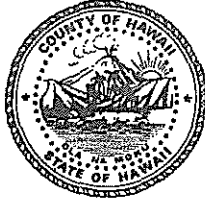


William P. Kenoi
Mayor



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 11, 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 1st, 2nd & 3rd, South Kona, Hawai'i
Tax Map Keys 8-7-007:001, 007 & 008

This is in response to your request dated October 25, 2010.

We have reviewed the documents submitted and concur with the findings relative to the existence of portions of the Old Government Road, the Old Beach Road and The King's Trail. These various alignments, as government owned roadways, do cause twelve (12) pre-existing lots of record within the ahupua'a of Pahoehoe 1st, 2nd and 3rd, with a thirteenth (13th) lot being the accreted lands resulting from the 1950 Ka'ohē Lava Flow. We surmise that the method of identifying the individual lots shown on the exhibit map reflects the outcome of the involved landowners' settlement of Civil No. 08-1-0173K in the Third Circuit Court.

The pre-existing lots are:

1. Four (4) Portions of Grant 2025;
2. Four (4) Portions of Land Patent 8127, Land Commission Award 8519-B, Part 3;
3. Four (4) Portions of Grant 2024; and
4. Lands seaward of the subject ahupuaa accreted by way of the 1950 Ka'ohē Lava Flow.

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

Chrystal Thomas Yamasaki, LPLS
Wes Thomas Associates
Page 2
January 11, 2011

In view of the above, we anticipate the submission of revised subdivision plats for SUB-04-000054 that will reflect the new boundaries depicted on the exhibit map. It appears that Pahoehoe 2nd will now need to be included in this proposed application.

Further, a request for individual Tax Map Parcel numbers for the lots unaffected by the referenced subdivision should be by the property owners, in writing, and addressed to our Tax Maps and Records Section.

