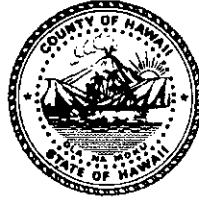


COUNTY OF HAWAI'I



STATE OF HAWAI'I

ORDINANCE NO. 09 7 BILL NO. 317

AN ORDINANCE AMENDING THE STATE LAND USE BOUNDARIES MAPS FOR THE COUNTY OF HAWAI'I BY CHANGING THE DISTRICT CLASSIFICATION FROM THE AGRICULTURAL TO THE URBAN DISTRICT AT KAPALAALAEA 2ND, NORTH KONA, HAWAI'I, COVERED BY TAX MAP KEY: 7-7-008:121.

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF HAWAI'I:

SECTION 1. The State Land Use Boundaries Maps for the County of Hawai'i are amended to change the district classification of property described hereinafter as follows:

The district classification of the following area situated at Kapalaalaea 2nd, North Kona, Hawai'i, shall be Urban:

Beginning at a found 1/2" iron rebar, being the Northwest corner of this herein-described tract of land, being the Southeast corner of Lot No. 2 of White Sands Beach Estates Subdivision (File Plan No. 1480) and the Southwest terminus point of Naniloa Street; the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAHELO" being 11,680.76 feet South and 5565.64 feet East, and running by azimuths clockwise, measured from true South:

Thence for the next twenty-three (23) courses following along the middle of stonewall, along Land Commission Award No. 4452, Apana 2 to H. Kalama:

- 1. 255° 22' 40" 175.85 feet along File Plan No. 1480 to a found "X" in rock;

Thence for the next thirteen (13) courses following along Keauhou View Estates Phase I (File Plan No. 2268) and Phase III (File Plan No. 2275):

- 2. 253° 26' 00" 46.03 feet to a found nail;
- 3. 254° 53' 00' 50.09 feet to a found nail;
- 4. 252° 43' 00" 65.74 feet to a found nail;
- 5. 256° 34' 00" 69.20 feet to a found nail;

6.	260°	02'	00"	42.91	feet to a found nail;
7.	255°	30'	00"	61.67	feet to a found nail;
8.	252°	41'	00"	24.74	feet to a found ½" iron pipe;
9.	252°	17'	00"	70.94	feet to a found nail;
10.	249°	00'	00"	22.68	feet to a found nail;
11.	245°	53'	00"	36.24	feet to a found nail;
12.	249°	31'	00"	41.22	feet to a found nail;
13.	246°	40'	00"	77.55	feet to a found nail;
14.	253°	11'	00"	60.37	feet to a found nail;

Thence for the next nine (9) courses following along Keauhou View Estates Phase VI (File Plan No. 2316):

15.	253°	11'	00"	42.16	feet to a found nail;
16.	250°	48'	00"	71.12	feet to a found nail;
17.	241°	45'	00"	9.19	feet to a found nail;
18.	249°	05'	00"	11.04	feet to a found nail;
19.	239°	25'	00"	22.98	feet to a found nail;
20.	234°	54'	00"	37.47	feet to a found nail;
21.	237°	03'	00"	34.58	feet to a found nail;
22.	229°	36'	00"	15.00	feet to a found nail;
23.	238°	39'	00"	3.04	feet to a found nail in the West line of Parcel 18, being Kahului-Keauhou Parkway;

Thence for the next two (2) courses following along said Parcel 18, being Kahului-Keauhou Parkway (Alii Parkway):

24.	354°	55'	57"	47.45	feet to a found nail;
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25. 355° 15' 00" 496.27 feet to a found ½" iron pipe in concrete at the middle of a stone wall;

Thence for the next twenty-six (26) courses following along the middle of a stone wall, along Royal Patent No. 6856, Land Commission Award 7713, Apana 6 to V. Kamamalu:

