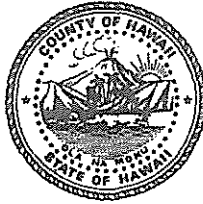


William P. Kenoi
Mayor



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

February 19, 2010

David B. Ka'apu, Esq.
Attorney at Law
Territorial Centre, Suite 201
75-5751 Kuakini Highway
Kailua-Kona, HI 96740

Dear Mr. Ka'apu:

DETERMINATION OF PRE-EXISTING LOTS
Portion of Land Commission Award 7716, Apana 4
Laaloaiki, North Kona, Hawai'i
Tax Map Key 7-7-007:004

This is in response to your requests dated October 22, 2009 and January 28, 2010. We apologize for the amount of time to reply.

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 two (2) lots in concurrence with your assertions:

1. Lot D, a 1.47 acre lot of the "Kona Development Co. Coffee Land"; and
2. Portion of Lot B, a 0.44 acre (\pm 19,166 sq.ft.) "House Lot" of the "Kona Development Co. Coffee Land".

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

David B. Ka'apu
Attorney at Law
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In view of the above, we confirm that Parcel 004 as currently depicted as one (1) parcel on the Tax Map Plat (3) 7-7-007, is indeed comprised of two (2) separate legal and buildable lots of record.

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.

A request for an additional TMK Parcel number should be by, or authorized by, the owner and be directed to our Tax Maps and Records Section.

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

Sincerely,



BJ LEITHEAD TODD
Planning Director

JRH:Inm

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