

COUNTY OF HAWAII STATE OF HAWAII

BILL NO. 45
(Draft 3)

ORDINANCE NO. 85 48

AN ORDINANCE AMENDING SECTION 25-91 (NORTH AND SOUTH KOHALA DISTRICTS ZONE MAP) ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-20a) TO AGRICULTURAL (A-1a), AGRICULTURAL (A-2a), AGRICULTURAL (A-600a) AND OPEN (O) AT KAAUHUUH, KAHEI, KEALAHUWA 1ST, 2ND & 3RD, HONOIPU, PUAKEA, KUKUIPAHU, ILIO LAHUIKI, AWALUA, HAENA AND KAPUNAPUNA, NORTH KOHALA, HAWAII, COVERED BY TAX MAP KEY 5-5-01:60, 64; 5-5-03:17 AND PORTIONS OF 9 & 16 AND 5-6-01:20 & 21.

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF HAWAII:

SECTION 1. Section 25-91, Article 3, Chapter 25 (Zoning Code) of the Hawaii County Code, is amended to change the district classification of property described hereinafter as follows:

The district classification of the following area situated at Kahei and Kaauhuhu, North Kohala, Hawaii, shall be

Agricultural (A-1a):

(PARCEL "A")

Beginning at the south corner of this parcel of land, also being the east corner of Lot 6-A of Land Court Application 1122 on the northwest side of Kohala Mountain Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O NALE" being 2,608.37 feet north and 2,688.37 feet east and running by azimuths measured clockwise from True South:

- 1. 138° 51' 591.28 feet along Lot 6-A of Land Court Application 1122;
- 2. 25° 17' 255.30 feet along Lot 6-A of Land Court Application 1122;
- 3. 3° 22' 258.00 feet along Lot 6-A of Land Court Application 1122;

4.	104° 12'	726.22 feet along Grant 5425 to Mary Lesser;
Thence along Government Road for the next eighteen (18) courses, the azimuths and distances being:		
5.	207° 36'	689.56 feet;
6.	206° 12'	330.80 feet;
7.	219° 01'	346.90 feet;
8.	204° 23'	75.10 feet;
9.	178° 20'	96.50 feet;
10.	149° 22'	54.80 feet;
11.	122° 46'	41.40 feet;
12.	104° 48'	290.40 feet;
13.	132° 00'	60.00 feet;
14.	161° 00'	125.00 feet;
15.	155° 00'	120.00 feet;
16.	127° 00'	245.00 feet;
17.	132° 40'	50.00 feet;
18.	157° 45'	70.00 feet;
19.	194° 45'	71.90 feet;
20.	216° 17'	78.40 feet;
21.	265° 32'	381.80 feet;
22.	244° 04'	504.50 feet;
23.	12° 17'	655.50 feet along Grant 5422 to Mary Caitano;
24.	271° 10'	315.20 feet along Grant 5422 to Mary Caitano;
25.	319° 16'	305.97 feet along Lot 3-B of Land Court Application 1122;

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| 26. | 12° 52' | 615.93 feet along Grant 4812 to Mary Anderson and Grant 4813 to Frank Caetano; |
| 27. | 25° 28' | 105.90 feet along Grant 4813 to Frank Caetano; |
| 28. | 319° 16' | 846.00 feet along Grant 4813 to Frank Caetano; |
| 29. | 38° 43' | 6.00 feet along Kohala Mountain Road; |
| 30. | 37° 12' | 43.10 feet along Kohala Mountain Road; |
| 31. | 54° 40' | 453.51 feet along Kohala Mountain Road to the point of beginning and containing an area of 43.960 Acres. (Refer to Parcel "A" as shown on Exhibit A). |

The district classification of the following area situated at Kahei and Kukuipahu, North Kohala, Hawaii, shall be Agricultural (A-1a):

(PARCEL "B")

Beginning at the east corner of this parcel of land, also being the south corner of Parcel "C" on the northwest side of Government Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O NALE" being 5,296.65 feet north and 2,772.07 feet east and running by azimuths measured clockwise from True South:

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| 1. | 71° 58' | 462.58 feet along Government Road; |
| 2. | 64° 04' | 500.89 feet along Government Road; |
| 3. | 85° 32' | 318.48 feet along Government Road; |
| 4. | 86° 17' | 104.70 feet along Government Road; |
| 5. | 96° 12' | 690.00 feet along Grant 6576 to Manuel Perreira; |
| 6. | 2° 49' 30" | 87.19 feet along Grant 6576 to Manuel Perreira; |

- 7. 80° 00' 445.61 feet along Parcel "F";
- 8. 101° 01' 30.3" 101.71 feet along Parcel "F";
- 9. 140° 00' 391.55 feet along Parcel "F";
- 10. 60° 00' 421.29 feet along Parcel "F";
- 11. 179° 00' 341.59 feet along Parcel "F" and Parcel "D";

12. Thence along Parcel "D" on a curve to the left with a radius of 270.00 feet, the chord azimuth and distance being:

249° 30' 180.26 feet;

- 13. 143° 55' 50.4" 650.63 feet along Parcel "D";

Thence along Parcel "J" for the next ten (10) courses, the azimuths and distances being:

14. 142° 00' 300.00 feet;

15. 185° 00' 730.00 feet;

16. 202° 00' 350.00 feet;

17. 266° 00' 150.00 feet;

18. 348° 00' 360.00 feet;

19. 306° 00' 350.00 feet;

20. 343° 30' 600.00 feet;

21. 268° 30' 550.00 feet;

22. 300° 00' 650.00 feet;

23. 273° 00' 564.39 feet;

24. 290° 00' 508.10 feet along Parcel "C";

25. Thence along Parcel "C" on a curve to the left with a radius of 475.00 feet, the chord azimuth and distance being:

218° 36' 109.19 feet;

26. 302° 00' 551.78 feet along Parcel "C" to the point of beginning and containing an area of 72.764 Acres. (Refer to Parcel "B" as shown on Exhibit "A").

