

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
)
MAUI R&T PARTNERS, LLC)
)
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.))
_____)

DOCKET NO. A10-787
FIRST AMENDMENT TO PETITION
FOR DISTRICT BOUNDARY
AMENDMENT

2013 MAY -8 A 9:24
LAND USE COMMISSION
STATE OF HAWAII

FIRST AMENDMENT TO PETITION
FOR DISTRICT BOUNDARY AMENDMENT

VERIFICATION

EXHIBITS "10" THROUGH "16"

AND

CERTIFICATE OF SERVICE

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

Attorneys for Petitioner
MAUI R&T PARTNERS, LLC

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. A10-787
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MAUI R&T PARTNERS, LLC)	FIRST AMENDMENT TO PETITION
)	FOR DISTRICT BOUNDARY
To Amend the Land Use District)	AMENDMENT
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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.))	
_____)	

FIRST AMENDMENT TO PETITION
FOR DISTRICT BOUNDARY AMENDMENT

TO THE HONORABLE LAND USE COMMISSION OF THE STATE OF HAWAII:

MAUI R&T PARTNERS, LLC, ("Petitioner") by and through its attorneys, MATSUBARA - KOTAKE, respectfully submits this First Amendment to Petition For District Boundary Amendment to amend the Petition For District Boundary Amendment filed June 23, 2010 ("Petition") to include additional exhibits to the Petition.

I. **INTRODUCTION**

There are two (2) separate Land Use Commission ("Commission" or "LUC") dockets that encompass the Maui Research and Technology Park ("Project"): A84-585 and A10-787. The following is a description of the two (2) dockets.

The Maui Research and Technology Park ("Project") is an existing, operational technology industrial park that sits on 150.032 acres of Urban District lands. The 150.032 acres were reclassified by the Commission in LUC Docket No. **A84-585** for the development of an industrial high technology park. An additional 150 acres were also incrementally approved for the same use, however, Petitioner is not seeking incremental districting pursuant to § 15-15-78(d) of the *Hawai`i Administrative Rules* ("HAR") because the Project being proposed today is different from the project that was proposed in 1984.

Petitioner now seeks to expand the park and to diversify the uses by reclassifying an additional 253.05 acres of adjacent lands in LUC Docket No. **A10-787**. Petitioner has updated the master plan for the project and seeks to transform the project from an industrial park to a multi-use project that will take an existing employment center and create a sustainable and walkable community where people can live, work and play.

To update the master plan, Petitioner will need to amend the Amended Findings of Fact, Conclusions of Law and Decision and Order dated February 25, 1986 in Docket No. **A84-585** to allow for the change in uses that will include a village center and housing, as well as an expansion of the industrial and employment component.

Accordingly, Petitioner proposes to bring both dockets before the Commission at the same time so that the Commission may have an opportunity to evaluate the project as a whole.

On April 4, 2013, the Commission voted to accept the Final Environmental Impact Statement ("FEIS") for Petitioner's Maui Research & Technology Park Master Plan Update. The FEIS covers the entire 403.082 acres (150.032 under A84-585 plus 253.05 acres under A10-787) of the proposed Project. The FEIS discusses the impacts and mitigation measures for the entire project and was prepared to address the needs of both Docket No. A10-787 and Docket No. A84-585.

II. AMENDMENT

The Petition is hereby amended to include the following additional exhibits which are incorporated herein by reference:

1. **State Land Use Maps** are attached hereto and incorporated herein as Exhibit "10". Three maps are identified as Map 1, Map 2 and Map 3.

Map 1 shows the existing Urban District lands in Docket No. A84-585 and those lands Petitioner is requesting to reclassify to the Urban District in A10-787. Petitioner is proposing to update the Project utilizing all of the lands specified under both dockets in Map 1.

Map 2 shows Docket No. A84-585 as it was originally approved as reflected in the Commission's Findings of Fact, Conclusions of Law and Decision and Order dated July 15, 1985.

Map 3 shows Docket No. A84-585 as it was amended by the Commission's Amended Findings of Fact, Conclusions of Law and Decision and Order dated February

25, 1986. The amendment resulted in shifting the Urban District lands and the incrementally approved lands. The 150.032 acres of existing Urban District lands is shown in Map 3.

Petitioner is not seeking to reclassify all of the incrementally approved lands in **A10-787** because not all of the lands are needed for the Project.

2. The **Final Environmental Impact Statement** has been previously served upon all parties and is incorporated herein by reference as Exhibit "11". Non-parties (those other than the County of Maui and the State Office of Planning) will be provided a CD copy and will also be provided a hard copy if so requested. Also included within the FEIS is Petitioner's **Incremental Plan**.

3. The **Tax Maps** for the Petition Area are attached hereto and incorporated herein by reference as Exhibit "12". One set of full sized maps are being submitted to the Commission and smaller versions are being included with the copies of this amendment to the Petition.

4. The **Metes and Bounds Description and Maps** for the Petition Area are attached hereto and incorporated herein by reference as Exhibit "13".

5. Petitioner's current **Balance Sheet and Income Statement** are attached hereto and incorporated herein by reference as Exhibit "14".

6. The Affidavit of Service of First Amendment to Petition for District Boundary Amendment is attached hereto and incorporated herein by reference as Exhibit "15".

7. The Affidavit of Sending of Notification of Petition Filing is attached hereto and incorporated herein by reference as Exhibit "16".

DATED: Honolulu, Hawai'i, May 8, 2013.



