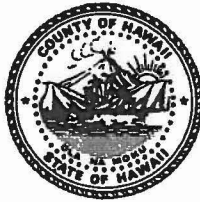


William P. Kenoi  
Mayor



BJ Leithead Todd  
Director

Margaret K. Masunaga  
Deputy

West Hawai'i Office  
74-5044 Ane Keohokalole Hwy  
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**County of Hawai'i**  
PLANNING DEPARTMENT

East Hawai'i Office  
101 Pauahi Street, Suite 3  
Hilo, Hawai'i 96720  
Phone (808) 961-8288  
Fax (808) 961-8742

January 8, 2013

James Wiese  
P.O. Box 1832  
Kailua-Kona, HI 96745

Dear Mr. Wiese:

**SUBJECT: Lots of Record Determination**  
**TMK's 9-2-156:012 to 016, Inclusive, 018 to 026, Inclusive,**  
**029 to 032, Inclusive, 048, 049, 056, 058, 062 & 063**  
**"Kona Gardens Subdivision", Kahuku, Ka'u, Hawai'i**

This letter is in response to numerous inquiries, including yours, regarding the history of these lots and to clarify whether the County of Hawai'i Planning Department recognizes these parcels as lots of record.

First of all, be informed that the past practices of the State Bureau of Conveyances (BOC) with regard to the methods of recording land ownership documents has not always been in agreement with County subdivision law. Prior to the mid 1990's, it was a simple matter of presenting properly prepared deed documents and/or subdivision plats to the BOC and they would be recorded and subsequently indicated on the Tax Map Plats. These maps are for property tax assessment purposes only and do not necessarily reflect the proper creation of lots as specified by county law.

That having been said, our review of the records of the Real Property Tax office has shown that the subject TMK parcels were recorded at the BOC in the 1960's and 1970's with specific recordation dates, liber and page numbers indicated. The majority of the lots have also changed ownership a number of times since.

The properties in this "subdivision", whether officially subdivided or not, have been recorded at the BOC, have been platted, assigned TMK parcel numbers, documented in the tax maps and individually assessed by lot for real property tax purposes for many years. Under these circumstances, we will recognize the subject parcels within this platted "subdivision", as lots of record. Consequently, for permits under the County's jurisdiction that apply to these lands, these will be processed by the Planning Department as the need arises.

James Wiese  
Page 2  
January 8, 2013

**We want to be clear that this determination applies only to the parcels indicated above. It does not recognize the following "reserved" parcel numbers shown on the Tax Map Plats in parenthesis for which no recordation data was found in our research: (10), (11), (17), (27), (28), (50) to (55), (57) & (59) to (61).**

Should there be information to the contrary, we welcome that information.

Please feel free to contact Jonathan Holmes of this department should there be any questions on this matter.

Sincerely,

  
BJ LEITHEAD TODD  
Planning Director

JRH:Inm

\\Coh33\planning\public\Admin Permits Division\ELOR(ExistingLotOfRecord)\2013\9-2-156KonaGardensWIESE 01-08-13.doc

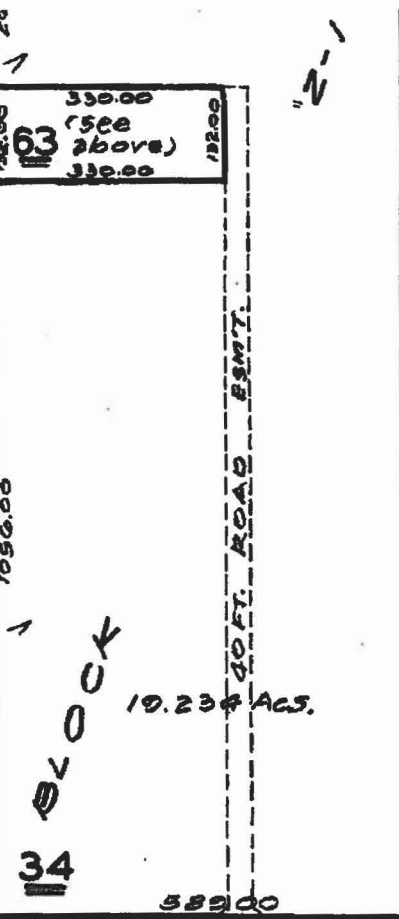
Enc.: Highlighted Portion TMK Plat

xc/enc:     Manager, DWS  
          ✓ Tax Maps and Records Supervisor  
          Plat File 9-2-156  
          TMK File 9-2-156 & 9-2-156:029, 032 & 062