The district classification of the following area situated at Kahei, North Kohala, Hawaii shall be Agricultural (A-2a):

(PARCEL "C")

Beginning at the south corner of this parcel of land, also being the east corner of Parcel "B" on the northwest side of Government Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O NALE" being 5,296.65 feet north and 2,772.07 feet east and running by azimuths measured clockwise from True South:

1. 122° 00; 551.78 feet along Parcel "B";
2. Thence along Parcel "B" on a curve to the right with a radius of 475.00 feet, the chord azimuth and distance being:
38° 36' 109.19 feet;
3. 110° 00' 508.10 feet along Parcel "B";
4. 194° 12' 785.33 feet along Parcel "J";
5. 270° 00' 1,060.80 feet along Government Road;
6. 2° 25' 1,079.76 feet along Kahei Road;
7. 71° 58' 204.35 feet along Government Road to the point of beginning and containing an area of 25.230 Acres. (Refer to Parcel "C" as shown on Exhibit "A").

The district classification of the following area situated at Kukuipahu, North Kohala, Hawaii, shall be Open (O):

(PARCEL "D")

Beginning at the west corner of this parcel of land, also being the northeast corner of Parcel "E" on the south side of Parcel "J", the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O NALE" being 5,687.87 feet north and 914.91 feet west and running by azimuths measured clockwise from True South:

1. 242° 00' 350.00 feet along Parcel "J";
2. 323° 55' 50.4" 650.63 feet along Parcel "B";
3. Thence along Parcel "B" on a curve to the right with a radius of 270.00 feet, the chord azimuth and distance being:
 69° 30' 180.26 feet;
4. 359° 00' 60.00 feet along Parcel "B";
5. Thence along Parcel "F" on a curve to the right with a radius of 330.00 feet, the chord azimuth and distance being:
 96° 30' 86.15 feet;
6. 104° 00' 265.00 feet along Parcel "F";
7. Thence along Parcel "F" on a curve to the left with a radius of 570.00 feet, the chord azimuth and distance being:
 99° 01' 46.3" 98.77 feet;
8. 168° 00' 404.18 feet along Parcel "E" to the point of beginning and containing an area of 6.113 Acres. (Refer to Parcel "D" as shown on Exhibit "A").

The district classification of the following area situated at Kukuipahu, North Kohala, Hawaii, shall be Agricultural (A-1a):

(PARCEL "E")

Beginning at the northeast corner of this parcel of land, also being the west corner of Parcel "D" on the south side of Parcel "J", the coordinates of said point of beginning referred

to Government Survey Triangulation Station "PUU C NALE" being 5,687.87 feet north and 914.91 feet west and running by azimuths measured clockwise from True South:

1. 348° 00' 404.18 feet along Parcel "D";
 Thence along Parcel "F" for the next thirteen (13) courses, the azimuths and distance being:
2. Following along a curve to the left with a radius of 570.00 feet, the chord azimuth and distance being:
 74° 01' 46.3" 390.45 feet;
3. 54° 00' 517.00 feet;
4. Thence along a curve to the right with a radius of 430.00 feet, the chord azimuth and distance being:
 100° 00' 618.63 feet;
5. 146° 00' 129.73 feet;
6. 56° 00' 161.32 feet;
7. Thence along a curve to the left with a radius of 275.00 feet, the chord azimuth and distance being:
 36° 30' 183.59 feet;
8. 17° 00' 55.67 feet;
9. 107° 00' 50.00 feet;
10. 142° 00' 381.43 feet;
11. 228° 00' 440.00 feet;
12. 146° 00' 175.00 feet;
13. Thence along a curve to the left with a radius of 270.00 feet, the chord azimuth and distance being:
 142° 00' 37.67 feet;
14. 228° 00' 445.30 feet;
 Thence along Parcel "J" for the next five (5) courses, the azimuths and distances being:
15. 354° 00' 287.47 feet;

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| 16. | 326° 00' | 380.00 feet; |
| 17. | 289° 00' | 170.00 feet; |
| 18. | 229° 00' | 720.00 feet; |
| 19. | 272° 00' | 450.00 feet to the point of
beginning and containing an
area of 23.754 Acres. (Refer
to Parcel "E" as shown on
Exhibit "A"). |

The district classification of the following area situated at Kukuipahu, Awalua, Haena and Kapunapuna, North Kohala, Hawaii, shall be Agricultural (A-2a):

(PARCEL "F")

Beginning at the southwest corner of this parcel of land, also being the southeast corner of Parcel "J" on the north side of Grant 738 to Kaiehu, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O NALE" being 1,422.90 feet north and 4,547.58 feet west and running by azimuths measured clockwise from True South:

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|----|----------------|-------------------------------------------------|
| 1. | 205° 00' | 805.00 feet along Parcel "J"; |
| 2. | 181° 20' | 744.00 feet along Parcel "J"; |
| 3. | 221° 10' | 602.00 feet along Parcel "J" and
Parcel "H"; |
| 4. | 257° 37' 44.2" | 277.45 feet along Parcel "H"; |
| 5. | 140° 00' | 221.06 feet along Parcel "H"; |
| 6. | 50° 00' | 150.14 feet along Parcel "H"; |
| 7. | 127° 40' | 417.00 feet along Parcel "H"; |
| 8. | 175° 20' | 251.76 feet along Parcel "J"; |

Thence along Parcel "G" for the next six (6) courses, the azimuths and distance being:

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| 9. | 270° 00' | 263.17 feet; |
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10. Thence along a curve to the right with a radius of 270.00 feet, the chord azimuth and distance being:

192° 20' 32" 163.79 feet;

11. 210° 00' 222.00 feet;

12. Thence along a curve to the left with a radius of 430.00 feet, the chord azimuth and distance being:

194° 00' 237.05 feet;

13. 178° 00' 496.57 feet;

14. 96° 00' 432.21 feet;

Thence along Parcel "J" for the next six (6) courses, the azimuths and distances being:

15. 189° 10' 324.52 feet;

16. 186° 30' 119.00 feet;

17. 243° 00' 1,000.00 feet;

18. 236° 00' 725.00 feet;

19. 285° 00' 200.00 feet;

20. 354° 00' 472.53 feet;

Thence along Parcel "E" for the next twelve (12) courses, the azimuths and distances being:

21. 48° 00' 445.30 feet;

22. Thence along a curve to the right with a radius of 270.00 feet, the chord azimuth and distance being:

322° 00' 37.67 feet;

23. 326° 00' 175.00 feet;

24. 48° 00' 440.00 feet;

25. 322° 00' 381.43 feet;

26. 287° 00' 50.00 feet;

27. 197° 00' 55.67 feet;

28. Thence along a curve to the right with a radius of 275.00 feet, the chord azimuth and distance being:
- 216° 30' 183.59 feet;
29. 236° 00' 161.32 feet;
30. 326° 00' 129.73 feet;
31. Thence along a curve to the left with a radius of 430.00 feet, the chord azimuth and distance being:
- 280° 00' 618.63 feet;
32. 234° 00' 517.00 feet;
33. Thence along Parcel "E" and Parcel "D" on a curve to the right with a radius of 570.00 feet, the chord azimuth and distance being:
- 259° 00' 481.78 feet;
34. 284° 00' 265.00 feet along Parcel "D";
35. Thence along Parcel "D" on a curve to the left with a radius of 330.00 feet the chord azimuth and distance being:
- 276° 30' 86.15 feet;
- Thence along Parcel "B" for the next five (5) courses, the azimuths and distances being:
36. 359° 00' 281.59 feet;
37. 240° 00' 421.29 feet;
38. 320° 00' 391.55 feet;
39. 281° 01' 30.3" 101.71 feet;
40. 260° 00' 445.61 feet;
41. 2° 49' 30" 826.21 feet along Grant 6576 to Manuel Perreira and Grant 5659 to Mary Franca August;
42. 2° 58' 427.60 feet along Lot 11 of Land Court Application 1122;

43. 3° 04' 579.74 feet along Grant 6195 to
Antonia Ascension;

Thence along Government Land for the next seven (7)
courses, the azimuths and distances being:

44. 100° 05' 965.60 feet;
45. 106° 33' 2,272.40 feet;
46. 87° 00' 30" 501.40 feet;
47. 1° 00' 1,002.80 feet;
48. 6° 40' 372.60 feet;
49. 346° 29' 1,050.21 feet;
50. 88° 04' 1,239.05 feet;
51. 90° 59' 540.00 feet along Grant 738 to
Kaiehu to the point of
beginning and containing an
area of 251.175 Acres.
(Refer to Parcel "F" as shown
on Exhibit "A").

The district classification of the following area situated
at Kukuipahu, North Kohala, Hawaii, shall be Agricultural
(A-1a):

(PARCEL "G")

Beginning at the northwest corner of this parcel of land on the
west side of Parcel "F", also being the east side of
Parcel "J", the coordinates of said point of beginning referred
to Government Survey Triangulation Station "PUU O NALE" being
5,111.18 feet north and 4,111.11 feet west and running by
azimuths measured clockwise from True South:

Following along Parcel "F" for the next six (6) courses,
the azimuths and distance being:

1. 276° 00' 432.21 feet;
2. 358° 00' 496.57 feet;
3. Thence along a curve to the right with a radius of
430.00 feet, the chord azimuth and distance being:
14° 00' 237.05 feet;

4. 30° 00' 222.00 feet;
 5. Thence along a curve to the left with a radius of 270.00 feet, the chord azimuth and distance being:
 - 12° 20' 32" 163.79 feet;
 6. 90° 00' 263.17 feet;
- Thence along Parcel "J" for the next six (6) courses, the azimuths and distances being:
7. 175° 20' 125.24 feet;
 8. 177° 00' 149.00 feet;
 9. 179° 40' 384.00 feet;
 10. 181° 00' 166.00 feet;
 11. 185° 40' 190.00 feet;
 12. 189° 10' 120.48 feet to the point of beginning and containing an area of 10.703 Acres. (Refer to Parcel "G" as shown on Exhibit "A").

The district classification of the following area situated at Awalua, North Kohala, Hawaii, shall be Open (O):

(PARCEL "H")

Beginning at the north corner of this parcel of land on the west side of Parcel "F", also being the east side of Parcel "J", the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O NALE" being 3,736.55 feet north and 4,109.98 feet west and running by azimuths measured clockwise from True South:

Following along Parcel "F" for the next five (5) courses, the azimuths and distances being:

1. 307° 40' 417.00 feet;
2. 230° 00' 150.14 feet;

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| 3. | 320° 00' | 221.06 feet; |
| 4. | 77° 37' 44.2" | 277.45 feet; |
| 5. | 41° 10' | 323.58 feet; |
| 6. | 121° 00' | 363.38 feet along Parcel "J"; |
| 7. | 185° 00' | 200.00 feet along Parcel "J"; |
| 8. | 218° 00' | 310.00 feet along Parcel "J" to the point of beginning and containing an area of 5.576 Acres. (Refer to Parcel "H" as shown on Exhibit "A"). |

The district classification of the following area situated at Kahei, Kealahewa 1st, 2nd and 3rd, Honoipu, Puakea, Kukuipahu, Ili O Lahuiki, Awalua, Haena and Kapunapuna, North Kohala, Hawaii, shall be Agricultural (A-600a):

(PARCEL "J")

Beginning at the southeast corner of this parcel of land, also being the southwest corner of Parcel "F" on the north side of Grant 738 to Kaiehu, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O NALE" being 1,422.90 feet north and 4,547.58 feet west and running by azimuths measured clockwise from True South:

