

Harry Kim
Mayor



Christopher J. Yuen
Director

Roy R. Takemoto
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

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

August 8, 2001

Michael J. Matsukawa, Esq.
Attorney At Law
75-5751 Kuakini Highway, Room 201
Kailua-Kona, HI 96740

Dear Mr. Matsukawa:

DETERMINATION OF PRE-EXISTING LOTS
TMK: 4-5-010:017

This is to acknowledge receipt of your letters of December 23, 2000, February 9, 2001, and May 23, 2001, and documents regarding the subject matter. We apologize for our belated response, however, the delay was a result of doing the necessary research in order to provide you with a thorough and accurate reply.

Please be advised that we have reviewed the documents submitted, our department records, as well as those of the Real Property Tax Division, and determined that the subject property consists of two (2) separate legal lots of record:

Lot 12 consisting of 2.5 acres; and
Remainder Lot consisting of 2.5 acres.

It is our understanding that, based on this information provided regarding pre-existing lots, you will 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, then it is recommended that a modern metes and bounds survey be conducted for a more accurate and current land area determination and that a map reflecting this information be submitted for certification.

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1336
4510
AUG 10 2001

Michael J. Matsukawa, Esq.
Attorney At Law
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A request for separate tax map key parcel numbers 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,



CHRISTOPHER J. YUEN
Planning Director

ETC:lnm

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xc: Tax Maps and Records Supervisor II
Real Property Tax Division-Hilo
Manager-DWS

Harry Kim
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County of Hawaii

PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043
(808) 961-8288 • Fax (808) 961-8742

October 2, 2003

Mr. Edwin Freitas
P.O. Box 15
Honokaa, HI 96727

Dear Mr. Freitas:

**SUBJECT: Determination of Pre-Existing Lots
TMK: 4-5-010:017**

Based on additional information submitted by your agent, Ms. Joanna Kaalele, this letter supersedes our previous determination dated August 8, 2001.

Based on the sources cited herein, we hereby determine as follows:

1. Parcel 17 consists of three lots of record: Lot 12, Remainder Lot, and Lot 7. This determination is consistent with the Boundary Study by Donald Murray (see Attachment A), although we are unable to verify the acreage of the respective lots of record as shown in Attachment A with the parcel history in our records.
2. Lot 7 appears to extend from the top of the gulch to the center of the gulch according to the 1911 map and study by A.J. Williamson. Although Lot 7 is "buildable", we would consider a consolidation and resubdivision to reconfigure the three lots provided that a deed restriction with corresponding notes on the plat map prohibits building beyond the top of gulch.
3. We would require a title report to accompany any application for consolidation and resubdivision since we note from our records that title to the various lots of record may be in question.

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Mr. Edwin Freitas
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October 2, 2003

4. The tax maps erroneously show a line through the lots of record that could be interpreted to be the grant line for Grant 4094 (see Attachment B). The boundary for Grant 4094 follows the southern boundary of the lots of record. The tax maps will be corrected by deleting this line.
5. What appears to be a separate road lot adjoining the west side of parcel 17 is determined to be part of parcel 17. The parcel history indicates that this segment was a "pole" of the flag lot referred to as the Kaaukai Remainder Lot. The tax maps will be corrected to include this road as part of parcel 17 with an easement in favor of parcel 10 (see Attachment B).

Please call Roy Takemoto or Hans Santiago at 961-8288 if you have any questions.

