

COUNTY OF HAWAII STATE OF HAWAII



BILL NO. 197

(Draft 2)

ORDINANCE NO. 94 31

AN ORDINANCE AMENDING SECTION 25-95G (PUAKO-ANAEOHOMALU ZONE MAP), ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM MULTIPLE FAMILY RESIDENTIAL (RM-6) AND (RM-8) TO OPEN (O) AND VILLAGE COMMERCIAL (CV-10); FROM OPEN (O) TO MULTIPLE FAMILY RESIDENTIAL (RM-6) AND (RM-8) AND VILLAGE COMMERCIAL (CV-10) AND FROM VILLAGE COMMERCIAL (CV-10) TO OPEN (O) AT WAIKOLOA, SOUTH KOHALA, HAWAII, COVERED BY TAX MAP KEY 6-9-08:PORTION OF 2.

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

SECTION 1. Section 25-95G, 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 Waikoloa, South Kohala, Hawaii, shall be Open (O):

SLIVER 1:

Beginning at the Southwest corner of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 8,935.55 feet North and 28,240.68 feet West, thence running by azimuths measured clockwise from True South:

- 1. Along a curve to the right with a radius of 800.00 feet, the chord azimuth and distance being:

324° 34' 55" 170.01 feet;

2. Along a curve to the left with a radius of 840.00 feet,
the chord azimuth and
distance being:

57° 44' 22.5" 10.14 feet;

3. 148° 00' 00" 169.76 feet along the remainder of
Lot 1 of File Plan 2013 to
the point of beginning and
containing an area of
0.031 acres. (Refer to
Sliver 1 as shown on
Exhibit "A".)

The district classification of the following area
situated at Waikoloa, South Kohala, Hawaii, shall be

Open (O):

SLIVER 2:

Beginning at the Southwest side of this parcel of land.
The coordinates of said point of beginning referred to
Government Survey Triangulation Station "PUU HINAI" being
9,610.35 feet North and 29,549.50 feet West, thence
running by azimuths measured clockwise from True South:

1. 292° 56' 00" 195.71 feet along the remainder of
Lot 1 of File Plan 2013;

2. Along a curve to the right with a radius of
1,160.00 feet, the chord
azimuth and distance being:
296° 18' 46" 136.75 feet;

3. 117° 15' 00" 4.39 feet along the remainder of
Lot 1 of File Plan 2013;

4. 114° 17' 03" 327.94 feet along the remainder of
Lot 1 of File Plan 2013 to
the point of beginning and
containing an area of
0.021 acres. (Refer to
Sliver 2 as shown on
Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be

Open (O):

SLIVER 3:

Beginning at the West corner of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 10,098.24 feet North and 29,741.50 feet West, thence running by azimuths measured clockwise from True South:

1. 242° 09' 03" 25.81 feet along the remainder of Lot 1 of File Plan 2013;
2. 332° 09' 03" 140.00 feet along the same;
3. 62° 09' 03" 25.81 feet along the same;
4. 152° 09' 03" 140.00 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.083 acres. (Refer to Sliver 3 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be

Open (O):

SLIVER 4:

Beginning at the South side of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 8,976.08 feet North and 28,575.20 feet West, thence running by azimuths measured clockwise from True South:

1. 235° 20' 00" 6.71 feet along the remainder of Lot 1 of File Plan 2013;
2. Along a curve to the right with a radius of 275.00 feet, the chord azimuth and distance being:
314° 25' 24" 193.30 feet;

3. 335° 00' 00" 103.71 feet along the remainder of Lot 1 of File Plan 2013;
4. Along a curve to the left with a radius of 325.00 feet, the chord azimuth and distance being:
325° 41' 43" 105.10 feet;
5. Along a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:
346° 24' 16.5" 20.01 feet;
6. Along a curve to the left with a radius of 840.00 feet, the chord azimuth and distance being:
41° 44' 07.5" 3.15 feet;
7. 131° 37' 41" 15.61 feet along the remainder of Lot 1 of File Plan 2013;
8. 152° 40' 00" 260.26 feet along the same;
9. 128° 05' 00" 150.00 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.065 acres. (Refer to Sliver 4 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be

Open (O):

SLIVER 5:

Beginning at the Southeast corner of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 10,688.39 feet North and 28,304.92 feet West, thence running by azimuths measured clockwise from True South:

1. 238° 29' 00" 186.31 feet along the remainder of Lot 1 of File Plan 2013;

SLIVER 7:

Beginning at the Southeast corner of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 11,772.22 feet North and 26,680.14 feet West, thence running by azimuths measured clockwise from True South:

1. 242° 09' 03" 24.80 feet along the remainder of Lot 1 of File Plan 2013;
2. Along a curve to the right with a radius of 80.00 feet, the chord azimuth and distance being:
359° 47' 01.5" 74.21 feet;
3. 27° 25' 00" 183.37 feet along the remainder of Lot 1 of File Plan 2013;
4. 195° 26' 00" 233.83 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.131 acres. (Refer to Sliver 7 as shown on Exhibit "A".)

