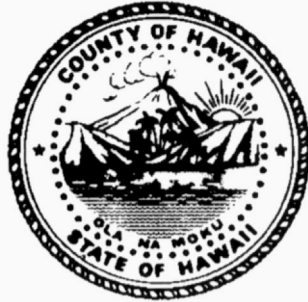


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**County of Hawai'i**  
**PLANNING DEPARTMENT**

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Director

Jeffrey W. Darrow  
Deputy Director

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September 7, 2021

Steven S.C. Lim, Esq.  
Carlsmith Ball, LLP  
P.O. Box 686  
Hilo, HI 96721-0686

Dear Mr. Lim:

**Pre-existing Lots of Record Determination**  
**Royal Patent 5706, Land Commission Award 8521-B, Apana 2, & Grant 3758**  
**Kūkūau 2nd & Kaūmana, South Hilo, Island of Hawai'i, Hawai'i**  
**TMK: 2-5-044: roadway**

We have received your correspondence of July 12, 2021 (COR-21-143074).

Based on the information you provided, and our review of 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. Certificate of Map of W.R. Castle dated March 14, 1895 and recorded in Liber 149, Page 167 showing the subdivision of L.C. Aw. 8521-B and Grant 3758 into Lots 1 to 18, inclusive, Lots 20 to 58, inclusive, and eight (8) road lots;
2. Per our correspondence of May 27, 2021, we determined the existence of 37 pre-existing lots, being Lot 18 and Lots 23 to 58, inclusive, along with five (5) road lots;
3. The determination should have included two (2) additional road lots for a total of seven (7) road lots that would have provided access to all the determined pre-existing lots; and
4. Survey of historical records and deed documents by Island Survey showing the existence of the road lot between TMK parcels 2-5-044:004 and 2-5-043:010.

Given the above, we find that the road lot is a pre-existing lot of record.

Steven S.C. Lim, Esq.  
Carlsmith Ball, LLP  
September 7, 2021  
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Be further advised that much of the land area discussed above is situated within the State Land Use Conservation District and that the Department of Land and Natural Resources' Office of Conservation and Coastal Lands (OCCL) should be consulted **if any further action is anticipated in the area.**

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

Sincerely,



ZENDO KERN  
Planning Director

HS:tb

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