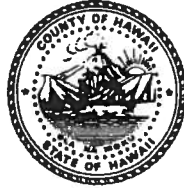


COUNTY OF HAWAI'I



STATE OF HAWAI'I

RESOLUTION NO. 380 10

RESOLUTION ACCEPTING THE GRANT OF PUBLIC ACCESS PEDESTRIAN EASEMENT FROM SUNSTONE REALTY PARTNERS V, LLC, TAX MAP KEY NOS. (3) 8-7-011:001, 016, 025, 026 and 034.

WHEREAS, Sunstone Realty Partners V, LLC, a Hawai'i limited liability company, (hereinafter "Grantor") is the developer of that certain real property being the subdivision of Lot 9 of the Kona Sea Ranch Subdivision, Increments I and II, being a portion of Grant 1725, into Lots 1 to 18, inclusive, and Lot R-1 roadway, situate at Kukuiopa'e 2nd, District of South Kona, County and Island of Hawai'i, and State of Hawai'i, as created under Subdivision Nos. SPH-05-000006 (Increment I) and SPH-05-000007 (Increment II) approved by the County of Hawai'i Planning Department on July 7, 2005, and being further identified as Tax Map Key Nos.: (3)8-7-011:001, 016, 025, 026 and 034 (hereinafter "Project"), subject to the provisions of the October 27, 2005 Planning Department letter which provided that a formal grant of easement document in favor of the County of Hawai'i for all public access easements except for the "Ala Loa" historic trail; and

WHEREAS, in order to assure that pedestrian public access is provided within the Property along the shoreline, the Grantor and the County of Hawai'i agree to be bound by and to encumber the Property by recordation of the grant of public access easement, attached hereto as Exhibit "1," at the Bureau of Conveyances of the State of Hawai'i; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAI'I, in accordance with Article XIII, Section 13-12 of the Hawai'i County Charter that the County of Hawai'i accepts the grant of public access easement as described and delineated in Exhibit 1 attached hereto.

BE IT FINALLY RESOLVED that the Clerk of the County of Hawai'i is directed to transmit copies of this Resolution to: The Honorable William P. Kenoi, Mayor of the County of Hawai'i; Bobby Jean Leithead Todd, Director of the County of Hawai'i Planning Department; Lincoln Ashida, Corporation Counsel for the County of Hawai'i; Amy G. Self, Deputy Corporation Counsel for the County of Hawai'i; and Sunstone Realty Partners V, LLC, at Pauahi Tower, 1003 Bishop Street, Suite 1240, Honolulu, Hawai'i 96813.

Dated at Kona, Hawai'i, this 21st day of September, 2010.

INTRODUCED BY:



 COUNCIL MEMBER, COUNTY OF HAWAI'I

COUNTY COUNCIL
 County of Hawai'i
 Hilo, Hawai'i

ROLL CALL VOTE

I hereby certify that the foregoing RESOLUTION was by the vote indicated to the right hereof adopted by the COUNCIL of the County of Hawai'i on September 21, 2010.

	AYES	NOES	ABS	EX
ENRIQUES	X			
FORD	X			
GREENWELL	X			
HOFFMANN	X			
IKEDA	X			
NAEOLE-BEASON	X			
ONISHI	X			
YAGONG	X			
YOSHIMOTO	X			
	9	0	0	0

ATTEST:


 COUNTY CLERK CHAIRPERSON & PRESIDING OFFICER

Reference: C-909/PC-93
 RESOLUTION NO. 380 10