"2-3"

(Sarah E. Henderson - 1/2 (SOUTH HALF)  
Alger R. McDurmon & Wf. Donna R. - 1/4 - 1/2) A15

330.00  
(SEE ABOVE)  
330.00



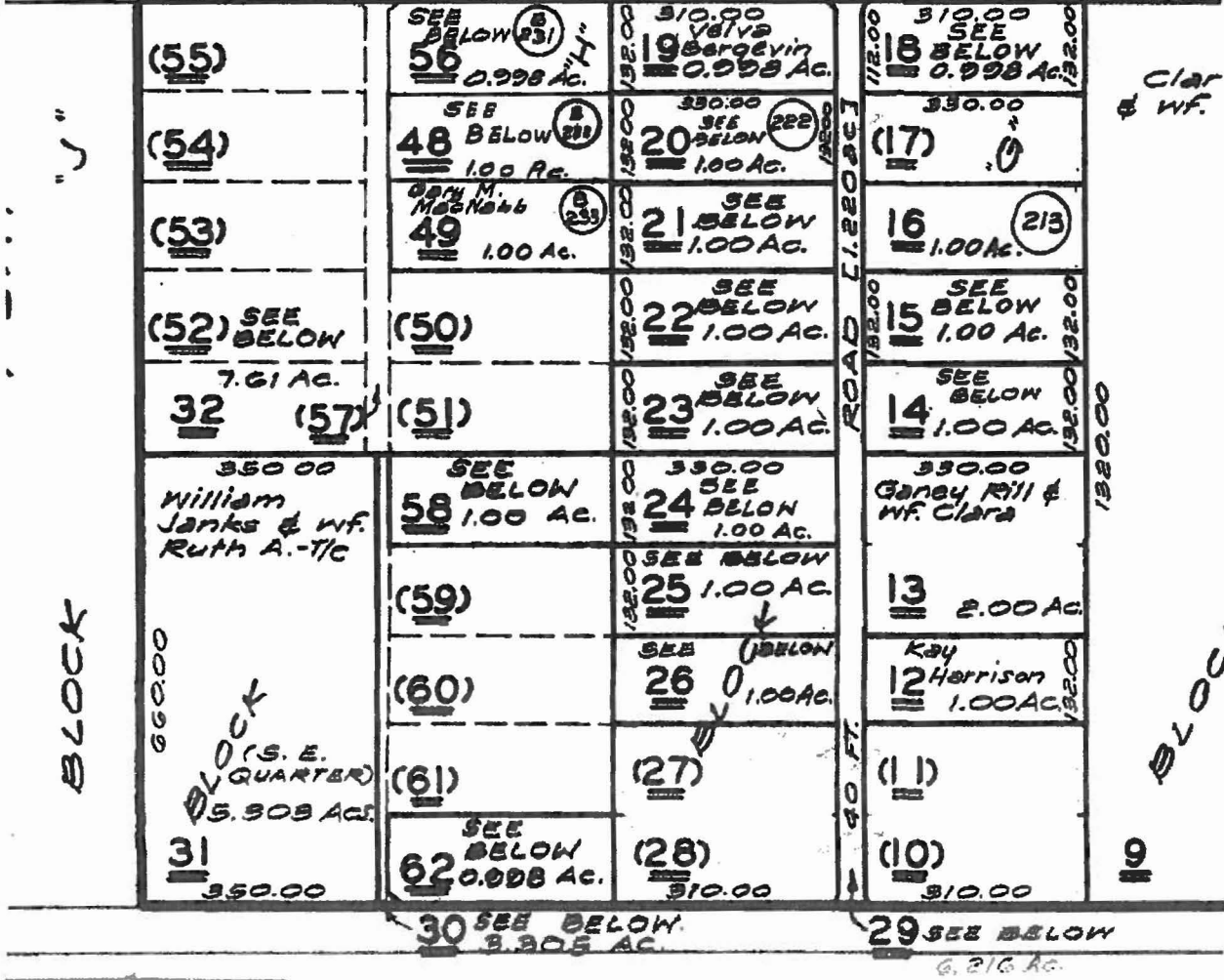
147 BLOCK

33 BLOCK

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700.00 589.00 29.081 AC.



BLOCK

31 BLOCK (S. E. QUARTER) 5.908 AC.

BLOCK

30 SEE BELOW 5.908 AC. 29 SEE BELOW 6.216 AC.