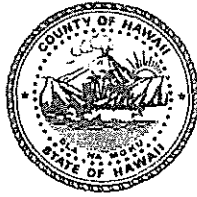


Harry Kim  
Mayor



Christopher J. Yuen  
Director

Brad Kurokawa, ASLA  
LEED® AP  
Deputy Director

County of Hawaii  
PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043  
(808) 961-8288 • FAX (808) 961-8742

January 18, 2007

Mr. Robert Wheeler  
Hunsaker & Associates Irvine, Inc.  
Three Hughes  
Irvine, CA 92618-2021

Dear Mr. Wheeler:

Non-significant Zoning Change Application No. 05-000005 (NZN 05-05)  
Applicant: Rutter/KW Kohanaiki, LLC  
TMK: 7-3-009: 003; Kohanaiki, North Kona, Hawai'i

We are in receipt of your letter, dated January 3, 2007, transmitting the corrected legal descriptions for the subject NZC and CD reprint of all closures in a newer format. Our GIS mapping section indicates that the corrections necessary to bring the closure calculations, map and legal descriptions into consistency with each other have been satisfactorily completed.

Thank you for your cooperation and assistance with this matter. Our GIS mapping section has been instructed to proceed with amending our Zoning Map.

Should you have any questions, please feel free to contact Larry Brown or Esther Imamura of this office at 961-8288.

Sincerely,

CHRISTOPHER J. YUEN  
Planning Director

LMB:cd

Mr. Robert Wheeler  
Hunsaker & Associates Irvine, Inc.

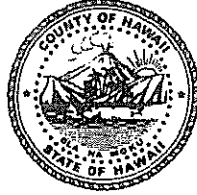
Page 2

January 22, 2007

cc: Hawaii County Council  
Real Property Tax Division  
Planning-West Hawaii Office  
Planning-TMK Mapping Section (H. Santiago)  
Planning-GIS Section (G. Bailado)

Mr. Dave Eadie  
Chief Executive Officer  
Rutter Development Corporation  
18012 Cowan, Suite 200  
Irvine, CA 92614-6810

Harry Kim  
Mayor



Christopher J. Yuen  
Director

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LEED® AP  
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043  
(808) 961-8288 • FAX (808) 961-8742

September 21, 2006

Mr. Robert Wheeler  
Hunsaker & Associates Irvine, Inc.  
Three Hughes  
Irvine, CA 92618-2021

Dear Mr. Wheeler:

Non-significant Zoning Change Application No. 05-000005 (NZN 05-05)  
Applicant: Rutter/KW Kohanaiki, LLC  
TMK: 7-3-009: 003; Kohanaiki, North Kona, Hawai'i

Our GIS Mapping Section has reviewed the revised Zoning Parcel Legal Descriptions and Closure Calculations transmitted by your letter dated June 6, 2006. Since the parcel descriptions provided in these two documents are not consistent we are unable to amend our zoning maps.

Please check and revise as necessary the legal descriptions for the zoning parcels and the Resulting Zoning Boundaries map for consistency with the closure calculations and submit revised documents to the Planning Department.

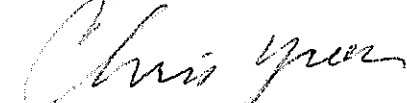
In order that we may confirm compliance with Section 25-2-45 of the Zoning Code, please be sure to include a revised table of the parcel zoning changes highlighting any changes that were made to bring the Zoning Parcel Legal Descriptions and Closure Calculations into agreement.

SEP 25 2006

Mr. Robert Wheeler  
Hunsaker & Associates Irvine, Inc.  
Page 2  
September 25, 2006

Should you have any questions, please feel free to contact Larry Brown or Esther Imamura of this office at 961-8288.

