

R-187

STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED

SEP 14 1992 12:19 PM

Doc No(s) 92-149136

/s/ S. FURUKAWA
REGISTRAR OF CONVEYANCES *pe*

CONVEYANCE TAX: \$0.00

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

Planning Department
County of Hawaii
25 Aupuni Street, Room 109
Hilo, Hawaii 96720

TITLE OF DOCUMENT:

Farm Dwelling Agreement

PARTIES TO DOCUMENT:

Kumio Matsumoto
Mayumi Matsumoto

PROPERTY DESCRIPTION:

7-5-02: 43
North Kona, Hawaii

RECORDATION REQUESTED BY:

AFTER RECORDATION, RETURN TO:
Planning Department
County of Hawaii
25 Aupuni Street
Hilo, HI 96720

RETURN BY: Mail (X) Pickup ()

FARM DWELLING AGREEMENT

WHEREAS, — Kumio Matsumoto & Mayumi Matsumoto —,
(hereinafter "Owner"), whose residence mailing address is
75-5278A Mamalahoa Highway, Holualoa, HI 96725
—, desires to enter into an agreement with
the PLANNING DEPARTMENT of the County of Hawaii (hereinafter
"County"); and

WHEREAS, there exists a single family dwelling on land which is
within the exclusive use, possession, and control of Owner and which
is legally described as follows:

Tax Map Key: 7-5-02: 43
Holualoa, North Kona, Hawaii

and zoned — A-5a —
by the County of Hawaii and classified within an agricultural district
by the State Land Use Commission; and

WHEREAS, Owner seeks the County's approval for the construction of an additional single family dwelling (hereinafter "farm dwelling") on the property described above; and

WHEREAS, Owner intends to conduct substantial agricultural activity on the subject property in furtherance of the State Land Use policies relating to agricultural land and has commenced initial agricultural activity which, if pursued, will develop into a viable and substantial undertaking.

NOW, THEREFORE, IT IS AGREED that the County's approval is given and accepted, subject to the following conditions:

1. The farm dwelling shall be used to provide shelter only to persons conducting agricultural activity on the subject land; and
2. The existing dwelling shall be used in connection with a farm or where agricultural activity provides income to the family occupying the dwelling as defined in Section 15-15-03, Subchapter 1 of the Hawaii Land Use Commission Rules; and
3. Owner grants to the County the right-of-entry, after reasonable notice, for inspection of the premises to assure compliance with provisions of this agreement; and
4. This agreement shall run with the land and bind Owner's heirs, successors, and assigns with regard to the future use of the dwellings above described; and
5. The County's approval of the construction of the farm dwelling by this agreement shall be effective only until such agricultural use ceases, unless otherwise extended pursuant to Owner's written request prior to the above termination date. After such timely request, the County shall extend its approval upon the

IN WITNESS WHEREOF, the undersigned parties have caused this instrument to be executed on the 6th day of August, 1992

Kumio Matsumoto
Kumio Matsumoto
Mayumi Matsumoto
Mayumi Matsumoto "Owner"

COUNTY OF HAWAII, through its Planning Department,

By [Signature]
Its Planning Director
for

STATE OF HAWAII)
COUNTY OF HAWAII) SS:

signed On this 6th day of August, 1992, before me personally appeared Kumio Matsumoto & Mayumi Matsumoto *satisfactorily proved* to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that ~~he/she~~ they executed the same, by signing, and delivering the same, as ~~his/her~~ their free act and deed. *would*

LS.

Stephanie W.M. Place
Notary Public, Third Judicial Circuit, State of Hawaii
My commission expires December 1, 1993

State of Hawaii)
)
County of Hawaii) SS.

On this 1st day of September, 1992, before me personally appeared TADATO NAGASAKO, to me known, who, being by me duly sworn, did say that he is the DEPUTY PLANNING DIRECTOR, of the County of Hawaii, a municipal corporation of the State of Hawaii, and that the seal affixed to the foregoing instrument is the seal of said County of Hawaii, and that said instrument was signed and sealed on behalf of said County of Hawaii, and said TADATO NAGASAKO acknowledged said instrument to be the free act and deed of said County of Hawaii.

L.S.

Huilema H. Sumera
Notary Public, 3rd Judicial
Circuit, State of Hawaii
My commission expires: 9/22/93