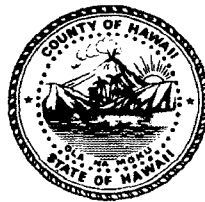


Harry Kim
Mayor



Michael Yee
Director

Duane Kanuha
Deputy Director

West Hawai'i Office
74-5044 Ane Keohokalole Hwy
Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770
Fax (808) 327-3563

County of Hawai'i
PLANNING DEPARTMENT

East Hawai'i Office
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720
Phone (808) 961-8288
Fax (808) 961-8742

August 12, 2019

Sandra Asato
94-044 Mahau Place
Mililani Town, HI 96789
asator002@hawaii.rr.com

Dear Ms. Asato:

**DETERMINATION OF PRE-EXISTING LOT OF RECORD
Being Lots A, B, C, D & Roadway Lot
Being Also Portions of Grant 12,802 & Grant 14,104,
Pu'u'eo, South Hilo, Island of Hawai'i, Hawai'i
Tax Map Keys: (3) 2-2-040:033, 084, 085, 086, & 087**

This is to acknowledge and respond to your correspondence of June 6, 2019, requesting a determination of a pre-existing lots of record for the subject property. We apologize for the length of time it has taken to respond to your request.

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. These Lots are portions of Grant 12,802 and Grant 14,104 with a total area consisting of approximately 1 acre;
2. The property was subdivided, without subdivision approval, in the early 1960s and subsequently sold to other parties;
3. New TMK parcels 084, 085, 086, & 087 were assigned in late 1963 and depicted on the County of Hawai'i tax maps; and
4. We have no record of any lots having been consolidated with each other or any other adjacent lands.

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

"The lot was created through evidence of a properly prepared deed and/or subdivision plat for fee simple ownership of such lot to a grantee other than the grantor or a grantor's trust which deed was recorded at the State of Hawai'i Bureau of Conveyances or with the Registrar of the Land Court prior to May 1, 1999, and was subsequently depicted on a County of Hawai'i Tax Map, was issued a tax map parcel number therefor, and was individually assessed for real property taxation purposes."

We confirm that TMKs: 2-2-040: 033 (Roadway Lot), 084 (Lot A), 085 (Lot B), 086 (Lot C), & 087 (Lot D) are legal pre-existing lots of record.

Please note that Subdivision Code, Chapter 23 of the Hawai'i County Code (HCC), Section 23-120 addresses the use of certain pre-existing lots in consolidation and resubdivision. A pre-existing lot that was created for use as a road lot, a railroad right-of-way, a flume line, or a pole anchor, shall be excluded for calculating the number of lots in applying Section 23-7, unless it is conforming, except to create road lots or other non-buildable lots.

Therefore, should a consolidation and resubdivision of the pre-existing lots be sought through a Section 23-7 subdivision, only four (4) buildable lots and one (1) non-buildable lot would be permitted.

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

Sincerely,



MICHAEL YEE
Planning Director

HS:tb

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xc: Tax Maps and Records Supervisor
Real Property Tax Division-Kona
Manager-Chief Engineer, DWS
G. Bailado, GIS Analyst (via e-mail)