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Attorneys for Petitioner
WAIKŌ INDUSTRIAL INVESTMENT, LLC

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of

WAIKŌ INDUSTRIAL INVESTMENT, LLC

To Amend the Land Use District Boundary of
Certain Lands Situated at Waikapu, Wailuku,
Island of Maui, State of Hawai'i, Consisting of
approximately 31.222 Acres, from the
Agricultural District to the Urban District, Tax
Map Key No. (2) 3-8-007:102.

DOCKET NO. A12-796

LAND USE COMMISSION
STATE OF HAWAII
2013 FEB -4 A 8:19

AFFIDAVIT OF PUBLICATION

(Maui Publishing Co., Ltd.)

AFFIDAVIT OF PUBLICATION

(Oahu Publications, Inc.)

AFFIDAVIT OF PUBLICATION

(West Hawaii Today)

AFFIDAVIT OF PUBLICATION

(Hawaii Tribune- Herald)

AFFIDAVIT OF PUBLICATION

(The Garden Island)

CERTIFICATE OF SERVICE

AFFIDAVIT OF PUBLICATION

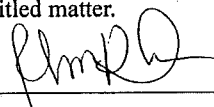
STATE OF HAWAII, }
County of Maui. } ss.

Rhonda M. Kurohara being duly sworn
deposes and says, that she is in Advertising Sales of
the Maui Publishing Co., Ltd., publishers of THE MAUI NEWS, a
newspaper published in Wailuku, County of Maui, State of Hawaii;
that the ordered publication as to _____

NOTICE OF HEARING

_____ of which the annexed is a true and correct printed notice, was
published 1 times in THE MAUI NEWS, aforesaid, commencing
on the 18th day of January, 2013, and ending
on the 18th day of January, 2013, (both days
inclusive), to-wit: on _____
January 18, 2013

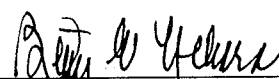
and that affiant is not a party to or in any way interested in the above
entitled matter.



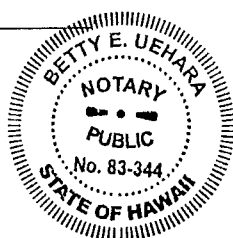
This 1 page Notice of Hearing, dated
January 18, 2013,

was subscribed and sworn to before me this 18th day of
January, 2013, in the Second Circuit of the State of Hawaii,

by Rhonda M. Kurohara


Notary Public, Second Judicial
Circuit, State of Hawaii

BETTY E. UEHARA
My Commission expires 09-26-15



NOTICE OF HEARING

NOTICE IS HEREBY GIVEN of the hearing to be held in the
County of Maui by the Land Use Commission of the State of
Hawaii to consider a petition for change of district boundaries
as provided for in Section 205-4, Hawaii Revised Statutes, as
amended:

DATE, TIME AND PLACE:

February 21, 2013 - 10:00 a.m.
Kahului Marriot Courtyard Hotel - Haleakala Room,
Kahului, Maui, Hawaii 96732
Docket Number: A12-796
and Petitioner: Wajiko • Industrial Investment, LLC
Tax Map Key: (2) 3-8-007:102

Change Requested: Amend the State Land Use Agricultural
District Boundary into the Urban Land Use District for
approximately 31,222 acres of land at Waikapu, Wailuku,
Island of Maui, State of Hawaii, for light industrial subdivi-
sion.

Maps showing the proposed district boundaries and copies of
the Commission Rules governing the above petition may be
inspected at the offices of the County of Maui, Department of
Planning, 250 South High Street, Wailuku, Hawaii, 96793; and
the Land Use Commission, Room 406, Leio papa A Kame-
hameha Building, 235 South Beretania Street, Honolulu,
Hawaii, 96813, during office hours from 7:45 a.m. to 4:30 p.m.,
Monday through Friday.

All persons who have some property interest in the land, who
lawfully reside on the land, or who otherwise can demonstrate
that they will be so directly and immediately affected by the
proposed change that their interest in the proceeding is clearly
distinguishable from that of the general public shall be admitted
as parties upon timely application for intervention.

