

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

2013 MAY 20 A 11: 23  
LAND USE COMMISSION  
STATE OF HAWAII

|  |   |   |
|--|---|---|
| In the Matter of the Petition of         | ) | DOCKET NO. A10-787                      |
|  | ) |   |
| MAUI R&T PARTNERS, LLC                   | ) | AFFIDAVIT OF SERVICE                    |
|  | ) | [Re: (1) Petition for District Boundary |
| To Amend the Land Use District           | ) | Amendment Filed June 23, 2010;          |
| Boundary of certain lands situated at    | ) | (2) First Amendment to Petition for     |
| Kihei, Island of Maui, State of Hawai'i, | ) | District Boundary Amendment Filed       |
| consisting of 253.05 acres from the      | ) | May 8, 2013; and (3) Errata to First    |
| Agricultural District to the Urban       | ) | Amendment to Petition for District      |
| District, Tax Map Key Nos.               | ) | Boundary Amendment Filed May 16,        |
| (2) 2-2-024:016 and 017, and             | ) | 2013]                                   |
| (2) 2-2-002:084 (por.)                   | ) |   |
| _____                                    | ) |   |

**AFFIDAVIT OF SERVICE**

**[Re: (1) Petition for District Boundary Amendment Filed June 23, 2010; (2) First Amendment to Petition for District Boundary Amendment Filed May 8, 2013; and (3) Errata to First Amendment to Petition for District Boundary Amendment Filed May 16, 2013]**

**AND**

**CERTIFICATE OF SERVICE**

BENJAMIN M. MATSUBARA, #993-0  
CURTIS T. TABATA, #5607-0  
WYETH M. MATSUBARA, #6935-0  
Matsubara – Kotake  
888 Mililani Street, 8<sup>th</sup> Floor  
Honolulu, Hawai'i 96813

Attorneys for Petitioner  
MAUI R&T PARTNERS, LLC

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| _____                                    | ) |   |

**AFFIDAVIT OF SERVICE**

**[Re: (1) Petition for District Boundary Amendment Filed June 23, 2010; (2) First Amendment to Petition for District Boundary Amendment Filed May 8, 2013; and (3) Errata to First Amendment to Petition for District Boundary Amendment Filed May 16, 2013]**

|                             |   |      |
|-----------------------------|---|------|
| STATE OF HAWAII             | ) |      |
|                             | ) | ss.: |
| CITY AND COUNTY OF HONOLULU | ) |      |

CURTIS T. TABATA, being first duly sworn on oath, deposes and says:

A. Affiant is one of the attorneys for Petitioner MAUI R&T PARTNERS, LLC (“Petitioner”) and agent of the Petitioner for a State of Hawai'i Land Use District Boundary Amendment from Agricultural Land Use District to Urban District, identified as Docket No. A10-787, for land situated at Kihei, Maui, Hawai'i and identified as Tax Map Key Nos. (2) 2-2-24:016 and 017, and (2) 2-2-002:084 (por.).

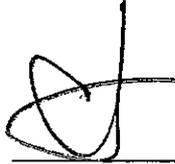
B. In compliance with § 15-15-48(a) of the Hawai'i Administrative Rules ("HAR"), Affiant did on May 17, 2013, deposit in the United States Mail, postage prepaid, by certified mail, copies of: (1) Petition for District Boundary Amendment Filed June 23, 2010; (2) First Amendment to Petition for District Boundary Amendment Filed May 8, 2013; and (3) Errata to First Amendment to Petition for District Boundary Amendment Filed May 16, 2013, to the following:

David Warren Dwelle  
12970 Earhart Avenue  
Auburn, California 95602

[The remainder of this page is intentionally left blank.]

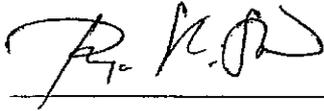
C. This Affidavit is provided in compliance with §15-15-50(c)(5), (C), HAR.

That further Affiant sayeth naught.



CURTIS T. TABATA  
Attorney for Petitioner  
MAUI R&T PARTNERS, LLC

Subscribed and sworn to me  
this 20<sup>th</sup> day of May 2013



Name: Ryan K. Tagomori  
Notary Public, State of Hawai'i  
My Commission expires: 01/01/2016

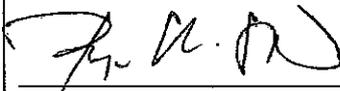


NOTARY CERTIFICATE (Hawai'i Administrative Rules § 5-11-8)

Document Identification or Description: Affidavit of Service [Re: (1) Petition for District Boundary Amendment Filed June 23, 2010; (2) First Amendment to Petition for District Boundary Amendment Filed May 8, 2013; and (3) Errata to First Amendment to Petition for District Boundary Amendment Filed May 16, 2013]

Doc. Date: May 20, 2013 No. of Pages: 6

Jurisdiction: 1st Circuit  
(in which notarial act is performed)



Signature of Notary

May 20, 2013

Date of Certificate

Ryan K. Tagomori

Printed Name of Notary



(Official Stamp or Seal)

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of ) DOCKET NO. A10-787  
)  
MAUI R&T PARTNERS, LLC ) CERTIFICATE OF SERVICE  
)  
To Amend the Land Use District )  
Boundary of certain lands situated at )  
Kihei, Island of Maui, State of Hawai`i, )  
consisting of 253.05 acres from the )  
Agricultural District to the Urban )  
District, Tax Map Key Nos. )  
(2) 2-2-024:016 and 017, and )  
(2) 2-2-002:054 (por.) )  
\_\_\_\_\_)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was duly served upon the following by depositing the same in the AS INDICATED BELOW on May 20, 2013:

JESSE SOUKI, Director (HAND DELIVERY)  
Office of Planning, State of Hawai`i  
235 Beretania Street, 6<sup>th</sup> Floor  
Honolulu, Hawai`i 96813

BRIAN C. YEE, ESQ. (HAND DELIVERY)  
Deputy Attorney General  
Department of the Attorney General  
425 Queen Street  
Honolulu, Hawai`i 96813

WILLIAM SPENCE, Director  
Maui County Planning Department  
County of Maui, State of Hawai'i  
250 South High Street, Suite 200  
Wailuku, Maui, Hawai'i 96793

**(CERTIFIED MAIL, RETURN  
RECEIPT REQUESTED)**

Planning Commission  
County of Maui, State of Hawai'i  
250 South High Street, Suite 200  
Wailuku, Maui, Hawai'i 96793

**(CERTIFIED MAIL, RETURN  
RECEIPT REQUESTED)**

JAMES A. Q. GIROUX, ESQ.  
Deputy Corporation Counsel  
Department of the Corporation Counsel  
200 South High Street, 3<sup>rd</sup> Floor  
Wailuku, Maui, Hawai'i 96793

**(CERTIFIED MAIL, RETURN  
RECEIPT REQUESTED)**

DATED: Honolulu, Hawai'i, May 20, 2013



Of Counsel:  
MATSUBARA - KOTAKE  
A Law Corporation

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BENJAMIN M. MATSUBARA  
CURTIS T. TABATA  
WYETH M. MATSUBARA  
Attorneys for Petitioner  
MAUI R&T PARTNERS, LLC