Of Counsel:
MATSUBARA - KOTAKE
A Law Corporation

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

VERIFICATION

MICHAEL B. ROSENFELD, being first duly sworn on oath, deposes and says that he is the Manager of Maui Tech Associates, LLC, a Delaware limited liability company and the Administrative Member of MAUI R&T PARTNERS, LLC, a Delaware limited liability company ("Petitioner"), and in this capacity authorized, qualified and competent to make this verification on behalf of Petitioner, and that he has read the foregoing document and knows the contents thereof, and that the same are true and correct to the best of my knowledge, information and belief.

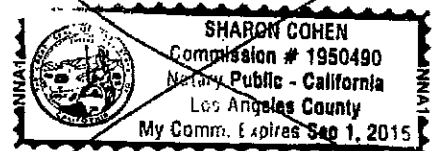
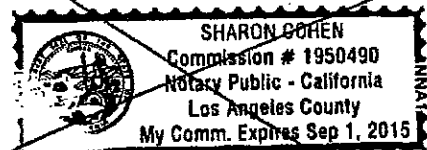
MAUI R&T PARTNERS, LLC, a Delaware
limited liability company

By: Maui Tech Associates, LLC
a Delaware limited liability company,
its Administrative Member

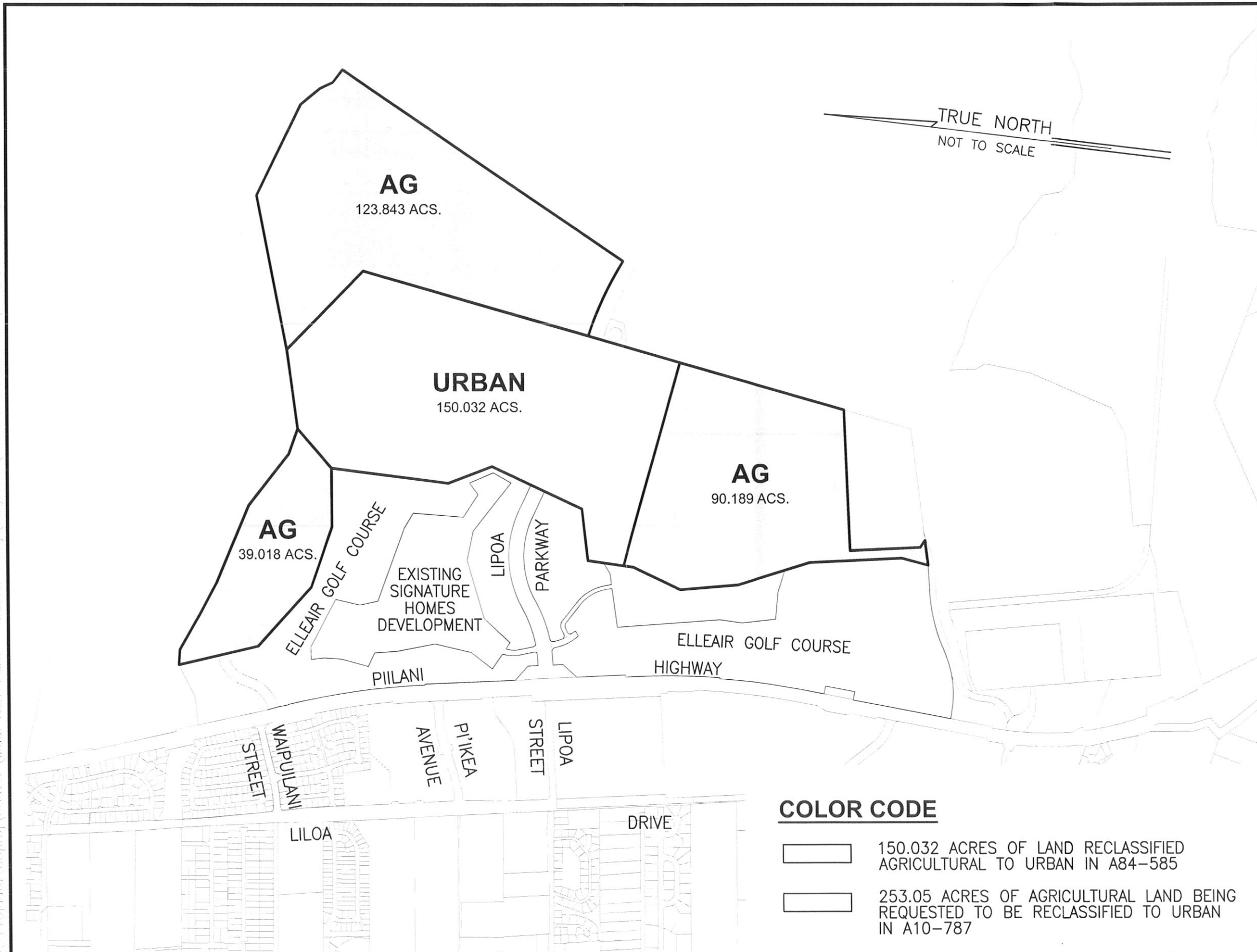
By: _____
MICHAEL B. ROSENFELD
Manager

Subscribed and sworn to me
this 1st day of May 2013

Sharon Cohen
Name Sharon Cohen
Notary Public, State of California
My commission expires: Sept 1, 2015