All other persons may apply to the Commission for leave to
intervene as parties. Leave to intervene shall be freely granted,
provided that the Commission or its hearings officer, if one is
appointed, may deny an application to intervene when in the
Commission's or hearings officer's sound discretion it appears
that: (1) the position of the applicant for intervention concern-
ing the proposed change is substantially the same as the position
of a party already admitted to the proceeding; and (2) the admis-
sion of additional parties will render the proceedings inefficient
and unmanageable. A person whose application to intervene is
denied may appeal such denial to the circuit court pursuant to
Section 91-14, HRS.

Petitions to intervene shall be in conformity with Section 15-
15-52 of the Commission Rules. The petition for intervention
with proof of service on all parties shall be filed with the Com-
mission within fifteen (15) days after the publication of this
notice.

All persons or individuals wishing to present testimony,
orally or in writing, are requested to notify the Commission
prior to the commencement of the hearing. Together with other
witnesses that the Commission may desire to hear at the hear-
ing, a representative of a citizen or a community group wishing
to express the views of such citizen or community group con-
cerning the proposed boundary amendment is requested to
notify the Commission prior to the commencement of the hear-
ing and may be requested to submit written evidence of authori-
zation to represent the citizen or community group. It is sug-
gested that such notification be submitted to the Commission no
later than February 2, 2013.

Any party to the proceeding may be represented by legal
counsel. An individual may appear on the individual's own
behalf, or a member of a partnership may represent the partner-
ship, or an officer or authorized employee of a corporation,
trust, or association may represent the corporation, trust, or
association.

For persons requesting special accommodations due to dis-
abilities, please contact the Commission at 587-3822 or notify
the Commission in writing at P. O. Box 2359, Honolulu,
Hawaii, 96804-2359, at least 10 days before the scheduled
hearing.


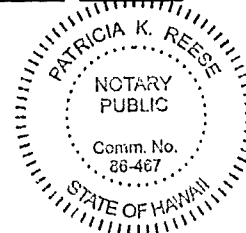
LAND USE COMMISSION
Kyle Chock, Chairperson
By DANIEL ORODENKER, Executive Officer

(MN: Jan. 18, 2013)

AFFIDAVIT OF PUBLICATION

IN THE MATTER OF
Public Hearing

STATE OF HAWAII)
) SS.
City and County of Honolulu)

Doc. Date: JAN 18 2013 # Pages: 1
 Notary Name: Patricia K. Reese First Judicial Circuit
 Doc. Description: Affidavit of
Publication
 JAN 18 2013
 Notary Signature Date


Rose Rosales being duly sworn, deposes and says that she is a clerk, duly authorized to execute this affidavit of Oahu Publications, Inc. publisher of The Honolulu Star-Advertiser and MidWeek, that said newspapers are newspapers of general circulation in the State of Hawaii, and that the attached notice is true notice as was published in the aforementioned newspapers as follows:


Honolulu Star-Advertiser 1 times on:

01/18/2013

Midweek Wed. 0 times on:

 times on:

And that affiant is not a party to or in any way interested in the above entitled matter.

Rose Rosales 

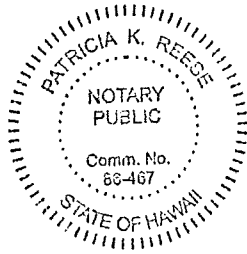
Subscribed to and sworn before me this 18th day

of January A.D. 2013

Patricia K. Reese
Patricia K. Reese, Notary Public of the First Judicial Circuit, State of Hawaii

My commission expires: Oct 07 2014

Ad # 0000484579



NOTICE OF HEARING

NOTICE IS HEREBY GIVEN of the hearing to be held in the County of Maui by the Land Use Commission of the State of Hawaii to consider a petition for change of district boundaries as provided for in Section 205-4, Hawaii Revised Statutes, as amended:

DATE, TIME AND PLACE:

February 21, 2013 - 10:00 a.m.

Kahului Marriott Courtyard Hotel - Haleakala Room
Kahului, Maui, Hawaii 96732

Docket Number: A12-796
and Petitioner: Walko Industrial Investment, LLC

Tax Map Key: (2) 3-8-007:102

Change Requested: Amend the State Land Use Agricultural District Boundary into the Urban Land Use District for approximately 31.222 acres of land at Waikapu, Wailuku, Island of Maui, State of Hawaii, for light industrial subdivision.

