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November 5, 2020

LeRoy Sajulga
Via email: lrsdev@yahoo.com

Dear Applicant,

**DETERMINATION OF PRE-EXISTING LOTS OF RECORD
Being Portions of "Wailoa Heights Lots," Also
Being Portions of Land Court Application 385,
Waiākea, South Hilo, Island of Hawai'i, Hawai'i
Tax Map Key: (3) 2-2-018:017**

This responds to your correspondence of October 15, 2020, requesting a determination of pre-existing lots of record for TMK (3) 2-2-018:017.

We have reviewed 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:

1. Lots 12, 14, 15, and 16 were created by Land Court Application 385, Map 1, filed on December 3, 1918;
2. Lot 15 was modified by the Kino'ole Street Extension as shown on Land Court Application 385, Map 7, filed on January 18, 1935. Lot 15-A was shown on the 1930s tax map as TMK 2-2-018:018;
3. TMK 2-2-018:018 was dropped into TMK 2-2-018:017 for assessment purposes on December 11, 1943 per Tax Office Records; and
4. We have no record of any portions having been legally consolidated with any other adjacent lands.

Given the above, and pursuant to Section 23-118. Criteria to determine a pre-existing lot, criteria (a) which states:

(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, provided that no pre-existing lot shall be recognized based upon a lease except for a lease which complied with all other applicable laws when made, including Territorial statutes regulating the sale or lease of property by lot number or block number, and on September 25, 2002, the proposed lot contains a legal dwelling, or has been continuously leased since January 8, 1948, as a separate unit.


We find that TMK (3) 2-2-018:017 consists of four (4) pre-existing lots of record:

1. Lot 12, 4,662 square feet;
2. Lot 14, 4,662 square feet;
3. Lot 15-A, 1,203 square feet; and
4. Lot 16, 4,662 square feet.

Although you have also requested separate TMK numbers, reestablishing the existing lot boundaries may not be practical considering the placement of existing structures. We recommend a modern survey be conducted to identify the relationship of any structures to the lot boundaries. A consolidation and resubdivision action may be necessary to clear any setback issues, should any be discovered.

Should you have any questions, please feel free to contact Hans Santiago at hans.santiago@hawaiicounty.gov or Jonathan Holmes jonathan.holmes@hawaiicounty.gov of this department.

Sincerely,


MICHAEL YEE
Planning Director

HS:tb

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xc: Tax Maps and Records Supervisor
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