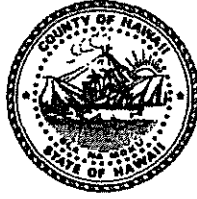


**Harry Kim**  
Mayor



**Christopher J. Yuen**  
Director

**Brad Kurokawa, ASLA**  
**LEED® AP**  
Deputy Director

**County of Hawaii**  
**PLANNING DEPARTMENT**  
101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-4224  
(808) 961-8288 • FAX (808) 961-8742

July 28, 2008

Russell Figueiroa, President  
RM Towill Corporation  
2024 North King Street, Suite 200  
Honolulu, Hawai'i 96819-3456

Dear Mr. Figueiroa:

**Lots of Record Determination**  
**Kahilipali Nui and Iki, Ka'u, Hawai'i**  
**TMK: 9-5-007:005, 008 & 016**✓

This response to your request dated January 11, 2008. Please accept our apology for the length of time taken 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 that we concur with your assessment that TMK: 9-5-007:005, 008 & 016 contains twenty-two (22) pre-existing legal lots of record, listed in the order of your inquiry, as follows:

- A. TMK 9-5-007:005
  - 1. Land Commission Award 7533:2, approximately 7.8 acres.
- B. TMK 9-5-007:008
  - 2. Land Commission Award 7533:1, approximately 8.0 acres.

Russell Figueiroa, President  
RM Towill Corporation  
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C. TMK 9-5-007:016

3. Land Commission Award 7315:2, approximately 3.23 acres;
4. Land Commission Award 7535:2, approximately 4.73 acres;
5. Land Commission Award 7553-B:2, approximately 1.90 acres;
6. Land Commission Award 7542:2, approximately 3.75 acres, dropped Parcel 004;
7. Land Commission Award 7535:1, approximately 0.92 acres;
8. Land Commission Award 9963:1, approximately 1.20 acres, dropped Parcel 010;
9. Land Commission Award 10,591:3, approximately 0.45 acres, dropped Parcel 012;
10. Land Commission Award 10,445:2, approximately 0.42 acres, dropped Parcel 011;
11. Land Commission Award 9971:10, approximately 1,039.308 acres;
12. Land Commission Award 10,591:2, approximately 6.25 acres, dropped Parcel 013;
13. Land Commission Award 9963:2, approximately 6.53 acres, dropped Parcel 009;
14. Land Commission Award 7315:1, approximately 4.00 acres;
15. Land Commission Award 7553-B:1, approximately 3.30 acres;
16. Land Commission Award 9963:3, approximately 12.66 acres, dropped Parcel 006;
17. Grant 2771, approximately 356.36 acres;
18. Grant 3161, approximately 380.41 acres;
19. Grant 994:2, approximately 35.70 acres;
20. Grant 994:1, approximately 24.00 acres;
21. Grant 1897, approximately 75.33 acres, dropped Parcel 002; and
22. Grant 2159, approximately 47.00 acres, dropped Parcel 003.

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

This determination is subject to the following:

It is our understanding that based on this information provided regarding pre-existing lots, you may be submitting an application for consolidation and re-subdivision of the subject parcels which would result in the development of specific metes and bounds for the subdivided lots. If you want to consolidate and resubdivide, we will require a title report showing that the applicant has good title to all properties involved in the consolidation/resubdivision. If consolidation and re-subdivision is not the intent, you may want to have a modern metes and bounds survey conducted for a more accurate and current land area determination and that a map reflecting this information may be submitted for certification.

Requests for individual tax map key parcel numbers should be in writing and be addressed to the Tax Maps & Records Division of this department.

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Again, the applicant for any actions regarding subdivision or assignment of parcel numbers must be accompanied by proof of clear title to any and all lots.

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

Sincerely,



CHRISTOPHER J. YUEN  
Planning Director

JRH:jlh

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xc: Real Property Tax Division-Hilo  
Tax Maps & Records Supervisor  
Manager-DWS  
Director-DPW