

Tsukazaki Yeh & Moore  
ATTORNEYS AT LAW  
A Limited Liability Law Company

85 W. Lanikaula Street Hilo, Hawaii 96720-4199  
Telephone: (808) 961-0055 FAX (808) 969-1531

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rbt@lava.  
THOMAS L.H. YEH  
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MICHAEL W. MOORE  
mmoore@lava.

October 14, 2003

Via Hand Delivery

Christopher Yuen, Director  
Planning Department  
County of Hawaii  
101 Pauahi Street, Suite 3  
Hilo, Hawaii 96720-3043

Re: Determination of Pre-Existing Lot  
Owner: Kiilae Estates LLC  
TMK: (3) 8-5-005:019 (portion)  
Kauleoli, South Kona, Hawaii

please make sure  
these get filed in  
the Kiilae SUB  
2003-0148 file -  
it's on my desk  
table - by  
MAY 10 2004

Dear Mr. Yuen:

Pursuant to our discussion, we are submitting herewith a metes and bounds description of the pre-existing lot of record which is makai of the Old Government Road, or "Alanui Aupuni," in parcel 19. As you know, this lot has always been a separate legal lot (see previous determination of Planning Director Virginia Goldstein enclosed).

Please process this request to establish this pre-existing lot based upon the enclosed description at your earliest convenience. Thank you very much for your assistance.

Very truly yours,

TSUKAZAKI YEH & MOORE



MICHAEL MOORE

Enclosures

xc: Martin Quill, Kiilae Estates LLC  
MM:csb

**Metes and Bounds Description  
Of  
Proposed Tax Map Parcel**

At Kiilae and Kauleoli 1st & 2nd, South Kona, Island of Hawaii, Hawaii

Being that portion of Grant 1575 to James Atkins  
Lying Makai of the Old Government Road

And also being a portion of Lot 2 of Kiilae Subdivision  
Recorded August 19, 2003 as Document No. 2003-17945  
At the Bureau of Conveyances, State of Hawaii

Beginning at the Northeasterly corner of this parcel of land, on the Westerly side of the Old Government Road, being also on the common line between Lots 1 and 2 of Kiilae Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LAE O KANONI" being 8,872.49 feet South and 4,208.55 feet East, thence running by azimuths measured clockwise from True South:

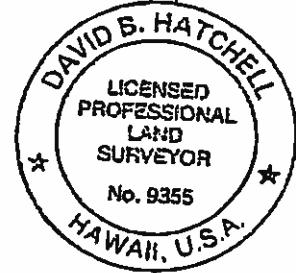
- |    |              |              |   |
|----|--------------|--------------|---|
| 1. | 354° 27' 56" | 1180.66 feet | along the westerly side of the Old Government Road to a point on the South boundary of Grant 1575 to James Atkins;  |
| 2. | 93° 06' 45"  | 1941.90 feet | along the remainder of Grant 1575 to James Atkins and the remainder of Lot 2 of Kiilae Subdivision;<br><br>thence along the highwater mark at seashore, the direct azimuth and distance between points on the highwater mark for the next five (5) courses being: |
| 3. | 209° 57' 10" | 1029.49 feet |   |
| 4. | 226° 11' 31" | 681.22 feet; |   |
| 5. | 187° 59' 07" | 278.42 feet  |   |
| 6. | 201° 11' 06" | 143.33 feet; |   |
| 7. | 175° 46' 58" | 318.37 feet  | to the North line of Grant 1575 to James Atkins and the North line of Lot 2 of Kiilae Subdivision;  |

9. 268° 15' 00" 572.62 feet

along the remainder of Grant 1575 to James Atkins and Lot 2 of Killae Subdivision to the point of beginning and containing an area of 59.698 Acres.

1001 Bishop Street  
Honolulu, Hawaii  
October 14, 2003

M&E Pacific, Inc.



*David B. Hatchell*

David B. Hatchell, Certificate No. 9355  
Licensed Professional Land Surveyor

*EXPIRES 4-30-04*

Stephen K. Yamashiro  
Mayor



Virginia Goldstein  
Director

Russell Kokubun  
Deputy Director

## County of Hawaii

### PLANNING DEPARTMENT

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252  
(808) 961-8288 • Fax (808) 961-8742

September 25, 2000

Michael Moore, Esq.  
Tsukazaki Yeh & Moore  
Attorneys At Law  
100 Pauahi Street, Suite 204  
Hilo, HI 96720

Dear Mr. Moore:

#### **DETERMINATION OF PRE-EXISTING LOTS**

**TMK: 8-5-005:019, 020, 022, 024, 025, 026, 027, 028, 029 & 030**

This is to acknowledge receipt of your letter of August 9, 2000, and documents regarding the subject matter.

