

A LAW CORPORATION

October 4, 2013

2013 OCT -4 P 3:45  
LAND USE COMMISSION  
STATE OF HAWAII

**OAHU OFFICE:**

1001 Bishop Street  
Suite 1800  
Honolulu, Hawai'i 96813  
Phone: (808) 524-1800  
Fax: (808) 524-4591

State of Hawai'i Land Use Commission  
Department of Business, Economic  
Development & Tourism  
235 South Beretania Street, Room 406  
Honolulu, Hawai'i 96813

**BIG ISLAND OFFICE:**

65-1241 Pomaikai Place  
Suite 2  
Kamuela, Hawai'i 96743  
Phone: (808) 885-6762  
Fax: (808) 885-6011

Attn: Riley K. Hakoda

**MAUI OFFICE:**

2200 Main Street  
Suite 521  
Wailuku, Hawai'i 96793  
Phone: (808) 244-1160  
Fax: (808) 442-0794

Re: Docket No. A11-794, Department of Education

[www.ahfi.com](http://www.ahfi.com)

Dear Riley:

**William W.L. Yuen**

Phone: (808) 441-6214  
Fax: (808) 524-4591  
E-mail:  
[WYuen@ahfi.com](mailto:WYuen@ahfi.com)

Pursuant to HAR §15-15-92(a), enclosed please find a copy of the Statement of Impositions of Conditions for the State of Hawaii Department of Education's Petition to Reclassify Maui Tax Map Key Nos. 2-2-02:81 and 83 for Kihei High School, bearing the recordation information as provided by the Bureau of Conveyances. The Declaration of Conditions has been executed by the Superintendent of the Department of Education and forwarded to the Chairman of the Department of Land and Natural Resources for execution.

Please feel free to contact me if you have any questions.

Sincerely,

Alston Hunt Floyd & Ing

William W.L. Yuen

WLY:ns  
Enclosure  
cc: Department of Education

THE ORIGINAL OF THE DOCUMENT  
RECORDED AS FOLLOWS:  
STATE OF HAWAII  
BUREAU OF CONVEYANCES  
DATE \_\_\_\_\_ Doc A-50230674  
DOCUMENT October 2, 2013 10:45 AM

LAND COURT SYSTEM

REGULAR SYSTEM

After recordation, return by mail ( ) pickup ( ) to:

Kenneth G. Masden  
Planning Section  
DOE/OSFSS  
Facilities Development Branch  
State of Hawaii  
P. O. Box 2360  
Honolulu, Hawaii 96804  
Telephone No.: (808) 377-8301

STATEMENT OF IMPOSITION OF CONDITIONS BY LAND USE COMMISSION

Declarant: STATE OF HAWAII, DEPARTMENT OF EDUCATION

Maui Tax Map Key Nos. 2-2-02: 81 and 83

No. Pages 7

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LAND USE COMMISSION  
STATE OF HAWAII

STATEMENT OF IMPOSITION OF CONDITIONS BY LAND USE COMMISSION

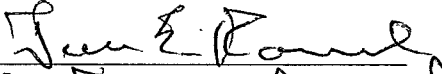
KNOW ALL PERSONS BY THESE PRESENTS:

STATE OF HAWAII, DEPARTMENT OF EDUCATION is the Petitioner before the Land Use Commission of the State of Hawaii in Docket No. A11-794, a Petition To Amend the State Land Use Agricultural District to the State Land Use Urban District for Kihei High School on approximately 77.2 acres of land at Kihei, Maui, Hawai'i, identified as Maui Tax Map Key Nos.: 2-2-02: 81 and 83, more particularly described in Exhibit A attached and incorporated by reference, and referred to as the "Petition Area." Petitioner hereby states and declares that the Land Use Commission, by its Decision and Order in Docket A11-794 dated July 29, 2013, reclassified the Petition Area from the State Land Use Agricultural District to the State Land Use Urban District, and that the reclassification was made subject to a number of conditions affecting the Petition Area, which conditions will be set forth in a Declaration of Conditions to be subsequently recorded in the Bureau of Conveyances of the State of Hawai'i, and which conditions will run with the Petition Area .

This Statement of Imposition of Conditions by Land Use Commission shall be superseded and automatically revoked upon the recordation in the Bureau of Conveyances of the Declaration of Conditions setting forth the conditions imposed by the Land Use Commission in Docket No. A11-794.

DATED: Honolulu, Hawai'i, August 30, 2013.

Approved as to form.

  
Name: James E. Raymond  
Deputy Attorney General

STATE OF HAWAII, DEPARTMENT OF  
EDUCATION, a Hawai'i State agency


By:   
Name: Kathryn S. Matayoshi  
Its Superintendent

EXHIBIT A

KAONOULU RANCH-WATER TANK SUBDIVISION  
LOT 1-A-1

Being portions of Royal Patent 7447, Land Commission Award 3237, Part 2 to H. Hewahewa, Certificate of Boundaries No. 56 and Royal Patent 4388, Land Commission Award 8452, Apana 19 to A. Keohokalole situated at Kaonoulu, Koheo 1 & 2, Kihei, Island and County of Maui, State of Hawaii.

