

COUNTY OF HAWAII STATE OF HAWAII



Bill No. 608 (Draft 3)

ORDINANCE NO. 88 158

AN ORDINANCE AMENDING SECTION 25-87 (NORTH KONA ZONE MAP) ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM OPEN (O) TO RESORT-HOTEL (V-1 AND V-2); VILLAGE COMMERCIAL (CV-10); NEIGHBORHOOD COMMERCIAL (CN-10); SINGLE FAMILY RESIDENTIAL (RS-10, RS-15 AND RS-20) AND TO MULTIPLE FAMILY RESIDENTIAL (RM-3, RM-3.5, RM-4 AND RM-5) AT KUKIO 1ST, NORTH KONA, HAWAII, AND COVERED BY TAX MAP KEY 7-2-04:PORTIONS OF 5 AND 16.

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

SECTION 1. Section 25-87, Article 3, Chapter 25 (Zoning Code) of the Hawaii County Code, is amended to change the district classification of properties described hereinafter as follows:

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Resort-Hotel (V-1):

Parcel 1

Beginning at the Southeasterly corner of this parcel of land, on the boundary line between the lands of Kukio 1st and Kaupulehu, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 23,636.56 feet North and 7,916.18 feet West and running by azimuths measured clockwise from True South:

Along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 540.00 feet, the chord azimuth and distance being:

1. 133° 31 57.5" 307.33 feet, thence;
2. 117° 00' 147.00 feet along remainder of Grant 2121 to Pupule;
thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 780.00 feet, the chord azimuth and distance being:
3. 134° 00 456.10 feet, thence;
4. 151° 00' 9.00 feet along remainder of Grant 2121 to Pupule;
thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
5. 196° 00 42.43 feet, thence;
6. 151° 00' 50.00 feet along remainder of Grant 2121 to Pupule;
thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being;
7. 106° 00' 42.43 feet, thence;
8. 61° 00' 684.75 feet along remainder of Grant 2121 to Pupule;
9. 174° 45' 104.96 feet along remainder of Grant 2121 to Pupule;
10. 156° 40' 57.85 feet along remainder of Grant 2121 to Pupule;

11.	109°	57'	39.00 feet along remainder of Grant 2121 to Pupule;
12.	23°	15'	36.00 feet along remainder of Grant 2121 to Pupule;
13.	97°	36'	127.00 feet along remainder of Grant 2121 to Pupule;
14.	146°	42'	115.00 feet along remainder of Grant 2121 to Pupule;
15.	69°	34'	87.00 feet along remainder of Grant 2121 to Pupule;
16.	145°	00'	183.36 feet along remainder of Grant 2121 to Pupule to the highwater mark at seashore;
			thence along highwater mark at seashore, along top bank and vegetation line for the next seven (7) courses, the direct azimuths and distances between points along said highwater mark being:
17.	216°	02'	110.26 feet;
18.	204°	15'	317.20 feet;
19.	194°	23' 30"	157.60 feet;
20.	213°	41'	251.00 feet;
21.	209°	11' 30"	251.00 feet;
22.	177°	02' 30"	114.20 feet;
23.	183°	14' 30"	26.15 feet to a 1/2" pipe, thence;
24.	288°	20' 40"	323.14 feet along the land of Kaupulehu, along R.P. 7843, L.C. Aw. 7715, Ap. 10 to Lota Kamehameha (Certificate of Boundaries No. 460) to a nail in rock;

25. 330° 03' 55" 2,002.59 feet along the land of Kaupulehu, along R. P. 7843, L. C. Aw. 7715, Ap. 10 to Lota Kamehameha (Certificate of Boundaries No. 160) to the point of beginning and containing an area of 27.623 Acres more or less. (Refer to Parcel 1 as shown on Exhibit "A").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Village Commercial (CV-10):

Parcel 2

Beginning at the Southeasterly corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 23,792.83 feet North and 8,206.46 feet West and running by azimuths measured clockwise from True South:

1. 61° 00' 255.00 feet along remainder of Grant 2121 to Pupule;
2. 123° 17' 341.82 feet along remainder of Grant 2121 to Pupule;
3. 61° 00' 279.54 feet along remainder of Grant 2121 to Pupule;
4. 133° 47' 408.50 feet along remainder of Grant 2121 to Pupule;
5. 241° 00' 604.75 feet along remainder of Grant 2121 to Pupule;
6. 331° 00' 119.00 feet along remainder of Grant 2121 to Pupule;

thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 860.00 feet, the chord azimuth and distance being:

7. 314° 00' 502.88 feet, thence;

8. 297° 00' 112.04 feet along remainder of Grant 2121 to Pupule to the point of beginning and containing an area of 6.644 Acres. (Refer to Parcel 2 as shown on Exhibit "A").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Village Commercial (CV-10):

Parcel 3

Beginning at the Northeasterly corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 23,792.83 feet North and 8,206.46 feet West and running by azimuths measured clockwise from True South:

1. 297° 00' 34.96 feet along remainder of Grant 2121 to Pupule;
thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 460.00 feet, the chord azimuth and distance being:
2. 298° 33' 04" 24.90 feet, thence;
3. 61° 00' 574.33 feet along remainder of Grant 2121 to Pupule;
4. 127° 40' 384.00 feet along remainder of Grant 2121 to Pupule;
5. 241° 00' 279.54 feet along remainder of Grant 2121 to Pupule;
6. 303° 17' 341.82 feet along remainder of Grant 2121 to Pupule;
7. 241° 00' 255.00 feet along remainder of Grant 2121 to Pupule to the point of beginning and containing an area of 2.694 Acres. (Refer to Parcel 3 as shown on Exhibit "A").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be

Multiple Family Residential (RM-3.0):

Parcel 4

Beginning at the Southeasterly corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 22,557.99 feet North and 7,732.68 feet West and running by azimuths measured clockwise from True South:

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| 1. | 90° 40' | 260.00 feet along remainder of Grant 2121 to Pupule; |
| 2. | 161° 19' | 160.00 feet along remainder of Grant 2121 to Pupule; |
| 3. | 179° 14' | 402.00 feet along remainder of Grant 2121 to Pupule; |
| 4. | 137° 46' | 129.00 feet along remainder of Grant 2121 to Pupule; |
| 5. | 83° 55' | 295.00 feet along remainder of Grant 2121 to Pupule; |
| 6. | 122° 29' | 99.00 feet along remainder of Grant 2121 to Pupule; |
| 7. | 150° 42' | 292.00 feet along remainder of Grant 2121 to Pupule; |
| 8. | 241° 00' | 574.33 feet along remainder of Grant 2121 to Pupule; |
| | | thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 460.00 feet, the chord azimuth and distance being: |
| 9. | 315° 05' 01.5" | 237.83 feet, thence; |
| 10. | 330° 03' 55" | 482.00 feet along remainder of Grant 2122 to Pupule; |

thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 510.00 feet, the chord azimuth and distance being:

11. 351° 01' 57.5" 364.99 feet, thence;
12. 12° 00' 157.88 feet along remainder of Grant 2121 to Pupule;

thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 540.00 feet, the chord azimuth and distance being:

13. 6° 20' 106.64 feet to the point of beginning and containing an area of 12.386 Acres. (Refer to Parcel 4 as shown on Exhibit "A").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Multiple Family Residential (RM-3.0):

Parcel 5

Beginning at the North corner of this parcel of land, on the boundary line between the lands of Kukio 1st and Kaupulehu, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 23,218.86 feet North and 7,675.66 feet West and running by azimuths measured clockwise from True South:

1. 330° 03' 55" 960.32 feet along the land of Kaupulehu, along R. P. 7843, L. C. Aw. 7715, Ap. 10 to Lota Kamehameha (Certificate of Boundaries No. 160) and passing over a 1" pipe in concrete with ahu marked "K-23";

2. 60° 03' 55" 352.20 feet along remainder of Grant 2121 to Pupule;
 thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 460.00 feet, the chord azimuth and distance being:
3. 162° 05' 47" 458.66 feet, thence;
4. 192° 00' 157.88 feet along remainder of Grant 2121 to Pupule;
 thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 590.00 feet, the chord azimuth and distance being:
5. 171° 01' 57.5" 422.25 feet to the point of beginning and containing an area of 4.550 Acres. (Refer to Parcel 5 as shown on Exhibit "A").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Multiple Family Residential (RM-4.0):

Parcel 6

Beginning at the South corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 21,341.93 feet North and 7,320.60 feet West and running by azimuths measured clockwise from True South:

1. 116° 00' 137.00 feet along remainder of Grant 2121 to Pupule;
2. 160° 45' 415.00 feet along remainder of Grant 2121 to Pupule;
3. 126° 44' 437.00 feet along remainder of Grant 2121 to Pupule;

4. 155° 53' 96.00 feet along remainder of Grant 2121 to Pupule;
5. 199° 20' 101.00 feet along remainder of Grant 2121 to Pupule;
- thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 540.00 feet, the chord azimuth and distance being:
6. 231° 13' 102.00 feet along remainder of Grant 2121 to Pupule;
7. 259° 30' 173.27 feet along remainder of Grant 2121 to Pupule;
- thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 540.00 feet, the chord azimuth and distance being:
8. 320° 35' 08" 290.17 feet, thence;
9. 305° 00' 113.22 feet along remainder of Grant 2121 to Pupule;
- thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 460.00 feet, the chord azimuth and distance being:
10. 345° 30' 597.49 feet, thence;
11. 26° 00' 138.00 feet along remainder of Grant 2121 to Pupule to the point of beginning and containing an area of 7.472 Acres. (Refer to Parcel 6 as shown on Exhibit "A").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Multiple Family Residential (RM-3.0):

Parcel 7

Beginning at the Southwesterly corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 21,139.69 feet North and 7,330.24 feet West and running by azimuths measured clockwise from True South:

1. 206° 00' 324.00 feet along remainder of Grant 2121 to Pupule;
thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 540.00 feet, the chord azimuth and distance being:
2. 165° 30' 701.40 feet, thence;
3. 125° 00' 113.22 feet along remainder of Grant 2121 to Pupule;
thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 460.00 feet, the chord azimuth and distance being:
4. 128° 35' 47" 57.71 feet, thence;
5. 240° 03' 55" 352.20 feet along remainder of Grant 2121 to Pupule;
6. 330° 03' 55" 1,140.00 feet along the land of Kaupulehu, along R. P. 7843, L. C. Aw. 7715, Ap. 10 to Lota Kamehameha (Certificate of Boundaries No. 160);
7. 64° 00' 605.72 feet along remainder of Grant 2121 to Pupule;
8. 77° 52' 77.00 feet along remainder of Grant 2121 to Pupule;

9. 105° 17' 86.00 feet along remainder of Grant 2121 to Pupule to the point of beginning and containing an area of 9.705 Acres. (Refer to Parcel 7 as shown on Exhibit "A").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Multiple Family Residential (RM-5.0):

Parcel 8

Beginning at the Southeasterly corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 20,544.10 feet North and 7,639.22 feet West and running by azimuths measured clockwise from True South:

1. 89° 39' 120.00 feet along remainder of Grant 2121 to Pupule;
 2. 117° 52' 129.00 feet along remainder of Grant 2121 to Pupule;
 3. 126° 29' 540.00 feet along remainder of Grant 2121 to Pupule;
 4. 149° 07' 98.00 feet along remainder of Grant 2121 to Pupule;
 5. 191° 56' 119.94 feet along remainder of Grant 2121 to Pupule;
- thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 530.00 feet, the chord azimuth and distance being:
6. 275° 58' 110.19 feet, thence;
 7. 270° 00' 71.53 feet along remainder of Grant 2121 to Pupule;

thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 470.00 feet, the chord azimuth and distance being:

8. 283° 00' 211.45 feet, thence;

9. 296° 00' 411.46 feet along remainder of Grant 2121 to Pupule;

thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

10. 341° 00' 42.43 feet, thence;

11. 26° 00' 35.00 feet along remainder of Grant 2121 to Pupule;

thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 610.00 feet, the chord azimuth and distance being:

12. 12° 49' 30" 278.07 feet to the point of beginning and containing an area of 5.970 Acres. (Refer to Parcel 8 as shown on Exhibit "A").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Multiple Family Residential (RM-5.0):

Parcel 9

Beginning at the West corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 21,368.49 feet North and 8,603.58 feet West and running by azimuths measured clockwise from True South:

1. 234° 00' 246.07 feet along remainder of Grant 2121 to Pupule;
 2. 188° 15' 86.00 feet along remainder of Grant 2121 to Pupule;
 3. 212° 50' 82.00 feet along remainder of Grant 2121 to Pupule;
 4. 252° 58' 112.00 feet along remainder of Grant 2121 to Pupule;
 5. 288° 26' 73.00 feet along remainder of Grant 2121 to Pupule;
 6. 325° 10' 479.00 feet along remainder of Grant 2121 to Pupule;
 7. 350° 00' 88.04 feet along remainder of Grant 2121 to Pupule;
 8. 26° 00' 84.42 feet along remainder of Grant 2121 to Pupule;
- thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 530.00 feet, the chord azimuth and distance being:
9. 103° 00' 238.45 feet, thence;
 10. 90° 00' 71.53 feet along remainder of Grant 2121 to Pupule;
- thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 470.00 feet, the chord azimuth and distance being:
11. 117° 00' 426.75 feet to the point of beginning and containing an area of 5.400 Acres. (Refer to Parcel 9 as shown on Exhibit "A").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Multiple Family Residential (RM-5.0):

Parcel 10

Beginning at the Southwesterly corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 21,554.90 feet North and 9,297.22 feet West and running by azimuths measured clockwise from True South:

1. 150° 00' 216.00 feet along remainder of Grant 2121 to Pupule;
2. 209° 29' 165.00 feet along remainder of Grant 2121 to Pupule;
3. 152° 16' 660.00 feet along remainder of Grant 2121 to Pupule;
4. 194° 50' 190.00 feet along remainder of Grant 2121 to Pupule;
5. 244° 49' 47" 72.94 feet along remainder of Grant 2121 to Pupule;
 thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 530.00 feet, the chord azimuth and distance being:
6. 320° 54' 53.5" 254.91 feet, thence;
7. 307° 00' 351.75 feet along remainder of Grant 2121 to Pupule;
 thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 770.00 feet, the chord azimuth and distance being:
8. 329° 30' 589.33 feet, thence;

9. 352° 00' 73.00 feet along remainder of Grant 2121 to Pupule;
- thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
10. 37° 00' 42.43 feet, thence;
11. 82° 00' 338.00 feet along remainder of Grant 2121 to Pupule;
- thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 475.00 feet, the chord azimuth and distance being:
12. 71° 00' 181.27 feet to the point of beginning and containing an area of 10.674 Acres. (Refer to Parcel 10 as shown on Exhibit "A").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Multiple Family Residential (RM-5.0):

Parcel 11

Beginning at the Northwesterly corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 23,213.31 feet North and 9,456.63 feet West and running by azimuths measured clockwise from True South:

1. 281° 00' 85.00 feet along remainder of Grant 2121 to Pupule;
2. 302° 44' 84.00 feet along remainder of Grant 2121 to Pupule;
3. 321° 00' 606.00 feet along remainder of Grant 2121 to Pupule;

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| 4. | 324° 36' | 607.60 feet along remainder of Grant 2121 to Pupule; |
| 5. | 17° 57' | 97.99 feet along remainder of Grant 2121 to Pupule; |
| 6. | 56° 06' | 206.90 feet along remainder of Grant 2121 to Pupule; |
| | | thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 830.00 feet, the chord azimuth and distance being: |
| 7. | 142° 16' 42" | 437.42 feet, thence; |
| 8. | 127° 00' | 351.75 feet along remainder of Grant 2121 to Pupule; |
| | | thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 470.00 feet, the chord azimuth and distance being: |
| 9. | 159° 00' | 498.12 feet, thence; |
| 10. | 191° 00' | 217.75 feet along remainder of Grant 2121 to Pupule to the point of beginning and containing an area of 10.085 Acres. (Refer to Parcel 11 as shown on Exhibit "A"). |

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Single Family Residential (RS-10):

Parcel 12

Beginning at the South corner of this parcel of land, on the boundary line between the lands of Kukio 1st and Kukio 2nd, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 19,532.53 feet North and 8,949.31 feet West and running by azimuths measured clockwise from True South:

1. 155° 15' 12" 2,398.96 feet along the land of Kukio 2nd, along Government Land;
 2. 253° 33' 55.74 feet along remainder of Grant 2121 to Pupule;
 3. 297° 16' 558.00 feet along remainder of Grant 2121 to Pupule;
 4. 316° 00' 50.00 feet along remainder of Grant 2121 to Pupule;
- thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:
5. 272° 55' 49" 29.22 feet, thence;
 6. 326° 40' 910.00 feet along remainder of Grant 2121 to Pupule;
 7. 295° 24' 719.00 feet along remainder of Grant 2121 to Pupule;
 8. 322° 42' 80.00 feet along remainder of Grant 2121 to Pupule;
 9. 8° 00' 90.00 feet along remainder of Grant 2121 to Pupule;
 10. 59° 43' 400.00 feet along remainder of Grant 2121 to Pupule;
 11. 48° 57' 214.00 feet along remainder of Grant 2121 to Pupule;
 12. 35° 45' 313.00 feet along remainder of Grant 2121 to Pupule;
 13. 51° 28' 134.21 feet along remainder of Grant 2121 to Pupule to the point of beginning and containing an area of 29.683 Acres. (Refer to Parcel 12 as shown on Exhibit "A").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Village Commercial (CV-10):

Parcel 13

Beginning at the North corner of this parcel of land, on the highwater mark at seashore, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 24,374.53 feet North and 9,713.75 feet West and running by azimuths measured clockwise from True South:

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| 1. | 325° 00' | 183.36 feet along remainder of Grant 2121 to Pupule; |
| 2. | 59° 03' | 169.00 feet along remainder of Grant 2121 to Pupule; |
| 3. | 71° 40' | 80.00 feet along remainder of Grant 2121 to Pupule; |
| 4. | 45° 14' | 60.00 feet along remainder of Grant 2121 to Pupule; |
| 5. | 332° 04' | 311.00 feet along remainder of Grant 2121 to Pupule; |
| 6. | 278° 50' | 82.00 feet along remainder of Grant 2121 to Pupule; |
| 7. | 298° 00' | 84.00 feet along remainder of Grant 2121 to Pupule; |
| 8. | 10° 35' | 170.00 feet along remainder of Grant 2121 to Pupule; |
| | | thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 330.00 feet, the chord azimuth and distance being: |
| 9. | 117° 26' • 47" | 51.17 feet, thence; |
| 10. | 113° 00' | 262.17 feet along remainder of Grant 2121 to Pupule; |

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| 11. | 152° 04' | 181.55 feet along remainder of Grant 2121 to Pupule; |
| 12. | 211° 14' | 150.00 feet along remainder of Grant 2121 to Pupule; |
| 13. | 159° 51' | 98.00 feet along remainder of Grant 2121 to Pupule; |
| 14. | 225° 14' | 104.00 feet along remainder of Grant 2121 to Pupule; |
| 15. | 251° 40' | 85.00 feet along remainder of Grant 2121 to Pupule; |
| 16. | 225° 00' | 24.82 feet along remainder of Grant 2121 to Pupule; |
| 17. | 147° 00' | 71.35 feet along remainder of Grant 2121 to Pupule to the the highwater mark at seashore; |

thence along highwater mark at seashore, along top bank and vegetation line, the direct azimuth and distance between points along said highwater mark being:

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| 18. | 216° 02' | 141.44 feet to the point of beginning and containing an area of 2.659 Acres more or less. (Refer to Parcel 13 as shown on Exhibit "A"). |
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The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Resort-Hotel (V-2.0):

Parcel 14-A

Beginning at the Southwesterly corner of this parcel of land, on the boundary line between the lands of Kukio 1st and Kukio 2nd, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 22,338.74 feet North and 10,242.80 feet West and running by azimuths measured clockwise from True South:

1. 155° 15' 12" 935.85 feet along the land of Kukio 2nd, along Government Land to a 1/2" pipe in concrete with ahū marked "17";
2. 214° 59' 30" 1,203.66 feet along remainder of Grant 2121 to Pupule to the highwater mark at seashore;
 thence along highwater mark at seashore, along top bank and vegetation line, the direct azimuth and distance between points along said highwater mark being:
3. 239° 54' 170.31 feet, thence;
4. 327° 00' 71.35 feet along remainder of Grant 2121 to Pupule;
5. 45° 00' 24.82 feet along remainder of Grant 2121 to Pupule;
6. 71° 40' 85.00 feet along remainder of Grant 2121 to Pupule;
7. 45° 14' 104.00 feet along remainder of Grant 2121 to Pupule;
8. 339° 51' 98.00 feet along remainder of Grant 2121 to Pupule;
9. 31° 14' 150.00 feet along remainder of Grant 2121 to Pupule;
10. 332° 04' 181.55 feet along remainder of Grant 2121 to Pupule;
11. 293° 00' 172.17 feet along remainder of Grant 2121 to Pupule;
12. 23° 00' 60.00 feet along remainder of Grant 2121 to Pupule;
 thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:

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| 13. | 338° 00' | 28.28 feet, thence; |
| 14. | 293° 00' | 50.00 feet along remainder of Grant 2121 to Pupule;

thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being: |
| 15. | 248° 00' | 28.28 feet;

thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 270.00 feet, the chord azimuth and distance being: |
| 16. | 315° 25' | 205.92 feet, thence; |
| 17. | 67° 50' | 127.00 feet along remainder of Grant 2121 to Pupule; |
| 18. | 50° 04' | 103.00 feet along remainder of Grant 2121 to Pupule; |
| 19. | 17° 50' | 840.00 feet along remainder of Grant 2121 to Pupule; |
| 20. | 61° 00' | 299.84 feet along remainder of Grant 2121 to Pupule to the point of beginning and containing an area of 21.696 Acres more or less. (Refer to Parcel 14-A as shown on Exhibit "A"). |

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Multiple Family Residential (RM-3.5):

Parcel 21

Beginning at the Southwesterly corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 19,344.31 feet North and 6,475.93 feet West and running by azimuths measured clockwise from True South:

Along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 1,185.00 feet, the chord azimuth and distance being:

1. 120° 12' 10" 173.69 feet, thence;
2. 116° 00' 66.97 feet along remainder of Grant 2121 to Pupule;

thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 1,115.00 feet, the chord azimuth and distance being:

3. 119° 20' 16" 129.84 feet, thence;
4. 220° 00' 242.35 feet along remainder of Grant 2121 to Pupule;
5. 230° 00' 600.00 feet along remainder of Grant 2121 to Pupule;
6. 313° 00' 160.00 feet along remainder of Grant 2121 to Pupule;
7. 297° 00' 100.00 feet along remainder of Grant 2121 to Pupule;
8. 17° 30' 350.49 feet along remainder of Grant 2121 to Pupule;
9. 73° 00' 110.00 feet along remainder of Grant 2121 to Pupule;

thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 325.00 feet, the chord azimuth and distance being:

- 10. 55° 00' 200.86 feet, thence;
- 11. 37° 00' 136.25 feet along remainder of Grant 2121 to Pupule;
 thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
- 12. 80° 42' 10" 41.46 feet to the point of beginning and containing an area of 6.880 Acres. (Refer to Parcel 21 as shown on Exhibit "B").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be

Multiple Family Residential (RM-3.5):

Parcel 23

Beginning at the Northeasterly corner of this parcel of land, on the boundary line between the lands of Kukio 1st and Kaupulehu, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 19,965.79 feet North and 5,802.45 feet West and running by azimuths measured clockwise from True South:

- 1. 330° 03' 55" 665.00 feet along the land of Kaupulehu, along R. P. 7843, L. C. Aw. 7715, Ap. 10 to Lota Kamehameha (Certificate of Boundaries No. 160);
- 2. 60° 03' 55" 320.31 feet along remainder of Grant 2121 to Pupule;
- 3. 136° 05' 40" 419.26 feet along remainder of Grant 2121 to Pupule;
 thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 45.00 feet, the chord azimuth and distance being:

4. 149° 32' 50" 87.53 feet, thence;
5. 197° 30' 350.49 feet along remainder of Grant 2121 to Pupule;
6. 275° 32' 80.04 feet along remainder of Grant 2121 to Pupule;
7. 251° 30' 101.00 feet along remainder of Grant 2121 to Pupule to the point of beginning and containing an area of 5.694 Acres. (Refer to Parcel 23 as shown on Exhibit "B").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Neighborhood Commercial (CN-10):

Parcel 24

Beginning at the South corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 18,917.12 feet North and 6,010.44 feet West and running by azimuths measured clockwise from True South:

1. 130° 00' 30.00 feet along remainder of Grant 2121 to Pupule;
thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 2,270.00 feet, the chord azimuth and distance being:
2. 133° 30' 277.16 feet, thence;
3. 137° 00' 65.08 feet along remainder of Grant 2121 to Pupule;
thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 1,185.00 feet, the chord azimuth and distance being:

4. 133° 17' 50" 153.06 feet;
 thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
5. 173° 17' 50" 41.46 feet, thence;
6. 217° 00' 136.25 feet along remainder of Grant 2121 to Pupule;
 thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 275.00 feet, the chord azimuth and distance being:
7. 235° 00' 169.96 feet, thence;
8. 253° 00' 37.89 feet along remainder of Grant 2121 to Pupule;
 thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 40.00 feet, the chord azimuth and distance being:
9. 282° 01' 01.5" 38.81 feet;
 thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 45.00 feet, the chord azimuth and distance being:
10. 268° 33' 51.5" 60.77 feet, thence;
11. 316° 05' 40" 419.26 feet along remainder of Grant 2121 to Pupule;
12. 40° 00' 408.00 feet along remainder of Grant 2121 to Pupule to the point of beginning and containing an area of 5.152 Acres. (Refer to Parcel 24 as shown on Exhibit "B").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Multiple Family Residential (RM-3.5):

Parcel 25

Beginning at the Northwesterly corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 18,917.12 feet North and 6,010.44 feet West and running by azimuths measured clockwise from True South:

1. 220° 00' 408.00 feet along remainder of Grant 2121 to Pupule;
2. 240° 03' 55" 320.31 feet along remainder of Grant 2121 to Pupule;
3. 330° 03' 55" 1,061.32 feet along the land of Kaupulehu, along R. P. 7843, L. C. Aw. 7715, Ap. 10 to Lota Kamehameha (Certificate of Boundaries No. 160) to a 1" pipe in concrete;
4. 349° 22' 45" 585.84 feet along the land of Kaupulehu, along R. P. 7843, L. C. Aw. 7715, Ap. 10 to Lota Kamehameha (Certificate of Boundaries No. 160);

thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 875.00 feet, the chord azimuth and distance being:
5. 139° 11' 22.5" 880.81 feet, thence;
6. 109° 00' 203.00 feet along remainder of Grant 2121 to Pupule;

thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 615.00 feet, the chord azimuth and distance being:

