

Harry Kim
Mayor



Christopher J. Yuen
Director

Roy R. Takemoto
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043
(808) 961-8288 • Fax (808) 961-8742

November 16, 2004

John C. Cross
Vice President
C. Brewer and Company, Limited
PO Box 15
Papaikou, HI 96781

Dear Mr. Cross:

Lot of Record Determination
TMK: 2-5-027:011

This is to acknowledge receipt of your letter of November 3, 2004, reminding us of your earlier letter of February 11, 2003 regarding this property.

Please be advised that we have reviewed the documents submitted, our department records, as well as those of the Real Property Tax Division, and determined that the subject property **IS NOT** a "lot of record". The August 19, 1948 Deed did not comply with Ordinance No. 58 which was the Subdivision Ordinance which was adopted by the County Board of Supervisors on June 5, 1947. There is no record of this "lot" being approved by the County Planning Commission.

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

Sincerely,


CHRISTOPHER J. YUEN
Planning Director

RKN:lnm

P:\WP60\PREX\Prec2004\2-5-027-011\CROSS.doc

xc: Tax Maps and Records Supervisor I
Real Property Tax Division-Hilo
Manager, DWS

Hawai'i County is an Equal Opportunity Provider and Employer

Harry Kim
Mayor



Christopher J. Yuen
Director

Roy R. Takemoto
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043
(808) 961-8288 • Fax (808) 961-8742

April 20, 2005

John C. Cross
Vice President
C. Brewer and Company, Limited
PO Box 15
Papaikou, HI 96781

Dear Mr. Cross:

**Lot of Record Determination
J. Andrade Subdivision
Kaumana and Ponahawai Homesteads
TMK: 2-5-027:011**

We have received your letters of February 10, 2005 and April 1, 2005, requesting a reconsideration of our letter of November 16, 2004, with the provision of additional information.

From the additional information provided, 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 have found the following:

1. Lots A, B, C, D, E, F, G were created by a Subdivision sometime in 1944. Records at the Real Property Tax Division show Conveyances of Lots A, E, and F recorded at the Bureau of Conveyances in August and September 1944.
2. Parcel 11, formerly TMK 2-5-006:097, is a remnant portion this Subdivision.
3. Parcel 11 has been taxed as a separate entity since 1948 when it was conveyed from Joe Andrade to Hilo Sugar Plantation Company.

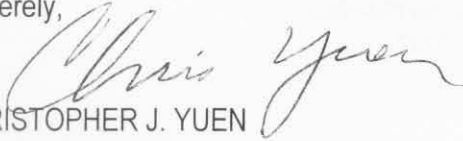
According to Section 23-118(a) of the Subdivision Code by virtue of being created prior November 22, 1942, the Planning Director may certify that a lot is pre-existing. By virtue of being a remnant piece of J. Andrade Subdivision which was created prior to August/September 1944, Parcel 11 (described in the Deed dated August 19, 1944 and recorded in Liber 2161 Page 33), consisting of 25,672 square feet in area, is certified to be a pre-existing lot of record.

Hawai'i County is an Equal Opportunity Provider and Employer

John C. Cross, Vice President
C. Brewer and Company, Limited
Page 2
April 20, 2005

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

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

RKN:Inm

P:\WP60\PREX\Prec2005\2-5-027-011CROSS(2).doc

xc: Tax Maps and Records Supervisor I
Real Property Tax Division-Hilo
Manager, DWS