26.	70°	06'	21"	35.73	feet to a found nail;
27.	74°	25'	57"	48.88	feet to a found nail;
28.	74°	55'	25"	48.63	feet to a found nail;
29.	74°	22'	26"	34.12	feet to a found nail;
30.	71°	41'	46"	17.54	feet to a found nail;
31.	79°	13'	10"	28.28	feet to a found nail;
32.	70°	50'	19"	17.01	feet to a found nail;
33.	71°	04'	01"	29.36	feet to a found nail;
34.	70°	11'	49"	42.74	feet to a found nail;
35.	65°	24'	10"	16.68	feet to a found nail;
36.	73°	04'	27"	39.19	feet to a found nail;
37.	74°	15'	41"	40.32	feet to a found nail;
38.	73°	52'	16"	85.80	feet to a found nail;
39.	69°	55'	37"	36.94	feet to a found nail;
40.	81°	19'	54"	20.96	feet to a found nail;
41.	71°	59'	42"	13.61	feet to a found nail;
42.	73°	26'	45"	32.81	feet to a found nail;
43.	67°	05'	11"	93.29	feet to a found nail;
44.	73°	03'	53"	24.94	feet to a found nail;

- 45. 72° 48' 22" 39.75 feet to a found nail;
- 46. 76° 08' 18" 17.99 feet to a found nail;
- 47. 61° 33' 46" 20.42 feet to a found nail;
- 48. 62° 19' 19" 36.10 feet to a found nail;
- 49. 65° 46' 32" 13.81 feet to a found nail;
- 50. 82° 14' 49" 19.81 feet to a found nail;
- 51. 65° 04' 39" 14.87 feet to a found nail;

Thence for the next three (3) courses following along Lot No. 3-C, being the West line of this herein-described tract:

- 52. 150° 00' 00" 456.55 feet to a found ½" rebar with cap;

Thence, following a curve to the right with a radius of 150.00 feet, the chord azimuth and distance being:

- 53. 160° 31' 00" 54.76 feet to a found ½" rebar with cap;
- 54. 171° 02' 00" 15.00 feet to the point of beginning and containing an area of 11.05 acres, more or less.

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

SECTION 2. In the event that any portion of this ordinance is declared invalid, such invalidity shall not affect the other parts of this ordinance.

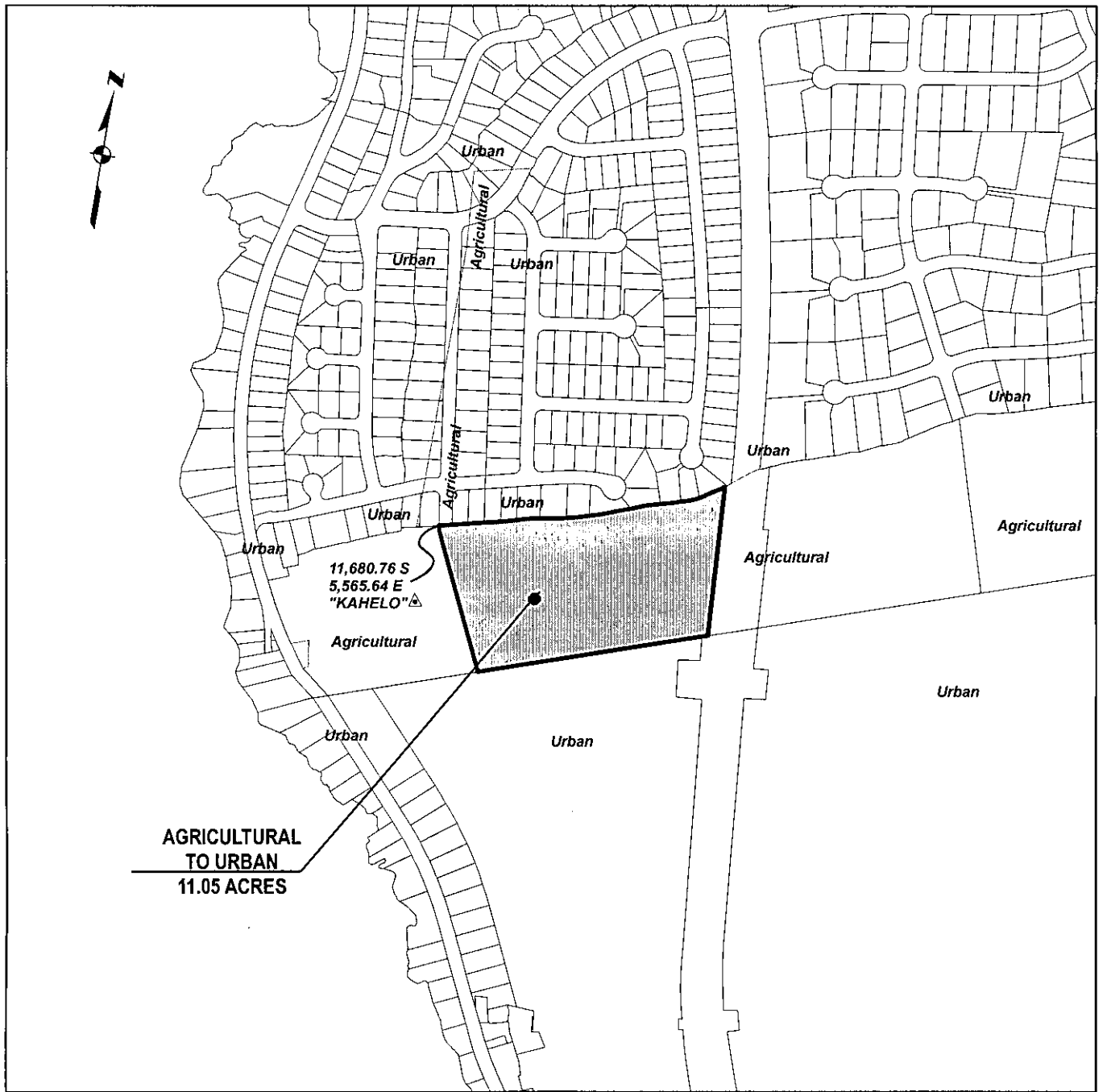
SECTION 3. This ordinance shall take effect upon its approval.

