

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of
CMBY 2011 INVESTMENT, LLC
To Amend the Agricultural Land Use District
Boundaries into the Urban Land Use District
For Certain Lands Situate at Pulehunui,
District of Wailuku, Island and County of
Maui, State of Hawai'i, consisting of
approximately 86.030 acres, Tax Map Key No.
(2) 3-8-008:019

DOCKET NO. A13-797
AFFIDAVIT OF JENNIFER A. BENCK
ATTESTING TO SERVICE OF PETITION

**AFFIDAVIT OF SERVICE OF PETITION
FOR DISTRICT BOUNDARY AMENDMENT**

JENNIFER A. BENCK, being first duly sworn on oath, deposes and says:

1. Affiant is one of the attorneys for Petitioner CMBY 2011 Investment, LLC ("Petitioner"), is licensed to practice law in the State of Hawai'i, is duly authorized to make this affidavit, and does so upon personal knowledge and belief.

2. CMBY 2011 Investment, LLC is a Petitioner for a State of Hawaii Land Use District Boundary Amendment, for certain lands consisting of approximately 86.030 acres, situate at Pulehunui, District of Wailuku, Island and County of Maui, State of Hawai'i, Tax Map Key No. (2) 3-8-008:019.

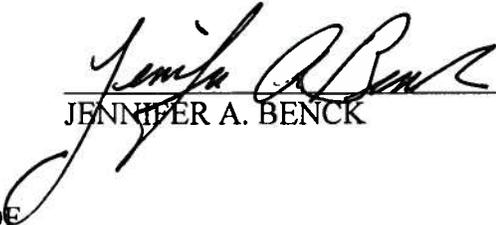
3. In compliance with §15-15-48(a), Hawaii Administrative Rules, Affiant will on May 3, 2013, serve a copy of the Petition for Land Use District Boundary Amendment by depositing the same in the United States mail, postage paid, or by hand delivery, to each of the following persons, addressed as follows:

JESSE K. SOUKI Director Office of Planning, Land Use Division State of Hawaii 235 South Beretania Street, Room 600 Honolulu, Hawaii 96813	BY HAND DELIVERY
BRYAN C. YEE, ESQ. Deputy Attorney General Department of the Attorney General 425 Queen Street Honolulu, Hawaii 96813	BY HAND DELIVERY
WILLIAM SPENCE Director, Planning Department County of Maui 250 South High Street Wailuku, Hawaii 96793	BY MAIL
PLANNING COMMISSION County of Maui 250 South High Street Wailuku, Hawaii 96793	BY MAIL
PATRICK K. WONG, ESQ. Corporation Counsel Department of the Corporation Counsel County of Maui 200 South High Street Wailuku, Maui, Hawaii 96793	BY MAIL
MAUI ELECTRIC COMPANY, LIMITED c/o Phil Hauret Hawaiian Electric Company 1100 ASB Tower 1001 Bishop Street Honolulu, Hawaii 96813	BY MAIL
HAWAIIAN TELCOM, INC. Attention: Legal Department 1177 Bishop Street Honolulu, Hawaii 96813	BY MAIL

4. This Affidavit is provided in compliance with §15-15-50(c)(5)(C), HAR.

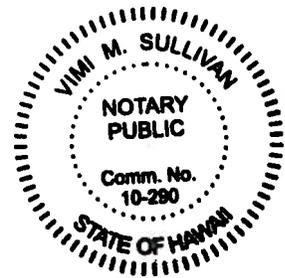
That further Affiant sayeth naught.

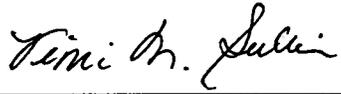
DATED: Honolulu, Hawai'i, May 3, 2013.



JENNIFER A. BENCK

The attached document: AFFIDAVIT OF SERVICE OF PETITION FOR DISTRICT BOUNDARY AMENDMENT, dated May 3, 2013, which consists of three (3) pages (including this page), was executed by Jennifer A. Benck who was subscribed and sworn to before me this 3rd day of May, 2013 in the First Judicial Circuit of the State of Hawai'i.





[Notary Signature]

(notary stamp or seal)

Printed Name: Vimi M. Sullivan

My commission expires: 9/5/2014