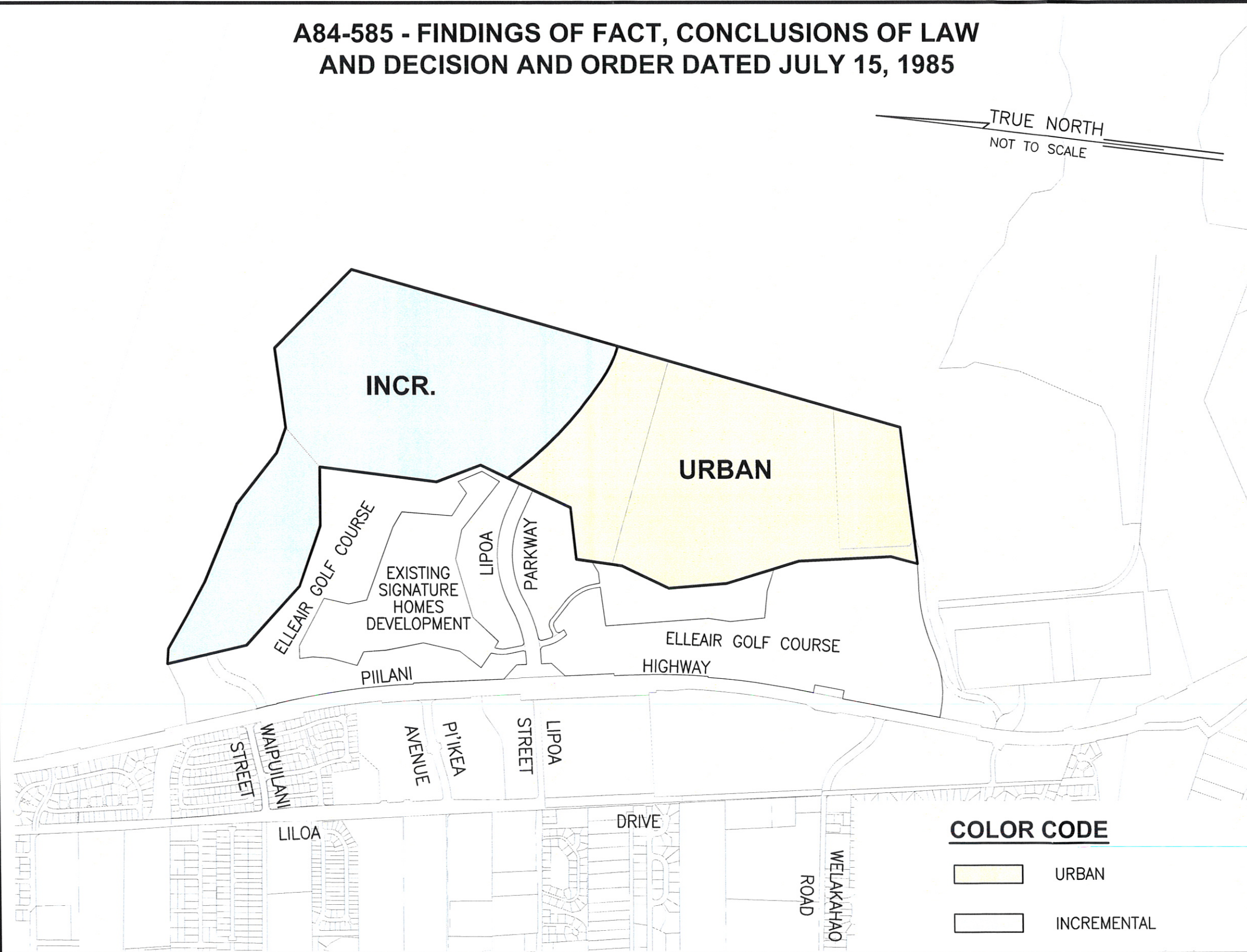
/A Projdata\08proj\08023 (Maui R&T Park - Master Plan)\dwg\2008\exhibits\ZONING-mmp-1,2,3-00.dwg



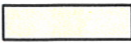
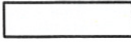
**A84-585 - FINDINGS OF FACT, CONCLUSIONS OF LAW
AND DECISION AND ORDER DATED JULY 15, 1985**