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| 1. | 90° 59' | 845.40 feet along Grant 738 to Kaiehu; |
| 2. | 177° 59' 20" | 626.90 feet along the remainder of Grant 2529, Ap. 2 to Kaikamahine and Pahoehoe; |
| 3. | 178° 32' 40" | 572.40 feet along the remainder of Grant 2128 to Kukiahu; |
| 4. | 93° 51' 20" | 1,002.40 feet along Grant 2128 to Kukiahu; |
| 5. | 208° 26' | 365.65 feet along the remainder of Grant 2127 to Kalanikahua, et al; |

- 6. 118° 26' 261.03 feet along the remainder of Grant 2127 to Kalanikahua, et al;
- 7. 208° 26' 249.30 feet along the remainder of Grant 2127 to Kalanikahua, et al;
- 8. 118° 26' 228.97 feet along the remainder of Grant 2127 to Kalanikahua, et al;

Thence along the Roadway Lot (Portion of Maliu Road) for the next twenty (20) courses, the azimuths and distances being:

- 9. 207° 58' 40" 895.23 feet;
- 10. Thence along a curve to the left with a radius of 1,270 feet, the chord azimuth and distance being:
 - 196° 10' 05" 519.84 feet;
- 11. 184° 21' 30" 632.93 feet;
- 12. Thence along a curve to the right with a radius of 895.00 feet, the chord azimuth and distance being:
 - 190° 06' 15" 179.21 feet;
- 13. 195° 51' 221.22 feet;
- 14. Thence along a curve to the left with a radius of 1,420.00 feet, the chord azimuth and distance being:
 - 192° 31' 55" 164.44 feet;
- 15. 189° 12' 40" 442.96 feet;
- 16. Thence along a curve to the right with a radius of 1,980.00 feet, the chord azimuth and distance being:
 - 191° 48" 20" 179.25 feet;
- 17. 194° 24' 268.80 feet;
- 18. 192° 17' 50" 885.85 feet;
- 19. Thence along a curve to the right with a radius of 330.00 feet, the chord azimuth and distance being:

- 223° 28' 50" 341.75 feet;
20. 254° 40' 142.41 feet;
21. Thence along a curve to the left with a radius of 1,820.00 feet, the chord azimuth and distance being:
252° 46' 120.68 feet;
22. 250° 52' 242.29 feet;
23. Thence along a curve to the left with a radius of 320.00 feet, the chord azimuth and distance being:
234° 31' 180.16 feet;
24. 218° 10' 185.76 feet;
25. Thence along a curve to the right with a radius of 1,380.00 feet, the chord azimuth and distance being:
220° 53' 130.82 feet;
26. 223° 36' 557.29 feet;
27. Thence along a curve to the right with a radius of 380.00 feet the chord azimuth and distance being:
233° 39' 30" 132.73 feet;
28. 243° 43' 472.26 feet;
29. 309° 49' 5.47 feet along Grant 5089 to Trustees under the Will and of the Estate of Bernice P. Bishop, deceased;
30. 293° 27' 935.60 feet along Grant 5089 to Trustees under the Will and of the Estate of Bernice P. Bishop, deceased;
31. 318° 10' 1,105.50 feet along Grant 5089 to Trustees under the Will and of the Estate of Bernice P. Bishop, deceased;
32. 269° 20' 320.00 feet along Grant 5089 to Trustees under the Will and of the Estate of Bernice P. Bishop, deceased;

33. 270° 00' 30" 320.90 feet along Grant 7035 to
J. W. Kalua, Grant 6574 to
J. K. Kelii and Grant 7768 to
J. Kamaawe;
34. 258° 38' 30" 488.37 feet along R. P. 7730, L. C.
Aw. 5368, Ap. 5 to Akahi;
35. 282° 25' 1,080.96 feet along Government Land;
36. 169° 19' 936.70 feet along Government Land;
- Thence along Kohala Ditch for the next eleven (11)
courses, the azimuths and distances being:
37. Following along a curve to the right with a radius of
130.00 feet, the chord azimuth and distance being:
258° 30' 51.84 feet;
38. 270° 00' 159.98 feet;
39. Thence along a curve to the right with a radius of
200.00 feet, the chord azimuth and distance being:
285° 00' 103.53 feet;
40. 300° 00' 141.65 feet;
41. Thence along a curve to the left with a radius of
150.00 feet, the chord azimuth and distance being:
257° 30' 202.68 feet;
42. Thence along a curve to the right with a radius of
130.00 feet, the chord azimuth and distance being:
252° 30' 158.28 feet;
43. 290° 00' 90.00 feet;
44. Thence along a curve to the left with a radius of
200.00 feet, the chord azimuth and distance being:
278° 00' 91.48 feet;
45. Thence along a curve to the right with a radius of
120.00 feet, the chord azimuth and distance being:
284° 00' 74.16 feet;

46. 302° 00' 91.00 feet;
47. Thence along a curve to the left with a radius of 150.00 feet, the chord azimuth and distance being:
290° 07' 30" 61.73 feet;
48. 351° 43' 758.91 feet along Government Land;
49. 192° 55' 790.86 feet along Government Land;
- Thence along Kohala Ditch for the next ten (10) courses, the azimuths and distances being:
50. 300° 00' 150.00 feet;
51. Thence along a curve to the left with a radius of 170.00 feet, the chord azimuth and distance being:
285° 30' 85.13 feet;
52. 271° 00' 215.00 feet;
53. Thence along a curve to the left with a radius of 170.00 feet, the chord azimuth and distance being:
257° 00' 82.25 feet;
54. 243° 00' 130.00 feet;
55. Thence along a curve to the left with a radius of 150.00 feet, the chord azimuth and distance being:
235° 00' 41.75 feet;
56. 227° 00' 60.00 feet;
57. Thence along a curve to the right with a radius of 40.00 feet, the chord azimuth and distance being:
287° 30' 69.63 feet;
58. 348° 00' 62.31 feet;
59. Thence along a curve to the left with a radius of 100.00 feet, the chord azimuth and distance being:
331° 26' 19" 57.01 feet;
60. 11° 29' 30" 2,122.77 feet along Government Land;

