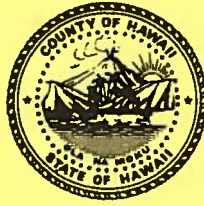


William P. Kenoi
Mayor



BJ 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

April 21, 2009

Chrystal Thomas Yamasaki, LPLS
Wes Thomas Associates
75-5749 Kalawa Street
Kailua-Kona, HI 96740-1818

Dear Ms. Yamasaki:

TIME EXTENSION REQUEST

SUBDIVIDERS: FOTI ALAE PROPERTIES, LLC, et. al.

Proposed Consolidation of Portions of Grant 2036,

The Whole of R.P. 5939, L.C. Aw. 8158, Ap. 2,

R.P. 8005, L.C. Aw. 8776, Ap. 2,

R.P. 8014, L.C. Aw. 9699-D,

R.P. 8015, L.C. Aw. 10302, Ap. 2,

R.P. 8016, L.C. Aw. 10818, Ap. 2,

L.P. S-8674, L.C. Aw. 8673, Ap. 2, and Grant S-15664,

And Resubdivision Into Lots 1 through 12, Inclusive,

Alae 1st and 2nd, South Kona, Island of Hawai'i, Hawai'i

TMK: 8-7-005:001, 002, 010 through 019 (SUB-06-000435)

This is in response to your letter of February 9, 2009.

Please be informed that an extension of time of one (1) year until **May 28, 2010**, for the submission of the final plat map, pursuant to Condition No. 7 of the letter of Tentative Approval dated May 28, 2008, is hereby granted. The additional time is also needed to finalize the construction plans of the subject subdivision.



Hawai'i County is an Equal Opportunity Provider and Employer

09-050084
APR 22 2009

Chrystal Thomas Yamasaki, LPLS
Wes Thomas Associates
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Please be advised that Ordinance No. 92-138, adopted by the County Council on December 4, 1992, amended Chapter 23 of the Hawaii 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:

"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."

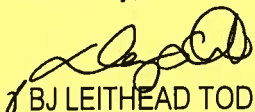
Therefore, all conditions of the Tentative Approval dated May 28, 2008, must be complied with by **May 28, 2010**. A time extension of not more than two (2) years may be granted by the director upon timely written request by the subdividers.

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.

For the subdividers' information and use, we have enclosed a recently received letter from the State Department of Land and Natural Resources, Historic Preservation Division, regarding the subject subdivision application. Any questions related to this correspondence should be directed to the Historic Preservation Division for an appropriate response.

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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Enc.: State DLNR-Historic Preservation Division letter dated February 24, 2009

Chrystal Thomas Yamasaki, LPLS
Wes Thomas Associates
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xc: Manager, DWS
 Director, DPW
 District Environmental Health Program Chief, DOH
 District Engineer, DOT
 DPW-ENG-KONA
 Foti Alae Properties, LLC, et al.
 Kiowai Hui, LLC