7. 119° 30' 224.15 feet, thence;
8. 130° 00' 281.00 feet along remainder of Grant 2121 to Pupule to the point of beginning and containing an area of 12.228 Acres. (Refer to Parcel 25 as shown on Exhibit "B").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Multiple Family Residential (RM-3.5):

Parcel 26

Beginning at the Southeasterly corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 18,140.20 feet North and 4,987.22 feet West and running by azimuths measured clockwise from True South:

1. 60° 00' 127.82 feet along remainder of Grant 2121 to Pupule;
2. 41° 10' 138.83 feet along remainder of Grant 2121 to Pupule;
3. 52° 15' 123.00 feet along remainder of Grant 2121 to Pupule;
4. 82° 00' 240.00 feet along remainder of Grant 2121 to Pupule;
5. 117° 00' 192.00 feet along remainder of Grant 2121 to Pupule;
6. 141° 00' 852.00 feet along remainder of Grant 2121 to Pupule;

thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 325.00 feet, the chord azimuth and distance being:

7. 239° 30' 216.97 feet, thence;

8. 220° 00' 81.00 feet along remainder of Grant 2122 to Pupule;
 thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
9. 265° 00' 42.43 feet, thence;
10. 310° 00' 152.00 feet along remainder of Grant 2122 to Pupule;
 thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 675.00 feet, the chord azimuth and distance being:
11. 299° 30' 246.02 feet, thence;
12. 289° 00' 203.00 feet along remainder of Grant 2122 to Pupule;
 thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 815.00 feet, the chord azimuth and distance being:
13. 309° 30' 570.84 feet to the point of beginning and containing an area of 12.954 Acres. (Refer to Parcel 26 as shown on Exhibit "B").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Single Family Residential (RS-20):

Parcel 27

Beginning at the Northeasterly corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 17,411.13 feet North and 4,803.53 feet West and running by azimuths measured clockwise from True South:

1. 349° 22' 45" 850.00 feet along remainder of Grant 2121 to Pupule;
2. 88° 47' 51.94 feet along remainder of Grant 2121 to Pupule;
3. 119° 47' 101.32 feet along remainder of Grant 2121 to Pupule;
4. 139° 47' 126.00 feet along remainder of Grant 2121 to Pupule;
5. 106° 00' 220.00 feet along remainder of Grant 2121 to Pupule;
6. 132° 17' 136.00 feet along remainder of Grant 2121 to Pupule;
7. 164° 00' 123.00 feet along remainder of Grant 2121 to Pupule;
8. 206° 00' 229.00 feet along remainder of Grant 2121 to Pupule;
9. 226° 18' 230.00 feet along remainder of Grant 2121 to Pupule;
10. 249° 07' 154.00 feet along remainder of Grant 2121 to Pupule to the point of beginning and containing an area of 6.101 Acres. (Refer to Parcel 27 as shown on Exhibit "B").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be

Multiple Family Residential (RM-5.0):

Parcel 28

Beginning at the Northeast corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 17,231.78 feet North and 5,488.72 feet West and running by azimuths measured clockwise from True South:

1. 343° 30' 212.00 feet along remainder of Grant 2121 to Pupule;

2.	354°	42'	216.00	feet along remainder of Grant 2121 to Pupule;
3.	312°	36'	318.00	feet along remainder of Grant 2121 to Pupule;
4.	334°	32'	126.00	feet along remainder of Grant 2121 to Pupule;
5.	30°	00'	308.00	feet along remainder of Grant 2121 to Pupule;
6.	356°	07'	328.00	feet along remainder of Grant 2121 to Pupule;
7.	48°	23'	135.00	feet along remainder of Grant 2121 to Pupule;
8.	98°	28'	62.00	feet along remainder of Grant 2121 to Pupule;
9.	116°	36'	478.00	feet along remainder of Grant 2121 to Pupule;
10.	84°	36'	392.00	feet along remainder of Grant 2121 to Pupule;
11.	126°	50'	68.00	feet along remainder of Grant 2121 to Pupule;
12.	177°	22'	85.00	feet along remainder of Grant 2121 to Pupule;
13.	230°	22'	497.00	feet along remainder of Grant 2121 to Pupule;
14.	234°	44'	223.00	feet along remainder of Grant 2121 to Pupule;
15.	199°	00'	175.00	feet along remainder of Grant 2121 to Pupule;
16.	209°	20'	61.00	feet along remainder of Grant 2121 to Pupule;
17.	234°	16'	98.00	feet along remainder of Grant 2121 to Pupule;
18.	252°	50' 30"	100.09	feet along remainder of Grant 2121 to Pupule;

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| 19. | 174° 42' | | 155.76 feet along remainder of Grant 2121 to Pupule; |
| 20. | 163° 30' | | 191.83 feet along remainder of Grant 2121 to Pupule; |
| | | | thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 45.00 feet, the chord azimuth and distance being: |
| 21. | 244° 37' | 22.5" | 33.16 feet, thence; |
| 22. | 223° 00' | | 20.00 feet along remainder of Grant 2121 to Pupule to the point of beginning and containing an area of 15.270 Acres. (Refer to Parcel 28 as shown on Exhibit "B"). |

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Single Family Residential (RS-20):

Parcel 29

Beginning at the South corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 15,246.43 feet North and 4,724.83 feet West and running by azimuths measured clockwise from True South:

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|----|----------|--|------------------------------------------------------|
| 1. | 158° 55' | | 490.43 feet along remainder of Grant 2121 to Pupule; |
| 2. | 146° 44' | | 152.00 feet along remainder of Grant 2121 to Pupule; |
| 3. | 171° 54' | | 134.00 feet along remainder of Grant 2121 to Pupule; |
| 4. | 213° 48' | | 187.00 feet along remainder of Grant 2121 to Pupule; |

5. 260° 15' 298.00 feet along remainder of Grant 2121 to Pupule;
thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 470.00 feet, the chord azimuth and distance being:
6. 16° 43' 45" 86.35 feet, thence;
7. 22° 00' 72.26 feet along remainder of Grant 2121 to Pupule;
thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 530.00 feet, the chord azimuth and distance being:
8. 3° 55' 329.02 feet, thence;
9. 345° 50' 74.47 feet along remainder of Grant 2121 to Pupule;
thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 470.00 feet, the chord azimuth and distance being:
10. 9° 33' 57" 378.32 feet to the point of beginning and containing an area of 4.432 Acres. (Refer to Parcel 29 as shown on Exhibit "B").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Single Family Residential (RS-20):

Parcel 30

Beginning at a 1" pipe in concrete with ahu marked "K-21" at the Southeasterly corner of this parcel of land, on the boundary line between the lands of Kukio 1st and Kaupulehu, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 15,356.65 feet North and 4,357.21 feet West and running by azimuths measured clockwise from True South:

1. 57° 49' 50" 565.00 feet along Government Land;
thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 530.00 feet, the chord azimuth and distance being:
2. 201° 49' 55" 623.03 feet, thence;
3. 165° 50' 74.47 feet along remainder of Grant 2121 to Pupule;
thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 470.00 feet, the chord azimuth and distance being:
4. 183° 55' 291.78 feet, thence;
5. 202° 00' 72.26 feet along remainder of Grant 2121 to Pupule;
thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 530.00 feet, the chord azimuth and distance being:
6. 185° 41' 22.5" 297.69 feet, thence;

7. 349° 22' 45" 1,021.55 feet along the land of Kaupulehu, along R. P. 7843, L. C. Aw. 7715, Ap. 10 to Lota Kamehameha (Certificate of Boundaries No. 160) to the point of beginning and containing an area of 3.875 Acres. (Refer to Parcel 30 as shown on Exhibit "B").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Single Family Residential (RS-20):

Parcel 31

Beginning at the Southeasterly corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 14,991.94 feet North and 4,937.05 feet West and running by azimuths measured clockwise from True South:

1. 57° 49' 50" 704.06 feet along Government Land to a "+" cut with nail in concrete on large rock marked "K-20";
2. 56° 40' 10" 772.60 feet along Government Land to a "+" cut with nail in concrete on large rock marked "K-19";
3. 131° 06' 10" 686.78 feet along Government Land to a 1-1/2" pipe in concrete with ahu marked "67";
4. 155° 15' 12" 1,151.87 feet along Government Land of Kukio 2nd;

thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 45.00 feet, the chord azimuth and distance being:
5. 245° 15' 12" 90.00 feet, thence;

6.	230°	05'	45"	481.48 feet along remainder of Grant 2121 to Pupule;
7.	278°	40'		120.00 feet along remainder of Grant 2121 to Pupule;
8.	322°	30'		125.00 feet along remainder of Grant 2121 to Pupule;
9.	343°	50'		150.00 feet along remainder of Grant 2121 to Pupule;
10.	11°	00'		65.00 feet along remainder of Grant 2121 to Pupule;
11.	38°	30'		115.00 feet along remainder of Grant 2121 to Pupule;
12.	8°	00'		85.00 feet along remainder of Grant 2121 to Pupule;
13.	333°	10'		85.00 feet along remainder of Grant 2121 to Pupule;
14.	303°	10'		75.00 feet along remainder of Grant 2121 to Pupule;
15.	267°	30'		100.00 feet along remainder of Grant 2121 to Pupule;
16.	231°	30'		500.00 feet along remainder of Grant 2121 to Pupule;
17.	257°	40'		130.00 feet along remainder of Grant 2121 to Pupule;
18.	291°	30'		772.00 feet along remainder of Grant 2121 to Pupule;
19.	333°	44'		455.00 feet along remainder of Grant 2121 to Pupule;

thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 45.00 feet, the chord azimuth and distance being:

20. 352° 40' 13.5" 81.67 feet to the point of beginning and containing an area of 50.020 Acres. (Refer to Parcel 31 as shown on Exhibit "B").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Single Family Residential (RS-20):

Parcel 32

Beginning at the North corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 17,554.71 feet North and 7,333.44 feet West and running by azimuths measured clockwise from True South:

1. 329° 35' 154.00 feet along remainder of Grant 2121 to Pupule;
2. 305° 13' 172.00 feet along remainder of Grant 2121 to Pupule;
3. 313° 51' 165.00 feet along remainder of Grant 2121 to Pupule;
4. 334° 04' 248.00 feet along remainder of Grant 2121 to Pupule;
5. 347° 53' 265.00 feet along remainder of Grant 2121 to Pupule;
6. 22° 26' 165.00 feet along remainder of Grant 2121 to Pupule;
7. 41° 30' 342.00 feet along remainder of Grant 2121 to Pupule;
8. 83° 38' 52" 252.87 feet along remainder of Grant 2121 to Pupule;

thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 475.00 feet, the chord azimuth and distance being:

9. 182° 19' 26" 143.31 feet, thence;
10. 191° 00' 248.54 feet along remainder of Grant 2121 to Pupule;
- thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 490.00 feet, the chord azimuth and distance being:
11. 174° 30' 278.34 feet, thence;
12. 158° 00' 200.08 feet along remainder of Grant 2121 to Pupule;
- thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 375.00 feet, the chord azimuth and distance being:
13. 188° 30' 380.65 feet, thence;
14. 219° 00' 50.00 feet along remainder of Grant 2121 to Pupule to the point of beginning and containing an area of 10.770 Acres. (Refer to Parcel 32 as shown on Exhibit "B").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Single Family Residential (RS-20):

Parcel 33

Beginning at the Northwesterly corner of this parcel of land, on the boundary line between the lands of Kukio 1st and Kukio 2nd, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 18,378.17 feet North and 8,417.24 feet West and running by azimuths measured clockwise from True South:

1. 230° 00' 431.87 feet along remainder of Grant 2121 to Pupule;

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| 2. | 262° 20' | 95.00 feet along remainder of Grant 2121 to Pupule; |
| 3. | 297° 30' | 83.00 feet along remainder of Grant 2121 to Pupule; |
| 4. | 320° 22' | 72.00 feet along remainder of Grant 2121 to Pupule; |
| 5. | 359° 40' | 380.00 feet along remainder of Grant 2121 to Pupule; |
| 6. | 331° 00' | 615.00 feet along remainder of Grant 2121 to Pupule; |
| 7. | 303° 00' | 201.00 feet along remainder of Grant 2121 to Pupule; |
| | | thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 425.00 feet, the chord azimuth and distance being: |
| 8. | 8° 30' | 431.41 feet, thence; |
| 9. | 338° 00' | 200.08 feet along remainder of Grant 2121 to Pupule; |
| | | thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 440.00 feet, the chord azimuth and distance being: |
| 10. | 354° 30' | 249.93 feet, thence; |
| 11. | 11° 00' | 248.54 feet along remainder of Grant 2121 to Pupule; |
| | | thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 525.00 feet, the chord azimuth and distance being: |
| 12. | 353° 07' 36" | 322.26 feet, thence; |

13. 155° 15' 12" 2,483.84 feet along the land of Kukio 2nd, along Government Land to the point of beginning and containing an area of 21.196 Acres. (Refer to Parcel 33 as shown on Exhibit "B").

