RECORDATION REQUESTED BY:

AFTERANING DEFARMENT ETURN TO:

79-79881

STATE OF HAWAII BUREAU OF CONVEYANCES RECORDED

County of Hawaii 25 Aupuni Street Hilo, Hawaii M26720()

Pickup ()

T9 JULIG P1: 26

FARM DWELLING AGREEMENT

whereas, Katherine Kalaiwaa AND ALCALO A KACA WAA JONA JONA Whose residence address is RR 1 - Box 354 HOLUALOA-KONA HAWAII

and whose telephone number is 329-5892 , 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 construct an additional single-family farm dwelling unit located on property legally described as follows:

KEAKAKEHE HOMESTEADS - T.M.K. 7-4-3-025 - Four acres

and zoned _---- A-la Zone

by the County of Hawaii and classified Agriculture by the State Land Use

Commission.

IT IS HEREBY ACKNOWLEDGED that the undersigned is the OWNERS DUP. P

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

KALAIWAA, KATTERINE

- 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	рÀ	this	agreement	shall	result	in	the
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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

	vistrict Regulations and Chapter 205,
Hawaii Revised Statutes, as amended, the Agricultural District.	retative to permitted uses within
IN WITNESS WHEREOF, the said	Katherine Kalaiwaa
ALIALUIWAA	has/have caused this instrument,
to be executed on the sixteenth day of	f May , 19 79 .
1	Kalherine Kalainson
	Alelia Kakiwaa
STATE OF HAWAII) COUNTY OF HAWAII)	
On this 16 day of MAY	, 19 <u>79</u> , before me
to me known to be the person descrigoing instrument, and acknowledged the signing, and delivering the same, as	hat $\frac{\sin e^{THE}}{\sin e}$ executed the same, by $orall$
C/	Ames C Dodoh otary Public, Third Judicial incuit, State of Hawaii
My commis	ssion expires: 10/12/1979
ACCEPTED:	
Drove Vanba	
Plänning Director County of Hawaii Date: UUL 12 19/9	
APPROVED AS TO FORM AND LEGALITY:	
Corporation Counsel	
County of Hawaii Date: JUL 10 1979	