Maps showing the proposed district boundaries and copies of the Commission Rules governing the above petition may be inspected at the offices of the County of Maui, Department of Planning, 250 South High Street, Wailuku, Hawaii, 96793; and the Land Use Commission, Room 406, Lelopapa A Kamehameha Building, 235 South Beretania Street, Honolulu, Hawaii, 96813, during office hours from 7:45 a.m. to 4:30 p.m., Monday through Friday.

All persons who have some property interest in the land, who lawfully reside on the land, or who otherwise can demonstrate that they will be so directly and immediately affected by the proposed change that their interest in the proceeding is clearly distinguishable from that of the general public shall be admitted as parties upon timely application for intervention.

All other persons may apply to the Commission for leave to intervene as parties. Leave to intervene shall be freely granted, provided that the Commission or its hearing officer, if one is appointed, may deny an application to intervene when in the Commission's or hearing officer's sound discretion it appears that: (1) the position of the applicant for intervention concerning the proposed change is substantially the same as the position of a party already admitted to the proceeding; and (2) the admission of additional parties will render the proceedings inefficient and unmanageable. A person whose application to intervene is denied may appeal such denial to the circuit court pursuant to Section 91-14, HRS.

Petitions to intervene shall be in conformity with Section 15-15-52 of the Commission Rules. The petition for intervention with proof of service on all parties shall be filed with the Commission within fifteen (15) days after the publication of this notice.

All persons or individuals wishing to present testimony, orally or in writing, are requested to notify the Commission prior to the commencement of the hearing. Together with other witnesses that the Commission may desire to hear at the hearing, a representative of a citizen or a community group wishing to express the views of such citizen or community group concerning the proposed boundary amendment is requested to notify the Commission prior to the commencement of the hearing and may be requested to submit written evidence of authorization to represent the citizen or community group. It is suggested that such notification be submitted to the Commission no later than February 2, 2013.

Any party to the proceeding may be represented by legal counsel. An individual may appear on the individual's own behalf, or a member of a partnership may represent the partnership, or an officer or authorized employee of a corporation, trust, or association may represent the corporation, trust, or association.

For persons requesting special accommodations due to disabilities, please contact the Commission at 587-3822 or notify the Commission in writing at P. O. Box 2359, Honolulu, Hawaii, 96804-2359, at least 10 days before the scheduled hearing.

LAND USE COMMISSION

Kyle Chock, Chairperson

By DANIEL ORODENKER, Executive Officer
(SA484579 1/18/13)

AFFIDAVIT OF PUBLICATION

State of Hawaii)
) SS:
County of Hawaii)

M. R. Chavez, being first duly sworn, deposes and says:

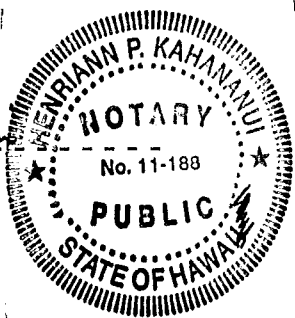
1. That she is the Classified Accountant of WEST HAWAII TODAY, a newspaper published in the City of Kailua Kona, State of Hawaii.

2. That "NOTICE OF HEARING NOTICE IS HEREBY GIVEN of the hearing to be held in the County of Maui by the Land Use Commission of the State" of which a clipping from the newspaper is attached hereto, was published in said newspaper on the following date(s) January 18, 2013 (etc.)

M. R. Chavez

Subscribed and sworn to before me
This 18th day of January, 2013

Henriann P. Kahananui
Notary Public, Third Circuit,
State of Hawaii



Henriann P. Kahananui

My Commission expires: June 6, 2015
Page(s): 1

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN of the hearing to be held in the County of Maui by the Land Use Commission of the State of Hawai'i to consider a petition for change of district boundaries as provided for in Section 205-4, Hawai'i Revised Statutes, as amended:

DATE, TIME AND PLACE:

February 21, 2013 - 10:00 a.m.

Kahului Marriot Courtyard Hotel - Haleakala Room
Kahului, Maui, Hawai'i 96732

Docket Number A12-796
and Petitioner: Waiko Industrial Investment, LLC

Tax Map Key: (2) 3-8-007:102

Change Requested: Amend the State Land Use Agricultural District Boundary into the Urban Land Use District for approximately 31.222 acres of land at Waikapu, Wailuku, Island of Maui, State of Hawai'i, for light industrial subdivision.

