

William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

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County of Hawai'i
PLANNING DEPARTMENT

East Hawai'i Office
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720
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April 12, 2012

Chrystal Thomas Yamasaki, LPLS
Wes Thomas Associates
75-5749 Kalawa Street
Kailua-Kona, HI 96740

Dear Ms. Yamasaki:

Pre-Existing Lots of Record Determination
Hall Road and Lot 2
Being a Portion of Grant 1552 to Keliipunikaua
At Honopueo, North Kohala, Hawai'i
TMK: 5-4-003:006

This is to acknowledge receipt of your letter dated March 29, 2012, and the five (5) maps regarding the subject matter.

Please be advised that we have reviewed the maps submitted in relation to our department records and determined that the subject property consists of two (2) separate legal lots of record.

This determination is based on the Stipulation to Amend Findings of Fact, Conclusions of Law and Order filed on May 31, 2011, in Surety Kohala Corporation v. Heirs and Assigns of Kaai (k), Civil No. 01-1-0276, Circuit of the Third Circuit, the County of Hawai'i "recognized Hall Road as a government road pursuant to the Highways Act of 1892 . . ."

As a result of the above conclusion and our research, the government road right-of-way (Hall Road) divides TMK: 5-4-003:006 into Lot 2-A consisting of 29.210 acres, and Lot 2-B consisting of 26.184 acres, both being portions of Grant 1552.

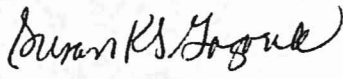
Chrystal Thomas Yamasaki, LPLS
Wes Thomas Associates
Page 2
April 12, 2012

For your information and use, we are enclosing four (4) copies of the stamped map.

A request for separate tax map key numbers may be made to Hans Santiago of this department.

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

Sincerely,


for BJ LEITHEAD TODD
Planning Director

ETC:lnm

\\Coh33\planning\public\Admin Permits Division\PELOR(PreX)\2012\5-4-003-006HallRoad&Lot2YAMASAKI 04-12-12.doc

Encs.: 4 Stamped Maps

cc: Tax Maps & Records Supervisor
Real Property Tax Division-Kona
Planning Department-Kona
Manager-DWS
Steven S.C. Lim, Esq., Carlsmith Ball, LLP w/corrected letter of February 27, 2012



WES THOMAS ASSOCIATES

#16259.3

March 29, 2012

Ms. Bobby Jean Leithead Todd, Director
Planning Department
County of Hawaii
101 Pauahi Street, Ste 3
Hilo, Hawaii 96720

RE: PRE-EXISTING LOTS OF RECORD DETERMINATION
Hall Road and Lot 2
Being a Portion of Grant 1552 to Keliipunikaua
at Honopueo, North Kohala, Hawaii
TMK: 5-4-003: 006 (3rd Division)

Dear Ms. Leithead Todd:

Enclosed are five (5) prints of a map showing Lot 2 (portion of Grant 1552 to Keliipunikaua). The map shows the physical location of Hall Road, in addition to the physical location of the Kohala Ditch and two access easements used for the maintenance of the ditch.

Based on the recent determination that Hall Road has been recognized as a government road pursuant to the Highways Act of 1892 (per the Stipulation to Amend Findings of Fact, Conclusions of Law and Order filed on May 31, 2011 in Surety Kohala Corporation v Heirs and Assigns of Kaai (k) (Civil No. 01-1-0276)) and based on the Planning Department's determination of Pre-Existing Lots of Record for TMK: 5-4-003: 002, we respectfully request that the subject parcel be determined to be two lots of record, one on either side of Hall Road.

If you have any questions or need additional information please feel free to contact the undersigned at 329-2353.

Very truly yours,

WES THOMAS ASSOCIATES

Crystal Thomas Yamasaki, L.P.L.S.

CTY:cyky

cc: Tommy & Cynthia Tinker and Colin & Nancy Cornelius, w/out encl

#

Date: 3/21/12

Planning Department
County of Hawaii
101 Pauahi Street, Ste 3
Hilo, Hawaii 96720

Gentlemen:

I (We), _____ am (are) the owner(s) of record of land which is designated by

TMK: 5-4-03:06 (3rd Division).

I (We), hereby authorize Wes Thomas Associates to apply on my (our) behalf for the request for determination of pre-existing lots of record (PELOR) for the subject property.

Colin Cornelius
AKA Colo Cornelius

Nancy L. Cornelius

#

Date: 3/21/12

Planning Department
County of Hawaii
101 Pauahi Street, Ste 3
Hilo, Hawaii 96720

Gentlemen:

I (We), _____ am (are) the owner(s) of record of land which is designated by

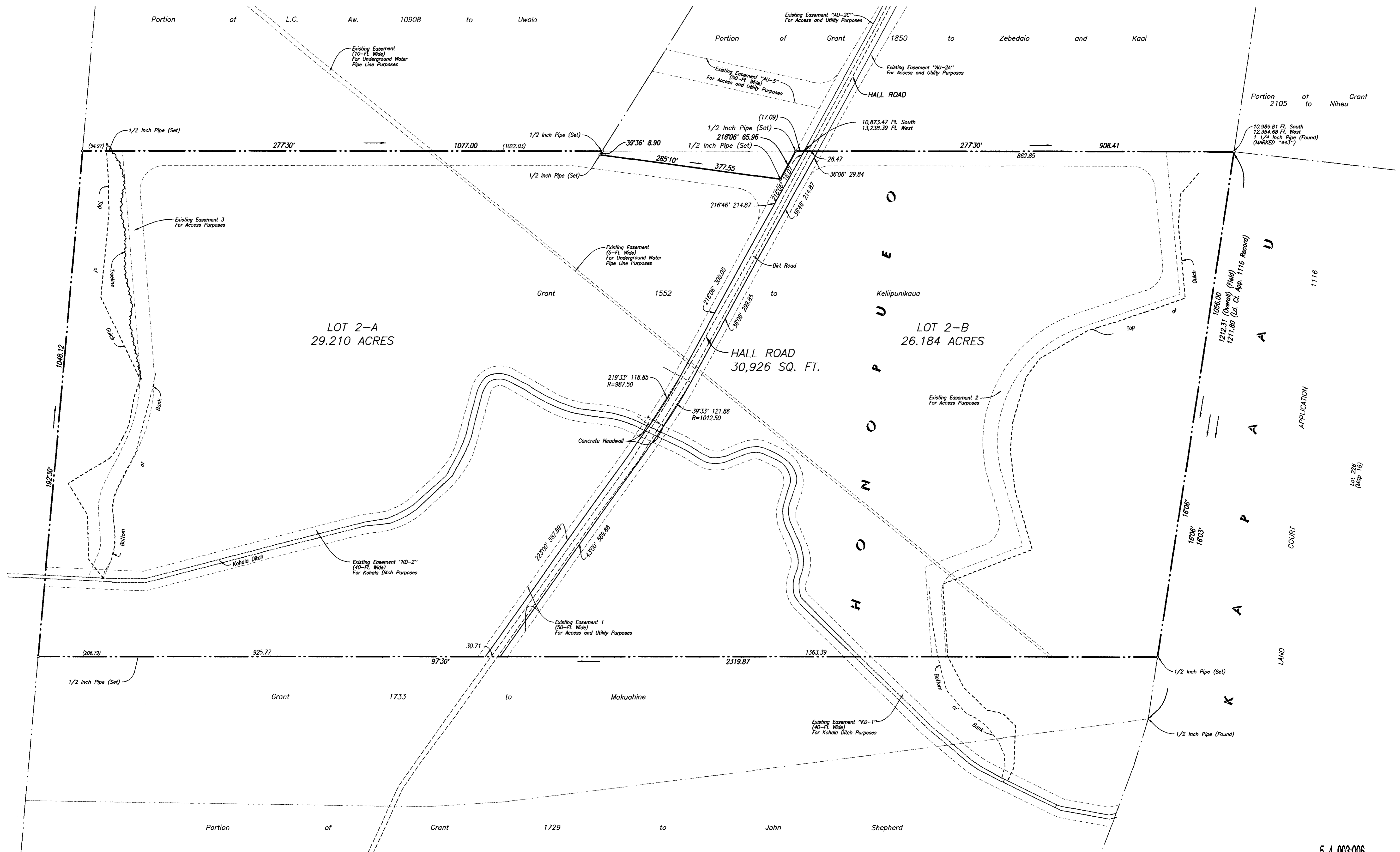
TMK: 5-4-03-06 (3rd Division).

I (We), hereby authorize Wes Thomas Associates to apply on my (our) behalf for the request for determination of pre-existing lots of record (PELOR) for the subject property.

Tommy a. Tucker

Cynthia G. Smith

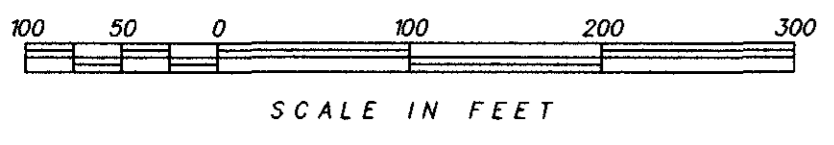
H A N A U L A
LAND COURT APPLICATION (Map 2)
1127
LAND COURT APPLICATION (Map 16)
1116



**EXHIBIT MAP SHOWING
PRE-EXISTING LOTS OF RECORD**
AS A RESULT OF THE DETERMINATION OF HALL ROAD
RESULTING IN LOTS 2-A, 2-B
AND HALL ROAD (25-FT. WIDE)

Being a Portion of Grant 1552 to Keliipunikaua
At Honopueo, North Kohala
Island and County of Hawaii, State of Hawaii

- NOTES:
1. Azimuths and coordinates are referred to Government Survey Triangulation Station "KAUHOLA".
 2. This map was prepared from compiled record boundary information and from an actual survey on the ground done between March 6, 2001 and September 23, 2011.



Prepared For:
THE TOMMY TINKER TRUST,
THE CYNTHIA G. SMITH TRUST
AND CORNELIUS 1996 INTERVIVOS TRUST (OWNERS)
c/o Tommy Tinker
P.O. Box 599
Kapaou, Hawaii 96755

Prepared By:
WES THOMAS ASSOCIATES
-- Land Surveyors --
75-5749 Kalaheo Street
Kailua-Kona, Hawaii 96740-1817
TEL (808) 329-2353
FAX (808) 329-5334 EMAIL wta@ihawaii.net

CHRISTAL T. YAMASAKI
LICENSED PROFESSIONAL LAND SURVEYOR
No. 4331
HAWAII, U.S.A.

This work was prepared by me or under my direct supervision.

Christal Thomas Yamasaki
CHRISTAL THOMAS YAMASAKI
Licensed Professional Land Surveyor
State of Hawaii Certificate Number LS-4331
Expiration Date: April 2012

5-4-003-006
PRE-EXISTING LOT SUBDIVISION
PLANNING DIRECTOR, COUNTY OF HAWAII
APR 12 2012

PROJECT NO.: 16259.3
DATE: MARCH 28, 2012
FIELD BOOK NO.: 1089, 1117, 1123 AND 1281
TAX MAP KEY: 5-4-003-006 (3RD DIVISION)