TRUE NORTH
NOT TO SCALE

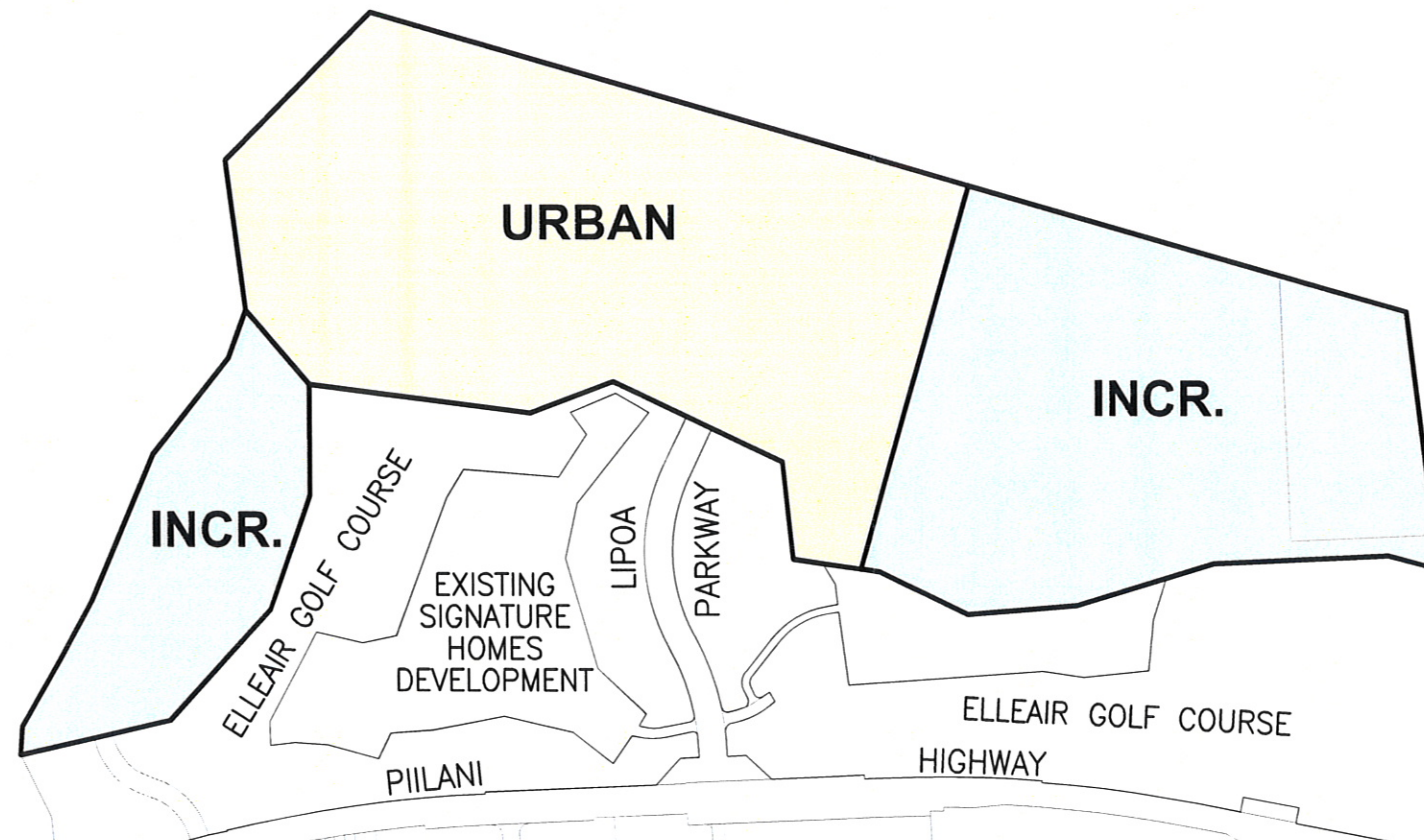
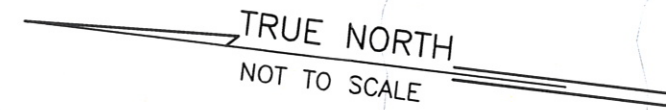
V:\Projdata\08proj\08028 (Maui R&T Park - Master Plan)\dwg2008\exhibits\ZONING-map-1.2.3-00.dwg



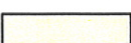

COLOR CODE

	URBAN
	INCREMENTAL

**A84-585 - AMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW
AND DECISION AND ORDER DATED FEBRUARY 25, 1986**



COLOR CODE

	URBAN
	INCREMENTAL

V:\Projdata\08proj\08028 (Maui R&T Park - Master Plan)\dwg\2006\exhibits\ZONING-map-1,2,3-00.dwg