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

SLIVER 8:

Beginning at the North corner of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 11,505.97 feet North and 26,753.64 feet West, thence running by azimuths measured clockwise from True South:

1. 3° 22' 00" 333.22 feet along the remainder of Lot 1 of File Plan 2013;
2. 61° 49' 00" 3.56 feet along the same;
3. 180° 05' 00" 253.41 feet along the same;

4. 195° 26' 00" 83.94 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.076 acres. (Refer to Sliver 8 as shown on Exhibit "A".)

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

SLIVER 9:

Beginning at the North corner of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 11,100.55 feet North and 26,887.75 feet West, thence running by azimuths measured clockwise from True South:

1. 345° 13' 00" 86.65 feet along the remainder of Lot 1 of File Plan 2013;
2. 157° 53' 30" 84.76 feet along the same;
3. 241° 49' 00" 11.11 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.011 acres. (Refer to Sliver 9 as shown on Exhibit "A".)

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

SLIVER 10:

Beginning at the North corner of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 10,485.99 feet North and 27,671.73 feet West, thence running by azimuths measured clockwise from True South:

1. 62° 26' 00" 350.52 feet along the remainder of Lot 1 of File Plan 2013;
2. 49° 22' 00" 105.33 feet along the same;
3. 223° 51' 00" 148.91 feet along the same;
4. 246° 46' 00" 312.87 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.112 acres. (Refer to Sliver 10 as shown on Exhibit "A".)

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

SLIVER 11:

Beginning within the center of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 10,084.91 feet North and 27,730.50 feet West, thence running by azimuths measured clockwise from True South:

1. 46° 52' 00" 495.67 feet along the remainder of Lot 1 of File Plan 2013;
2. Along a curve to the right with a radius of 300.00 feet, the chord azimuth and distance being:
81° 59' 30" 345.22 feet;
3. 117° 07' 00" 52.73 feet along the remainder of Lot 1 of File Plan 2013;
4. Along a curve to the left with a radius of 375.00 feet, the chord azimuth and distance being:
261° 21' 30" 438.28 feet;
5. 225° 36' 00" 408.67 feet along the remainder of Lot 1 of File Plan 2013;

6. 246° 07' 00" 27.58 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.151 acres. (Refer to Sliver 11 as shown on Exhibit "A".)

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

SLIVER 12:

Beginning within the center of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 10,145.02 feet North and 27,594.74 feet West, thence running by azimuths measured clockwise from True South:

1. 246° 07' 00" 336.78 feet along the remainder of Lot 1 of File Plan 2013;
2. 261° 18' 00" 138.31 feet along the same;
3. Along a curve to the left with a radius of 100.00 feet, the chord azimuth and distance being:
235° 19' 30" 87.60 feet;
4. 29° 21' 00" 1.15 feet along the same;
5. Along a curve to the right with a radius of 100.00 feet, the chord azimuth and distance being:
50° 05' 00" 70.80 feet;
6. 70° 49' 00" 488.98 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.154 acres. (Refer to Sliver 12 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be

Open (O):

SLIVER 13:

Beginning at the Northeast corner of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 10,995.39 feet North and 25,997.97 feet West, thence running by azimuths measured clockwise from True South:

1. Along a curve to the right with a radius of 400.00 feet, the chord azimuth and distance being:
279° 30' 08.5" 260.86 feet;
2. 298° 32' 00" 148.82 feet along the remainder of Lot 1 of File Plan 2013;
3. Along a curve to the right with a radius of 40.00 feet, the chord azimuth and distance being:
341° 13' 07.5" 54.24 feet;
4. 117° 29' 00" 272.22 feet along the same;
5. 103° 40' 00" 168.77 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.322 acres. (Refer to Sliver 13 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be

Open (O):

SLIVER 14:

Beginning at the East corner of this parcel of land. The coordinates of said point of beginning referred to

Government Survey Triangulation Station "PUU HINAI" being 10,702.96 feet North and 25,748.14 feet West, thence running by azimuths measured clockwise from True South:

1. 52° 10' 00" 578.15 feet along the remainder of Lot 1 of File Plan 2013;
2. Along a curve to the left with a radius of 120.00 feet, the chord azimuth and distance being:
23° 08' 00" 116.48 feet;
3. 354° 06' 00" 82.47 feet along the remainder of Lot 1 of File Plan 2013;
4. 6° 51' 00" 26.09 feet along the same;
5. 146° 27' 00" 52.79 feet along the same;
6. Along a curve to the right with a radius of 100.00 feet, the chord azimuth and distance being:
187° 33' 00" 131.48 feet;
7. 228° 39' 00" 314.06 feet along the remainder of Lot 1 of File Plan 2013;
8. 235° 29' 00" 331.52 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.270 acres. (Refer to Sliver 14 as shown on Exhibit "A".)

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

SLIVER 15:

Beginning at the East corner of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 10,049.05 feet North and 26,255.28 feet West, thence running by azimuths measured clockwise from True South:

1. 6° 51' 00" 89.97 feet along the remainder of Lot 1 of File Plan 2013;
2. 50° 28' 00" 91.88 feet along the same;
3. 208° 54' 00" 168.84 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.065 acres. (Refer to Sliver 15 as shown on Exhibit "A".)

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

SLIVER 16:

Beginning at the West side of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 10,478.33 feet North and 29,129.13 feet West, thence running by azimuths measured clockwise from True South:

1. 332° 25' 00" 149.93 feet along the remainder of Lot 1 of File Plan 2013;
2. 255° 33' 00" 160.82 feet along the same;
3. 63° 11' 00" 8.00 feet along the same;
4. 76° 11' 00" 206.00 feet along the same;
5. 134° 49' 00" 143.62 feet along the same;
6. 242° 09' 03" 94.90 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.241 acres. (Refer to Sliver 16 as shown on Exhibit "A".)

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

SLIVER 17:

Beginning at the Southeast side of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 9,343.56 feet North and 27,474.31 feet West, thence running by azimuths measured clockwise from True South:

1. 52° 00' 00" 35.44 feet along the remainder of Lot 1 of File Plan 2013;
2. 109° 10' 00" 57.24 feet along the same;
3. 185° 13' 10" 30.68 feet along the same;
4. 289° 10' 00" 83.85 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.048 acres. (Refer to Sliver 17 as shown on Exhibit "A".)

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

SLIVER 18:

Beginning at the Southeast corner of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 10,098.28 feet North and 26,677.03 feet West, thence running by azimuths measured clockwise from True South:

1. Along a curve to the right with a radius of 150.00 feet, the chord azimuth and distance being:
83° 56' 47.5" 146.27 feet;
2. 274° 21' 00" 58.86 feet along the remainder of Lot 1 of File Plan 2013;
3. Along a curve to the left with a radius of 150.00 feet, the chord azimuth and distance being:
257° 05' 21" 89.02 feet

along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.016 acres. (Refer to Sliver 18 as shown on Exhibit "A".)

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

SLIVER 19:

Beginning within the center of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 10,521.70 feet North and 26,656.51 feet West, thence running by azimuths measured clockwise from True South:

1. 305° 21' 14" 77.92 feet along the remainder of Lot 1 of File Plan 2013;
2. Along a curve to the right with a radius of 290.00 feet, the chord azimuth and distance being:
308° 54' 49" 36.01 feet;
3. 232° 15' 00" 38.83 feet along the remainder of Lot 1 of File Plan 2013;
4. 312° 14' 10" 15.96 feet along the same;
5. Along a curve to the right with a radius of 325.02 feet, the chord azimuth and distance being:
313° 16' 08" 11.72 feet;
6. 48° 15' 00" 156.43 feet along the remainder of Lot 1 of File Plan 2013;
7. 352° 10' 00" 50.26 feet along the same;
8. Along a curve to the left with a radius of 150.00 feet, the chord azimuth and distance being:
147° 05' 31" 10.37 feet;

9. 145° 06' 42" 14.84 feet along the remainder of Lot 1 of File Plan 2013;
10. Along a curve to the right with a radius of 200.00 feet, the chord azimuth and distance being:
174 33' 33" 196.65 feet
along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.332 acres. (Refer to Sliver 19 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be

Open (O):

SLIVER 20:

Beginning at the North side of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 11,043.78 feet North and 26,308.50 feet West, thence running by azimuths measured clockwise from True South:

1. 54° 06' 00" 140.37 feet along the remainder of Lot 1 of File Plan 2013;
2. 169° 26' 00" 39.98 feet along the remainder of Lot 1 of File Plan 2013;
3. Along a curve to the right with a radius of 60.00 feet, the chord azimuth and distance being:
235° 42' 00" 109.85 feet;
4. 301° 58' 00" 35.70 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.165 acres. (Refer to Sliver 20 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be