Beginning at a 1/2-inch pipe on the Southwest corner of this lot on the Easterly side of Piilani Highway [Federal Aid Project No. F-RF-031-1(5)], the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being:

11,695.40 feet North

21,731.05 feet West

and running by azimuths measured clockwise from True South:

1. Thence along the Easterly side of Piilani Highway [Federal Aid Project No. F-RF-031-1(5)] on a curve to the right with a radius of 6,935.19 feet, the radial azimuth from the radius point to the beginning of the curve being: 75° 21' 36.2"; the chord azimuth and distance being: 166° 04' 48.1" 174.29 feet to a 1/2-inch pipe;
2. 166° 48' 151.65 feet along same to a 1/2-inch pipe;
3. 256° 48' 615.00 feet along the remainder of Royal Patent 7447, Land Commission Award 3237, Part 2 to H. Hewahewa, Certificate of Boundaries No. 56 to a 1/2-inch pipe ;
4. Thence along same on a curve to the right with a radius of 1,000.00 feet, the chord azimuth and distance being: 265° 18' 295.62 feet to a PK nail;
5. 273° 48' 1,330.50 feet along same to a 1/2-inch pipe;
6. 0° 00' 737.29 feet along remainders of Royal Patent 7447, Land Commission Award 3237, Part 2 to H. Hewahewa, Certificate of Boundaries No. 56 and Royal Patent 4388, Land Commission Award 8452, Apana 19 to A. Keohokalole;
7. 100° 28' 1,517.10 feet along Grant 9325, Apana 1 to Haleakala Ranch Co.;

8. 95° 59' 656.11 feet along same to the point of beginning and containing an area of 29.175 Acres.

Access will not be permitted into and from Piilani Highway [Federal Aid Project No. F-RF-031-1(5)] over and across Courses 1 and 2 of the above described Lot 1-A-1.

Being the premises conveyed by deed dated January 13, 2012, recorded as Document No. A-43950673 from Ka'ono'ulu Ranch LLLP to the State of Hawai'i Board of Land and Natural Resources.

Maui Tax Map Key 2-2-02:81.

DESCRIPTION

ANAWIO SUBDIVISION  
LOT 2-A

Being a portion of Grant 9325, Apana 1 to Haleakala Ranch Co. situated at Waiohuli, Kihei, Island and County of Maui, State of Hawaii.

Beginning at a 1/2-inch pipe on the Northwest corner of this lot on the Easterly side of Piilani Highway [Federal Aid Project No. F-RF-031-1(5)], the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being:

11,695.40 feet North

21,731.05 feet West

and running by azimuths measured clockwise from True South:

1. 275° 59' 656.11 feet along Royal Patent 7447, Land Commission Award 3237, Part 2 to H. Hewahewa, Certificate of Boundaries No. 56;
2. 280° 28' 1,517.10 feet along Royal Patent 4388, Land Commission Award 8452, Apana 19 to A. Keohokalole;
3. 00° 00' 975.13 feet along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Co. to a PK nail;
4. 102° 30' 804.53 feet along same to a 1/2-inch pipe;
5. 86° 30' 200.00 feet along same to a 1/2-inch pipe;
6. 70° 42' 02" 739.62 feet along same to a 1/2-inch pipe;
7. 160° 42' 02" 791.42 feet along the Easterly side of Piilani Highway [Federal Aid Project No. F-RF-031-1(5)] to a 1/2-inch pipe;
8. 250° 42' 02" 20.00 feet along the Southerly side of Piilani Highway [Federal Aid Project No. F-RF-031-1(5)] to a 1/2-inch pipe;
9. 160° 42' 02" 120.53 feet along the Easterly side of Piilani Highway [Federal Aid Project No. F-RF-031-1(5)] to a 1/2-inch pipe;

Anawio Subdivision, Lot 2-A

10. Thence along same on a curve to the right with a radius of 6,920.19 feet, the radial azimuth from the radius point to the end of the curve being: 72° 05' 01";  
the chord azimuth and distance being:  
161° 23' 31.5" 167.04 feet to a 1/2-inch pipe;
11. Thence along same on a curve to the right with a radius of 6,920.19 feet, the radial azimuth from the radius point to the beginning of the curve being: 72° 05' 01";  
the radial azimuth from the radius point to the end of the curve being: 72° 44' 47";  
the chord azimuth and distance being:  
162° 24' 54" 80.05 feet to a 1/2-inch pipe;
12. Thence along same on a curve to the right with a radius of 6,920.19 feet, the radial azimuth from the radius point to the beginning of the curve being: 72° 44' 47";  
the radial azimuth from the radius point to the end of the curve being: 72° 49' 28";  
the chord azimuth and distance being:  
162° 47' 07.5" 9.43 feet to a 1/2-inch pipe;
13. 72° 49' 28" 15.00 feet along the Northerly side of Piilani Highway [Federal Aid Project No. F-RF-031-1(5)] to a 1/2-inch pipe;
14. Thence along the Easterly side of Piilani Highway [Federal Aid Project No. F-RF-031-1(5)] on a curve to the right with a radius of 6,935.19 feet, the radial azimuth from the radius point to the beginning of the curve being: 72° 49' 28";  
the radial azimuth from the radius point to the end of the curve being: 75° 21' 36.2";  
the chord azimuth and distance being:  
164° 05' 32.1" 306.89 feet;  
to the point of beginning and containing an area of 48.007 Acres.

Access will not be permitted into and from Piilani Highway [Federal Aid Project No. F-RF-031-1(5)] over and across Courses 7 through 10, inclusive and Courses 12 through 14, inclusive of the above described Lot 2-A.

Access will be permitted into and from Piilani Highway [Federal Aid Project No. F-RF-031-1(5)] over and across Course 11 of the above described Lot 2-A.

Being the premises conveyed by deed dated January 13, 2012, recorded as Document No. A-43950672 from Haleakala Ranch Company to the State of Hawai'i Board of Land and Natural Resources.

Maui Tax Map Key 2-2-02:83.