FINAL

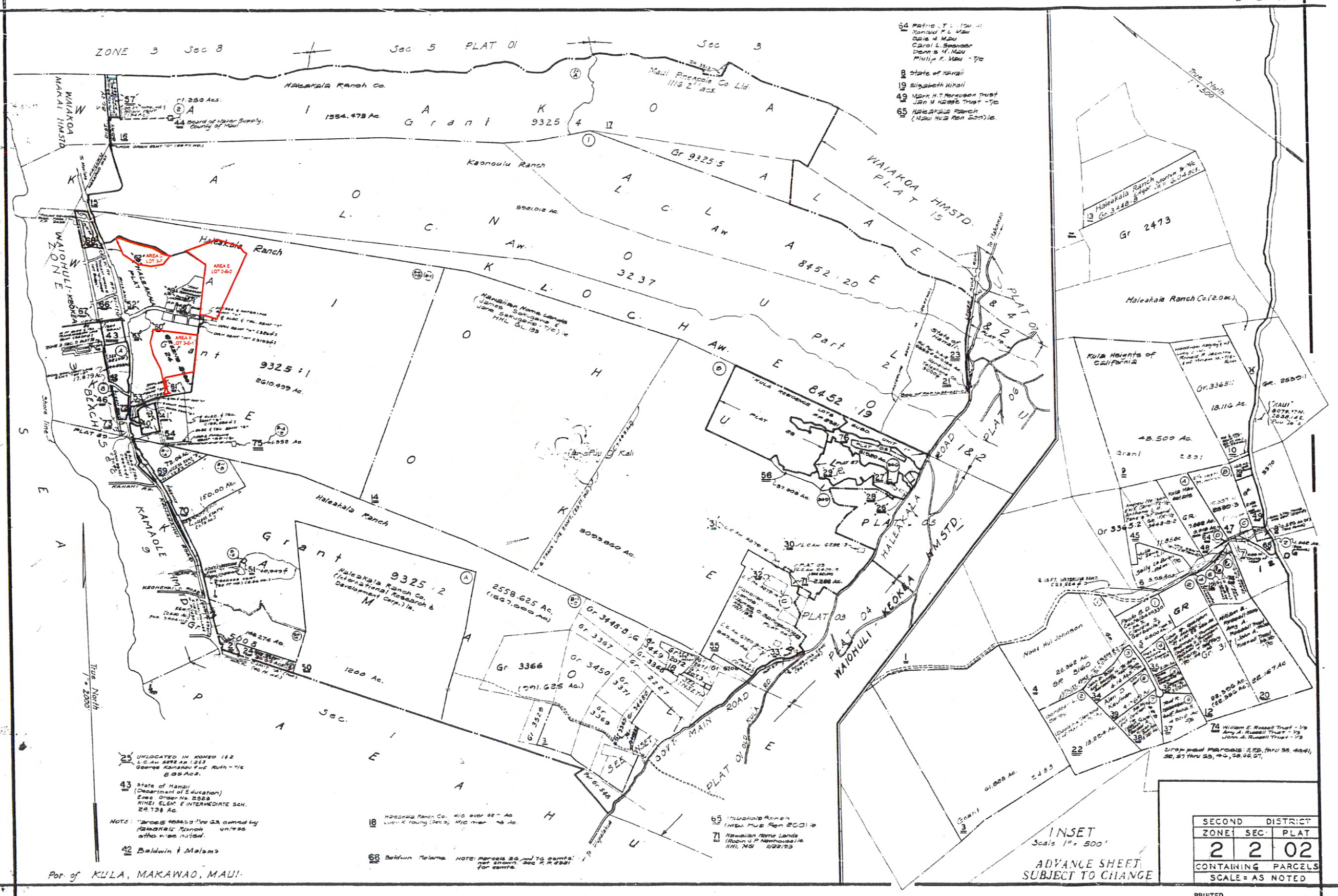
ENVIRONMENTAL

IMPACT STATEMENT

**(hardcopies previously filed and served upon
the LUC and parties)**

**(non-parties are provided CD of
the FEIS and hardcopies will
be provided upon request)**

EXHIBIT "11"



- 64 Patricia T. ...
- 8 State of Hawaii
- 19 Elizabeth Wilcox
- 49 Mark H. ... Trust
- 65 Haleakala Ranch

43 State of Hawaii
(Department of Education)
Enc. Order No. 2323
KINEI ELEM. & INTERMEDIATE SCH.
28.138 Ac.

NOTE: "Areas 28265, 28266 owned by
Haleakala Ranch unless
otherwise noted."

42 Baldwin & Malama

18 Haleakala Ranch Co. 41/2 acres 88' Ac.
Luna K. Young (Dec 2), M/G over 78 Ac.

65 Haleakala Ranch
1162.500 Ac. (M/G over 2000' Ac.)

68 Baldwin Malama NOTE: parcels 65 and 76 comprise
net shown, 200' x 1,000' for comms.

INSET
Scale 1" = 500'
ADVANCE SHEET
SUBJECT TO CHANGE

SECOND DISTRICT	ZONE	SEC.	PLAT
	2	2	02
CONTAINING PARCELS			
SCALE = AS NOTED			

PRINTED

Por. of KULA, MAKAWAO, MAUI

Day No. 1960
 By: H.A. I.D.S.C.A.
 Source: Tax Maps Bureau
 DEC 13 1968
 MAY 14 1971
 MAY 14 1978
 MAY 14 1981
 MAY 14 1984
 MAY 14 1987
 MAY 14 1990
 MAY 14 1993
 MAY 14 1996
 MAY 14 1999
 MAY 14 2002
 MAY 14 2005
 MAY 14 2008
 MAY 14 2011
 MAY 14 2014
 MAY 14 2017
 MAY 14 2020

SOURCE: TIME: F.P. 2008
BY: DT:HG
DATE: 11/3/1990
DWG: 7169



PIILANI NORTH II (ROAD "C") LARGE-LOT-SUBD.
 *MAUI RESEARCH & TECHNOLOGY PARK, PHASE I INCREMENT I, F.P. 2008, *PIILANI NORTH II
 HALEAKALA GREENS SUBD. GR. 9325 Ap. 1, WAICHULI-KEOKEA (KIHEI), MAUI, HAWAII (Formerly por. 2-2-02)

FOR PROPERTY ASSESSMENT PURPOSES - SUBJECT TO CHANGE

DROPPED PARCELS: 9, 20

DEPARTMENT OF FINANCE
 REAL PROPERTY TAX DIVISION
 TAX MAP

COUNTY OF MAUI

ZONE	SECTION	PLAT
2	2	24

SCALE: 1 IN = 300'
 PRINTED:

Maui Research & Technology Park
Description of Area A - Employment Core
(Tax Map Key (2) 2-2-24:1 to 9, 15, 31, 32, 34, and 37 to 46)

Land situated on the easterly side of Piilani Highway, Federal Aid Project Number RF-031-1(5), at Waiohuli-Keokea, Makawao, Kula (Kihei), Maui, Hawaii

Being a portion of Grant 9325, Apana 1 to Haleakala Ranch Company and being all of Lots 1 to 10, inclusive, of Maui Research and Technology Park - Phase I/Increment I-A (File Plan 2461); Lots 1 to 12, inclusive of Maui Research and Technology Park Phase I/Increment I (File Plan 2008); Lots 13-A-1, 13-B-1, 13-B-2-A and 13-C of Maui Research & Technology Park - Phase I/Increment I; and Lot 3-D of Haleakala Greens Subdivision

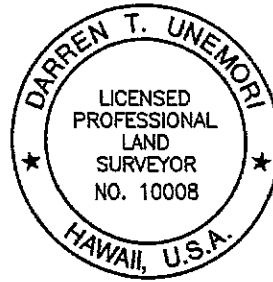
Beginning at a point at the northeasterly corner of this land, being also the northeasterly corner of Lot 1 of Maui Research and Technology Park - Phase I/Increment I-A (File Plan 2461), the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU-O-KALI" being 8,023.35 feet North and 16,577.70 feet West and running by azimuths measured clockwise from True South:

1. 9° 07' 30" 2,441.14 feet along Lot 2-B of Anawio Subdivision and Lot 3-A-1-A of Haleakala Greens Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;

2. 99° 07' 30" 2,117.02 feet along Lot 3-E-1 of Haleakala Greens Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;

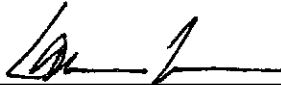
3. 181° 25' 363.24 feet along Lots 2-B and 2-A of Haleakala Greens Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;

4. 256° 55' 517.80 feet along Lot 2-A of Haleakala Greens Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;
5. 198° 30' 990.00 feet along Lots 2-A, 4 (Lipoa Parkway) and 1-A of Haleakala Greens Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;
6. 152° 46' 111.97 feet along Lot 1-A of Haleakala Greens Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;
7. 242° 46' 735.18 feet along Lot 3-C-1 of Haleakala Greens Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;
8. 240° 40' 325.00 feet along same to a point;
9. 220° 00' 290.00 feet along same to a point;
10. 285° 40' 600.00 feet along same to the point of beginning and containing an Area of 85.953 Acres.



