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PLANNING DEPARTMENT  
COUNTY OF HAWAII

December 1, 2006  
2006.33.3204 / 06E-682

Mr. Christopher F. Yuen, Director  
Planning Department  
County of Hawaii  
Aupuni Center  
101 Pauahi Street, Suite 3  
Hilo, Hawaii 96720

Dear Mr. Yuen:

**“Hokuli’a Phase 2 Amendment 3” (SUB-06-000424)  
Consolidation of Lot C (File Plan 2306) and Lots 89 to 98,  
inclusive, R-10 and R-11 (File Plan 2307),  
Resubdivision of said Consolidation into Lots 1 to 13, inclusive  
and Designation of Easements 1, 2, 3, 4 and 5  
at Honuaino 4<sup>th</sup> and Hokukano 1st, North Kona, Island of Hawaii, Hawaii  
Tax Map Key 8-1-04: 65, 8-1-32, portion 54 and 8-1-34: 16 to 25, inclusive**

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We refer to your letter of deferral of action dated November 13, 2006 and your question about our preliminary map as regards proposed Trail Lot 11 bisecting proposed Lot 13.

Proposed Lot 11 on the preliminary map contains the Stepping Stone Trail. Judge Ibarra ruled in the Fourth Amended Final Judgment that the Stepping Stone Trail is a public highway under the Highways Act of 1892, i.e. it existed as a public right of way prior to that date. A copy of the Fourth Amended Final Judgment is attached for your reference. Pages 14 and 15 contain the language about the Stepping Stone Trail.

Due to our lack of knowledge about the Stepping Stone Trail at the time, we labeled the Stepping Stone Trail as a “Lot” on the preliminary map. On our final map we plan to show it as a State-owned exclusion for the existing Stepping Stone Trail through Lot 13 and deduct the area of this Exclusion from the area of Lot 13.

This treatment of the Stepping Stone Trail exclusion will be similar to that given the Exclusion for the State-owned Old Government Road on the previously approved Hokuli’a Phases 1 and 2 subdivisions. Please refer to Subdivision File No. 98-124, approved as Final Subdivision Numbers 7168 and 7168-A. It is also similar to the treatment of the King’s Trail exclusions through various Mauna Lani Resort Lots. The latest example of this is the Mauna Lani Resort Clubhouse Road Subdivision, Subdivision File No. 2004-0137, Final Subdivision No. SUB-04-000187. In all of these examples, the trail exclusions bisect lots without creating any additional lots.

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Please do not hesitate to call me at (808) 521-5361 if you have any questions.

Sincerely,

BELT COLLINS HAWAII LTD.



Robert W. Cunningham, PLS

RWC:aca

cc: Bryan Smith, Kitchell Contractors  
Robert A. Stuit, 1250 Oceanside Partners  
Jean Campbell, Esq.  
Michael Moore, Esq.  
R. Ben Tsukazaki, Esq.

Enclosure