

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

December 1, 2004

Edward Britton
200 Kanoelehua Avenue, Apt. #104
Hilo, HI 96720

Dear Mr. Britton:

**Lot of Record Determination
Ponahawai, South Hilo, Island of Hawaii, Hawaii
TMK: 2-5-002:023**

This is to acknowledge receipt of your letter of October 14, 2004, regarding this property.

We have reviewed the documents submitted and our department records and have found the following:

1. Land Patent (Grant) No. 4666 was issued by the Territory of Hawaii on April 2, 1903. This Land Patent contained 136.8 acres described as Lot No. 25, Public Lands Map No. 3, First Land District. The parcel of land described in the Land Patent does not exist because it has been subdivided and the resulting lots were sold.
2. Land Patent (Grant) No. 4668 was also issued by the Territory of Hawaii on April 2, 1903. This Land Patent contained 124.5 acres described as Lot No. 26, Public Lands Map No. 3, First Land District. The parcel of land described in the Land Patent does not exist because it has been subdivided and the resulting lots were sold.
3. The 14.622 acres you have purchased is one of the lots created by the subdivision of Land Patent Grant Nos. 4666 and 4668. IT DOES NOT CONSIST OF TWO PRE-EXISTING LOTS.

Hawai'i County is an Equal Opportunity Provider and Employer

Edward Britton
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December 1, 2004

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

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

RKN:lnm

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

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January 10, 2005

Edward Britton
200 Kanoiehua Avenue, Apt. #104
Hilo, HI 96720

Dear Mr. Britton:

**Lot of Record Determination
Ponahawai, South Hilo, Island of Hawaii, Hawaii
TMK: 2-5-002:023**

At your request, we have reviewed our letter of December 1, 2004. We have re-evaluated the documents submitted and our department records in accordance with Article 11, Pre-existing Lots, of the Subdivision Code (Sections 23-115 through 23-120). We have found the following:

1. Land Patent (Grant) No. 4666 was issued by the Territory of Hawaii on April 2, 1903. This Land Patent contained 136.8 acres described as Lot No. 25, Public Lands Map No. 3, First Land District.
2. Land Patent (Grant) No. 4668 was also issued by the Territory of Hawaii on April 2, 1903. This Land Patent contained 124.5 acres described as Lot No. 26, Public Lands Map No. 3, First Land District.
3. The Planning and Traffic Commission approved Subdivision No. 2135 on May 22, 1964, Kaumana City Subdivision, A Subdivision of a Consolidation of Grants 4666, 4667, & 4668, Ponahawai, South Hilo, Hawaii.
4. According to records from the Real Property Tax Office, Parcel 23 was first assessed in 1965 as a separate entity, the result of a subdivision of Parcel 13.
5. The Deed Description for the 14.622 acres identified as (3) 2-5-002-023 found in the Title Report you submitted comes from a Deed dated October 21, 1974. This description is of one lot which is a portion of Land Patent Grant 4666 and Land Patent Grant No. 4668.

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Edward Britton
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January 10, 2005

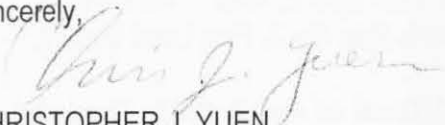
6. The parcels of land described in the Land Patents do not exist because they have been consolidated and subsequently subdivided and the resulting lots were sold.
7. The 14.622 acres you have purchased is one of the lots created by the consolidation of Land Patent Grant Nos. 4666, 4667 and 4668 and the subsequent subdivision into Kaumana City Subdivision and its remainders. The 14.622 acres **DOES NOT CONSIST OF TWO PRE-EXISTING LOTS** because of the consolidation approved by the Planning and Traffic Commission on May 22, 1964.

In accordance with Section 23-5 of the Subdivision Code, you may appeal this decision to the Board of Appeals within thirty (30) days of this decision. The Board of Appeals may affirm the decision of the director, or it may reverse, modify or remand the decision if the decision is:

- (a) In violation of this chapter or other applicable law; or
- (b) Clearly erroneous in view of the reliable, probative and substantial evidence on the whole record; or
- (c) Arbitrary, or capricious, or characterized by an abuse of discretion or clearly unwarranted exercise of discretion.

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

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

RKN:lnm

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