Open (O):

SLIVER 21:

Beginning at the North side of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 10,505.99 feet North and 26,497.78 feet West, thence running by azimuths measured clockwise from True South:

1. 232° 15' 00" 55.29 feet along the remainder of Lot 1 of File Plan 2013;
2. Along a curve to the left with a radius of 200.00 feet, the chord azimuth and distance being:
209° 38' 08" 153.81 feet;
3. Along a curve to the right with a radius of 150.00 feet, the chord azimuth and distance being:
30° 25' 40" 180.71 feet;
4. 67° 28' 00" 30.59 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.050 acres. (Refer to Sliver 21 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be

Open (O):

SLIVER 22:

Beginning at the Southeast corner of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 8,893.22 feet North and 27,946.88 feet West, thence running by azimuths measured clockwise from True South:

1. 65° 44' 00" 10.00 feet along the remainder of Lot 1 of File Plan 2013;
2. 155° 44' 00" 300.38 feet along the same;
3. 196° 27' 00" 15.33 feet along the same;
4. 335° 44' 00" 312.00 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.070 acres. (Refer to Sliver 22 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be Village Commercial (CV-10):

SLIVER 23:

Beginning at the Southeast side of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 9,422.87 feet North and 27,702.49 feet West, thence running by azimuths measured clockwise from True South:

1. 289° 10' 00" 157.72 feet along the remainder of Lot 1 of File Plan 2013;
2. 5° 13' 10" 30.68 feet along the remainder of Lot 1 of File Plan 2013;
3. 109° 10' 00" 161.69 feet along the remainder of Lot 1 of File Plan 2013;
4. 192° 36' 00" 29.97 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.109 acres. (Refer to Sliver 23 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be Village Commercial (CV-10):

SLIVER 24:

Beginning at the Southeast side of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 9,422.87 feet North and 27,702.49 feet West, thence running by azimuths measured clockwise from True South:

1. 12° 36' 00" 29.97 feet along the remainder of Lot 1 of File Plan 2013;
2. 109° 10' 00" 146.48 feet along the remainder of Lot 1 of File Plan 2013;
3. 65° 13' 00" 190.97 feet along the same;
4. 196° 27' 00" 33.24 feet along the same;
5. 245° 13' 00" 186.04 feet along the same;
6. 289° 10' 00" 148.18 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.209 acres. (Refer to Sliver 24 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be Village Commercial (CV-10):

SLIVER 25:

Beginning at the Southeast side of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 8,893.22 feet North and 27,946.88 feet West, thence running by azimuths measured clockwise from True South:

1. 245° 44' 00" 198.00 feet along the same;
2. Along a curve to the left with a radius of 235.00 feet, the chord azimuth and distance being:
219° 10' 00" 210.20 feet;

3. 192° 36' 00" 218.53 feet along the remainder of Lot 1 of File Plan 2013;
4. 289° 10' 00" 31.38 feet along the remainder of Lot 1 of File Plan 2013;
5. 5° 13' 10" 47.04 feet along the same;
6. Along a curve to the right with a radius of 475.00 feet, the chord azimuth and distance being:
35° 50' 11" 483.83 feet;
7. Along a curve to the right with a radius of 92.00 feet, the chord azimuth and distance being:
73° 40' 22" 23.12 feet;
8. 80° 53' 32" 61.20 feet along the same;
9. Along a curve to the left with a radius of 112.50 feet, the chord azimuth and distance being:
76° 54' 30" 15.63 feet;
10. 155° 44' 00" 12.62 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.409 acres. (Refer to Sliver 25 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be Multiple Family Residential (RM-6):

SLIVER 26:

Beginning at the Southwest corner of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 8,791.59 feet North and 28,150.72 feet West, thence running by azimuths measured clockwise from True South:

1. 328° 00' 00" 4.55 feet along the remainder of Lot 1 of File Plan 2013;
2. Along a curve to the left with a radius of 840.00 feet, the chord azimuth and distance being:
50° 08' 55" 229.49 feet;
3. 131° 37' 41" 0.78 feet along the remainder of Lot 1 of File Plan 2013;
4. Along a curve to the left with a radius of 20.00 feet, the chord azimuth and distance being:
201° 14' 59.5" 3.37 feet;
5. Along a curve to the right with a radius of 840.00 feet, the chord azimuth and distance being:
229° 37' 06" 227.29 feet
along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.017 acres. (Refer to Sliver 26 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be Multiple Family Residential (RM-6):

