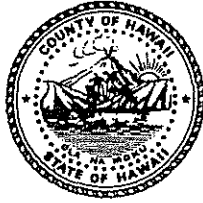


William P. Kenoi
Mayor



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

January 18, 2011

Chrystal Thomas Yamasaki, LPLS
Wes Thomas Associates
75-5749 Kalawa Street
Kailua-Kona, HI 96740-1818

Dear Ms. Yamasaki:

DETERMINATION OF PRE-EXISTING LOTS
Pahoehoe 3rd & 4th, La'aloa 1st & 2nd, and Kapalaalaea 1st & 2nd,
North Kona, Island of Hawai'i, Hawai'i
Tax Map Keys 7-7-005:001 & 003 and 7-7-006:011 & 024

This is in response to your request dated November 4, 2010.

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 nineteen (19) lots in concurrence with your presentations:

1. The whole of Land Commission Award 3433-B, containing 1.9 acres;
2. Lot B of SUB 5097 containing 43.2223 acres, being portions of Grants 3077 and 3020;
3. Lot E containing 16.03 acres, being a portion of Land Commission Award 7716, Apana 4;
4. Lot F containing 1.0 acre, being a portion of Land Commission Award 7716, Apana 4;
5. The whole of Royal Patent 10200, Land Commission Award 10889 containing 1.9 acres;
6. The whole of Royal Patent 10203, Land Commission Award 5770 containing 2.0 acres;
7. The whole of Royal Patent 10202, Land Commission Award 5773 containing 2.5 acres;
8. Remainder portion of Land Commission Award 7716, Apana 4, area to be determined;
9. The whole Grant 2809, area to be determined;
10. The whole Grant 3052 containing 32.20 acres;
11. The whole of Land Court Application 813 containing 28.94 acres;

Chrystal Thomas Yamasaki, LPLS
Wes Thomas Associates
Page 2
January 18, 2011

12. The whole of Royal Patent 4033, Land Commission Award 2376, Apana 1 containing 3.5 acres;
13. The whole of Royal Patent 3815, Land Commission Award 6082 containing 1.6 acres;
14. The whole of Royal Patent 4038, Land Commission Award 6130 containing 2.0 acres;
15. A portion of Land Commission Award 4452, Apana 2 containing 2.06 acres;
16. A portion of Royal Patent 3737, Land Commission Award 5680, Apana 1 containing 0.75 acre;
17. A portion of Land Commission Award 4452, Apana 2 containing 5,625 sq. ft.;
18. A portion of Land Commission Award 4452, Apana 2 containing 10,400 sq. ft.; and
19. A portion of Land Commission Award 4452, Apana 2 area to be determined.

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

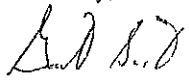
The request for reinstatement and/or additional TMK Parcel numbers has been directed to our Tax Maps and Records Section for appropriate action.

Notwithstanding Chapter 7, Hawai'i Revised Statutes (HRS), many of these pre-existing lots are landlocked. It is the responsibility of the owners to provide a means of legal access to those lots, either by grants of easement or through the consolidation and resubdivision of them whereby road lots or easements would be required to be created.

Further, the owners will need to ascertain that any structures located on the "new" properties are in compliance with the requirements of the Hawai'i County Code (HCC) with regards to setbacks, etc. Should discrepancies be found, this department shall be consulted for remedial actions which may be required.


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

Sincerely,


BJ LEITHEAD TODD
Planning Director

JRH:lnm

P:\Admin Permits Division\PreX\2011\17-7-05&06AkalaWTA.doc

xc:  Tax Maps and Records Supervisor
Real Property Tax Division-Kona
Manager, DWS
Director, DPW