61.	14° 12'	785.33 feet along Parcel "C";
Thence along Parcel "B" for the next ten (10) courses, the azimuths and distances being:		
62.	93° 00'	564.39 feet;
63.	120° 00'	650.00 feet;
64.	88° 30'	550.00 feet;
65.	163° 30'	600.00 feet;
66.	126° 00'	350.00 feet;
67.	168° 00'	360.00 feet;
68.	86° 00'	150.00 feet;
69.	22° 00'	350.00 feet;
70.	5° 00'	730.00 feet;
71.	322° 00'	300.00 feet;
72.	62° 00'	350.00 feet along Parcel "D";
73.	92° 00'	450.00 feet along Parcel "E";
74.	49° 00'	720.00 feet along Parcel "E";
75.	109° 00'	170.00 feet along Parcel "E";
76.	146° 00'	380.00 feet along Parcel "E";
77.	174° 00'	760.00 feet along Parcel "E" and Parcel "F";
78.	105° 00'	200.00 feet along Parcel "F";
79.	56° 00'	725.00 feet along Parcel "F";
80.	63° 00'	1,000.00 feet along Parcel "F";
81.	6° 30'	119.00 feet along Parcel "F";
82.	9° 10'	437.00 feet along Parcel "F" and Parcel "G";
83.	5° 40'	190.00 feet along Parcel "G";

84.	1° 00'	166.00 feet along Parcel "G";
85.	359° 40'	384.00 feet along Parcel "G";
86.	357° 00'	149.00 feet along Parcel "G";
87.	355° 20'	377.00 feet along Parcel "G" and Parcel "F";
88.	38° 00'	310.00 feet along Parcel "H";
89.	5° 00'	200.00 feet along Parcel "H";
90.	301° 00'	363.38 feet along Parcel "H";
91.	41° 10'	278.42 feet along Parcel "F";
92.	1° 20'	744.00 feet along Parcel "F";
93.	25° 00'	805.00 feet along Parcel "F" to the point of beginning and containing an area of 615.193 Acres. (Refer to Parcel "J" as shown on Exhibit "A").

The district classification of the following area situated at Honoipu, Puakea, Kukuipahu, Ili O Lahuiki, Awalua, Haena, North Kohala, Hawaii, shall be Agricultural (A-600a):

(PARCEL "K")

Beginning at the west corner of this parcel of land on the northeast side of Puuhue-Honoipu Road, the coordinates of said point of beginning referred to Government Survey Traingulation Station "PUU O NALE" being 7,325.48 feet north and 10,175.94 feet west and running by azimuths measured clockwise from True South:

1.	229° 00'	47.83 feet along the remainder of L. C. Aw. 11216, Ap. 29 to M. Kekauonohi;
2.	280° 35' 10"	575.80 feet along the remainder of L. C. Aw. 11216, Ap. 29 to M. Kekauonohi;

3. 209° 56' 2,263.30 feet along the remainders of L. C. Aw. 11216, Ap. 29 to M. Kekauonohi and Grant 751 to Nape and Lohilohi;
4. 210° 37' 1,155.20 feet along the remainders of L. C. Aw. 11216, Ap. 29 to M. Kekauonohi and Grant 2361 to H. Christiansen;
5. 216° 23' 780.00 feet along the remainder of Grant 2361 to H. Christiansen;
6. 215° 50' 1,233.20 feet along the remainder of Grant 2361 to H. Christiansen and Grant 2766 to Nahale;

Thence along Grant 5089 to Trustees under the Will and of the Estate of Bernice P. Bishop, deceased for the next five (5) courses, the azimuths and distances being:

7. 304° 35' 30" 460.73 feet;
8. 308° 57' 815.10 feet;
9. 328° 07' 1,128.50 feet;
10. 297° 53' 1,262.00 feet;
11. 309° 49' 555.88 feet;

Thence along Roadway Lot (Portion of Maliu Road) for the next fourteen (14) courses, the azimuths and distances being:

12. 63° 43' 454.53 feet;
13. Thence along a curve to the left with a radius of 420.00 feet, the chord azimuth and distance being:
53° 39' 30" 146.71 feet;
14. 43° 36' 557.29 feet;
15. Thence along a curve to the left with a radius of 1,420.00 feet, the chord azimuth and distance being:
40° 53' 134.61 feet;
16. 38° 10' 185.76 feet;

17. Thence along a curve to the right with a radius of 280.00 feet, the chord azimuth and distance being:
- 54° 31' 157.64 feet;
18. 70° 52' 242.29 feet;
19. Thence along a curve to the right with a radius of 1,780.00 feet, the chord azimuth and distance being:
- 72° 46' 118.03 feet;
20. 74° 40' 142.41 feet;
21. Thence along a curve to the left with a radius of 370.00 feet, the chord azimuth and distance being:
- 43° 28' 50" 383.17 feet;
22. 12° 17' 50" 885.12 feet;
23. 14° 24' 268.07 feet;
24. Thence along a curve to the left with a radius of 2,020.00 feet, the chord azimuth and distance being:
- 11° 48' 20" 182.87 feet;
25. 9° 12' 40" 22.96 feet;
26. 99° 12' 40" 355.00 feet along Parcel "L";
27. 9° 12' 40" 375.00 feet along Parcel "L";
28. 279° 12' 40" 355.00 feet along Parcel "L";
- Thence along Roadway Lot (Portion of Maliu Road) for the next nine (9) courses, the azimuths and distances being:
29. 9° 12' 40" 40.00 feet;
30. Thence along a curve to the right with a radius of 1,380.00 feet, the chord azimuth and distance being:
- 12° 31' 55" 159.81 feet;
31. 15° 51' 221.22 feet;
32. Thence along a curve to the left with a radius of 935.00 feet, the chord azimuth and distance being:
- 10° 06' 15" 187.22 feet;

33. 4° 21' 30" 632.93 feet;
34. Thence along a curve to the right with a radius of 1,230.00 feet, the chord azimuth and distance being:
 - 16° 10' 05" 503.47 feet;
35. 27° 58' 40" 895.07 feet;
36. 28° 26' 348.59 feet;
37. 30° 00' 519.76 feet;
38. 93° 04' 40" 721.64 feet along Grant 2128 to Kukiahau;
39. 151° 56' 17" 3,926.30 feet along Puuhue-Honoipu Road;
40. 151° 49' 40" 1,227.60 feet along Puuhue-Honoipu Road to the point of beginning and containing an area of 622.626 Acres. (Refer to Parcel "K" as shown on Exhibit "A").

