

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI'I

In the Matter of the Petition of)
THE LIHUE PLANTATION COMPANY,)
LIMITED, a Hawai'i corporation)
To Amend the Agricultural Land Use)
District Boundary for Approximately)
541.769 Acres and the Conservation)
Land Use District Boundary for)
Approximately 12.873 Acres into the)
Urban Land Use District at)
Hanama'ulu and Kalapaki, Island of)
Kaua'i, State of Hawai'i, Tax Map)
Key Nos. 3-6-02: por. 1, por. 4 &)
por. 20; 3-6-02: 17; 3-7-01: por.)
1; 3-7-02: por. 1 & por. 12; and)
3-7-03: por. 20)

DOCKET NO. A94-703

ORDER GRANTING MOTION TO
EXTEND TIME TO RECORD
THE DECLARATION OF
CONDITIONS AT THE BUREAU
OF CONVEYANCES

This is to certify that this is a true and correct
copy of the document on file in the office of the
State Land Use Commission, Honolulu, Hawaii.

APR 12 1996

Date

by

Esther [Signature]
Executive Officer

ORDER GRANTING MOTION TO EXTEND TIME TO RECORD THE
DECLARATION OF CONDITIONS AT THE BUREAU OF CONVEYANCES

LAND USE COMMISSION
STATE OF HAWAII
APR 12 8 25 AM '96

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District Boundary for Approximately)	CONDITIONS AT THE BUREAU
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1; 3-7-02: por. 1 & por. 12; and)	
3-7-03: por. 20)	

ORDER GRANTING MOTION TO EXTEND TIME TO RECORD THE
DECLARATION OF CONDITIONS AT THE BUREAU OF CONVEYANCES

On February 12, 1996, The Lihue Plantation Company, Limited, a Hawai'i corporation ("Petitioner"), filed a Motion to Extend Time to Record the Declaration of Conditions at the Bureau of Conveyances ("Motion"), pursuant to sections 15-15-37, 15-15-42, and 15-15-70, Hawai'i Administrative Rules ("HAR").

Attached in support of the Motion was an affidavit of Kris N. Nakagawa, Esq., stating that (1) Petitioner is ready and willing to submit its Declaration of Conditions to this Commission for approval before recording it with the Bureau of Conveyances, pursuant to section 15-15-92(1), HAR; (2) Petitioner must record the Declaration of Conditions at the Bureau of Conveyances before 60 days after the receipt of this Commission's January 4, 1996, Order Adopting Hearing Officers' Proposed

Findings of Fact, Conclusions of Law, and Decision and Order, as Amended, pursuant to section 15-15-92(2), HAR, which is March 4, 1996; and, (3) Petitioner has filed or would soon be filing a Motion to Amend Condition Nos. 2 and 7 of the Hearing Officers' Proposed Findings of Fact, Conclusions of Law, and Decision and Order dated November 22, 1995 ("Motion to Amend Condition Nos. 2 and 7").

In order to avoid the possibility of duplicative recording of the Declaration of Conditions should this Commission approve Petitioner's Motion to Amend Condition Nos. 2 and 7, Petitioner's Motion requested an extension to record the Declaration of Conditions ten days after the decision of this Commission on Petitioner's Motion to Amend Condition Nos. 2 and 7 has been rendered.

The Motion came on for hearing before this Commission on February 29, 1996, in Honolulu, Hawai'i. The Office of State Planning ("OSP") and the County of Kaua'i Planning Department ("Planning Department") argued that they had no objections to the Motion.

This Commission, having considered the arguments presented by Petitioner, OSP, and the Planning Department and the record in this proceeding, and good cause existing therefrom,

IT IS HEREBY ORDERED that Petitioner's Motion be and is hereby GRANTED.

Petitioner shall record its Declaration of Conditions with the Bureau of Conveyances ten days after the written

decision of this Commission on Petitioner's Motion to Amend
Condition Nos. 2 and 7 has been issued.

DOCKET NO. A94-703 - THE LIHUE PLANTATION COMPANY, LTD.

Done at Honolulu, Hawaii, this 12th day of April 1996,
per motion on February 29, 1996.

LAND USE COMMISSION
STATE OF HAWAII

By *Allen K. Hoe*
ALLEN K. HOE
Chairperson and Commissioner

By (absent)
TRUDY K. SENDA
Vice Chairperson and Commissioner

By *Rupert K. Chun*
RUPERT K. CHUN
Commissioner

By *M. Casey Jarman*
M. CASEY JARMAN
Commissioner

By *Lloyd F. Kawakami*
LLOYD F. KAWAKAMI
Commissioner

By *M. Kelai*
MERLE A. K. KELAI
Commissioner

By (absent)
EUSEBIO LAPENIA, JR.
Commissioner

Filed and effective on
April 12, 1996

By *Joann N. Mattson*
JOANN N. MATTSON
Commissioner

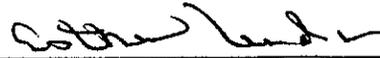
Certified by:

[Signature]
Executive Officer

By (absent)
ELTON WADA
Commissioner

CERT. BENJAMIN A. KUDO, ESQ., Attorney for Petitioner
Dwyer Imanaka Schraff Kudo Meyer & Fujimoto
900 Fort Street Mall, Suite 1800
Honolulu, Hawaii 96813

DATED: Honolulu, Hawaii, this 12th day of April 1996.



ESTHER UEDA
Executive Officer