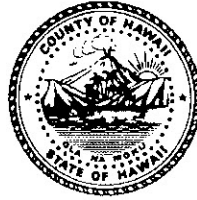


COUNTY OF HAWAI'I



STATE OF HAWAI'I

ORDINANCE NO. 10 1 BILL NO. 162

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 KAHULUI 2ND, NORTH KONA, HAWAI'I, COVERED BY TAX MAP KEY: 7-5-017:042.

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 Kahului 2nd, North Kona, Hawai'i, shall be Urban:

Beginning at the Southwesterly corner of this parcel of land, being also the Southeasterly corner of Lot C and a point on the Northwesterly side of Royal Patent 6716 Land Commission Award 4887, Apana 2 to Thomas Sams the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAHELO" being 1,620.97 feet North 5,817.15 feet East and running by azimuths measured clockwise from True South:

Thence, for the next five (5) courses along Lot C, and the remainder of Royal Patent 1669, Land Commission Award 8516-B, Apana 3 to Kamaikui:

- 1. 155° 19' 50" 720.66 feet to a point;
- 2. 243° 44' 29" 221.15 feet to a point;
- 3. 268° 09' 17" 195.04 feet to a point;
- 4. 257° 27' 50" 239.26 feet to a point;
- 5. 170° 04' 30" 59.16 feet to a point;

Thence, for the next seven (7) courses along the Southerly side of Hualālai Road:

- 6. 246° 45' 30" 2.79 feet to a point;
- 7. 260° 04' 30" 46.36 feet to a point;
- 8. 255° 58' 30" 36.15 feet to a point;
- 9. 256° 57' 30" 44.68 feet to a point;
- 10. 252° 02' 00" 31.42 feet to a point;
- 11. 252° 59' 30" 70.91 feet to a point;

12. 250° 07' 30" 33.72 feet to a point;

Thence, following along Lot E, and the remainder of Royal Patent 1669, Land Commission Award 8516-B, Apana 3 to Kamaikui:

13. 338° 16' 12" 715.98 feet to a point;

Thence for the next sixteen (16) courses along the middle of a stonewall; along Royal Patent 6716, Land Commission Award 4887, Apana 2 to Thomas Sams and partially along Lot 131 and Lot C Pualani Estates Subdivision:

14.	85°	56'	30"	65.91	feet to a point;
15.	72°	13'	00"	138.54	feet to a point;
16.	72°	29'	10"	30.29	feet to a point;
17.	69°	34'	14"	121.45	feet to a point;
18.	71°	11'	30"	111.11	feet to a point;
19.	74°	31'	25"	38.40	feet to a point;
20.	68°	46'	06"	54.35	feet to a point;
21.	70°	11'	27"	56.27	feet to a point;
22.	82°	34'	25"	44.90	feet to a point;
23.	78°	04'	49"	47.37	feet to a point;
24.	70°	42'	35"	15.48	feet to a point;
25.	64°	13'	33"	12.84	feet to a point;
26.	59°	16'	06"	21.06	feet to a point;
27.	55°	06'	36"	33.16	feet to a point;
28.	76°	04'	15"	40.32	feet to a point;
29.	63°	16'	48"	55.43	feet to a point of beginning and containing an area of 14.437 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:

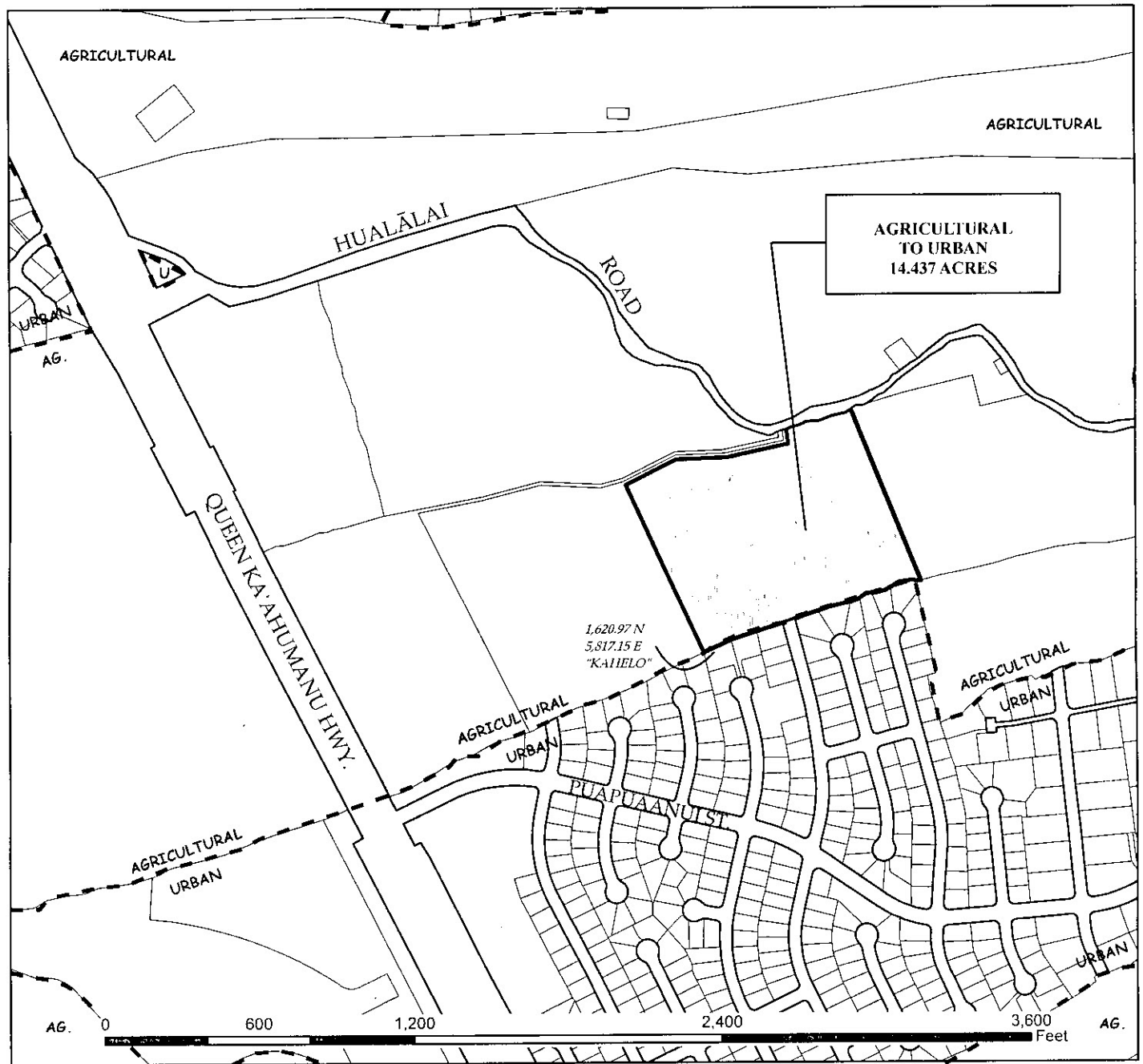


COUNCIL MEMBER, COUNTY OF HAWAI'I

Kona, Hawai'i

Date of Introduction: January 6, 2010
Date of 1st Reading: January 6, 2010
Date of 2nd Reading: January 22, 2010
Effective Date: February 1, 2010

REFERENCE: **Comm:** 578



AMENDMENT TO THE STATE LAND USE BOUNDARIES MAPS

AMENDING THE STATE LAND USE BOUNDARIES MAP FOR THE COUNTY OF HAWAI'I, BY CHANGING THE DISTRICT CLASSIFICATION FROM THE AGRICULTURAL TO THE URBAN DISTRICT AT KAHULUI 2nd, NORTH KONA, HAWAI'I

MAP PREPARED BY:
COUNTY OF HAWAI'I, PLANNING DEPARTMENT

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

RECEIVED

Introduced By: Donald Ikeda
 Date Introduced: January 6, 2010
 First Reading: January 6, 2010
 Published: N/A

REMARKS: _____

Second Reading: January 22, 2010
 To Mayor: February 1, 2010
 Returned: February 10, 2010
 Effective: February 1, 2010
 Published: February 23, 2010


REMARKS: _____


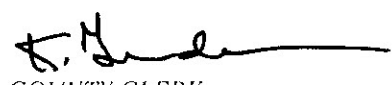
2010
 2010 FEB 10 PM 3 43

	AYES	NOES	ABS	EX
Enriques	X			
Ford	X			
Greenwell	X			
Hoffmann	X			
Ikeda	X			
Naeole-Beason	X			
Onishi	X			
Yagong	X			
Yoshimoto	X			
	9	0	0	0

