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Attorney for Petitioner  
WAIKŌ INDUSTRIAL INVESTMENT, LLC

LAND USE COMMISSION  
STATE OF HAWAII  
2013 APR -3 A 8-38

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of

WAIKŌ INDUSTRIAL INVESTMENT, LLC

To Amend the Land Use District Boundary of  
Certain Lands Situated at Waikapu, Wailuku,  
Island of Maui, State of Hawai'i, Consisting of  
approximately 31.222 Acres, from the  
Agricultural District to the Urban District, Tax  
Map Key No. (2) 3-8-007:102.

DOCKET NO. A12-796

STIPULATION TO CLARIFY THE  
RECORD AS TO PETITIONER WAIKŌ  
INDUSTRIAL INVESTMENT, LLC 'S  
EXHIBIT "8", EXHIBIT "38" AND  
EXHIBIT "52"

**STIPULATION TO CLARIFY THE RECORD AS TO  
PETITIONER WAIKŌ INDUSTRIAL INVESTMENT, LLC 'S  
EXHIBIT "8", EXHIBIT "38" AND EXHIBIT "52"**

THIS STIPULATION is entered into by and between Waikō Industrial  
Investment, LLC, ("Petitioner"), by its attorney, Gregory J. Garneau; Office of Planning,  
State of Hawaii, by its attorney, Deputy Attorney General Bryan C. Yee; and Department  
of Planning, County of Maui, by its attorney, Deputy Corporation Counsel James Giroux,  
as follows:

WHEREAS, Petitioner filed its Petition For Land Use District Boundary Amendment on September 13, 2012 to amend the land use district boundary classification of certain lands situate at Waikapu, Wailuku, Island of Maui, State of Hawaii, identified as TMK (2) 3-8-007:102, to develop a light industrial subdivision ("Petition"); and

WHEREAS, attached to the Petition as Petitioner's Exhibit "8" was a true and correct copy of the Notification of Petition Filing pursuant to HAR § 15-15-50(d); and

WHEREAS, through inadvertence, Petitioner's Exhibit "8" was not acknowledged and entered into the record at the Land Use Commission hearing held on February 21, 2013; and


WHEREAS, the record is unclear (Tr. 2/21/13, 21:10-21:25) that Petitioner's Exhibit "38" was reserved, but not used, and Petitioner's Exhibit "52" was identified, but later formally withdrawn; and

WHEREAS, Petitioner would like to correct the record as to Exhibits "8", "38" and "52";

NOW, THEREFORE, IT IS STIPULATED AND AGREED AS FOLLOWS:


1. Petitioner acknowledges the submission of Exhibit "8" which is moved into the record and admitted into evidence without objection by the parties; and
2. The record is clarified to reflect that Petitioner's Exhibit "38" was reserved but not used and Exhibit "52" was identified and withdrawn.

DATED: Wailuku, Hawaii, April 1, 2013.

  
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GREGORY J. GARNEAU  
Attorney for Petitioner  
WAIKŌ INDUSTRIAL INVESTMENT, LLC

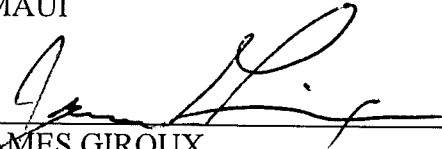
DATED: Honolulu, Hawaii, March 25, 2013.

OFFICE OF PLANNING, STATE OF  
HAWAII

By   
\_\_\_\_\_  
BRYAN C. YEE  
Deputy Attorney General

DATED: Wailuku, Hawaii, 4/1/13, 2013.

DEPARTMENT OF PLANNING, COUNTY  
OF MAUI

By   
\_\_\_\_\_  
JAMES GIROUX  
Deputy Corporation Counsel

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Land Use Commission of the State of Hawaii; Docket No. A12-796; Waikō Industrial Investment, LLC; STIPULATION TO CLARIFY THE RECORD AS TO PETITIONER WAIKŌ INDUSTRIAL INVESTMENT, LLC 'S EXHIBIT "8", EXHIBIT "38" AND EXHIBIT "52"