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

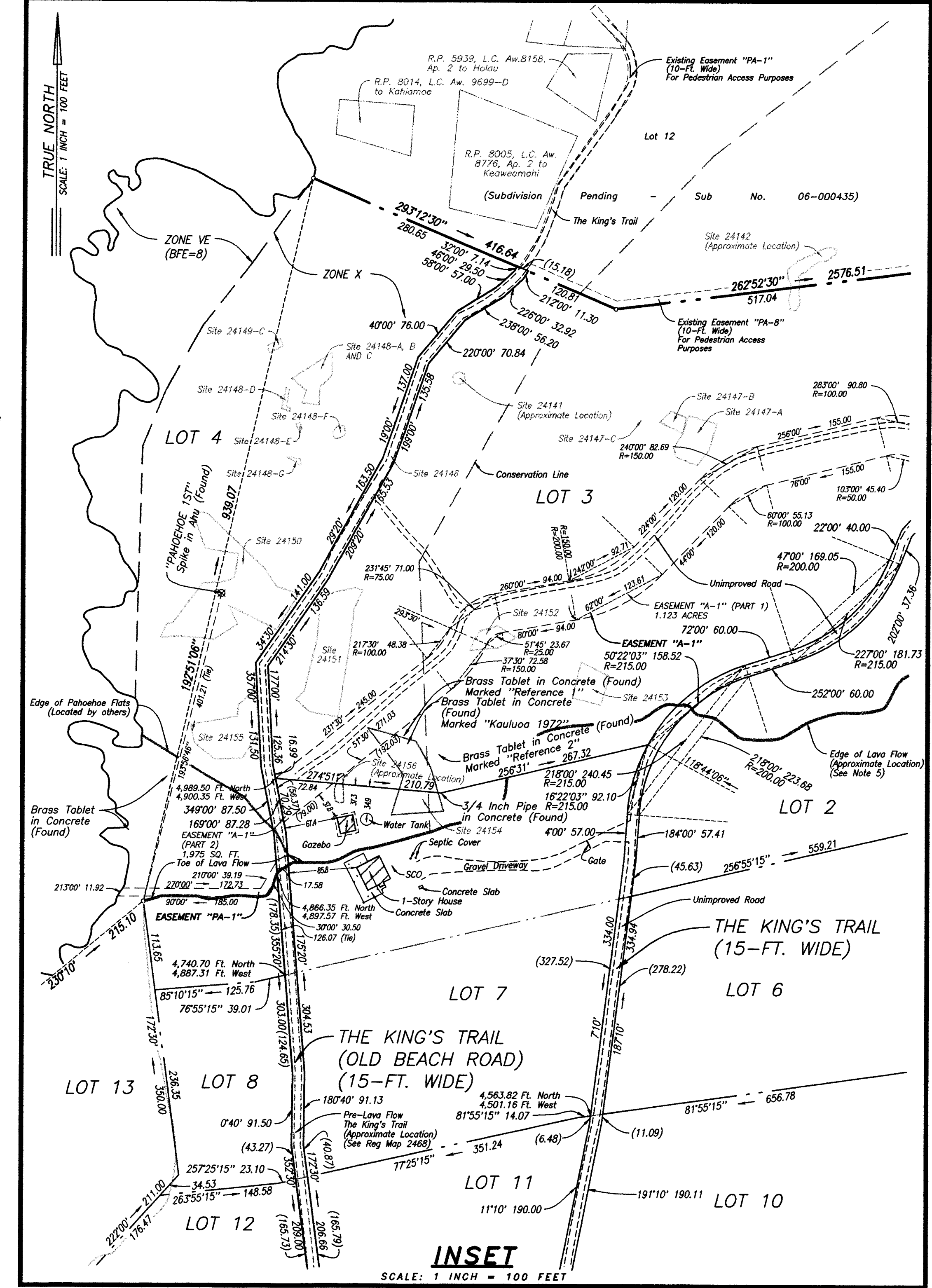
