

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

In the Matter of the Petition of )  
MOANA CORPORATION )  
To Amend the Agricultural 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 )  
Hawai'i, TMK: 2-8-14: 05, 07, 08, )  
por. 19, 20, 21, 26-36; 2-8-15: 77; )  
2-8-29: 1-94 )

DOCKET NO. A76-418  
ORDER GRANTING MOTION TO  
DISMISS LAND USE  
COMMISSION'S ORDER TO  
SHOW CAUSE PROCEEDING

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.

AUG 08 1997 by   
Date Executive Officer

ORDER GRANTING MOTION TO DISMISS  
LAND USE COMMISSION'S ORDER TO SHOW CAUSE PROCEEDING

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LAND USE COMMISSION  
STATE OF HAWAII

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

In the Matter of the Petition of )	DOCKET NO. A76-418
MOANA CORPORATION )	
To Amend the Agricultural Land Use )	ORDER GRANTING MOTION TO
District Boundary into the Urban )	DISMISS LAND USE
Land Use District For Approximately )	COMMISSION'S ORDER TO
457.54 Acres of Land Situated at )	SHOW CAUSE PROCEEDING
Poipu, Island of Kauai, State of )	
Hawai'i, TMK: 2-8-14: 05, 07, 08, )	
por. 19, 20, 21, 26-36; 2-8-15: 77; )	
2-8-29: 1-94 )	
_____ )	

ORDER GRANTING MOTION TO DISMISS  
LAND USE COMMISSION'S ORDER TO SHOW CAUSE PROCEEDING

On June 27, 1997, Co-Petitioner First Hawaiian Bank, as Trustee of the Eric A. Knudsen Trust ("Knudsen Trust") filed a Motion To Dismiss Land Use Commission's Order To Show Cause Proceeding ("Motion to Dismiss").

The Motion to Dismiss was filed based upon the Land Use Commission's ("Commission") oral decision at its June 26, 1997 meeting in Honolulu, Oahu, approving Knudsen Trust's Motion To Modify Condition Imposed By The Land Use Commission, as amended. The Order Granting the Motion To Modify Condition Imposed By the Land Use Commission was issued on August 5, 1997.

On June 30, 1997, Co-Petitioner Sports Shinko (Kauai) Co., Ltd. filed its Joinder In Movant First Hawaiian Bank's Motion To Dismiss Land Use Commission's Order To Show Cause Proceeding.

On July 23, 1997, Intervenors KVH Partners and CGB Partners filed its Joinder In Movant First Hawaiian Bank's Motion To Dismiss Land Use Commission's Order To Show Cause Proceeding.

The Motion to Dismiss, having come before the Commission at its meeting on July 31, 1997, in Honolulu, Oahu, and the Commission having considered the arguments presented by the parties, both written and oral, and having reviewed the entire record for the subject docket to date, and with good cause shown;

HEREBY GRANTS the Motion To Dismiss Land Use Commission's Order To Show Cause Proceeding.

DOCKET NO. A76-418 - MOANA CORPORATION

Done at Honolulu, Hawai'i, this 8th day of August 1997,  
per motion on July 31, 1997.

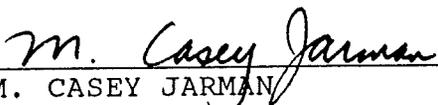
LAND USE COMMISSION  
STATE OF HAWAI'I

By (absent)  
RUPERT K. CHUN  
Vice Chairperson and Commissioner

By (excused)  
P. ROY CATALANI  
Commissioner

By   
ISAAC FIESTA, JR.  
Commissioner

By (absent)  
LAWRENCE N.C. ING  
Commissioner

By   
M. CASEY JARMAN  
Commissioner

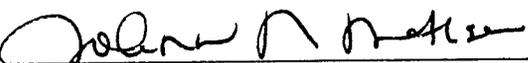
By (absent)  
HERBERT S.K. KAOPUA, SR.  
Commissioner

By   
MERLE A. K. KELAI  
Commissioner

Filed and effective on  
August 8, 1997

Certified by:

  
Executive Officer

By   
JOANN N. MATTSO  
Commissioner

By   
PETER YUKIMURA  
Commissioner

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

In the Matter of the Petition of ) DOCKET NO. A76-418  
MOANA CORPORATION ) CERTIFICATE OF SERVICE  
To Amend the Agricultural 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 )  
Hawai'i, TMK: 2-8-14: 05, 07, 08, )  
por. 19, 20, 21, 26-36; 2-8-15: 77; )  
2-8-29: 1-94 )

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the Order Granting Motion to Dismiss Land Use Commission's Order to Show Cause Proceeding was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:

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CERT. WILFRED J. BALDWIN  
Baldwin-Knudsen Family Partnership  
5451 Wailaau Road  
Koloa, Hawaii 96756

DATED: Honolulu, Hawaii, this 8th day of August 1997.

  
\_\_\_\_\_  
ESTHER UEDA  
Executive Officer