Please be advised that we have reviewed the documents submitted, our department records, as well as those of the Real Property Tax Division, and determined that the subject propertyies consists of eight (8) separate legal lots of record:

- 1) Parcel 19 consists of four (4) lots:
  - A. Land Patent Grant No. 3708
  - B. Land Commission Award No. 9459, Apana 1
  - C. Royal Patent Grant No. 1575 bisected by
  - D. "Alanui Aupuni" (King's Trail) Public Rights-of-Ways.
- 2) Parcel 20 consist of one (1) lot:  
Land Commission Award No. 9459, Apana 2.
- 3) Parcel 22 consists of two (2) lots:
  - A. Land Commission Award No. 8521-B, Part 3 bisected by
  - B. "Alanui Aupuni" (King's Trail) Public Rights-of-Ways.
- 4) Parcel 30 consists of one (1) lot:  
Approved Subdivision No. 1755 (January 3, 1962).

SEP 27 2000

Michael Moore, Esq.  
Tsukazaki Yeh & Moore  
Page 2  
September 25, 2000

In conclusion, Parcels 24 through 29 will require additional information to be submitted for our review and determination.

It is our understanding that, based on this information provided regarding pre-existing lots, you will be submitting an application for consolidation and resubdivision of the subject parcels which would result in the development of specific metes and bounds for the subdivided lots. If consolidation and resubdivision is not the intent, then it is recommended that a modern metes and bounds survey be conducted for a more accurate and current land area determination and that a map reflecting this information be submitted for certification.

A request for separate tax map key parcel numbers should be in writing to the Real Property Tax Division.

Should you have any questions, please feel free to contact Ed Cheplic of this department.

Sincerely,

  
for VIRGINIA GOLDSTEIN  
Planning Director

ETC/RTU/RSK:lnm

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xc: Roy Uchida, Tax Maps and Records Supervisor  
Real Property Tax Division-Kona  
Manager-DWS  
Planning Dept.-Kona  
SUB 1755, 2412

Harry Kim  
Mayor



Christopher J. Yuen  
Director

Roy R. Takemoto  
Deputy Director

**County of Hawaii**  
**PLANNING DEPARTMENT**  
101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043  
(808) 961-8288 • Fax (808) 961-8742

October 16, 2003

Michael Moore, Esq.  
Tsukazaki Yeh & Moore  
Attorneys At Law, A Limited Liability Law Company  
85 W. Lanikaula Street  
Hilo, HI 96720-4199

Dear Mr. Moore:

**DETERMINATION OF PRE-EXISTING LOTS**  
**Owner: Kiilae Estates, LLC**  
**TMK: 8-5-05:19 (Portion); Kauleoli, South Kona, Hawaii**

This is to acknowledge receipt of your letter of October 14, 2003, and documents regarding the subject matter.

Please be advised that we have reviewed the documents submitted, our department records, as well as those of the Real Property Tax Division, and determined that the subject property consist of one (1) separate legal lot of record:

**Makai portion of Royal Patent Grant 1575 bisected by "Alanui Aupuni" (King's Trail) Public Rights-of-Ways.**

It is our understanding that, based on this information provided regarding pre-existing lots, you may be submitting an application for consolidation and resubdivision of the subject parcels which would result in the development of specific metes and bounds for the subdivided lots. If consolidation and resubdivision is not the intent, you may want to have a modern metes and bounds survey be conducted for a more accurate and current land area determination and that a map reflecting this information may be submitted for certification.