SLIVER 27:

Beginning at the Southwest side of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 8,935.55 feet North and 28,240.68 feet West, thence running by azimuths measured clockwise from True South:

1. Along a curve to the left with a radius of 800.00 feet, the chord azimuth and distance being:
117° 45' 28" 566.20 feet

- along the remainder of Lot 1 of File Plan 2013;
2. 97° 02' 00" 134.53 feet along the remainder of Lot 1 of File Plan 2013;
 3. Along a curve to the right with a radius of 140.00 feet, the chord azimuth and distance being:
113° 30' 30" 79.41 feet
 4. 129° 59' 00" 166.84 feet along the remainder of Lot 1 of File Plan 2013;
 5. Along a curve to the left with a radius of 1,160.00 feet, the chord azimuth and distance being:
124° 50' 15.5" 208.08 feet
 6. 297° 15' 00" 458.99 feet along the remainder of Lot 1 of File Plan 2013;
 7. 290° 43' 00" 416.16 feet along the same;
 8. 307° 30' 00" 232.20 feet along the same;
 9. 328° 00' 00" 46.21 feet along the same to the point of beginning and containing an area of 0.549 acres. (Refer to Sliver 27 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be Multiple Family Residential (RM-6):

SLIVER 28:

Beginning at the West corner of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 9,610.35 feet North and 29,549.50 feet West, thence running by azimuths measured clockwise from True South:

1. 112° 56' 00" 196.91 feet along the remainder of Lot 1 of File Plan 2013;

2. Along a curve to the right with a radius of 140.00 feet, the chord azimuth and distance being:
177° 32' 31.5" 252.95 feet
3. 242° 09' 03" 26.37 feet along the remainder of Lot 1 of File Plan 2013;
4. Along a curve to the left with a radius of 150.00 feet, the chord azimuth and distance being:
358° 13' 03" 269.49 feet
5. 294° 17' 03" 176.07 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.103 acres. (Refer to Sliver 28 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be Multiple Family Residential (RM-6):

SLIVER 45:

Beginning at the North side of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 9,752.39 feet North and 30,000.11 feet West, thence running by azimuths measured clockwise from True South:

1. 62° 09' 03" 0.18 feet along the remainder of Lot 1 of File Plan 2013;
2. Along a curve to the right with a radius of 325.00 feet, the chord azimuth and distance being:
189° 05' 20" 231.44 feet;
3. 242° 09' 03" 2.48 feet along the remainder of Lot 1 of File Plan 2013;

4. Along a curve to the left with a radius of 330.00 feet,
the chord azimuth and
distance being:

9° 32' 28" 232.83 feet;

to the point of beginning
and containing an area of
0.006 acres. (Refer to
Sliver 45 as shown on
Exhibit "A".)

The district classification of the following area
situated at Waikoloa, South Kohala, Hawaii, shall be
Multiple Family Residential (RM-8):

SLIVER 29:

Beginning at the West side of this parcel of land. The
coordinates of said point of beginning referred to
Government Survey Triangulation Station "PUU HINAI" being
10,385.57 feet North and 28,903.98 feet West, thence
running by azimuths measured clockwise from True South:

1. 243° 11' 00" 671.25 feet along the remainder of
Lot 1 of File Plan 2013;
2. 58° 29' 00" 127.10 feet along the same;
3. 58° 41' 00" 169.31 feet along the same;
4. 65° 56' 00" 343.19 feet along the same;
5. 75° 33' 00" 33.77 feet along the remainder of
Lot 1 of File Plan 2013 to
the point of beginning and
containing an area of
0.206 acres. (Refer to
Sliver 29 as shown on
Exhibit "A".)

The district classification of the following area
situated at Waikoloa, South Kohala, Hawaii, shall be
Multiple Family Residential (RM-8):

SLIVER 30:

Beginning at the Northwest corner of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 10,908.28 feet North and 27,883.20 feet West, thence running by azimuths measured clockwise from True South:

1. 65° 01' 00" 276.90 feet along the remainder of Lot 1 of File Plan 2013;
2. 237° 55' 00" 109.27 feet along the same;
3. 249° 36' 00" 169.01 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.043 acres. (Refer to Sliver 30 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be Multiple Family Residential (RM-8):

SLIVER 31:

Beginning at the Northwest corner of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 11,006.39 feet North and 27,114.08 feet West, thence running by azimuths measured clockwise from True South:

1. Along a curve to the left with a radius of 150.00 feet, the chord azimuth and distance being:
139° 33' 30" 295.69 feet;
2. 59° 17' 00" 22.86 feet along the remainder of Lot 1 of File Plan 2013;
3. 234° 27' 00" 16.17 feet along the remainder of Lot 1 of File Plan 2013;

4. Along a curve to the right with a radius of 150.00 feet, the chord azimuth and distance being:
317° 10' 00" 297.58 feet;
5. 39° 53' 00" 201.04 feet along the remainder of Lot 1 of File Plan 2013;
6. 219° 50' 00" 194.98 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.043 acres. (Refer to Sliver 31 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be Multiple Family Residential (RM-8):

SLIVER 32:

Beginning within the center of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 10,530.51 feet North and 27,586.45 feet West, thence running by azimuths measured clockwise from True South:

1. 235° 54' 00" 341.44 feet along the remainder of Lot 1 of File Plan 2013;
2. 25° 40' 00" 20.88 feet along the remainder of Lot 1 of File Plan 2013;
3. Along a curve to the right with a radius of 235.00 feet, the chord azimuth and distance being:
46° 13' 00" 164.98 feet;
4. 66° 46' 00" 261.03 feet along the same;
5. 242° 26' 00" 96.20 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of

0.224 acres. (Refer to
Sliver 32 as shown on
Exhibit "A".)

The district classification of the following area
situated at Waikoloa, South Kohala, Hawaii, shall be
Multiple Family Residential (RM-8):

SLIVER 33:

Beginning within the center of this parcel of land. The
coordinates of said point of beginning referred to
Government Survey Triangulation Station "PUU HINAI" being
10,255.19 feet North and 28,062.39 feet West, thence
running by azimuths measured clockwise from True South:

1. 43° 51' 00" 105.54 feet along the remainder of
Lot 1 of File Plan 2013;
2. 57° 11' 00" 652.09 feet along the same;
3. 117° 07' 00" 24.99 feet along the same;
4. Along a curve to the right with a radius of 30.00 feet,
the chord azimuth and
distance being:
181° 59' 00" 54.32 feet;
5. 246° 51' 00" 394.21 feet along the remainder of
Lot 1 of File Plan 2013;
6. 235° 21' 00" 222.66 feet along the same;
7. 229° 22' 00" 126.32 feet along the remainder of
Lot 1 of File Plan 2013 to
the point of beginning and
containing an area of
0.374 acres. (Refer to
Sliver 33 as shown on
Exhibit "A".)

The district classification of the following area
situated at Waikoloa, South Kohala, Hawaii, shall be
Multiple Family Residential (RM-8):

SLIVER 34:

Beginning within the center of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 10,084.91 feet North and 27,730.50 feet West, thence running by azimuths measured clockwise from True South:

1. 226° 52' 00" 29.97 feet along the remainder of Lot 1 of File Plan 2013;
2. 250° 49' 00" 120.58 feet along the same;
3. 66° 07' 00" 148.47 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.017 acres. (Refer to Sliver 34 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be Multiple Family Residential (RM-8):

SLIVER 35:

Beginning within the center of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 11,016.77 feet North and 26,865.65 feet West, thence running by azimuths measured clockwise from True South:

1. 337° 53' 30" 227.71 feet along the remainder of Lot 1 of File Plan 2013;
2. 73° 53' 00" 29.04 feet along the same;
3. 165° 13' 00" 226.53 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.075 acres. (Refer to Sliver 35 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be Multiple Family Residential (RM-8):

SLIVER 36:

Beginning at the Northwest corner of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 11,546.82 feet North and 26,742.36 feet West, thence running by azimuths measured clockwise from True South:

1. 15° 26' 00" 42.38 feet along the remainder of Lot 1 of File Plan 2013;
2. 183° 22' 00" 21.59 feet along the same;
3. 207° 25' 00" 21.74 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.002 acres. (Refer to Sliver 36 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be Multiple Family Residential (RM-8):

SLIVER 37:

Beginning within the center of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 11,110.54 feet North and 26,890.39 feet West, thence running by azimuths measured clockwise from True South:

1. 241° 49' 00" 129.38 feet along the remainder of Lot 1 of File Plan 2013;
2. 0° 05' 00" 11.41 feet along the same;
3. 61° 49' 00" 126.37 feet along the same;

4. 165° 13' 00" 10.33 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.029 acres. (Refer to Sliver 37 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be Multiple Family Residential (RM-8):

SLIVER 38:

Beginning at the Southeast corner of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 9,342.82 feet North and 27,472.18 feet West, thence running by azimuths measured clockwise from True South:

1. 109° 10' 00" 2.25 feet along the remainder of Lot 1 of File Plan 2013;
2. 232° 00' 00" 333.59 feet along the same;
3. 247° 14' 00" 515.56 feet along the same;
4. 277° 36' 00" 98.64 feet along the same;
5. Along a curve to the left with a radius of 200.00 feet, the chord azimuth and distance being:
270° 12' 00" 51.52 feet;
6. 82° 48' 00" 250.95 feet along the remainder of Lot 1 of File Plan 2013;
7. 62° 41' 00" 501.88 feet along the same;
8. 55° 34' 00" 231.03 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.366 acres. (Refer to Sliver 38 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be Multiple Family Residential (RM-8):

SLIVER 39:

Beginning at the North side of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 11,043.78 feet North and 26,308.50 feet West, thence running by azimuths measured clockwise from True South:

1. 234° 06' 00" 34.62 feet along the remainder of Lot 1 of File Plan 2013;
2. 283° 40' 00" 290.72 feet along the same;
3. Along a curve to the left with a radius of 400.00 feet, the chord azimuth and distance being:
074° 24' 38.5" 84.47 feet;
4. Along a curve to the right with a radius of 150.00 feet, the chord azimuth and distance being:
095° 09' 30" 135.30 feet;
5. 121° 58' 00" 111.30 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.323 acres. (Refer to Sliver 39 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be Multiple Family Residential (RM-8):

SLIVER 40:

Beginning at the North side of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 10,702.96 feet North and 25,748.14 feet West, thence running by azimuths measured clockwise from True South:

1. 232° 10' 00" 181.85 feet along the remainder of Lot 1 of File Plan 2013;
2. Along a curve to the left with a radius of 40.00 feet, the chord azimuth and distance being:
218° 02' 07.5" 19.53 feet;
3. 297° 29' 00" 7.50 feet along the same;
4. 49° 08' 00" 88.18 feet along the same;
5. 55° 29' 00" 116.30 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.019 acres. (Refer to Sliver 40 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be Multiple Family Residential (RM-8):

SLIVER 41:

Beginning at the Southeast side of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 9,422.87 feet North and 27,702.49 feet West, thence running by azimuths measured clockwise from True South:

1. 109° 10' 00" 4.96 feet along the remainder of Lot 1 of File Plan 2013;
2. 192° 36' 00" 79.72 feet along the same;
3. Along a curve to the right with a radius of 485.00 feet, the chord azimuth and distance being:
219° 07' 00" 433.06 feet;
4. 245° 38' 00" 298.08 feet along the same;
5. 239° 35' 00" 313.54 feet along the same;

6. Along a curve to the left with a radius of 150.00 feet,
the chord azimuth and
distance being:
305° 27' 19.5" 64.05 feet;
7. 94° 21' 00" 89.46 feet along the same;
8. 58° 57' 30" 250.20 feet along the same;
9. 66° 17' 00" 309.68 feet along the same;
10. Along a curve to the left with a radius of 480.00 feet,
the chord azimuth and
distance being:
039° 26' 30" 433.47 feet;
11. 12° 36' 00" 80.39 feet along the remainder of
Lot 1 of File Plan 2013 to
the point of beginning and
containing an area of
0.193 acres. (Refer to
Sliver 41 as shown on
Exhibit "A".)

The district classification of the following area
situated at Waikoloa, South Kohala, Hawaii, shall be
Multiple Family Residential (RM-8):

SLIVER 42:

Beginning at the Southeast corner of this parcel of land.
The coordinates of said point of beginning referred to
Government Survey Triangulation Station "PUU HINAI" being
10,098.28 feet North and 26,677.03 feet West, thence
running by azimuths measured clockwise from True South:

1. Along a curve to the left with a radius of 150.00 feet,
the chord azimuth and
distance being:
203° 27' 58" 155.85 feet;
2. 172° 10' 00" 64.41 feet along the remainder of
Lot 1 of File Plan 2013;

3. Along a curve to the right with a radius of 150.00 feet, the chord azimuth and distance being:

14° 27' 01" 213.53 feet

along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.038 acres. (Refer to Sliver 42 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be Multiple Family Residential (RM-8):

SLIVER 43:

Beginning within the center of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 10,957.16 feet North and 26,428.16 feet West, thence running by azimuths measured clockwise from True South:

1. 234° 06' 00" 7.35 feet along the remainder of Lot 1 of File Plan 2013;
2. 349° 26' 00" 230.73 feet along the same;
3. Along a curve to the right with a radius of 200.00 feet, the chord azimuth and distance being:
358° 13' 38" 61.15 feet;
4. Along a curve to the left with a radius of 150.00 feet, the chord azimuth and distance being:
171° 39' 10" 9.09 feet;
5. 169° 55' 00" 278.95 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.048 acres. (Refer to Sliver 43 as shown on Exhibit "A".)

