RECORDATION REQUESTED BY: CHARLES B. WEBSTER

AFTER RECORDATION, RETURN TO:
COUNTY OF HAWAII, PLANNING DEPARTMENT
25 Aupuni St.
HIlo, Hawaii 96720
RETURN BY: Mail (X) Pickup ()

71- 58667

STATE OF HEAVEN BUREAU OF CORVEYANCE RECEIVED FOR BLOOM

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FARM DWELLING AGREEMENT

WHEREAS, CHARLES B. WEBSTER & MARCARET B. WEBSTER,
whose residence address is 130 Ma Kani Cirle, Hilo
Hawaii 96720 , desires to enter into an
agreement with the Planning Department of the County of Hawaii.
NOW, THEREFORE, IT IS HEREBY AGREED that the undersigned may con-
struct an additional single-family farm dwelling unit located on property
legally described as follows: TMK: 4-6-7; 02
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and zoned	A-5a
by the County	of Hawaii and classified Agriculture by the State Land Use
Commission.	
TIT IS HE	EREBY ACKNOWLEDGED that the undersigned is the Legal
owner	of the property above described.

IT IS HEREBY FURTHER AGREED that this approval is given subject to the following conditions:

- 1. Said dwelling shall be used to provide shelter to only person(s) conducting substantial agricultural activity on the subject land. An agricultural activity is considered substantial only if it provides a major source of income to the person(s) occupying the dwelling; and
- 2. Said and existing dwellings shall not be rented, leased, and/or sold to any person(s) not engaging in substantial agricultural activity on the subject land; and

- 3. 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; and
- 4. 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
- 5. 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 for the said dwelling; and

6.	Failure	of	Owner	to	abide	by	this	agreement	shall	result	in	the
immediate	e removal	L of	the	said	1	<u>Lt</u>	7G-					

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

Upon Owner's failure to remove said second farm dwelling within one month after demand is made by the County, the parties agree that this agreement will be a nullity and the County may treat said second farm dwelling as a violation of the ordinances then in existence. The parties further agree that the enforcement provision of this agreement shall be binding on all heirs, devisees and assigns.

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

IT IS HEREBY FURTHER AGREED that should the pertinent provisions of the State and County laws and rules and regulations change to authorize said dwelling, upon request of the undersigned, this agreement may be reconsidered for possible amendment and/or severance.

IN CONSIDERATION OF THE AFORESAID, the Planning Department, County of Hawaii, hereby approves this agreement as being in conformity with

Section 2.14 of the State Land Use District Regulations and Chapter 205,

Hawaii Revised Statutes, as amended, relative to permitted uses within

the Agricultural District.

IN WITNESS WHEREOF, the said <u>Charles B. Webster and Margaret B. Webster</u>

has/have caused this instrument

IN WITNESS WHEREOF	, the said $_{ ext{ iny o}}$	Charles B. Websto	er and Margaret B. Webster
	and the second s	has/have	e caused this instrumen
to be executed on the _	7th day	of Augus	t 19 <u>74</u> .
		Charl	WHI Claston
55 **		Margaret	B. Welester
STATE OF HAWAII) COUNTY OF HAWAII)	:	0	
On this7th day	of	August ,	19 <u>74</u> , before me
personally appeared Charto me known to be the personal pe	erson <u>s</u> des cknowledged	cribed in and w	who executed the fore- executed the same, by
	Mtz. com	Circuit, State	
	My Com	mission expires	. 3/10/13
ACCEPTED:		5 M "	
Reyour wal Ils	Zer y	and the second second	

APPROVED AS TO FORM AND LEGALITY:

Corporation Counsel County of Hawaii

Date: #AUG 1 5 1974