Harry Kim  
Mayor



Christopher J. Yuen  
Director

Roy R. Takemoto  
Deputy Director

**County of Hawaii**  
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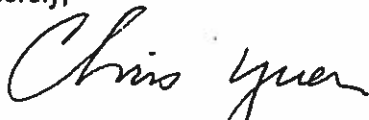
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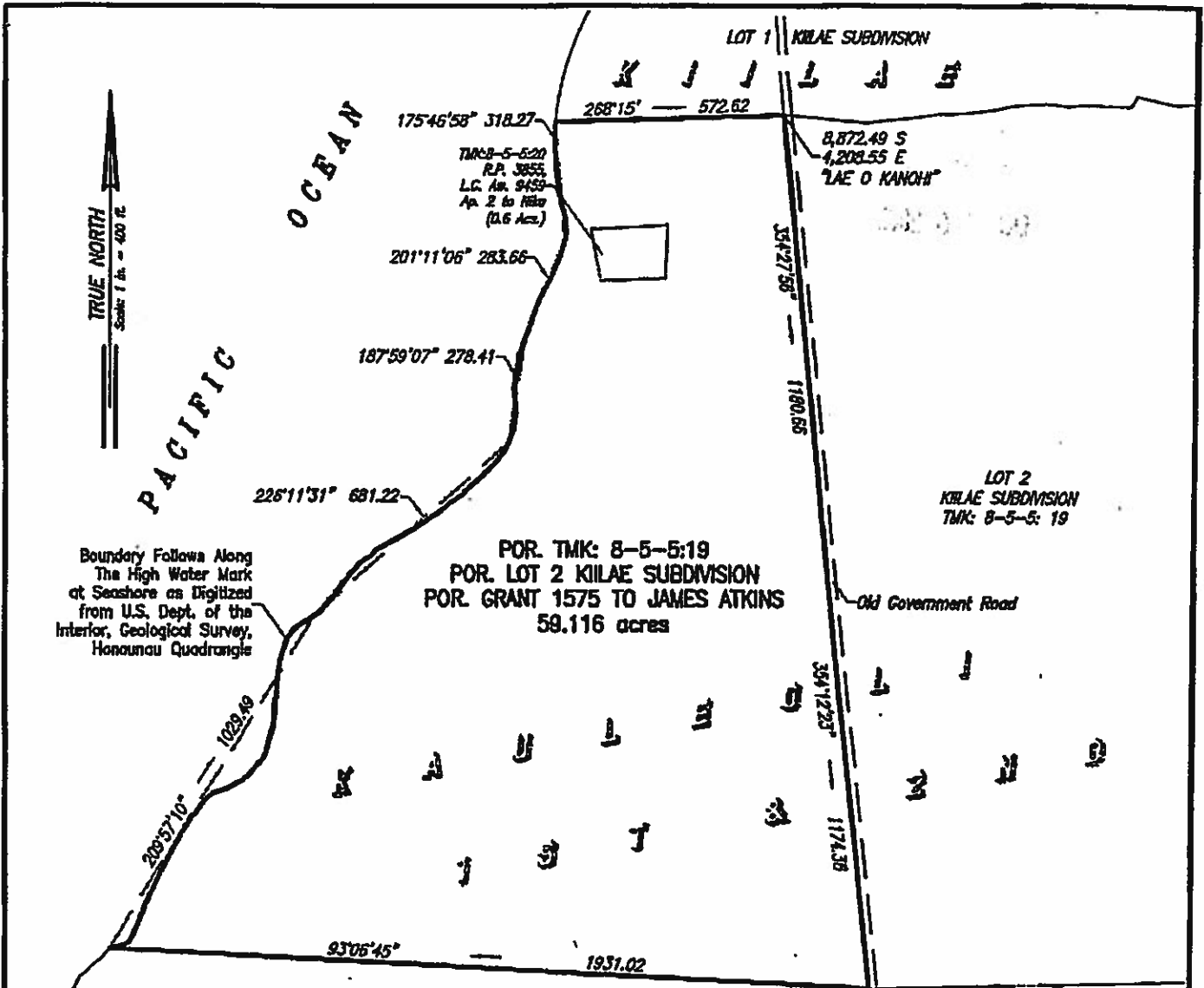
CHRISTOPHER J. YUEN  
Planning Director

ETC:Inm

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xc: Tax Maps and Records Supervisor  
Real Property Tax Division-Kona  
Manager-DWS  
Planning Dept.-Kona





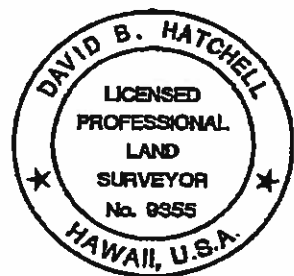
Boundary Follows Along  
The High Water Mark  
at Seashore as Digitized  
from U.S. Dept. of the  
Interior, Geological Survey,  
Honouanau Quadrangle

POR. TMK: 8-5-5:19  
POR. LOT 2 KIILAE SUBDIVISION  
POR. GRANT 1575 TO JAMES ATKINS  
59.116 acres

K I I L A E S U B D I V I S I O N

TMK: 8-5-5: 1

R. P. 7 7 3 2 L. C. A. W. 5 3 6 4  
A p a n a 2 l o A k a h i



**PROPOSED TAX MAP PARCEL**  
POR. GRANT 1575 TO JAMES ATKINS  
SOUTH KONA, ISLAND OF HAWAII

M & E Pacific, Inc.  
*David B. Hatchell*  
Licensed Professional Land Surveyor  
Certificate No. 9355 Exp. 4/30/04

Date: October 15, 2003 Scale: 1 in. = 400 ft.

**Metes and Bounds Description  
Of  
Proposed Tax Map Parcel**

At Kiilae and Kauleoli 1st & 2nd, South Kona, Island of Hawaii, Hawaii

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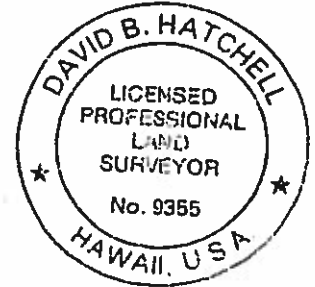
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- |    |              |              |  |
|----|--------------|--------------|--|
| 1. | 354° 27' 56" | 1180.66 feet | along the westerly side of the Old Government Road;  |
| 2. | 354° 12' 23" | 1174.36 feet | along the westerly side of the Old Government Road to a point on the South line of Grant 1575 to James Atkins;   |
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1001 Bishop Street  
Honolulu, Hawaii  
October 15, 2003

M&E Pacific, Inc.



David B. Hatchell  
David B. Hatchell, Certificate No. 9355  
Licensed Professional Land Surveyor  
Expires April 30, 2004