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LAND USE COMMISSION

Kyle Chock, Chairperson

By DANIEL ORODENKER, Executive Officer

(No. 70981-West Hawai'i Today: January 18, 2013)

AFFIDAVIT OF PUBLICATION

State of Hawaii)

) SS:

County of Hawaii)

LEILANI K. R. HIGAKI

, being first

duly sworn, deposes and says:

1. That she is the BUSINESS MANAGER of HAWAII TRIBUNE-HERALD

, a newspaper published in the City of HILO, State of Hawaii.

2. That the " NOTICE OF HEARING...County of Maui...February 21, 2013...etc.

_____".

of which a clipping from the newspaper as published is attached hereto, was published in said newspaper on the following date(s) _____

January 18, 2013, (etc.).

53846r1

Leilani K.R. Higaki

Subscribed and sworn to before me
this 29th day of January, 2013.

SHARON H. P. OGATA

SHARON H. P. OGATA
Notary Public, Third Circuit, State of Hawaii

My commission expires October 1, 2016

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN of the hearing to be held in the County of Maui by the Land Use Commission of the State of Hawai'i to consider a petition for change of district boundaries as provided for in Section 205-4, Hawai'i Revised Statutes, as amended:

DATE, TIME AND PLACE:

February 21, 2013 - 10:00 a.m.

Kahului Marriot Courtyard Hotel - Haleakala Room
Kahului, Maui, Hawaii 96732

Docket Number: A12-796

and Petitioner: Waikō Industrial Investment, LLC

Tax Map Key: (2) 3-8-007:102

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LAND USE COMMISSION
Kyle Chock, Chairperson

By DANIEL ORODENKER,
Executive Officer

(53846r1 Hawaii Tribune-Herald: January 18, 2013)

THE GARDEN ISLAND

MERLE IDEMOTO
CARLSMITH BALL, LLP
2200 MAIN STREET STE #400
WAILUKU HI 96793

REFERENCE: 116635
751357 WAIKO INDUSTRIAL

Sherri Cole, being duly sworn, deposes and says, that she is an employee of "The Garden Island," a newspaper published in Lihue, County of Kauai, State of Hawaii; that the NOTICE in the above entitled matter of which the annexed is a true and correct copy, was published 1 time(s) in "The Garden Island" aforesaid and that this affiant is not a party to or in any way interested in the above entitled matter.

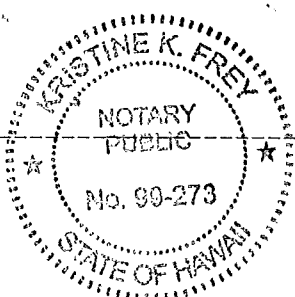
Sherri Cole
Subscribed and sworn to me this 22nd day of January, 2012. 13 SC

Kristine K. Frey
Kristine K. Frey
Notary Public, Fifth Judicial Circuit
State of Hawaii
My Commission Expires: 5/26/2015

Document Description: Affidavit of Publication
No. of pages: 1 Document Date: 1/22/13

PUBLISHED ON: 01/18/2013

FILED ON: 01/18/13 SC



NOTICE OF HEARING

NOTICE IS HEREBY GIVEN of the hearing to be held in the County of Maui by the Land Use Commission of the State of Hawai'i to consider a petition for change of district boundaries as provided for in Section 205-4, Hawai'i Revised Statutes, as amended:

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Docket Number A12-796
and Petitioner: Waiko Industrial Investment, LLC
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LAND USE COMMISSION
Kyle Chock, Chairperson
By DANIEL ORODENKER, Executive Officer

(January 18, 2013)

HAWAIIAN TELCOM INC.
Attention: Legal Department
P. O. Box 2200
Honolulu, Hawaii 96816

BY MAIL

FONG CONSTRUCTION COMPANY,
LIMITED
405 Hukilike Street, Bay 4
Kahului, Hawaii 96732

BY MAIL

NOBRIGA'S RANCH, INC.
P. O. Box 1170
Wailuku, Hawaii 96793

BY MAIL

DATED: Wailuku, Hawaii, January 31, 2013.



GREGORY J. GARNEAU
GREGORY K. SCHLAIS

Attorneys for Petitioner
WAIKŌ INDUSTRIAL INVESTMENT, LLC