawaii, hereby approves this agreement as being in conformity with the pertinent provisions of the Zoning Ordinance, Ordinance No. 63.

IN WITNESS WHEREOF, the said DAVID BASQUE
 _____ has/have caused this
 instrument to be executed on the 4th day of October,
 1973.

David Basque

STATE OF HAWAII)
 COUNTY OF HAWAII } SS:

On this 4th day of October, 1973, before me personally appeared DAVID BASQUE, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

Notary Public
Notary Public, Third Judicial
Circuit, State of Hawaii.
 My commission expires July 21, 1977

ACCEPTED:

Sammy M. Fuke
 Planning Director
 County of Hawaii

Date: OCT 10 1973

APPROVED AS TO FORM AND LEGALITY:

Shifford H. T. Dean
 Corporation Counsel
 County of Hawaii

Date: OCT 10 1973