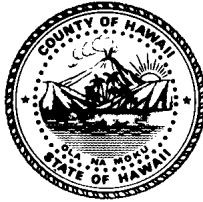


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March 10, 2022

Mr. George Townsend
899 Country Club Drive
Hilo, HI 96720

Dear Mr. Townsend:

**SUBJECT: DETERMINATION OF LOT OF RECORD,
PL-PLR-2022-000008
Being a Portion of Grant 4075,
Kaūmana, Hilo, Island of Hawai'i
TMK: (3) 2-5-044:009**

This letter is in response to your correspondence received March 3, 2022, requesting a determination of a pre-existing lot of record (PELOR) for Tax Map Key (TMK) 2-5-044:009.

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. November 20, 1947 – Recorded deed document (Book 2085, Page 47) creates TMK 2-5-003:058 containing 2.304 acres, excepting 3-foot wide flume right-of-way;
2. August 10, 1967 – TMK 2-5-003:058 (2.300 acres) transferred to TMK 2-5-044:009 (2.300 acres); and
3. We have no record of the parcel or the flume right-of-way having been legally consolidated with any other adjacent lands.

Mr. George Townsend

March 10, 2022

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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.” [emphasis added]*

We find that TMK 2-5-044:009, containing approximately 2.300 acres, contains two (2) portions (one on either side of the flume right-of-way) and one (1) flume right-of-way lot. It is unclear as to the ownership of the flume right-of-way. Any consolidation and resubdivision of the portions of TMK 2-5-044:009 and flume lot will need to accompany evidence of clear title to the flume right-of-way.

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

Sincerely,

Zendo Kern

Zendo Kern (Mar 22, 2022 13:29 HST)

ZENDO KERN

Planning Director

HS:tb

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Email: Tax Maps and Records Supervisor

Real Property Tax Division-Hilo

Manager-Chief Engineer, DWS

A. Gerken, GIS Analyst