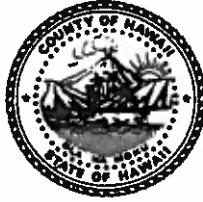


William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

West Hawai'i Office
74-5044 Ane Keohokalole Hwy
Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770
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County of Hawai'i
PLANNING DEPARTMENT

East Hawai'i Office
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720
Phone (808) 961-8288
Fax (808) 961-8742

February 22, 2013

Michael Moore, Esq.
Law Offices of Yeh & Moore
A Limited Liability Law Company
85 W. Lanikāula Street
Hilo, HI 96720-4199

Dear Mr. Moore:

**FOURTH TIME EXTENSION REQUEST
SUBDIVIDER: KI'ILAE ESTATES, LLC
"Ki'ilae Small Lots"**

Proposed Consolidation of Lots 18 through 22, Inclusive, of Ki'ilae Farms Subdivision,
And Resubdivision Into Lots 51 through 72, Inclusive, and Roadway Lots 73 & 74,
Kauleoli 1st & 2nd, South Kona, Island of Hawai'i, Hawai'i
TMK: 8-5-005:Portion 019 (SUB-07-000637)

This is to acknowledge receipt of your letter dated February 21, 2013, regarding the subject subdivision application.

Please be advised that in accordance with Section 23-62(d), Chapter 23, Subdivision Control Code, by a copy of this letter, we will have the applicable agencies review the subject subdivision and provide written comments related to compliance with current code and rule requirements. We will notify you when all agencies comments are received.

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

Sincerely,

BJ LEITHEAD TODD
Planning Director

ETC:lnm

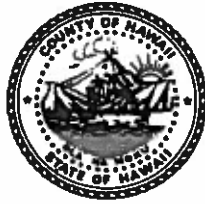
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D

Michael Moore, Esq.
Law Offices of Yeh & Moore
Page 2
February 22, 2013

xc: Manager, DWS w/letter 02/21/13
 Director, DPW w/letter 02/21/13
 District Environmental Health Program Chief, DOH w/letter 02/21/13
 District Engineer, DOT w/letter 02/21/13
 Mike Vitousek, Lead Archaeologist Hawai'i Island, State Historic Preservation Division w/letter 02/21/13
 Planning Department-Kona
 Ki'ilae Estates, LLC
 George S. Yoshimura, LPLS, Manager, Survey Dept. AECOM
 David Frankel, Esq.
 Clarence Medeiros, Jr.
 SUB 7459, FSA-SUB-03-000148

William P. Kenoi
Mayor



Bobby Jean Leithead Todd
Planning Director

Margaret K. Masunaga
Deputy Planning Director

County of Hawaii

PLANNING DEPARTMENT

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720
Phone (808) 961-8288 • Fax (808) 961-8742

September 13, 2011

Michael Moore, Esq.
Law Offices of Yeh & Moore
A Limited Liability Law Company
85 W. Lanikāula Street
Hilo, HI 96720-4199

Dear Mr. Moore:

**THIRD TIME EXTENSION REQUEST
SUBDIVIDER: KI'ILAE ESTATES, LLC
"Ki'ilae Small Lots"**

Proposed Consolidation of Lots 18 through 22, Inclusive, of Ki'ilae Farms Subdivision,
And Resubdivision Into Lots 51 through 72, Inclusive, and Roadway Lots 73 & 74,
Kauleoli 1st & 2nd, South Kona, Island of Hawai'i, Hawai'i
TMK: 8-5-005:Portion 019 (SUB-07-000637)

This is in response to your letter of August 30, 2011.

Please be informed that a third extension of time of two (2) years until **October 21, 2013**, for the submission of the final plat map, pursuant to Condition No. 12 of the letter of Tentative Approval dated October 21, 2008, is hereby granted.

Please be advised that Ordinance No. 92-138, adopted by the County Council on December 4, 1992, amended Chapter 23 of the Hawai'i County Subdivision Control Code, reads in part, as follows:

"The subdivider shall complete all requirements specified as conditions for approval of the preliminary plat (tentative approval) within three years of said approval. An extension of not more than two (2) years may be granted by the director upon timely written request by the subdivider."

The ordinance also makes provisions for those pending subdivision applications which were granted tentative approval prior to the adoption of said ordinance, as follows:

Michael Moore, Esq.
Law Offices of Yeh & Moore
A Limited Liability Law Company
Page 2
September 13, 2011

"This subsection shall be applied to all subdivision applications which have received tentative subdivision approval and which have not completed subdivision improvements, provided the three year period, and extension, if applicable, shall be taken from December 4, 1992 and not from the date of preliminary plat (tentative) approval."

Therefore, all conditions of the Tentative Approval dated October 21, 2008, must be complied with by **October 21, 2013.**

Should the conditions of tentative approval not be completed within the time limit, the approval of the preliminary plat shall expire and shall be of no further force or effect, or shall be subject to the technical review of the applicable agencies for compliance with current code and rule requirements.

