

Stephen K. Yamashiro
Mayor



Virginia Goldstein
Director

Norman Olesen
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252
(808) 961-8288 • Fax (808) 961-9615

April 22, 1996

Robert E. Bethea, Esq.
460 Kilauea Avenue
Hilo, HI 96720

Dear Mr. Bethea:

Pre-existing Lot Determination
Tax Map Key: 3-6-05:78

This is in response to your letters of February 22, 1996 and April 8, 1996 requesting the Planning Department's determination that the subject 1.25 acre tax map key parcel consists of two legal lots of record, one containing 10,800 square feet and the other consisting of the balance or 43,650 square feet.

The subject 1.25 acre parcel is zoned Agricultural-20 acres (A-20a) by the County and designated Agricultural by the State Land Use Commission.

Our procedure for determining pre-existing lots requires that proof of prior existence of the lots must be established prior to November 22, 1944 (date of first subdivision ordinance for the County of Hawaii). Documentation would include a registered survey of the metes and bounds of the lot or lots, maps, leases, mortgages, affidavits and/or other supporting submittals. We do not have any supporting documentation as represented in your letters.

Our files include of copy of a Warranty Deed submitted by Mr. & Mrs. Robert E. Jardine, Jr. dated December 13, 1976 and recorded at the Bureau of Conveyance on January 3, 1977 in Liber 11935 Page 141. This Warranty Deed describe the Jardine's portion as:

"All of his undivided 69/100 interest in and to that certain parcel of land situated at Waipunalei, North Hilo, Hawaii, being designated on the tax maps of the Third Taxation Division of the State of Hawaii as Tax Map Key No. 3-6-05-78, and containing an area of 1.25 acres."


Resp to 1980-33542
APR 23 1996

Robert E. Bethea, Esq.
Page 2
April 22, 1996

On the basis of this Warranty Deed we have no basis to determine that parcel 78 was divided as you suggest.

Upon receipt of supporting documentation, the Planning Department will be able to reconsider this determination as to the status of the parcel. Meanwhile, should you have questions, please feel free to contact Rodney Nakano of my staff at 961-8288.

Sincerely,


VIRGINIA GOLDSTEIN
Planning Director

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Stephen K. Yamashiro
Mayor



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Director

Russell Kokubun
Deputy Director

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PLANNING DEPARTMENT

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August 18, 1999

Mr. and Mrs. Robert (Rosemary) Jardine
PO Box 211
Laupahoehoe, HI 96764

Dear Mr. and Mrs. Jardine:

**SUBJECT: Pre-existing Lot Determination
TMK: 3-6-05:78**

Based upon records which has been previously submitted, photographs and a site inspection, we have determined that the subject has been considered as two lots previous to 1944.

In order for us to finalize this determination, please submit 1) surveyed description of the lot which includes the area of your residence and that portion divided by the old fence and containing the old house and 2) affidavits that indeed that fenced portion has always been used as a separate residential area.

Sincerely,


VIRGINIA GOLDSTEIN
Planning Director

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25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252
(808) 961-8288 • Fax (808) 961-8742

February 1, 2000

Robert and Rose Marie Jardine
PO Box 211
Laupahoehoe, HI 96764

Dear Mr. and Mrs. Jardine:

DETERMINATION OF PRE-EXISTING LOTS
TMK: 3-6-005:078

This is to acknowledge receipt on November 29, 1999, of the survey description of the lots and the applicable affidavits for the subject property.

Based on our earlier research and the above submittals, it is determined that the subject property consists of two (2) separate legal lots of record. That is, Lot 18-A consisting of 43,655 square feet, and Lot 18-B consisting of 10,800 square feet.

A request for a separate tax map key parcel number should be in writing to the Real Property Tax Division.

Should you have any questions, please feel free to contact Ed Cheplic of this department.

Sincerely,


VIRGINIA GOLDSTEIN
Planning Director

ETC:lnm

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Enc.- Map

xc: Roy Uchida, GIS Analyst
Real Property Tax Division-Hilo Office
Manager, DWS

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