	AYES	NOES	ABS	EX
Enriques	X			
Ford			X	
Greenwell	X			
Hoffmann	X			
Ikeda	X			
Naeole-Beason	X			
Onishi			X	
Yagong	X			
Yoshimoto	X			
	7	0	2	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:

 DEPUTY CORPORATION COUNSEL
 COUNTY OF HAWAII
 Date FEB 3 2010


 COUNCIL CHAIRMAN

 COUNTY CLERK

Bill No.: 162
 Reference: C-578/PC-59
 Ord No.: 10 1

Approved/Disapproved this 1st day
 of February, 20 10

MAYOR, COUNTY OF HAWAII


Ordinances Numbered 10-1, 10-2, 10-3, 10-4, 10-5, & 10-6

I hereby certify that the following Ordinances passed second and final reading at the meeting of the County Council on January 22, 2010, by vote, as listed below:

Ordinance 10-1 (Bill 162): 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 Kahului 2nd, North Kona, Hawai'i, Covered by Tax Map Key: 7-5-017:042. AYES: Council Members Enriquez, Greenwell, Hoffmann, Ikeda, Naeole-Beason, Yagong, and Chair Yoshimoto – 7; NOES: None; ABSENT: Council Members Ford and Onishi – 2; EXCUSED: None.

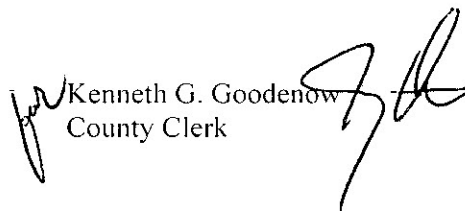
Ordinance 10-2 (Bill 163, Draft 2): An Ordinance Amending Section 25-8-3 (North Kona Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code 1983 (2005 Edition), by Changing the District Classification From Agricultural – 5 Acres (A-5a) to Single Family Residential – 10,000 Square Feet (RS-10) at Kahului 2nd, North Kona, Hawai'i, Covered by Tax Map Key: 7-5-017:042. AYES: Council Members Enriquez, Greenwell, Ikeda, Naeole-Beason, Yagong, and Chair Yoshimoto – 6; NOES: Council Member Hoffmann – 1; ABSENT: Council Members Ford and Onishi – 2; EXCUSED: None.

Ordinance 10-3 (Bill 178): An Ordinance Amending Chapter 24 of the Hawai'i County Code 1983 (2005 Edition, as Amended), Relating to Vehicles and Traffic. AYES: Council Members Enriquez, Greenwell, Ikeda, Naeole-Beason, Yagong, and Chair Yoshimoto – 6; NOES: None; ABSENT: Council Members Ford, Hoffmann, and Onishi – 3; EXCUSED: None.

Ordinance 10-4 (Bill 179): An Ordinance Amending Ordinance No. 09-65, as Amended, Relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2009 to June 30, 2010. AYES: Council Members Enriquez, Greenwell, Hoffmann, Ikeda, Naeole-Beason, Yagong, and Chair Yoshimoto – 7; NOES: None; ABSENT: Council Members Ford and Onishi – 2; EXCUSED: None.

Ordinance 10-5 (Bill 180): An Ordinance Amending Chapter 14, Article 1, Section 14-1 of the Hawai'i County Code 1983 (2005 Edition, as Amended), Relating to Intoxicating Liquors Prohibited in Certain Public Places. AYES: Council Members Enriquez, Greenwell, Hoffmann, Ikeda, Naeole-Beason, Yagong, and Chair Yoshimoto – 7; NOES: None; ABSENT: Council Members Ford and Onishi – 2; EXCUSED: None.

Ordinance 10-6 (Bill 181): An Ordinance Amending Chapter 14, Article 1, Section 14-2.2 and Section 14-2 of the Hawai'i County Code 1983 (2005 Edition, as Amended), Relating to Consumption of Intoxicating Liquors at Parks. AYES: Council Members Enriquez, Greenwell, Hoffmann, Ikeda, Naeole-Beason, Yagong, and Chair Yoshimoto – 7; NOES: None; ABSENT: Council Members Ford and Onishi – 2; EXCUSED: None.


Kenneth G. Goodenow
County Clerk

(Hawai'i Tribune-Herald – February 23, 2010)
(West Hawai'i Today – February 23, 2010)

Note: The original Digest/Affidavit is attached to Ordinance 10-1.