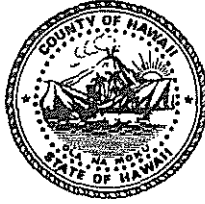


William P. Kenoi
Mayor



Bobby Jean Leithead Todd
Planning Director

Margaret K. Masunaga
Deputy Planning Director

County of Hawaii

PLANNING DEPARTMENT

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Phone (808) 961-8288 • Fax (808) 961-8742

March 15, 2011

Ted E. Shultz
P.O. Box 44
Winchester, OR 97495

Dear Mr. Shultz:

DETERMINATION OF LEGAL LOT
'Ōla'a Reservation Lots, Ola'a, Puna, Hawai'i
Tax Map Key 1-8-005:070 (also 034, 063 – 069)

This is in response to your letter dated March 2, 2011, and accompanying attachments, requesting a determination of legal lot of record for the above-described property.

We have reviewed the documents submitted, our department records and those of the Department of Finance–Real Property Tax Division (RPT) in accordance with Article 11 (Pre-existing Lots) of the Subdivision Code (Sections 23-117 through 23-120).

Our review of the records has found the following in concurrence with your submittal:

1. Lots 99, Grant 6832 and Lot 104, Grant 5652 (TMK 1-8-005:034) were subject to a court decree of partition;
2. They were subsequently subdivided into Lots 1 through 9, inclusive, and recorded with the Bureau of Conveyances through Tax Maps Bureau Index No. 196 on October 21, 1953; and
3. The Lots 1 through 9 were assigned Parcel Numbers 034 and 063 through 070 respectively.

Ted E. Shultz
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The Subdivision Code states, in part:

"Section 23-118. Criteria to determine a pre-existing lot.

The director shall certify that a lot is pre-existing if the lot meets one of the following criteria:

(a) The lot was created and recorded prior to November 22, 1944 **or the lot was created through court order (e.g. partition) prior to July 1, 1973**, and the lot had never been legally consolidated..."
(emphasis added)

We do not have any records of this lot being consolidated with any other lot adjoining it.

In view of the above, we confirm that Parcel 070 is a legal lot of record. This will also confirm that the other above-mentioned parcels are legal lots of record.

Should you have any questions, please feel free to contact Jonathan Holmes of this department.

Sincerely,


BJ LEITHEAD TODD
Planning Director

JRH:lnm

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xc: Tax Maps and Records Supervisor
Real Property Tax Division-Hilo
Manager, DWS
Director, DPW
Beruta Y. Vanhook
Ronald Pszyk