The district classification of the following area situated at Kukuipahu, North Kohala, Hawaii, shall be Open (O):

(PARCEL "L")

Beginning at the southeast corner of this parcel of land, also being the east side of Parcel "K" on the west side of Roadway Lot (Portion of Maliu Road), the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O NALE" being 5,999.18 feet north and 5,859.53 feet west and running by azimuths measured clockwise from True South:

1. 99° 12' 40" 355.00 feet along Parcel "K";
2. 189° 12' 40" 375.00 feet along Parcel "K";
3. 279° 12' 40" 355.00 feet along Parcel "K";
4. 9° 12' 40" 375.00 feet along Roadway Lot (Portion of Maliu Road) to the point of beginning and containing an area of 3.056 Acres. (Refer to Parcel "L" as shown on Exhibit "A").

Beginning at a pipe in concrete marked "371" at the southeast corner of this parcel of land on the north side of Grant 2128 to Kukiahu, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O NALE" being 2,737.44 feet north and 6,983.93 feet west and running by azimuths measured clockwise from True South:

1. 93° 04' 40" 44.86 feet across Maliu Road;
Thence along Parcel "K" for the next eight (8) courses, the azimuths and distances being:
2. 210° 00' 519.76 feet;
3. 208° 26' 348.59 feet;
4. 207° 58' 40" 895.07 feet;
5. Thence along a curve to the left with a radius of 1,230.00 feet, the chord azimuth and distance being:
196° 10' 05" 503.47 feet;
6. 184° 21' 30" 632.93 feet;
7. Thence along a curve to the right with a radius of 935.00 feet, the chord azimuth and distance being:
190° 06' 15" 187.22 feet;
8. 195° 51' 221.22 feet;
9. Thence along a curve to the left with a radius of 1,380.00 feet, the chord azimuth and distance being:
192° 31' 55" 159.81 feet;
10. 189° 12' 40" 442.96 feet along Parcel "K" and Parcel "L";
Thence along Parcel "K" for the next thirteen (13) courses, the azimuths and distances being:
11. Following along a curve to the right with a radius of 2,020.00 feet, the chord azimuth and distance being:
191° 48' 20" 182.87 feet;
12. 194° 24' 268.07 feet;

13. 192° 17' 50" 885.12 feet;
14. Thence along a curve to the right with a radius of 370.00 feet, the chord azimuth and distance being:
223° 28' 50" 383.17 feet;
15. 254° 40' 142.41 feet;
16. Thence along a curve to the left with a radius of 1,780.00 feet, the chord azimuth and distance being:
252° 46' 118.03 feet;
17. 250° 52' 242.29 feet;
18. Thence along a curve to the left with a radius of 280.00 feet, the chord azimuth and distance being:
234° 31' 157.64 feet;
19. 218° 10' 185.76 feet;
20. Thence along a curve to the right with a radius of 1,420.00 feet, the chord azimuth and distance being:
220° 53' 134.61 feet;
21. 223° 36' 557.29 feet;
22. Thence along a curve to the right with a radius of 420.00 feet, the chord azimuth and distance being:
233° 39' 30" 146.71 feet;
23. 243° 43' 454.53 feet;
24. 309° 49' 43.75 feet across Maliu Road;
Thence along Parcel "J" for the next twenty (20) courses,
the azimuths and distances being:
25. 63° 43' 472.26 feet;
26. Thence along a curve to the left with a radius of 380.00 feet, the chord azimuth and distance being:
53° 39' 30" 132.73 feet;
27. 43° 36' 557.29 feet;

28. Thence along a curve to the left with a radius of 1,380.00 feet, the chord azimuth and distance being:
 40° 53' 130.82 feet;
29. 38° 10' 185.76 feet;
30. Thence along a curve to the right with a radius of 320.00 feet, the chord azimuth and distance being:
 54° 31' 180.16 feet;
31. 70° 52' 242.29 feet;
32. Thence along a curve to the right with a radius of 1,820.00 feet, the chord azimuth and distance being:
 72° 46' 120.68 feet;
33. 74° 40' 142.41 feet;
34. Thence along a curve to the left with a radius of 330.00 feet, the chord azimuth and distance being:
 43° 28' 50" 341.75 feet;
35. 12° 17' 50" 885.85 feet;
36. 14° 24' 268.80 feet;
37. Thence along a curve to the left with a radius of 1,980.00 feet, the chord azimuth and distance being:
 11° 48' 20" 179.25 feet;
38. 9° 12' 40" 442.96 feet;
39. Thence along a curve to the right with a radius of 1,420.00 feet, the chord azimuth and distance being:
 12° 31' 55" 164.44 feet;
40. 15° 51' 221.22 feet;
41. Thence along a curve to the left with a radius of 895.00 feet, the chord azimuth and distance being:
 10° 06' 15" 179.21 feet;
42. 4° 21' 30" 632.93 feet;

43. Thence along a curve to the right with a radius of 1,270.00 feet, the chord azimuth and distance being:
- | | |
|-----------------|--------------------------------------------------------------------------------------------------------------------------------------|
| 16° 10' 05" | 519.84 feet; |
| 44. 27° 58' 40" | 895.23 feet; |
| 45. 28° 26' | 349.30 feet along the remainder of Grant 2127 to Kalanikahua, et al; |
| 46. 30° 00' | 500.00 feet along the remainder of Grant 2127 to Kalanikahua, et al to the point of beginning and containing an area of 7.147 Acres. |