WARREN S. UNEMORI ENGINEERING, INC.
Wells Street Professional Center
2145 Wells Street, Suite 403
Wailuku, Maui, Hawaii 96793
March 6, 2013

WARREN S. UNEMORI ENGINEERING, INC.

BY:  04/30/14 Exp.
Licensed Professional Land Surveyor
Certificate No. 10008

V:\Projdata\08proj\08028 (Maui R&T Park - Master Plan)\Survey\Desc-Maui R&T Area A.docx

Maui Research & Technology Park
Description of Area B - Knowledge Industry Expansion/Campus
(a.k.a. Lot 3-E-1 of Haleakala Greens Subdivision at
Tax Map Key (2) 2-2-24:16)

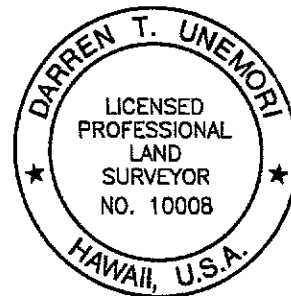
Land situated on the easterly side of Piilani Highway, Federal Aid Project Number RF-031-1(5), at Waiohuli-Keokea, Makawao, Kula (Kihei), Maui, Hawaii

Being a portion of Grant 9325, Apana 1 to Haleakala Ranch Company and being all of Lot 3-E-1 of Haleakala Greens Subdivision

Beginning at a point at the northeasterly corner of this land, being also the northeasterly corner of Lot 3-E-1 of Haleakala Greens Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU-O-KALI" being 5,613.10 feet North and 16,964.83 feet West and running by azimuths measured clockwise from True South:


1. 9° 07' 30" 1,721.79 feet along Lot 2-B of Anawio Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;
2. 80° 58' 10" 1,410.00 feet along Lot 3-E-2 of Haleakala Greens Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;
3. 350° 30' 699.93 feet along same to a point;
4. 298° 30' 84.00 feet along same to a point;
5. 76° 15' 249.57 feet along Lot 2-B of Anawio Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;
6. 188° 00' 275.00 feet along Lot 2-A of Haleakala Greens Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;

- 7. 170° 30' 920.00 feet along same to a point;
- 8. 156° 07' 760.00 feet along Lots 2-A and 2-B of Haleakala Greens Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;
- 9. 168° 25' 590.00 feet along Lot 2-B of Haleakala Greens Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;
- 10. 198° 45' 515.00 feet along same to a point;
- 11. 181° 25' 106.53 feet along same to a point;
- 12. 279° 07' 30" 2,117.02 feet along Lot 3-D of Haleakala Greens Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to the point of beginning and containing an Area of 90.189 Acres.



WARREN S. UNEMORI ENGINEERING, INC.

WARREN S. UNEMORI ENGINEERING, INC.
 Wells Street Professional Center
 2145 Wells Street, Suite 403
 Wailuku, Maui, Hawaii 96793
 February 22, 2013

BY:  04/30/14 Exp.
 Licensed Professional Land Surveyor
 Certificate No. 10008

Maui Research & Technology Park
Description of Area C - Village Center
(a.k.a. Lots 3-C-1 and 3-C-2 of Haleakala Greens Subdivision at
Tax Map Key (2) 2-2-24:14 and 36)

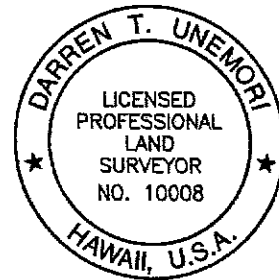
Land situated on the easterly side of Piilani Highway, Federal Aid Project Number RF-031-1(5), at Waiohuli-Keokea, Makawao, Kula (Kihei), Maui, Hawaii

Being a portion of Grant 9325, Apana 1 to Haleakala Ranch Company and being all of Lots 3-C-1 and 3-C-2 of Haleakala Greens Subdivision

Beginning at a point at the southeasterly corner of this land, being also the southeasterly corner Lot 3-C-1 of Haleakala Greens Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU-O-KALI" being 8,023.35 feet North and 16,577.70 feet West and running by azimuths measured clockwise from True South:


1. 105° 40' 600.00 feet along Lots 1, 9 (N. Ninau Street) and 8 of Maui Research and Technology Park - Phase I/Increment I-A (File Plan 2461) to a point;
2. 40° 00' 290.00 feet along Lots 8 and 6 of Maui Research and Technology Park - Phase I/Increment I-A (File Plan 2461) to a point;
3. 60° 40' 325.00 feet along Lot 6 of Maui Research and Technology Park - Phase I/Increment I-A (File Plan 2461) to a point;
4. 62° 46' 735.18 feet along Lot 6 of Maui Research and Technology Park - Phase I/Increment I-A (File Plan 2461) and Lots 9-A-1-A (Ho'okena St.), 13-B-2-A and 13-A-1 of Maui Research & Technology Park - Phase I/Increment I, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;

5. 152° 46' 363.03 feet along Lot 1-A of Haleakala Greens Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;
6. 180° 21' 1,180.00 feet along same to a point;
7. 222° 37' 15" 518.60 feet along Lot 3-F of Haleakala Greens Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;
8. 255° 35' 800.00 feet along Lot 2-B of Anawio Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;
9. 307° 35' 1,100.00 feet along same to a point;
10. 9° 07' 30" 867.86 feet along same to the point of beginning and containing an Area of 64.079 Acres.



