

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of	)	DOCKET NO. A76-418
)	
MOANA CORPORATION,	)	ORDER GRANTING
	)	CONTINUANCE OF KIAHUNA
To Amend the Agricultural Land Use	)	MAUKA PARTNERS, LLC'S
District Boundary into the Urban Land Use	)	MOTION TO AMEND OR MODIFY
District for Approximately 457.54 acres of	)	CONDITION NO. 9 OF DECISION
land Situated at Poipu, Island of Kauai, State	)	AND ORDER; and
of Hawai'i, TMK Nos: 2-8-14: 05, 07, 08, por.	)	MOTION TO MODIFY CONDITION
19, 20, 21, 26-36; 2-8-15: 77; 2-8-29: 1-94	)	NO. 9a OF DECISION AND ORDER
_____	)	as filed by the ERIC A. KNUDSEN
		TRUST

ORDER GRANTING CONTINUANCE OF KIAHUNA MAUKA PARTNERS, LLC'S
MOTION TO AMEND OR MODIFY CONDITION NO. 9 OF DECISION AND ORDER;
and MOTION TO MODIFY CONDITION NO. 9a OF DECISION AND ORDER as filed
by the ERIC A. KNUDSEN TRUST

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.
DEC 12 2003 by Scotty J. King
Date Executive Officer

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On August 13, 2003, Kiahuna Mauka Partners, LLC ("KMP"), Successor
Petitioner to Sports Shinko (Kauai) Co. Ltd., filed its Motion to Amend or Modify
Condition No. 9 of Decision and Order ("KMP Motion"). The KMP Motion requested a
five-year time extension of a development deadline of August 5, 2004 to commence the
development of at least 300 single-family homesites and/or multi-family residential
units, pursuant to Condition No. 9b of the Commission's Order Granting First
Hawaiian Bank, Trustee of the Eric A. Knudsen Trust's Amendment to Motion to

Modify Condition Imposed By The Land Use Commission issued on August 5, 1997 ("1997 Order").

On October 10, 2003, the Eric A. Knudsen Trust ("EAK"), Successor Petitioner to the Eric A. Knudsen Trust and the Augustus F. Knudsen Entities and Interests, filed its Motion to Modify Condition No. 9a of Decision and Order ("EAK Motion"). The EAK Motion requested a two-year time extension of a development deadline of August 5, 2004, to commence the development of at least fifty (50) single-family homesites and/or multi-family residential units, pursuant to the 1997 Order.

The Motions came on hearing before this Commission on November 6, 2003, in Kapa`a, Hawai`i, with appearances by Movants KMP and EAK, the Department of Planning, County of Kauai ("County"), and the Office of Planning, Department of Business, Economic Development & Tourism ("OP").

The Commission determined that there was insufficient information regarding (i) the development plans of KMP and EAK and (ii) the coordination of regional facility planning activities with the County to provide a basis for the granting of the time extensions. The Commission also believed that a uniform time extension should be applied to both Movants.

ORDER

IT IS HEREBY ORDERED that the Commission's action on both the KMP Motion and the EAK Motion, under LUC Docket No. A76-418 LTD., be deferred no longer than

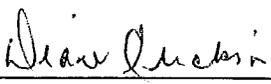
ninety (90) days to allow the Movants and the County to work on providing a basis for the requested time extensions.

At the hearing conducted on November 6, 2003, a Motion to defer Commission's action on the motions, for a period not to exceed ninety (90) days, was made and seconded. There being a vote tally of five ayes, the Motion was PASSED, having received the affirmative votes required by Section 15-15-13, HAR.

Done at Honolulu, Hawai'i, this 12th day of December, 2003,
per motion on November 6, 2003.

APPROVED AS TO FORM

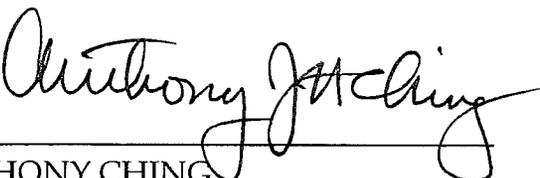
LAND USE COMMISSION
STATE OF HAWAII

By 
Deputy Attorney General


LAWRENCE N.C. ING
Chairperson and Commissioner

Filed and effective on

Certified by:


ANTHONY CHING
Executive Officer

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the matter of the Petition) DOCKET NO. A76-418
)
 of) CERTIFICATE OF SERVICE
)
 MOANA CORPORATION (Kauai))
)
 To Amend the Land Use District)
 Boundary into the Urban Land Use)
 District for Approximately 457.54 acres)
 of land Situated at Poipu, Island of)
 Kauai, State of Hawaii, TMK Nos: 2-8-14:)
 05, 07, 08, por. 19, 20, 21, 26-36; 2-8-15: 77;)
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CERTIFICATE OF SERVICE

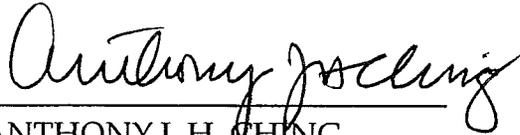
I hereby certify that a copy of the Order Granting Continuance of Kiahuna Mauka Partners, LLC's Motion to Amend or Modify Condition No. 9 of Decision and Order; and Motion to Modify Condition No. 9a of Decision and Order as Filed by the Eric A. Knudsen Trust, was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by regular or certified mail as noted:

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Dated: Honolulu, Hawaii, December 12, 2003.



ANTHONY J. H. CHING
Executive Officer