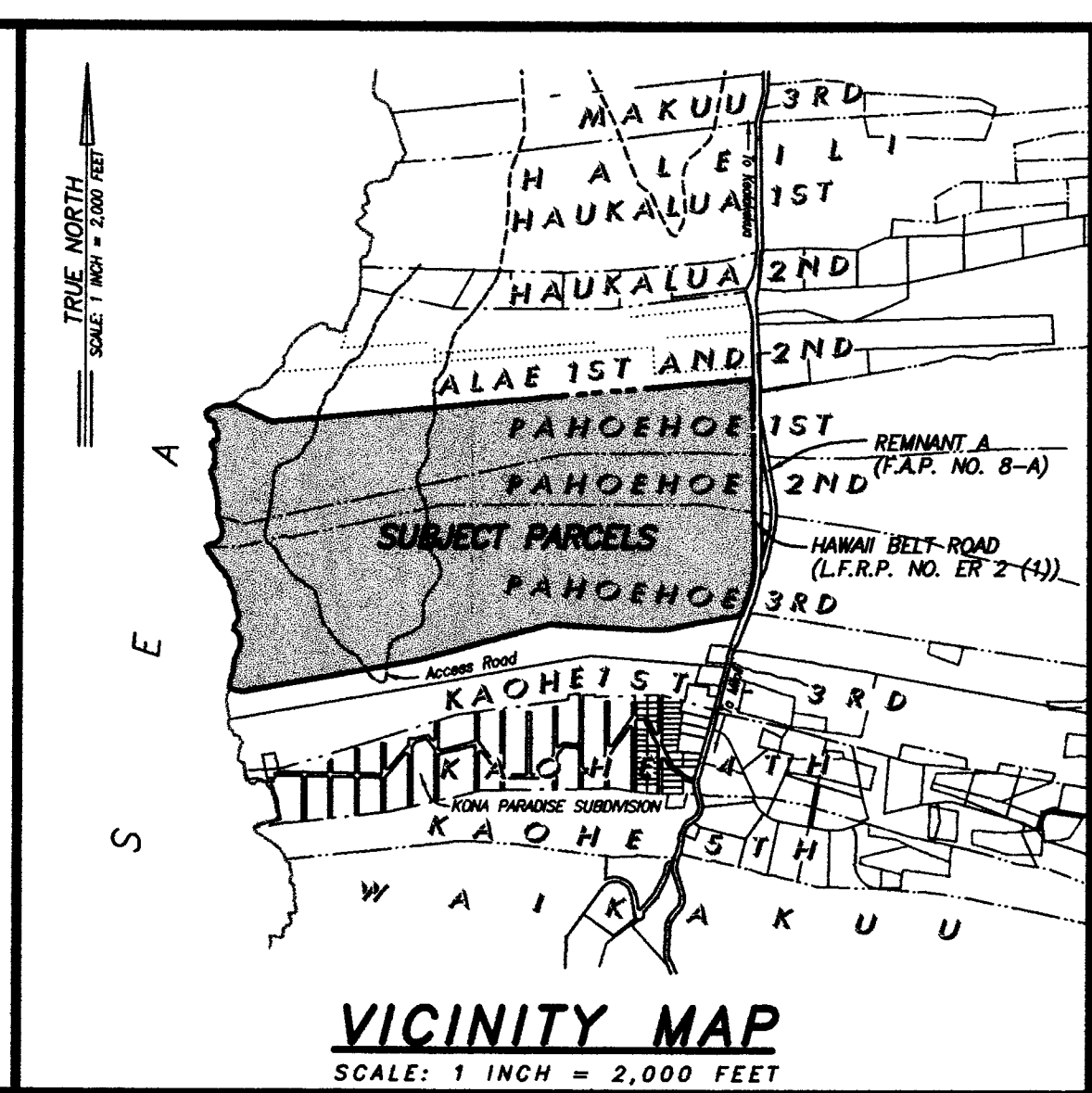
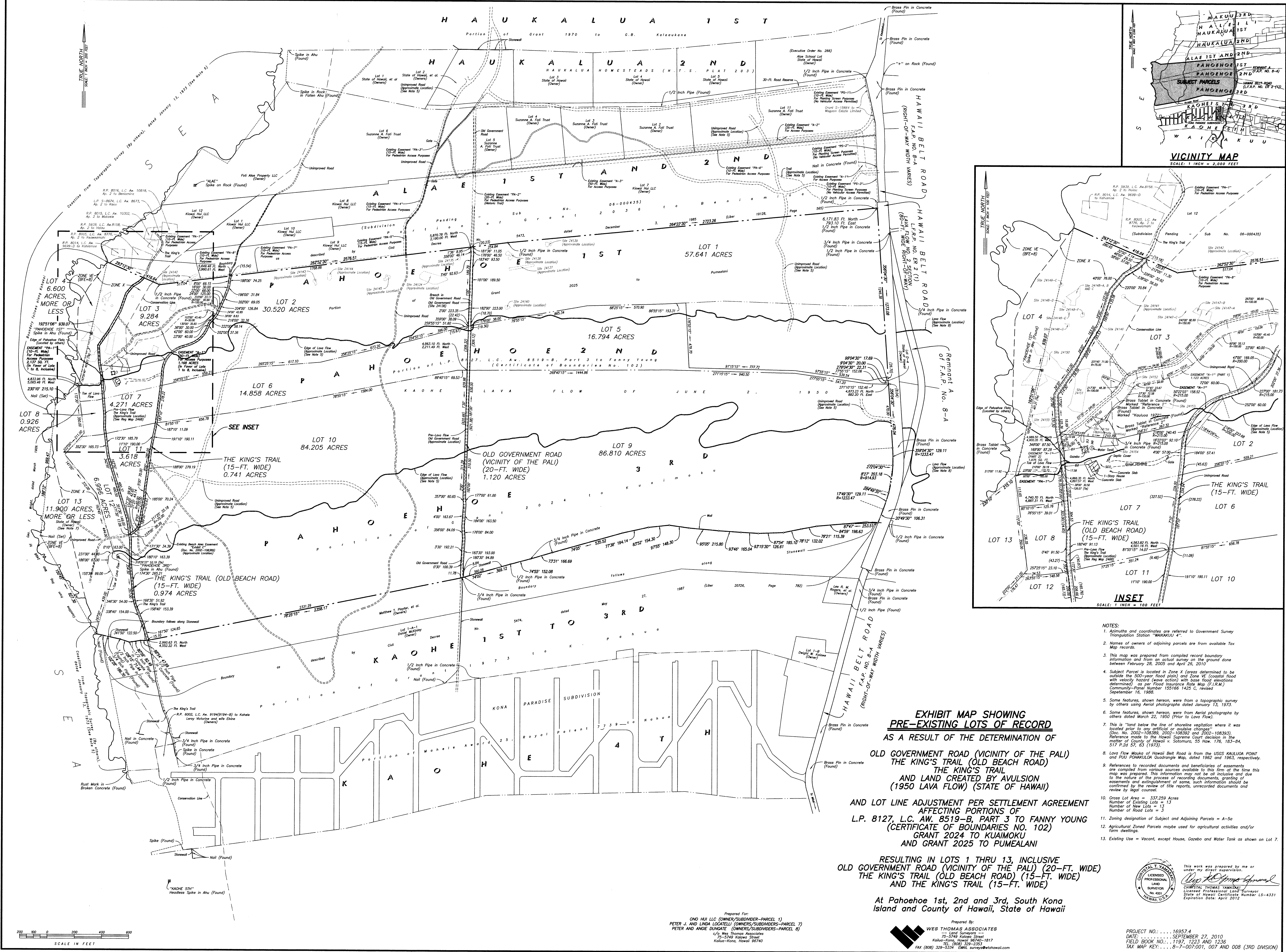
Sincerely,



