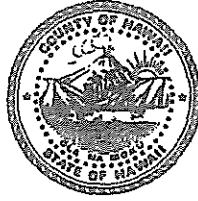


Harry Kim
Mayor



Christopher J. Yuen
Director

Brad Kurokawa, ASLA
LEED® AP
Deputy Director

County of Hawaii
PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-4224
(808) 961-8288 • FAX (808) 961-8742

November 18, 2008

Steven S.C. Lim
Carlsmith Ball LLP
A Limited Liability Law Partnership
P.O. Box 686
Hilo, HI 96721-0686

Dear Mr. Lim:

DETERMINATION OF PRE-EXISTING LOTS
Honoka'a, Hamakua, Hawai'i
Tax Map Keys 4-5-006:006, 053 & 079

We have received your request dated September 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 5, Portion of Land Commission Award 9971, Apana 5;
2. Lot 7, Portion of Land Commission Award 9971, Apana 5; and
3. Parcel 79, Portion of Land Commission Award 9971, Apana 5.

We do not have any records of these lots being consolidated with each other or any other lot adjoining them.

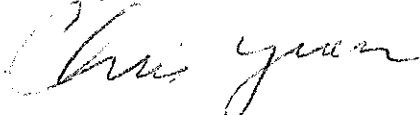
In view of the above, we concur with the lot history outlined in your submittals and confirm that Parcels 006, 053 and 079, as currently depicted on the Tax Map Plat (3)4-5-006, are indeed three (3) separate legal and buildable lots of record.

Steven S.C. Lim
Carlsmith Ball LLP
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November 18, 2008

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.

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

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

JRH:lnm

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xc: Tax Maps and Records Supervisor
Real Property Tax Division-Hilo
Manager, DWS
Director, DPW
Rose Agbayani, Paralegal, Carlsmith Ball LLP