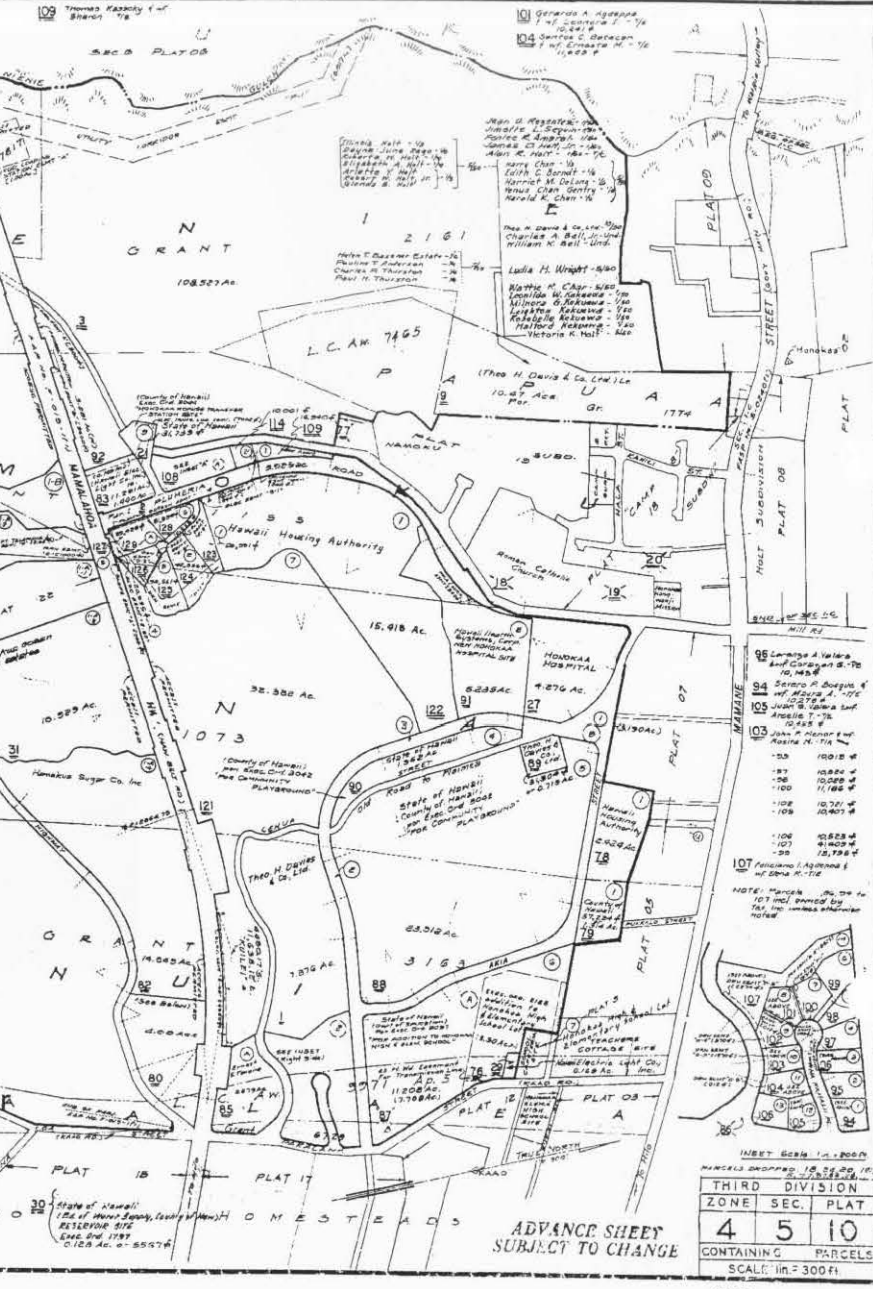
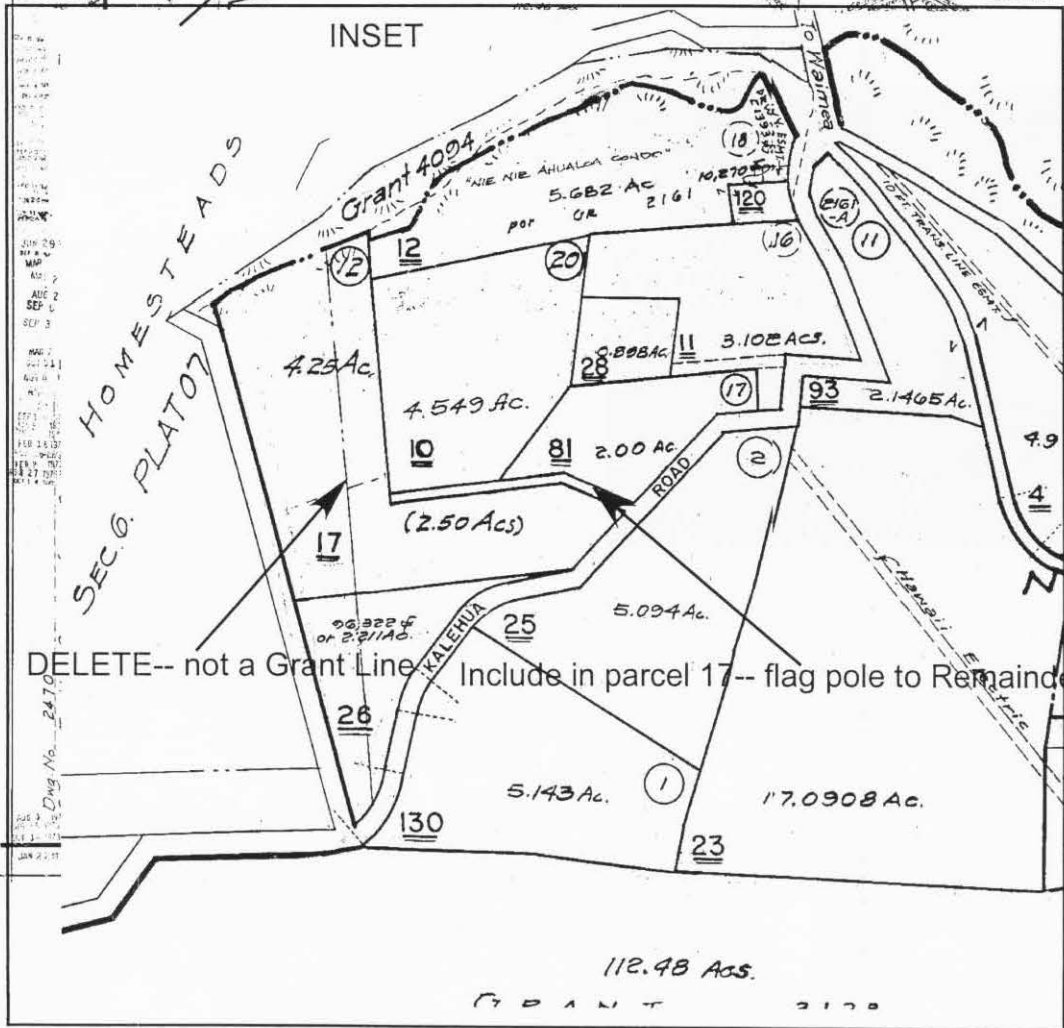
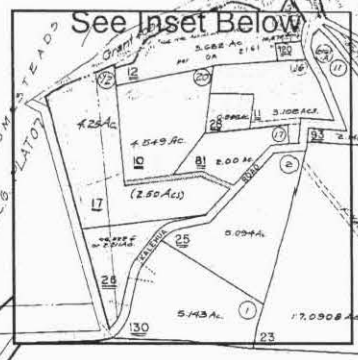
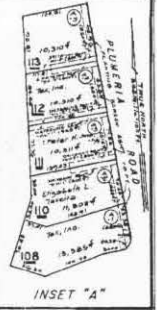
Sincerely,



CHRISTOPHER J. YUEN
Planning Director

RT:pak
P:\WPWIN60\Roy T\Correspondence\Freitas preexisting345010017.doc

cc: Mr. Hans Santiago



INSET SHEET 10-3000

PARCELS SHOWN 10-3000, 10-3000, 10-3000

THIRD DIVISION	ZONE	SEC.	PLAT
4	5	10	

CONTAINING PARCELS

SCALE: 1 in. = 300 FT.

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ATTACHMENT

B