Beginning at a pipe in concrete marked "348" at the south corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O NALE" being 2,745.05 feet north and 7,843.86 feet west and running by azimuths measured clockwise from True South:

- | | |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. 151° 55' 20" | 3,799.03 feet along the remainders of Grant 2583 to Kamawai and Napua, Grant 2127 to Kalanikahua, et al and L. C. Aw. 11216, Ap. 29 to M. Kekauonohi; |
| 2. 193° 40' | 150.60 feet along the remainder of L. C. Aw. 11216, Ap. 29 to M. Kekauonohi and across Puuhue-Honoipu Road; |
| 3. 331° 56' 17" | 3,926.30 feet along Parcel "K"; |
| 4. 70° 28' | 100.30 feet across Puuhue-Honoipu Road to the point of beginning and containing an area of 8.843 Acres. |

All as shown on the map attached hereto, marked Exhibit "A" and by reference made a part hereof.

SECTION 2. These changes in district classification are conditioned upon the following: (A) the petitioner, its successors or assigns shall be responsible for complying with all of the stated conditions of approval; (B) the subject area shall be zoned in three increments. The first increment shall consist of a maximum of 57 lots encompassing approximately 150 contiguous acres within the Agricultural one-acre, two-acre or the Open zoned districts. The two Agricultural six hundred acre zoned parcels shall also be included in the first increment. The second increment shall consist of a maximum of 57 lots encompassing approximately 150 contiguous acres within the Agricultural one-acre, two-acre or Open zoned districts. The third increment shall include the remaining area. The zoning of the second increment shall become effective upon final subdivision approval for the first increment and the development of agricultural activity on one of the Agricultural six hundred acre parcels. The zoning of the third increment shall become effective upon final subdivision approval for the second increment and the development of agricultural activity on both of the Agricultural six hundred acre parcels. As used herein, "agricultural activity" means the cultivation of crops, including but not limited to flowers, vegetables, foliage, fruits, forage and timber; game propagation; raising of livestock, including but not limited to poultry, bees, fish or other animals or aquatic life that are propagated for economic or personal use. An agricultural activity will be considered to have been developed (1) if such activity is

intensively utilizing a minimum of 50% of the usable land area of the affected property(ies); or (2) if a level of production, greater than or equal to that which could be achieved on 50% of the usable land area, is achieved on a smaller area through alternative production technology; (C) subdivision plans and drainage plans, meeting with the approval of the Department of Public Works, for each increment shall be submitted within one year from the effective date of the change of zone for that increment. Final subdivision and drainage plans for each increment shall be submitted within one year from the effective date of the tentative subdivision approval for that increment; (D) restrictive deed covenants for each lot shall be submitted to the Planning Department for review and approval prior to its submittal to the Bureau of Conveyances for recordation with final subdivision plat maps. These covenants shall include but not necessarily be limited to the following: (1) each developable parcel shall be subject to requirements for active agricultural activities to ensure the land is productively used; (2) each developable parcel shall be restricted from any further subdivision. The restrictive covenants contained herein are encumbrances running with the land, and shall be binding on all parties and persons claiming under them until such time that the land is rezoned to a more appropriate zoning designation; (E) drainage systems as required by the Department of Public Works shall be installed;


(F) roadway improvements, meeting with the approval of the Department of Public Works and the State Department of Transportation, Highways Division, shall be provided; (G) an agricultural standard roadway shall be provided prior to final subdivision approval of the third increment, from the Agricultural one and two acre zoned parcels down to Maliu Road. Maliu Road shall be improved, as may be required by the Department of Public Works. Each parcel shall be granted a perpetual easement to utilize the subject roadway as an alternative access to the subdivision; (H) a qualified archaeologist shall be contracted to conduct an archaeological reconnaissance of the project area. Two copies of the final report shall be sent to the State Department of Land and Natural Resources, Division of State Parks, and one copy to the County Planning Department for review and comment prior to final subdivision approval of the first increment. After reviewing the final report, further recommendations toward the mitigation and/or preservation of any cultural resources may be made. These further recommendations, if any, shall be implemented and completed prior to the start of any construction activity; (I) should any unanticipated archaeological sites, including subsurface remains such as burials or cave shelters, be discovered during grading of the property, work within the affected area shall cease. The Planning Department shall be notified, and work shall not resume within the affected area until the Planning Department has approved the disposition of the site(s); (J) a minimum area of one acre, encompassing the Kukuipahu Heiau site, shall be fenced and turned over to the State of Hawaii.

The petitioner, its successors or assigns, shall not be held responsible for maintaining the fence; (K) the lessee of the parcel below Maliu Road shall be granted a license to withdraw water from the Kohala Ditch in sufficient quantities to meet the projected agricultural water requirements of the lessee's agricultural program; and (L) all other applicable rules, regulations and requirements, including those of the Department of Health and Department of Water Supply shall be complied with. should any of the foregoing conditions not be met, rezoning of the area to its original or more appropriate designation may be initiated.