WARREN S. UNEMORI ENGINEERING, INC.

WARREN S. UNEMORI ENGINEERING, INC.
 Wells Street Professional Center
 2145 Wells Street, Suite 403
 Wailuku, Maui, Hawaii 96793
 March 6, 2013

BY:  04/30/14 Exp.
 Licensed Professional Land Surveyor
 Certificate No. 10008

V:\Projdata\08proj\08028 (Maui R&T Park - Master Plan)\Survey\Desc-Maui R&T Area C.docx

Maui Research & Technology Park
Description of Area D - Makai Residential
(a.k.a. Lot 3-F of Haleakala Greens Subdivision at
Tax Map Key (2) 2-2-24:17)

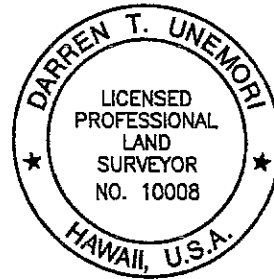
Land situated on the easterly side of Piilani Highway, Federal Aid Project Number RF-031-1(5), at Waiohuli-Keokea, Makawao, Kula (Kihei), Maui, Hawaii

Being a portion of Grant 9325, Apana 1 to Haleakala Ranch Company and being all of Lot 3-F of Haleakala Greens Subdivision

Beginning at a point at the northwesterly corner of this land, being also the northwesterly corner of Lot 3-F of Haleakala Greens Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU-O-KALI" being 10,267.07 feet North and 20,573.46 feet West and running by azimuths measured clockwise from True South:


1. 266° 30' 150.00 feet along Lot 2-B of Anawio Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;
2. 293° 00' 410.00 feet along same to a point;
3. 291° 30' 350.00 feet along same to a point;
4. 286° 00' 850.00 feet along same to a point;
5. 301° 30' 650.00 feet along same to a point;
6. 283° 15' 270.00 feet along same to a point;
7. 42° 37' 15" 518.60 feet along Lots 3-C-2 and 3-C-1 of Haleakala Greens Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;

8. 83° 00' 585.00 feet along Lot 1-A of Haleakala Greens Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;
9. 102° 25' 640.00 feet along same to a point;
10. 125° 30' 800.00 feet along same to a point;
11. 160° 00' 815.00 feet along same to the point of beginning and containing an Area of 39.018 Acres.



WARREN S. UNEMORI ENGINEERING, INC.
Wells Street Professional Center
2145 Wells Street, Suite 403
Wailuku, Maui, Hawaii 96793
February 22, 2013

WARREN S. UNEMORI ENGINEERING, INC.

BY:  04/30/14 Exp.
Licensed Professional Land Surveyor
Certificate No. 10008

V:\Projdata\08proj\08028 (Maui R&T Park - Master Plan)\Survey\Desc-Maui R&T Area D.docx

Maui Research & Technology Park
Description of Area E - Residential and Knowledge
Industry Expansion Lands
(a.k.a. Lot 2-B-2 of Anawio Subdivision at
Tax Map Key (2) 2-2-02:por. 84)

Land situated on the easterly side of Piilani Highway, Federal Aid Project Number RF-031-1(5), at Waiohuli-Keokea, Makawao, Kula (Kihei), Maui, Hawaii

Being a portion of Grant 9325, Apana 1 to Haleakala Ranch Company and being also all of Lot 2-B-2 of Anawio Subdivision

Beginning at a point at the northwesterly corner of this land, being also the northwesterly corner of Lot 2-B-2 of Anawio Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU-O-KALI" being 9,551.13 feet North and 17,311.78 feet West and running by azimuths measured clockwise from True South:

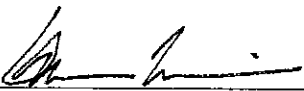
1. 252° 15' 1,569.53 feet along the remainder of Lot 2-B of Anawio Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;
2. 289° 28' 1,013.85 feet along same to a point;
3. 313° 36' 250.68 feet along same to a point;
4. 327° 52' 140.72 feet along same to a point;
5. 301° 45' 162.86 feet along same to a point;
6. 27° 26' 3,394.12 feet along same to a point;

7. Thence along the remainder of Lot 2-B of Anawio Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company on a curve to the left, with the point of curvature azimuth from the radial point being: 205° 18', and the point of tangency azimuth from the radial point being: 192° 00', having a radius of 3,350.00 feet, the chord azimuth and distance being: 108° 39' 775.89 feet to a point;
8. 102° 00' 48.76 feet along same to a point;
9. 189° 07' 30" 2,350.14 feet along Lot 4 of Maui Research and Technology Park Phase I/ Increment I (File Plan 2008), Lots 4, 3, 2 and 1 of Maui Research and Technology Park Phase I/Increment I-A (File Plan 2461) and Lot 3-C-1 of Haleakala Greens Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to a point;
10. 127° 35' 1,100.00 feet along Lot 3-C-1 of Haleakala Greens Subdivision, being also along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Company to the point of beginning and containing an Area of 123.843 Acres.