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Single Family Residential (RS-15):

Parcel 34

Beginning at the North corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 18,539.86 feet North and 6,604.49 feet West and running by azimuths measured clockwise from True South:

1. 349° 00' 228.61 feet along remainder of Grant 2121 to Pupule;
2. 322° 17' 176.35 feet along remainder of Grant 2121 to Pupule;
3. 346° 46' 173.00 feet along remainder of Grant 2121 to Pupule;
4. 16° 48' 120.00 feet along remainder of Grant 2121 to Pupule;
5. 57° 04' 125.00 feet along remainder of Grant 2121 to Pupule;
6. 78° 52' 130.00 feet along remainder of Grant 2121 to Pupule;
7. 93° 30' 210.00 feet along remainder of Grant 2121 to Pupule;
8. 102° 55' 203.00 feet along remainder of Grant 2121 to Pupule;

thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 375.00 feet, the chord azimuth and distance being:

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| 9. | 209° 00' | 130.24 feet, thence; |
| 10. | 199° 00' | 306.00 feet along remainder of Grant 2121 to Pupule; |
| | | thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 425.00 feet, the chord azimuth and distance being: |
| 11. | 229° 00' | 425.00 feet to the point of beginning and containing an area of 7.188 Acres. (Refer to Parcel 34 as shown on Exhibit "B"). |

The district classification of the following area situated at Kukio 1st, North Kona, Hawaii shall be Single Family Residential (RS-15):

Parcel 35

Beginning at the South corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "AKAHIPUU" being 17,862.81 feet North and 7,148.29 feet West and running by azimuths measured clockwise from True South:

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| 1. | 129° 00' | 130.18 feet along remainder of Grant 2121 to Pupule; |
| 2. | 160° 25' | 80.00 feet along remainder of Grant 2121 to Pupule; |
| 3. | 171° 40' | 853.00 feet along remainder of Grant 2121 to Pupule; |
| 4. | 203° 45' | 160.00 feet along remainder of Grant 2121 to Pupule; |
| 5. | 242° 23' | 131.00 feet along remainder of Grant 2121 to Pupule; |
| 6. | 268° 50' | 121.00 feet along remainder of Grant 2121 to Pupule; |

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|-----|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7. | 303° 25' | 470.00 feet along remainder of Grant 2121 to Pupule; |
| 8. | 337° 50' | 244.00 feet along remainder of Grant 2121 to Pupule; |
| | | thence along remainder of Grant 2121 to Pupule on a curve to the left with a radius of 475.00 feet, the chord azimuth and distance being: |
| 9. | 49° 00' | 475.00 feet, thence; |
| 10. | 19° 00' | 306.00 feet along remainder of Grant 2121 to Pupule; |
| | | thence along remainder of Grant 2121 to Pupule on a curve to the right with a radius of 325.00 feet, the chord azimuth and distance being: |
| 11. | 29° 00' | 112.87 feet, thence; |
| 12. | 39° 00' | 34.03 feet along remainder of Grant 2121 to Pupule to the point of beginning and containing an area of 11.916 Acres. (Refer to Parcel 35 as shown on Exhibit "B"). |

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

SECTION 2. This change in district classification is conditioned upon the following: (A) the applicant, successors or its assigns shall comply with all of the stated conditions of approval; (B) in order to allow a determination that the adequacy of potable water can be met for the various zoned districts or a specified increment thereof, the applicant shall

either: 1) provide proof of a private water well(s) of such quality and quantity adequate to meet the needs of the proposed development. Said determination shall be made by the Department of Water Supply upon consultation with the Planning Department, the State Department of Health and the Division of Water and Land Development of the Department of Land and Natural Resources; or 2) enter into an Agreement that is executed between the developer and the County through its Departments of Water Supply and Planning to undertake a water source development program with and under the following conditions: (a) the developer executes an agreement, which is accompanied by a partial bond, surety or other security deemed appropriate by the Planning Director, to undertake the water source development program; (b) there is a specific construction timetable for the water source development program; status reports; and any other information deemed important by the Departments of Water Supply and Planning to assure reasonable progress to undertake the water development program; (c) the effective date of the rezoning ordinance occurs only after: (1) there is assurance(s) satisfactory to the Departments of Water Supply and Planning, upon consultation with the State Department of Health and the Division of Water and Land Development of the Department of Land and Natural Resources, that a source of sufficient quality and quantity has been established; and (2) an agreement, together with the

appropriate bond, surety or other security deemed acceptable by the Planning Director, is executed between the developer and the County through its Departments of Water Supply and Planning for the actual development of a proven water source and its water transmission and distribution system; (d) no subdivision and/or development of any portion of the land shall occur unless and until items B(2)(a), (b), and (c) have been complied with; and (e) the Planning Director shall be mandated to initiate action to immediately rezone the property to its previous classification if any of the above has not been complied with in a timely manner; (C) preliminary plans for subdivision shall be submitted to the Planning Department within one year from the effective date of this ordinance. Submit final subdivision plat maps within one year from the date of tentative subdivision approval. Subdivision plans affecting lands adjacent to Queen Kaahumanu Highway shall denote a 150-foot wide planting easement adjacent to and along each side of Queen Kaahumanu Highway throughout the length of the properties exclusive of roadway accesses. Landscaping plans shall be submitted to and approved by the Planning Director in conjunction with the review of construction plans for the subdivision improvements; (D) fully channelized intersection improvements, including but not limited to deceleration, acceleration and left-turn storage lanes, traffic lights and/or an overpass or underpass, if required, shall be

provided at the intersection of Queen Kaahumanu Highway and a proposed main resort entry road meeting with the approval of the State Department of Transportation, Highways Division. These improvements may be provided jointly with adjoining property owners; (E) a traffic monitoring program of the Queen Kaahumanu Highway-Kuki'o Beach Resort's intersection shall be submitted to and approved by the State Department of Transportation, Highways Division prior to receiving final subdivision approval for any portion of the proposed development. If additional intersection improvements such as a fully channelized intersection, with acceleration/deceleration lanes, signal lights, and/or an underpass or overpass are required as determined by the findings of subsequent monitoring and analysis, the applicant shall provide the improvements in accordance with the requirements of the State Department of Transportation, Highways Division. These improvements may be provided jointly with adjoining property owners; (F) all roadways within the proposed development shall be constructed in accordance with the requirements of the Department of Public Works. Curbs, gutters and sidewalks may be required to be constructed in areas of likely pedestrian traffic as determined by the Chief Engineer and the Planning Director; (G) roadway connections to the adjacent property along the northeastern and southwestern boundaries shall be provided meeting with the approval of the Department of Public Works; (H) no lots shall

have direct access from the Queen Kaahumanu Highway except through an access point approved by the State Department of Transportation. Other access to the proposed lots shall be from the interior roadways; (I) a drainage system shall be installed meeting with the approval of the Department of Public Works; (J) all residential, commercial and hotel units and uses shall be connected to a secondary sewage treatment plant, public or private, meeting with the approval of the appropriate governmental agencies. The secondary sewage treatment plant shall have a stand-by generator to operate the plant in the event of an electrical power outage; (K) the petitioner, successors or assigns shall be responsible for satisfying an affordable housing requirement which is being assessed on both the resort and residential components of the proposed project. A maximum of five hundred twenty-five (525) affordable units will be required to address the needs generated by the one thousand two hundred fifty (1,250) resort/hotel units currently being proposed. A maximum of nine hundred seventy-two (972) affordable units will be required for the residential component of the project based on 60% of the total number of residential units being proposed. The total affordable housing requirement being assessed, based on the current development scenario, will be a maximum of one thousand four hundred ninety-seven (1,497) affordable units. These affordable housing units may be provided on or off the project site. The actual number of