BJ LEITHEAD TODD
Planning Director

JRH:lnm
P:\Admin Permits Division\PreX\2011\8-7-7-001-007-008DungateEta\WTA.doc

- xc: ~~Tax~~ Maps and Records Supervisor w/Exhibit Map (PELOR) & CD
- Real Property Tax Division-Kona w/Exhibit Map (PELOR)
- Manager, DWS w/Exhibit Map (PELOR)
- Director, DPW w/Exhibit Map (PELOR)
- Ono Hui LLC
- Peter and Angela Dungate
- Peter and Linda Locatelli
- SUB-04-000054 (Dungate, et al.) w/Exhibit Map (PELOR)



**EXHIBIT MAP SHOWING
PRE-EXISTING LOTS OF RECORD
AS A RESULT OF THE DETERMINATION OF
OLD GOVERNMENT ROAD (VICINITY OF THE PALI)
THE KING'S TRAIL (OLD BEACH ROAD)
THE KING'S TRAIL
AND LAND CREATED BY AVULSION
(1950 LAVA FLOW) (STATE OF HAWAII)**

**AND LOT LINE ADJUSTMENT PER SETTLEMENT AGREEMENT
AFFECTING PORTIONS OF
L.P. 8127, L.C. AW. 8519-B, PART 3 TO FANNY YOUNG
(CERTIFICATE OF BOUNDARIES NO. 102)
GRANT 2024 TO KUAIMOKU
AND GRANT 2025 TO PUMEAANI**

**RESULTING IN LOTS 1 THRU 13, INCLUSIVE
OLD GOVERNMENT ROAD (VICINITY OF THE PALI) (20-FT. WIDE)
THE KING'S TRAIL (OLD BEACH ROAD) (15-FT. WIDE)
AND THE KING'S TRAIL (15-FT. WIDE)**

At Pahoehe 1st, 2nd and 3rd, South Kona
Island and County of Hawaii, State of Hawaii

- NOTES:
1. Azimuths and coordinates are referred to Government Survey Triangulation Station "MAKULU" 4.
 2. Names of owners of adjoining parcels are from available Tax Map records.
 3. This map was prepared from compiled record boundary information and from an actual survey on the ground done between February 26, 2005 and April 26, 2011.
 4. Subject Parcel is located in Zone X (area determined to be outside the 500-year flood plain) and Zone VE (coastal flood with velocity hazard (wave action) with base flood elevations determined) as per Flood Insurance Rate Map (F.I.R.M.) Community-Panel Number 155166-1425 C, revised September 16, 1988.
 5. Some features, shown hereon, were from a topographic survey by others using Aerial photographs dated January 13, 1973.
 6. Some features, shown hereon, were from Aerial photographs by others dated March 22, 1950 (Prior to Lava Flow).
 7. This is "land below the line of shoreline vegetation where it was located prior to any artificial or oxidative changes" (Dec. No. 2002-108389, 2002-108392 and 2002-108393). Reference made to the Hawaii Supreme Court decision in the matter of County of Hawaii v. Sofomura, 35 Haw. 176, 183-84, 317 P.2d 57, 63 (1957).
 8. Lava Flow Maska of Hawaii Belt Road is from the USGS KAILUOIA POINT and PUU POHAUKULOA Quadrangle Map, dated 1962 and 1963, respectively.
 9. References to recorded documents and beneficiaries of easements are compiled from various sources available to the firm at the time this map was prepared. This information may not be all inclusive and due to the nature of the process of recording documents, granting of easements and extinguishment of same, such information should be confirmed by the review of the reports, unrecorded documents and review by legal counsel.
 10. Gross Lot Area = 337,259 Acres
Number of Existing Lots = 13
Number of New Lots = 13
Number of Road Lots = 3
 11. Zoning designation of Subject and Adjoining Parcels = A-5a
 12. Agricultural Zoned Parcels maybe used for agricultural activities and/or farm dwellings.
 13. Existing Use = Vacant, except House, Gazebos and Water Tank as shown on Lot 7.

This work was prepared by me or under my direct supervision
CHRYSTAL T. TAMASAKI
LICENSED PROFESSIONAL LAND SURVEYOR
No. 4321
HAWAII, U.S.A.
CHRYSTAL T. TAMASAKI
LICENSED PROFESSIONAL LAND SURVEYOR
No. 4321
HAWAII CERTIFICATE NUMBER LS-4331
Expiration Date: April 2012