Sincerely,



CHRISTOPHER J. YUEN  
Planning Director

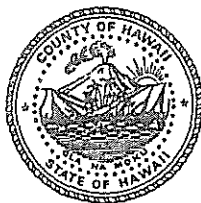
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cc: Hawaii County Council  
Real Property Tax Division  
Planning-West Hawaii Office  
Planning-TMK Mapping Section (H. Santiago)  
Planning-GIS Section (G. Bailado)

Mr. Dave Eadie  
Chief Executive Officer  
Rutter Development Corporation  
18012 Cowan, Suite 200  
Irvine, CA 92614-6810

Harry Kim  
Mayor



Christopher J. Yuen  
Director

Roy R. Takemoto  
Deputy Director

## County of Hawaii

### PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043  
(808) 961-8288 • Fax (808) 961-8742

December 22, 2005

Mr. Dave Eadie  
Chief Executive Officer  
Rutter Development Corporation  
18012 Cowan, Suite 200  
Irvine, CA 92614-6810

Dear Mr. Eadie:

Non-significant Zoning Change Application No. 05-000005 (NZN 05-05)  
Applicant: Rutter/KW Kohanaiki, LLC  
TMK: 7-3-009: 003; Kohanaiki, North Kona, Hawai'i

This is in regards to the above-described Non-Significant Zoning Change Application filed with this office on October 13, 2005, on behalf of Rutter/KW Kohanaiki, LLC. By this letter we also acknowledge your letter dated October 27, 2005 requesting that we defer action on the subject application pending your completion and submittal of certain revisions to the original maps, tables and legal descriptions. The above-mentioned revised documents were received on December 7, 2005 and your verification of mailing of the Notice to Surrounding Property Owners was received on December 20, 2005.

The request is to adjust the zoning boundaries for several areas situated makai of the Queen Ka'ahumanu Highway within the ahupua'a of Kohanaiki, north of the Kaloko-Honokohau National Historical Park. According to the Summary Table provided within your letter (and as replicated below), approximately 440.454 acres of land within the subject property are involved in this zoning boundaries adjustment request. Specifically, the following summarizes the changes to land area within the respective zoning districts:

JAN 04 2006

Mr. Dave Eadie  
 Chief Executive Officer  
 Rutter Development Corporation  
 Page 2  
 December 23, 2005

Category	Existing Zoning (Acres)	Proposed Zoning Refinement (Acres)	Net Change (Acres)
RS-10	89.649	89.651	+0.002
RM-3	43.165	43.081	-0.084
CV-10	61.171	61.168	-0.003
V-1.25	71.366	71.358	-0.008
ML-10	7.666	7.667	+0.001
O	167.437	167.529	+0.092
Total	440.454	440.454	0.000

According to Section 25-2-45 of the Zoning Code regarding Non-Significant Zoning Changes, the Planning Director may administratively grant non-significant zoning changes that must comply with the designations for the property set forth in the General Plan and any development plan adopted by ordinance, and must either:

- (1) Not result in a net increase in the density allowed in the zoning district(s) containing the affected area; *or*
- (2) Be the lesser of a five percent or one acre increase or decrease in the area of any zoning district(s).

Approval of the requested Non-Significant Zone Change is in compliance with the General Plan. The project site is situated within an area designated for resort, low density urban, medium density urban and open uses by the General Plan Land Use Pattern Allocation Guide (LUPAG) map. Approval of the non-significant zone change will provide for approximately 71 acres of Resort (V) zoned lands, 90 acres of Single-Family Residential (RS) zoned lands, 43 acres of Multi-Family (RM) zoned lands, and approximately 167 acres of Open (O) zoned lands. Therefore, approval of this request will be consistent with the classification of the subject property by the 2005 LUPAG map.

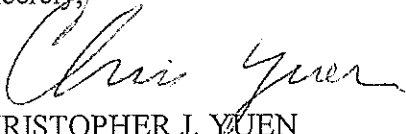
Approval of the Non-Significant Zone Change will not result in a net increase in the density allowed in the zoning districts containing the affected area. The largest differential between existing and proposed zone district areas is within the Open district, which will see an increase of approximately 4,008 square feet of land area. With approximately 167.5 acres of land zoned Open, this represents a 0.055% increase in the Open zone district land area. The RM-3 zoned district will decrease approximately 3,659 square feet in land area, which represents a net decrease of 0.19% of the RM-3 zoned district land area.