The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be Multiple Family Residential (RM-8):

SLIVER 44:

Beginning at the North side of this parcel of land. The coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 10,505.99 feet North and 26,497.78 feet West, thence running by azimuths measured clockwise from True South:

1. 52° 15' 00" 46.11 feet along the remainder of Lot 1 of File Plan 2013;
2. 132° 14' 10" 13.38 feet along the same;
3. 247° 28' 00" 50.19 feet along the remainder of Lot 1 of File Plan 2013 to the point of beginning and containing an area of 0.007 acres. (Refer to Sliver 44 as shown on Exhibit "A".)

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 applicant, successors or its assigns shall comply with all of the stated conditions of approval; (B) plans for residential development or a portion thereof shall be submitted for plan approval within one year from the effective date of the change of zone and Final Plan Approval secured within one year thereafter. To assure adequate time for Plan Approval review and in accordance with Chapter 25-244 (Zoning Code), plans shall be submitted a minimum of forty-five (45) days prior to the date by which Plan

Approval must be secured; (C) intersection improvements to Queen Kaahumanu Highway, which may include phasing thereof as well as a highway underpass and diamond interchange at the south entrance, shall be installed in a manner meeting with the approval of the Department of Transportation. A Traffic Management Plan shall be approved by the Department of Transportation and approved recommendations implemented. Further, a letter from the Department of Transportation-Highways Division confirming the funding and construction of other on-site and off-site transportation improvements or other means agreed upon, shall be submitted within one year from completion of the Department of Transportation-Highways Division Corridor Study; (D) 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; (E) a roadway connection to the adjacent property to the north shall be provided meeting with the approval of the Department of Public Works; (F) a drainage system shall be installed meeting with the approval of the Department of Public Works; (G) all residential, commercial and industrial units and uses shall be connected to a sewage treatment plant, public or private, meeting with the approval of the appropriate governmental agencies; (H) should any unanticipated archaeological sites or

features be uncovered during land preparation activities, work within the affected area shall immediately cease and the Planning Department notified. Work within the affected area shall not resume until clearance is obtained from the Planning Department; (I) comply with the requirements of the Department of Education. A letter from the Department of Education confirming compliance and the nature in which compliance has been met shall be submitted prior to issuance of a certificate of occupancy for any of the multi-family residential units; (J) comply with all other applicable laws, rules, regulations and requirements, including those of the Department of Water Supply, Department of Public Works and the Department of Land and Natural Resources; (K) comply with applicable conditions of Ordinance No. 265, as amended, the State Land Use Commission Decision and Order, and SMA Use Permit No. 25, as amended; (L) 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; (M) an annual progress report shall be submitted to the Planning Director prior to the anniversary date of the effective date of this change of zone. The report shall include, but not be limited to, the status of the development and to what extent the conditions of approval are being complied with. This condition shall remain in effect until all

of the conditions of approval have been complied and the Planning Director acknowledges that further reports are not required; and, (N) an 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 conditions that could not have been foreseen or are beyond the control of the applicant, 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; 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 shall initiate rezoning of the area to its original or more appropriate designation.

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.

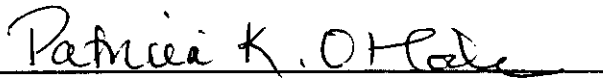
INTRODUCED BY:


COUNCIL MEMBER, COUNTY OF HAWAII

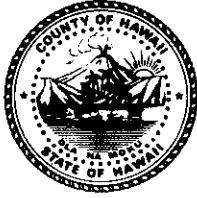
Hilo, Hawaii

Date of Introduction: February 23, 1994
Date of 1st Reading: February 23, 1994
Date of 2nd Reading: March 10, 1994
Effective Date: March 21, 1994

APPROVED AS TO FORM AND LEGALITY:


DEPUTY CORPORATION COUNSEL
DATE: MAR 17 1994

ROBIN J. YAHIKU
County Clerk



CONSTANCE R. KIRIU
Deputy County Clerk

BOBBY JEAN LEITHEAD-TODD
Legislative Auditor

OFFICE OF THE COUNTY CLERK

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

NOTE

On Bill No. 197 , Draft 2 , Ordinance No. 94-31 , reference is made to 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.

A handwritten signature in black ink, appearing to read "Robin J. Yahiku".

Robin J. Yahiku
COUNTY CLERK