

William P. Kenoi
Mayor



Bobby Jean Leithead Todd
Planning Director

Margaret K. Masunaga
Deputy Planning Director

County of Hawaii

PLANNING DEPARTMENT

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

October 11, 2011

Carson Elizares, Surveyor
AECOM
100 Pauahi Street, Suite 206
Hilo, HI 96720

Dear Mr. Elizares:

DETERMINATION OF PRE-EXISTING LOTS
Waikaumalo-Maulua Homesteads, North Hilo, Island of Hawai'i, Hawai'i
TMK: 3-2-003:026 (& 043)

This is in response to your letter dated November 10, 2010. Please accept our apology for the delayed response, however, there was some difficulty in verifying the amount of intrusion of the Old Government Road into the subject property.

We have reviewed the documents submitted, our department records, those of the Department of Public Works (DPW) 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).

We have found that Grants 4603 (Parcel 026, Lot 22) and 4605 (Parcel 043, Lot 20) did abut one another through examination of the Grant descriptions. Grant 4605 (Parcel 043) was also subject to "Reserving a 40-ft. Roadway along Lot 22." This Old Government Road was actually constructed mostly within Lot 22 per the various old maps at our disposal. This left remnants of Lot 22 on the Lot 20 side of the right-of-way. Our trepidation is as to how many of these remnants exist. Since we find no metes and bounds of the Road Reserve, we must rely on the best evidence at hand which is a survey plan by Mr. George Yoshimura, LPLS done in 2001 which ostensibly locates the road and/or Road Reserve "on the ground."

Our best interpretation of this map indicates that there are two (2) remnant pieces of Lot 22 on the Lot 20 side of the Old Government Road right-of-way.

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Therefore, in reference to the foregoing, we find that the Old Government (40') Road Reserve traversed Lot 22 and created two (2) noncontiguous remnants. Should you have more detailed information that indicates otherwise, we welcome that data.

We don't have any record of the remnants being consolidated with any other lands adjacent to them. Further, we do not have any record of the road reserve having been abandoned and being transferred from governmental ownership. As this roadway appears to no longer be physically in existence, you may wish to confer with the DPW and/or the Department of Finance for potential disposition of this issue.

It is our understanding that, based on this information provided regarding pre-existing lots, you may be submitting an application for consolidation and resubdivision of the subject parcels which would result in the development of specific metes and bounds for the subdivided lots. If consolidation and resubdivision is not the intent, you may want to have a modern metes and bounds survey be conducted for a more accurate and current land area determination and that a map reflecting this information may be submitted for certification.

A request for assignment of additional parcel numbers should be in writing by the landowner(s) and be addressed to our Tax Maps and Records Section.

If you should have any questions, please feel free to contact Jonathan Holmes of this department.

Sincerely,


BJ LEITHEAD TODD
Planning Director

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Real Property Tax Division-Hilo
Manager-DWS