affordable units required may increase or decrease proportionally along with the actual number of resort and residential units developed by the petitioner. Stated in 1988 dollars and subject to adjustment for inflation, the dollar value equivalent of the affordable housing requirement involving one thousand four hundred ninety-seven (1,497) affordable units shall be a maximum of twelve million dollars (\$12,000,000). This value may be adjusted annually on the effective date of the change of zone ordinance by the Planning Director in consultation with the Office of Housing and Community Development based on mutually acceptable cost indices. The affordable housing requirement shall be implemented concurrently with the completion of units for the resort/residential project. If an affordable housing demand, or portion thereof, does not exist at the time a particular phase of a resort is ready to be developed, the requirement may be deferred and the phase of resort development allowed to be developed. An in lieu payment may be made in cash, through the provisions of services, or by other acceptable means to satisfy the affordable housing condition. The method of satisfying the affordable housing requirement must be approved by the County Housing Agency, subsequent to review and recommendation by the Office of Housing and Community Development, prior to the issuance of Final Plan Approval for any phase or increment of the proposed resort/residential development. Affordable units

provided to satisfy the requirements of these conditions shall, as a guide, utilize the following distribution: 17% affordable to families earning less than 80% of the median family income; 33% affordable to families earning between 80% to 120% of median family income; 50% affordable to families earning between 120% to 140% of median family income; (L) an intensive archaeological survey and mitigation plan shall be submitted to the Planning Department and the Department of Land and Natural Resources-Historic Sites Section for review and approval prior to tentative subdivision approval and/or prior to any land preparation activity being conducted on the properties; (M) should any unanticipated archaeological sites be uncovered during land preparation activity, work within the affected area shall cease and the Planning Director shall be immediately notified. Work within the affected area shall not resume until clearance is obtained from the Planning Director; (N) unless a lesser setback is approved by the Planning Director, all proposed buildings, other than those directly related to the golf course operations, shall observe a minimum setback of 100 feet from the edge of the fairways/greens/tee areas of the golf course. If deemed necessary, additional setbacks or other mitigating measures, such as additional landscaping along certain portions of the golf course boundaries, may be imposed at the time of plan approval review; (O) plans for implementation of the mauka community park shall be submitted

to the Department of Parks and Recreation and the Planning Director for review and approval prior to final plan approval for the first mauka residential development; (P) the following conditions, which are stipulated in Special Management Area Use Permit No 273, are hereby included as conditions of this section: 1) a water quality and marine life monitoring and mitigation plan shall be submitted to and approved by the Planning Department prior to the issuance of a grading permit and/or prior to any land preparation activities being conducted on the properties; 2) an anchialine pond management plan shall be submitted to and approved by the Planning Director upon consultation with the Department of Land and Natural Resources prior to issuance of a grading permit for the golf course or prior to tentative subdivision approval, whichever occurs first. The plan shall include, but not be limited to, an inventory, reporting and mitigation system for avifauna (Hawaiian stilt, Hawaiian duck and the Hawaiian owl) and care of the hala groves; 3) a mauka-makai public access shall be provided. A lateral public access throughout the length of the property shall also be provided. A minimum of one public shoreline parking stall for every ten hotel and residential units and a restroom/shower facility shall be provided at the mauka-makai access. An easement shall be recorded with the State Bureau of Conveyances for the public access and parking area. The location, time of construction and/or availability,

restrictions on use, signage and related improvements for the public shoreline accesses and parking areas shall be approved by the Planning Director. Best efforts shall be used to secure the necessary governmental permits for the development of an ocean front park on the makai side of the property to the south of the existing beach; 4) a construction housing mitigation plan shall be submitted to the Planning Department for review and approval prior to receipt of final plan approval for each of the proposed hotels. The plan shall include a regular reporting schedule to allow the Planning Department to monitor the construction housing impact; 5) no improvement shall be allowed within the 40-foot shoreline setback area unless a Shoreline Setback Variance has been applied for and granted by the Planning Commission; (Q) all applicable conditions of Shoreline Management Area Use Permit No. 273 shall be complied with; (R) development within the Special Management Area (SMA) of the County of Hawaii shall comply with Chapter 205A, HRS, relating to Coastal Zone Management and Rule 9 of the Planning Commission relating to Special Management Area; (S) submit an SMA Use Permit Application for the first hotel within three years from the effective date of this ordinance; (T) all other applicable laws, rules, regulations and requirements, including those of the Department of Water Supply shall be complied with; (U) an annual progress report shall be submitted to the Planning Director prior to the anniversary date of the

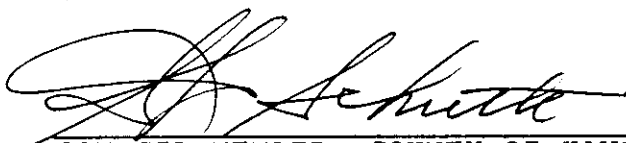
effective date of zone change. The report shall address the status of the development and the compliance with the conditions of approval. This condition shall remain in effect until all of the conditions of approval have been complied with and the Planning Director acknowledges that further reports are not required; (V) should the Council adopt a Unified Impact Fees Ordinance setting forth criteria for the imposition of exactions or the assessment of impact fees, conditions included herein may, at the developer's election, be satisfied by performance in accordance with the requirements of the Unified Impact Fees Ordinance; and (W) an initial extension of time for the performance of conditions within the ordinance may be granted by the Planning Director upon the following circumstances: 1) the non-performance is the result of the conditions that could not have been foreseen or are beyond the control of the applicants, successors or assigns, and that are not the result of their fault or negligence; 2) granting of the time extension would not be contrary to the general plan or zoning code; 3) granting of the time extension would not be contrary to the original reasons for the granting of the change of zone; and 4) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year); and 5) if the applicant should require an additional extension of time, the

Planning Director shall submit the applicant's request to the County Council for appropriate action. Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director may initiate rezoning of the area to its original or to a more appropriate designation.

SECTION 3. In the event that any portion of the 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:

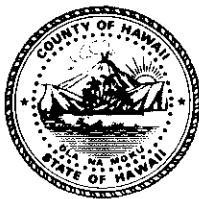


COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: September 7, 1988
Date of 1st Reading: September 7, 1988
Date of 2nd Reading: October 5, 1988
Effective Date: October 27, 1988

R.B. LEGASPI
County Clerk



TOMIO FUJII
Deputy County Clerk
HARRY A. TAKAHASHI
Legislative Auditor

OFFICE OF THE COUNTY CLERK

County of Hawaii
Hawaii County Building
25 Aupuni Street
Hilo, Hawaii 96720

NOTE

On Bill No. 608 (Draft 3), Ordinance No. 88-158,
reference is made to a map attached hereto, marked
Exhibit "A".

Said exhibit is not part of the duplicate copies of this
ordinance due to its size, but is available for viewing in
the Office of the County Clerk.

If further information is needed, call 961-8255.

R. B. Legaspi

R. B. Legaspi
COUNTY CLERK