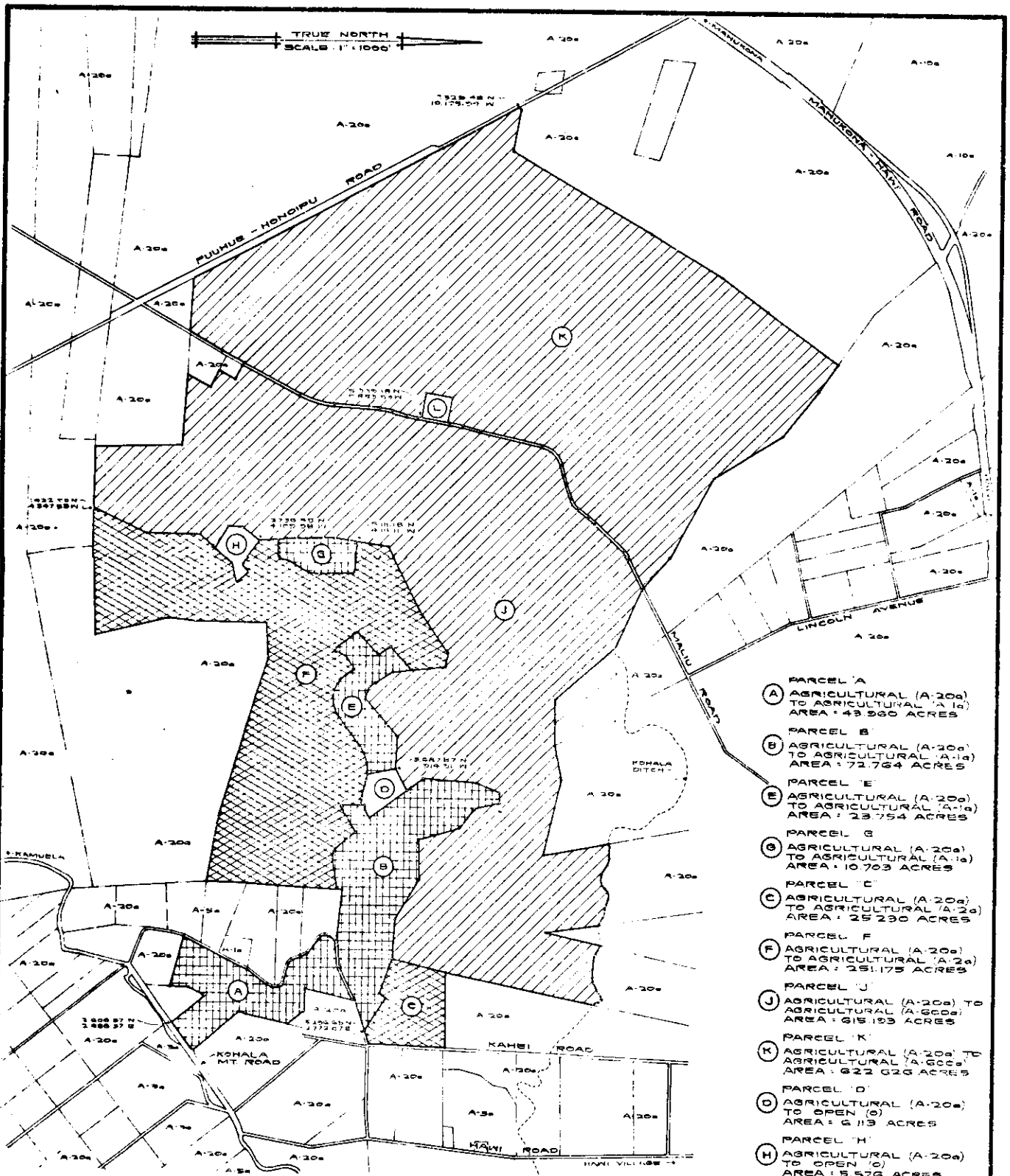
SECTION 3. In the event that any portion of this ordinance is declared invalid, such invalidity shall not affect the other parts of this ordinance.

SECTION 4. This ordinance shall take effect upon its approval.

INTRODUCED BY:


COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii
Date of Introduction: May 8, 1985
Date of 1st Reading: May 8, 1985
Date of 2nd Reading: June 5, 1985
Effective Date: June 20, 1985



- PARCEL A
 (A) AGRICULTURAL (A-20a) TO AGRICULTURAL (A-1a)
 AREA: 49,960 ACRES
- PARCEL B
 (B) AGRICULTURAL (A-20a) TO AGRICULTURAL (A-1a)
 AREA: 72,764 ACRES
- PARCEL E
 (E) AGRICULTURAL (A-20a) TO AGRICULTURAL (A-1a)
 AREA: 23,754 ACRES
- PARCEL G
 (G) AGRICULTURAL (A-20a) TO AGRICULTURAL (A-1a)
 AREA: 10,703 ACRES
- PARCEL C
 (C) AGRICULTURAL (A-20a) TO AGRICULTURAL (A-2a)
 AREA: 25,230 ACRES
- PARCEL F
 (F) AGRICULTURAL (A-20a) TO AGRICULTURAL (A-2a)
 AREA: 251,175 ACRES
- PARCEL J
 (J) AGRICULTURAL (A-20a) TO AGRICULTURAL (A-600a)
 AREA: 618,193 ACRES
- PARCEL K
 (K) AGRICULTURAL (A-20a) TO AGRICULTURAL (A-600a)
 AREA: 622,626 ACRES
- PARCEL D
 (D) AGRICULTURAL (A-20a) TO OPEN (O)
 AREA: 6,113 ACRES
- PARCEL H
 (H) AGRICULTURAL (A-20a) TO OPEN (O)
 AREA: 5,576 ACRES
- PARCEL L
 (L) AGRICULTURAL (A-20a) TO OPEN (O)
 AREA: 3,056 ACRES

AMENDMENT TO THE ZONING CODE

AMENDING SECTION 25-91 (NORTH AND SOUTH KOHALA DISTRICTS ZONE MAP) ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATIONS FROM AGRICULTURAL (A-20a), AGRICULTURAL (A-20c) TO AGRICULTURE (A-1a), AGRICULTURAL (A-2a), AGRICULTURAL (A-600a) AND OPEN (O) AT KAAHUHUU, KAHEI, KEALAHWEA 1ST, 2ND AND 3RD, HONOIPU, PUAKEA, KUKUIPAHU, ILI O LAHUKI, AWALUA, HAENA AND KAPUNAPUNA, NORTH KOHALA, HAWAII.

NOTE: COORDINATES REFERRED TO "PULU O NALE" &

PREPARED BY:
 PLANNING DEPARTMENT
 COUNTY OF HAWAII