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

Sincerely,


for BJ LEITHEAD TODD
Planning Director

ETC:lnm

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xc: Manager, DWS
 Director, DPW
 District Environmental Health Program Chief, DOH
 District Engineer, DOT
 State DLNR-Historic Preservation Division (Hilo)
 Ki'ilae Estates, LLC
 George S. Yoshimura, LPLS, Manager, Survey Dept. AECOM
 David Frankel, Esq.
 Clarence Medeiros, Jr.
 SUB 7459, FSA-SUB-03-000148

2011 AUG 31 PM 2:23

August 30, 2011

Bobby Jean Leithead-Todd, Director
Planning Department
County of Hawai'i
101 Aupuni Street, Suite 3
Hilo, Hawai'i 96720

Re: **Request for Time Extension**
Subdivider: Ki'ilaie Estates, LLC
"Ki'ilaie Small Lots"
Proposed Consolidation of Lots 18 through 22, inclusive, of Ki'ilaie Farms
Subdivision, and Resubdivision into Lots 51 through 72, inclusive, and
Roadway Lots 73 & 74
Kauleoli 1st & 2nd, South Kona, Island of Hawai'i, Hawai'i
TMK: (3) 8-5-005:Portion 019 (SUB-07-000637)

Dear Ms. Leithead-Todd:

Pursuant to your letter of July 28, 2009 with respect to the Tentative Approval dated October 21, 2008, on behalf of Ki'ilaie Estates, LLC we request an extension of time to meet all conditions of the Tentative Approval for an additional two (2) years, from October 21, 2011 to October 21, 2013.

Additionally, as we have discussed, Ki'ilaie Estates, LLC has submitted to the State Department of Transportation ("the DOT") a Dedication Deed conveying Roadway Lot A, which abuts Mamalahoa Highway, to the DOT as requested. However, the County of Hawai'i and the DOT have been unable to agree to the terms of an Use and Occupancy Agreement concerning the existing water lines under this lot, for which an easement was previously granted to the County Department of Water Supply. You have advised that the impasse regarding this matter between the County and the State shall not impede the issuance of final approval of the subdivision.

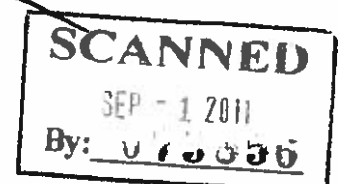
Thank you very much for your assistance in this matter.

Very truly yours,

LAW OFFICES OF YEH & MOORE


MICHAEL MOORE

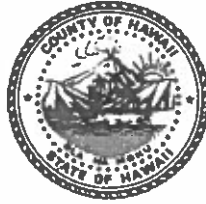
xc: Ki'ilaie Estates, LLC





SUB 1459

William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

County of Hawai'i

PLANNING DEPARTMENT

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720
Phone (808) 961-8288 • Fax (808) 961-8742

July 28, 2009

Roy Hollowell, Project Manager/LPLS
M&E Pacific, Inc.
100 Pauahi Street, Suite 207
Hilo, HI 96720

Dear Mr. Hollowell:

**SECOND TIME EXTENSION REQUEST
SUBDIVIDER: KI'ILAE ESTATES, LLC
"Ki'ilae Small Lots"**

Proposed Consolidation of Lots 18 through 22, Inclusive, of Ki'ilae Farms Subdivision,
And Resubdivision Into Lots 51 through 72, Inclusive, and Roadway Lots 73 & 74,
Kauleoli 1st & 2nd, South Kona, Island of Hawai'i, Hawai'i
TMK: 8-5-005:Portion 019 (SUB-07-000637)

This is in response to your letter of May 20, 2009.

Please be informed that an extension of time of one (1) year until **October 21, 2010**, for the submission of the final plat map, pursuant to Condition No. 12 of the letter of Tentative Approval dated October 21, 2008, is hereby granted.

Please be advised that Ordinance No. 92-138, adopted by the County Council on December 4, 1992, amended Chapter 23 of the Hawai'i County Subdivision Control Code, reads in part, as follows:

"The subdivider shall complete all requirements specified as conditions for approval of the preliminary plat (tentative approval) within three years of said approval. An extension of not more than two (2) years may be granted by the director upon timely written request by the subdivider."

The ordinance also makes provisions for those pending subdivision applications which were granted tentative approval prior to the adoption of said ordinance, as follows:

Roy Hollowell, Project Manager/LPLS
M&E Pacific, Inc.
Page 2
July 28, 2007

"This subsection shall be applied to all subdivision applications which have received tentative subdivision approval and which have not completed subdivision improvements, provided the three year period, and extension, if applicable, shall be taken from December 4, 1992 and not from the date of preliminary plat (tentative) approval."

Therefore, all conditions of the Tentative Approval dated October 21, 2008, must be complied with by **October 21, 2011**. A time extension of not more than two (2) years may be granted by the director upon timely written request by the subdivider.

Should the conditions of tentative approval not be completed within the time limit, the approval of the preliminary plat shall expire and shall be of no further force or effect, or shall be subject to the technical review of the applicable agencies for compliance with current code and rule requirements.

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

Sincerely,


JBJ LEITHEAD TODD
Planning Director

ETC:jrh

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xc: Manager, DWS
 Director, DPW
 District Environmental Health Program Chief, DOH
 District Engineer, DOT
 DPW-ENG-KONA
 State DLNR-Historic Preservation Division (Kapolei, Oahu)
 Ki'ila Estates, LLC
 David Frankel, Esq.
 Steve Kornberg, Esq.
 Clarence Medeiros, Jr.
 Michael Moore, Esq.
 SUB 7459, FSA-SUB-03-000148