Mr. Dave Eadie  
Chief Executive Officer  
Rutter Development Corporation  
Page 3  
December 23, 2005

Upon review of the request, we have determined that it complies with the criteria set forth in Section 25-2-45(a)(1) of Chapter 25, Hawaii County Code , for determining non-significant zoning changes. The adjustment of zoning boundaries will not result in the increase in the zoning densities. Based on the above, we hereby administratively grant the requested non-significant zoning changes.

Should you have any questions, please feel free to contact Larry Brown or Esther Imamura of this office at 961-8288.

Sincerely,



CHRISTOPHER J. YUEN  
Planning Director

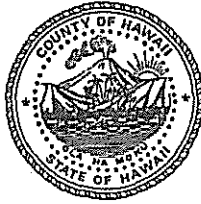
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cc: w/maps     Hawaii County Council  
                  Real Property Tax Division  
                  Planning-West Hawaii Office  
                  Planning-TMK Mapping Section (H. Santiago)

cc: w/maps, m&b description & CD: Planning-GIS Section (G. Bailado)

Harry Kim  
Mayor



Christopher J. Yuen  
Director

Roy R. Takemoto  
Deputy Director

## County of Hawaii

### PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043  
(808) 961-8288 • Fax (808) 961-8742

January 19, 2005

Mr. Dave Eadie  
Chief Executive Officer  
Rutter Development Corporation  
18012 Cowan, Suite 200  
Irvine, CA 92614-6810

Dear Mr. Eadie:

Non-significant Zoning Change Application No. 05-000005 (NZC 05-05)  
Applicant: Rutter/KW Kohanaiki, LLC  
TMK: 7-3-009: 003; Kohanaiki, North Kona, Hawai'i

In the course of reviewing the legal descriptions and revised map showing the resulting zoning boundaries, dated November 28, 2005, by our GIS Mapping Section, it was noticed that several discrepancies exist. Some of the boundary segment descriptions are not consistent between the legal descriptions and the map and Map Check. It was also noticed that a plotting of the legal description for Parcel 2 does not close.

Please check and revise as necessary the legal descriptions for the zoning parcels and the Resulting Zoning Boundaries map for consistency and submit revised documents to the Planning Department.



Mr. Dave Eadie  
Chief Executive Officer  
Rutter Development Corporation  
Page 2  
January 20, 2006

Should you have any questions, please feel free to contact Larry Brown or Esther Imamura of this office at 961-8288.

Sincerely,



CHRISTOPHER J. YUEN  
Planning Director

LMB:cd

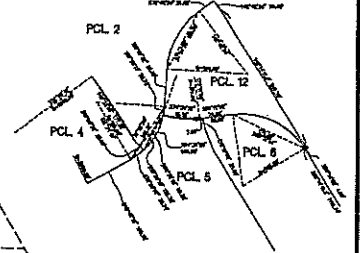
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cc: Hawaii County Council  
Real Property Tax Division  
Planning-West Hawaii Office  
Planning-TMK Mapping Section (H. Santiago)  
Planning-GIS Section (G. Bailado)

