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PLANNING DEPARTMENT
COUNTY OF HAWAII

WES THOMAS ASSOCIATES

#03162.6

April 7, 2017

Michael Yee, Director
Planning Department
County of Hawaii
101 Pauahi Street, Ste 3
Hilo, Hawaii 96720

RE: DOCUMENTS IN SUPPORT OF RELOCATION OF EXISTING EASEMENTS
SUBDIVIDER: Kiowai Hui LLC
Proposed Consolidation of Lots 7, 8, 9 and 10
Being Portions of Grant 2036 to Beniamina
and Resubdivision into Lots 7-A, 8-A, 9-A and 10-A
at Alae 1st & 2nd, South Kona, Hawaii
TMK: 8-7-005: 012, 024, 025 & 026 (3rd Division) **(SUB-16-001662)**

Dear Mr. Yee:

We understand that there were concerns regarding the proposed relocation of one of the easements running thru the subject consolidation/resubdivision and the right of the owner / subdivider to relocate those easements.

Enclosed is the deed recorded at the Bureau of Conveyances in Honolulu, Hawaii as Document No. 2003-272921 showing when the property was purchased by Kiowai Hui, LLC. We have tagged pages 4, 7, 9 and 11 and highlighted the items that refer to the "50 foot wide road and utility easement as set forth in Warranty Deed recorded October 29, 2002 as regular System Document No. 2002-193393 of Official Records"

Also attached is a copy of the Warranty Deed noted above known as Document No. 2002-193393. We have tagged item 15 on unlabeled page 10 that states in part, "Provided that the owner of the property subject to the easement may relocate the easement to another location on the property at his, her or its sole expense, on the following conditions; (1) that the replacement easement is comparable or better than the original easement, and (2) the replacement easement connects with the remainder of the easement shown on Exhibit "B"."

Thus, it is the owner's right to realign the easement within his own property. As you can see we have matched the realigned easement up with the existing easement as it enters and exits the property. Thereby fulfilling the conditions of the realignment of the easement. The documents do not require approval or signatures of other parties for this action.

SCANNED
APR 12 2017
BY: 110898

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If you have any questions, please feel free to contact the undersigned at 329-2353.

Very truly yours,

WES THOMAS ASSOCIATES



Chrystal Thomas Yamasaki, L.P.L.S.

CTY:

cc: Kiowai Hui LLC, via email

encl: Documents as noted