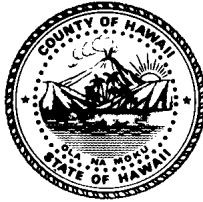


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## County of Hawai'i

### PLANNING DEPARTMENT

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*Deputy Director*

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April 25, 2022

Alla Kostenko  
Ka'ū Mahi LLC  
Email: [alla.kostenko@gmail.com](mailto:alla.kostenko@gmail.com)

Dear Alla Kostenko:

**SUBJECT: DETERMINATION OF LOT OF RECORD,  
PL-PLR-2022-000009  
Being Land Commission Awards 8362, 8761, and 10755:2,  
Makaka, Ka'ū, Hawai'i Island, Hawai'i  
Tax Map Key: (3) 9-6-005:010**

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This letter is in response to your correspondence received March 18, 2022, requesting a determination of a pre-existing lot of record (PELOR) for Tax Map Key (TMK) 9-6-005:010.

We have reviewed 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:

1. November 19, 1851 – Land Commission Award 8362 containing approximately 5.36 acres.
2. November 19, 1851 – Land Commission Award 8761 containing approximately 7.35 acres.
3. November 19, 1851 – Land Commission Award 10755:2 containing approximately 12.5 acres.
4. 1892 – Highways Act
5. December 1914 – HTS Plat 110 shows a portion of the Government Main Road traversing Land Commission Awards 8361 and 10755:2.
6. January 29, 1921 – C.S.F. 3487 showing Government (Ka'alāiki) Road.
7. We have no record of the Land Commission Awards or the portion(s) of Ka'alāiki Road having been legally consolidated with any other adjacent lands.

Given the above, and pursuant to Section 23-118 criteria to determine a pre-existing lot, criteria (c) which states:

*“The lot was created through **evidence of a properly prepared deed and/or subdivision plat** for fee simple ownership of such lot to a grantee other than the grantor or a grantor’s trust which deed was recorded at the State of Hawai’i Bureau of Conveyances or with the Registrar of the Land Court prior to May 1, 1999, and was subsequently depicted on a County of Hawai’i Tax Map, was issued a tax map parcel number therefor, and was individually assessed for real property taxation purposes.” [emphasis added]*

We find that TMK 9-6-005:010, containing approximately 25.21 acres, contains five (5) lots of record and one (1) road lot as listed below:

1. Road Lot being a portion of Ka'alāiki Road traversing east to west, bisecting Land Commission Awards 8362 & 10755:2 (land area unknown, 50-foot wide right-of-way).
2. Land Commission Award 8761 containing approximately 7.35 acres.
3. Northern portion of Land Commission Award 8362 (land area unknown).
4. Southern portion of Land Commission Award 8362 (land area unknown).
5. Northern portion of Land Commission Award 10755:2 (land area unknown).
6. Southern portion of Land Commission Award 10755:2 (land area unknown).

Should you have any questions, please feel free to contact the Planning Department at [planning@hawaiiicounty.gov](mailto:planning@hawaiiicounty.gov).

Sincerely,

*Zendo Kern*

Zendo Kern (May 2, 2022 08:14 HST)

ZENDO KERN  
Planning Director

HS:cn

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Email: Tax Maps and Records Supervisor  
Real Property Tax Division-Hilo  
Manager-Chief Engineer, DWS  
A. Gerken, GIS Analyst