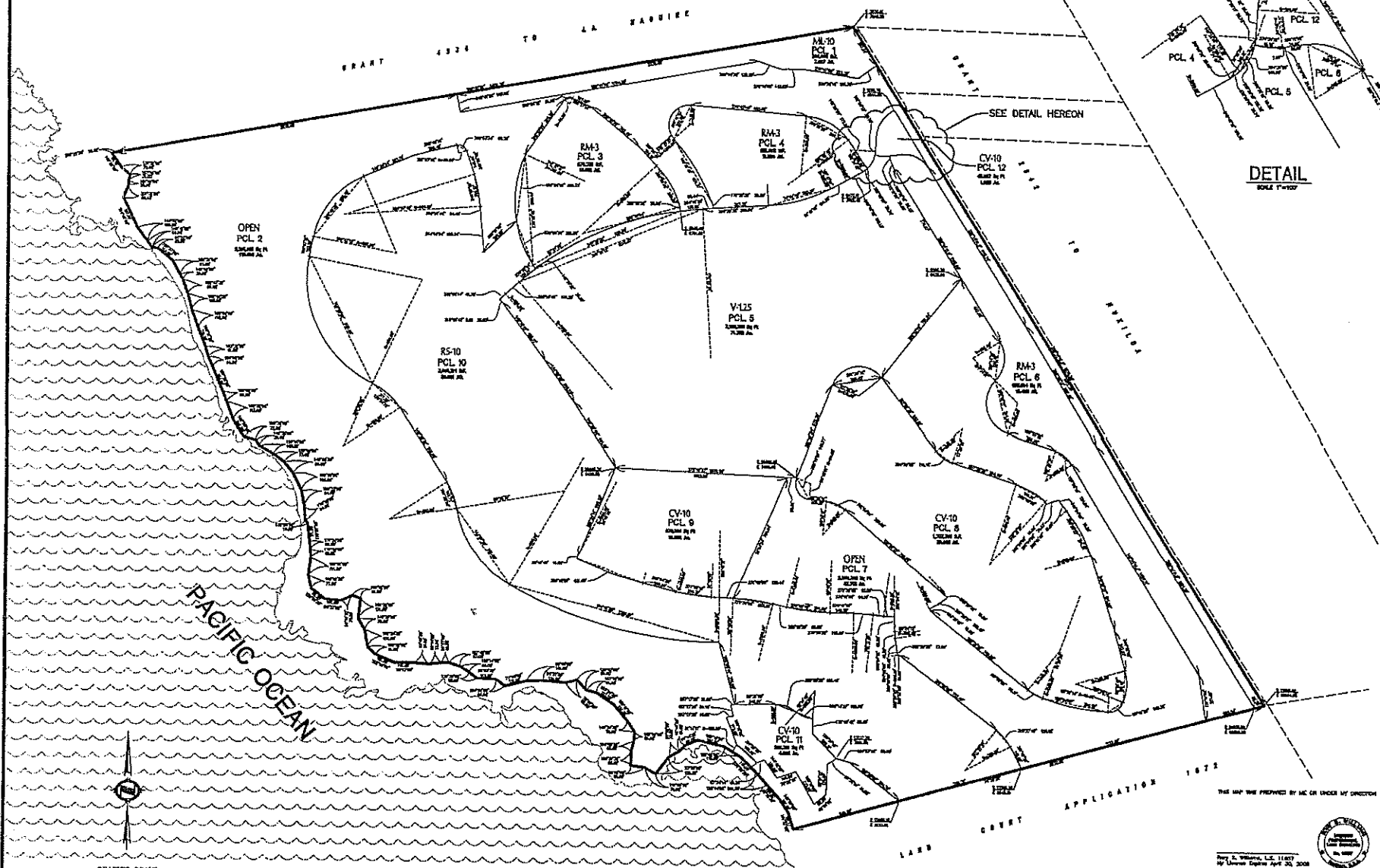
# KOHANAIKI

BEING GRANT 3086 TO KAPENA  
AT KOHANAIKI, NORTH KONA ISLAND OF HAWAII, HAWAII  
TAX MAP KEY: 3RD DIV 7-3-09:3

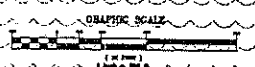
GRANT 4324 TO AA HARRISE



**DETAIL**  
SCALE 1"=100'



SEE DETAIL HEREON



THIS MAP WAS PROVIDED BY ME OR UNDER MY DIRECTION



Ray G. Williams, L.S. 11887  
My License Expires April 30, 2008

<b>RESULTING ZONING BOUNDARIES</b>			<b>KOHANAIKI</b>	
AT KOHANAIKI, NORTH KONA ISLAND OF HAWAII, HAWAII				
DATE: 06-24-05	DRAWN BY: T. W.	DATE: 11-28-05	SCALE: 1"=200'	W.O. 2703-8X
			SHEET 1 OF 1	