

October 3, 1988

Mr. Alan Okamoto  
Nakamoto, Yoshioka & Okamoto  
187 Kapiolani Street  
Hilo, HI 96720

Dear Mr. Okamoto:


*Subd:*  
Pre-existing Lots  
TMK: 1-7-02:4; 1-7-05:17;  
1-7-13:1,6,28 & 45; 1-7-17:03

We have reviewed your letter of August 25, 1988 and the related submittals and have determined that there are 18 pre-existing lots.

As requested, we have enclosed the copy of HTS Plat 854.

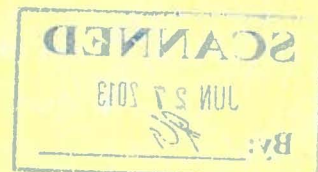
Should you have any questions, please feel free to contact this office.

Sincerely,

  
Albert Lono Lyman  
Director

MO:mh

Enclosure



OCT 4 1988

NAKAMOTO, YOSHIOKA & OKAMOTO

ATTORNEYS AT LAW, A LAW CORPORATION

187 KAPIOLANI STREET

HILO, HAWAII 96720

(808) 961-0641

KONA OFFICE

TERRITORIAL CENTRE

75-5751 KUAKINI HIGHWAY

SUITE 204

KAILUA-KONA, HAWAII 96740

(808) 329-2733

ROY K. NAKAMOTO  
TERENCE T. YOSHIOKA  
ALAN M. OKAMOTO  
JEREL I. YAMAMOTO

August 25, 1988

FILE NO. \_\_\_\_\_

Mr. Albert Lono Lyman  
Director  
Planning Department  
25 Aupuni Street  
Hilo, Hawaii 96720

Re: Request for Determination of Subdivision  
Lot Status  
TMK Nos.: 1-7-02:04, 1-7-05:17, 1-7-13:01,  
1-7-13:06, 1-7-13:28, 1-7-13:45, 1-7-17:03

Dear Mr. Lyman:

I represent the Keaau Agricultural Land Corporation, which is owned by the former employees of Puna Sugar Company. The corporation holds a number of lots which were turned over by Puna Sugar Company for the benefit of its employees when it closed the plantation in 1982.

While the land was originally intended to be used for 5 acre lot subdivisions which were to be distributed to the employees, it proved to be impossible to do so. The plan was revised to create 1 acre lots in what became the Keaau Agricultural Lots Subdivision. As a result, the corporation must sell the balance of the land (commonly referred to as the excess lands or surplus lands). The net proceeds of the sales will be distributed to shareholders.

The 18 lots involved in this request are a part of the excess lands that the corporation must sell. The balance of the excess lands will be offered at a later time. Because of concerns expressed by Title Guaranty of Hawaii, I am asking that you make a determination of the existence of the 18 parcels involved in this request as separate lots created prior to the enactment of the County Subdivision Ordinances.

For convenience, I have included a list of the lots by tax map key number and lot numbers. Because the land was operated as a part of the plantation, some of the lots share tax map key numbers. I also enclosed a composite map (Keaau Agricultural Land Corporation Surplus Lands) we have been using. The map shows the subject lots with an orange border. The map also contains tax map key numbers, lot numbers, road and utility facilities for the area.

NAKAMOTO, YOSHIOKA & OKAMOTO  
ATTORNEYS AT LAW, A LAW CORPORATION

Mr. Albert Lono Lyman  
August 25, 1988  
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I have enclosed a preliminary title report covering these lots. The title searchers had some difficulty in setting boundaries for some of the lots since the Land Patent Grant involved more than one lot and used a description covering only the perimeter of the group of lots. For that reason, the title report refers to the description by reference to colored tax maps.

I have also enclosed copies of the original Land Patent Grants which used plat maps to show the separate lots. Also enclosed is a print of HTS Plat 854 prepared in 1915 which shows the lots in question. That map was apparently prepared from maps that predated 1900, but the older maps are apparently no longer available. I received one copy of the print from Title Guaranty. I have enclosed a xerox copy of that map. If possible, I would like to get back the HTS Plat 854 print since we will need it again once the rest of the excess land are ready to be processed.

The Land Patent Grants and the Territorial Survey map show the various parcels as separate lots. These documents seem to support a subdivision of the land which was done long before the first County Subdivision Ordinance. I did note that Land Patent Grant 4131 in describing Lot 26 designates Parts B and C and shows separate acreages for each part. While there is no line drawn between Parts B and C, we would like clarification as to whether lot 26 is one lot or two lots.

Your assistance in making these determinations will be greatly appreciated.

Very truly yours,



ALAN M. OKAMOTO

AMO:jlk

cc: Keauu Agricultural Land Corporation

LIST OF LOTS

<u>Lot No./Description</u>	<u>Tax Map Key</u>
1. Lot 14	1-7-02:04
2. Lot 19	1-7-02:04
3. Lot 85	1-7-05:17
4. Lot 2	1-7-13:01
5. Lot 3	1-7-13:01
6. Lot 7	1-7-13:06
7. Lot 8	1-7-13:06
8. Lot 9	1-7-13:06
9. Lot 24	1-7-13:06
10. Lot 25	1-7-13:06
11. Lot 26	1-7-13:06
12. Grant 4431	1-7-13:28
13. Lot 22	1-7-13:45
14. Lot 23	1-7-13:45
15. Lot 10	1-7-17:03
16. Lot 11	1-7-17:03
17. Lot 12	1-7-17:03
18. Lot 13	1-7-17:03