

Harry Kim
Mayor



Christopher J. Yuen
Director

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County of Hawaii
PLANNING DEPARTMENT

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June 18, 2008

Ryan Catron
P.O. Box 115
Laupahoehoe, HI 96764

Dear Mr. Catron:

DETERMINATION OF LEGAL LOT OF RECORD
Kaiwika 3rd Homesteads, South Hilo, Hawai'i
Tax Map Key: 2-9-004:057

We have received your request dated May 19, 2009(sic), and received on May 19, 2008.

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 has found the following:

1. Lot 14 Grant 6051 has a flume right-of-way, owned by the State of Hawai'i, that bisects it.
2. Subdivision No. 2004-0098 was submitted in 2004 to consolidate and resubdivide Parcels 027, 057 and the flume right-of-way into two (2) lots. That application was withdrawn in 2007.
3. Dated August 10, 2004, Memorandum from the State Department of Land and Natural Resources (DLNR)–Land Division to this department requesting comment on the proposed sale of the abandoned flume right-of-way to the owner of Parcel 027, thus establishing the right-of-way as separate entity and truly bisecting Lot 14.
4. Since the subdivision application was withdrawn, we do not have any records of these two parcels and the flume right-of-way being officially consolidated with each other or any other lot adjoining them.

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Ryan Catron
Page 2
June 18, 2008

In view of the above, we confirm that Lot 14, currently described as two (2) Tax Map Key Parcels and a flume right-of-way, is indeed, composed of the following separate legal and buildable lots of record:

1. Parcel 27, Portion of Grant 6051, consisting of an area of 20.993 acres;
2. Parcel 57, Portion of Grant 6051, consisting of an area of 7.963 acres; and
3. The flume right-of-way, Portion of Grant 6051, consisting of an area of 0.346 acres.

Therefore, Parcel 057 is a legal lot and you are invited to continue to pursue the desired building permit for construction of your dwelling.

Should the owners of either Parcel 027 or 057 wish to consolidate the flume right-of-way into their property, notice is hereby given that the consolidation cannot be resubdivided to create an additional buildable lot.

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

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

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xc: Tax Maps and Records Supervisor I
Real Property Tax Division-Hilo
Manager, DWS
Director, DPW
TMK File 2-9-4:27