INTRODUCED BY:


 COUNCIL MEMBER, COUNTY OF HAWAII

Kona, Hawai'i

Date of Introduction: January 7, 2009
 Date of 1st Reading: January 7, 2009
 Date of 2nd Reading: January 23, 2009
 Effective Date: February 9, 2009



AGRICULTURAL
TO URBAN
11.05 ACRES

AMENDMENT TO STATE LAND USE BOUNDARIES MAP

AMENDING THE STATE LAND USE BOUNDARIES MAPS FOR THE
COUNTY OF HAWAII, BY CHANGING THE DISTRICT CLASSIFICATION FROM
THE AGRICULTURAL DISTRICT TO THE URBAN DISTRICT
AT KAPALAALEA 2ND, NORTH KONA, HAWAII

MAP PREPARED BY:
COUNTY OF HAWAII, PLANNING DEPARTMENT

OFFICE OF THE COUNTY CLERK
 County of Hawai'i
 Kona, Hawai'i

RECEIVED
 Time 2:44 pm By DT
 Date 2/09/09
 County Council

Introduced By: K. Angel Pilago
 Date Introduced: January 7, 2009
 First Reading: January 7, 2009
 Published: N/A

REMARKS: _____

Second Reading: January 23, 2009
 To Mayor: February 2, 2009
 Returned: February 9, 2009
 Effective: February 9, 2009
 Published: February 19, 2009

REMARKS: _____

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Enriques	X			
Ford		X		
Greenwell		X		
Hoffmann	X			
Ikeda	X			
Naeole	X			
Onishi	X			
Yagong	X			
Yoshimoto	X			
	7	2	0	0

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Enriques	X			
Ford	X			
Greenwell	X			
Hoffmann	X			
Ikeda	X			
Naeole	X			
Onishi	X			
Yagong	X			
Yoshimoto	X			
	9	0	0	0

I DO HEREBY CERTIFY that the foregoing BILL was adopted by the County Council published as indicated above.

APPROVED AS TO
 FORM AND LEGALITY:

[Signature]
 DEPUTY CORPORATION COUNSEL
 COUNTY OF HAWAII

Date FEB 3 2009

[Signature] 9/2
 Approved/Disapproved this _____ day
 of February, 2009

MAYOR, COUNTY OF HAWAII

[Signature]
 COUNCIL CHAIRPERSON

[Signature]
 COUNTY CLERK

Bill No.: 317 (2006-2008)
 Reference: C-1299/PC-1
 Ord No.: 09 7