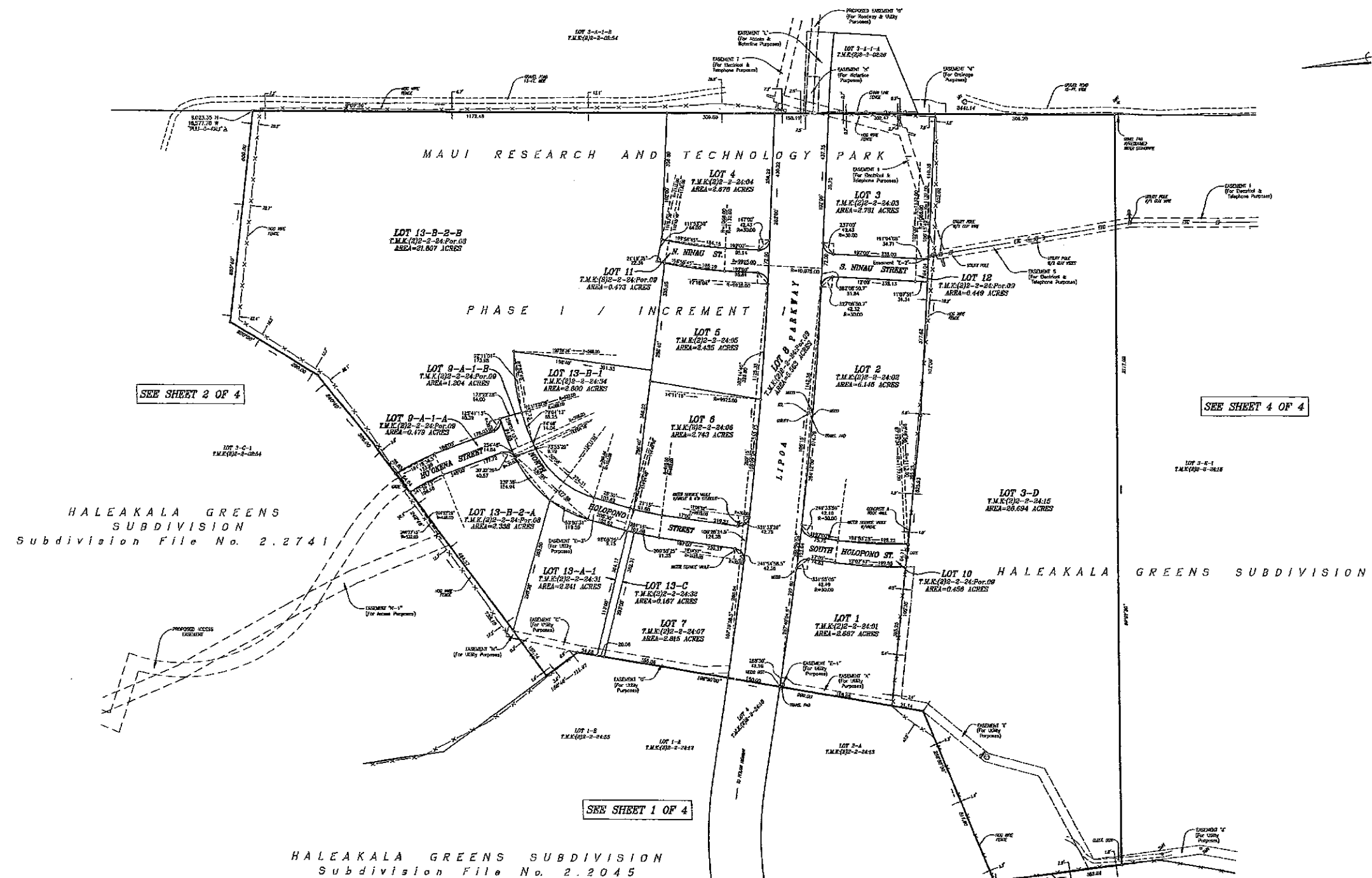
WARREN S. UNEMORI ENGINEERING, INC.
Wells Street Professional Center
2145 Wells Street, Suite 403
Wailuku, Maui, Hawaii 96793
February 22, 2013

WARREN S. UNEMORI ENGINEERING, INC.

BY:  04/30/14 Exp.
Licensed Professional Land Surveyor
Certificate No. 10008

V:\Projdata\08proj\08028 (Maui R&T Park - Master Plan)\Survey\Desc-Maui R&T Area E Expansion Lands.docx

TRUE NORTH
SCALE: 1" = 100'



SEE SHEET 2 OF 4

SEE SHEET 4 OF 4

SEE SHEET 1 OF 4

HALEAKALA GREENS SUBDIVISION
Subdivision File No. 2.2741

HALEAKALA GREENS SUBDIVISION
Subdivision File No. 2.2045

ALTA/ACSM LAND TITLE SURVEY
LOTS 4, 8, 10, 11, 12,
LOTS 9-A-1-A, 9-A-1-B, 13-B-2-A
AND 13-B-2-B
OF MAUI RESEARCH & TECHNOLOGY PARK
PHASE I / INCREMENT I (FILE PLAN 2008)
AND LOT 3-D OF
HALEAKALA GREENS SUBDIVISION

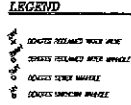
SITUATE AT WAIOHULI-KOONOA,
KIHU, MAUI, HAWAII

PREPARED FOR:
PACIFIC FM LAND, INC.
300 HOLEI LANE, SUITE 200
KIHEI, HI 96753

DATE: JULY 9, 2007 SCALE: 1" = 100'
REVISED: AUGUST 30, 2007

AKAMAI LAND SURVEYING, INC.
P.O. BOX 1749
MAHEPAU, MAUI, HAWAII 96768
(808) 578-9177

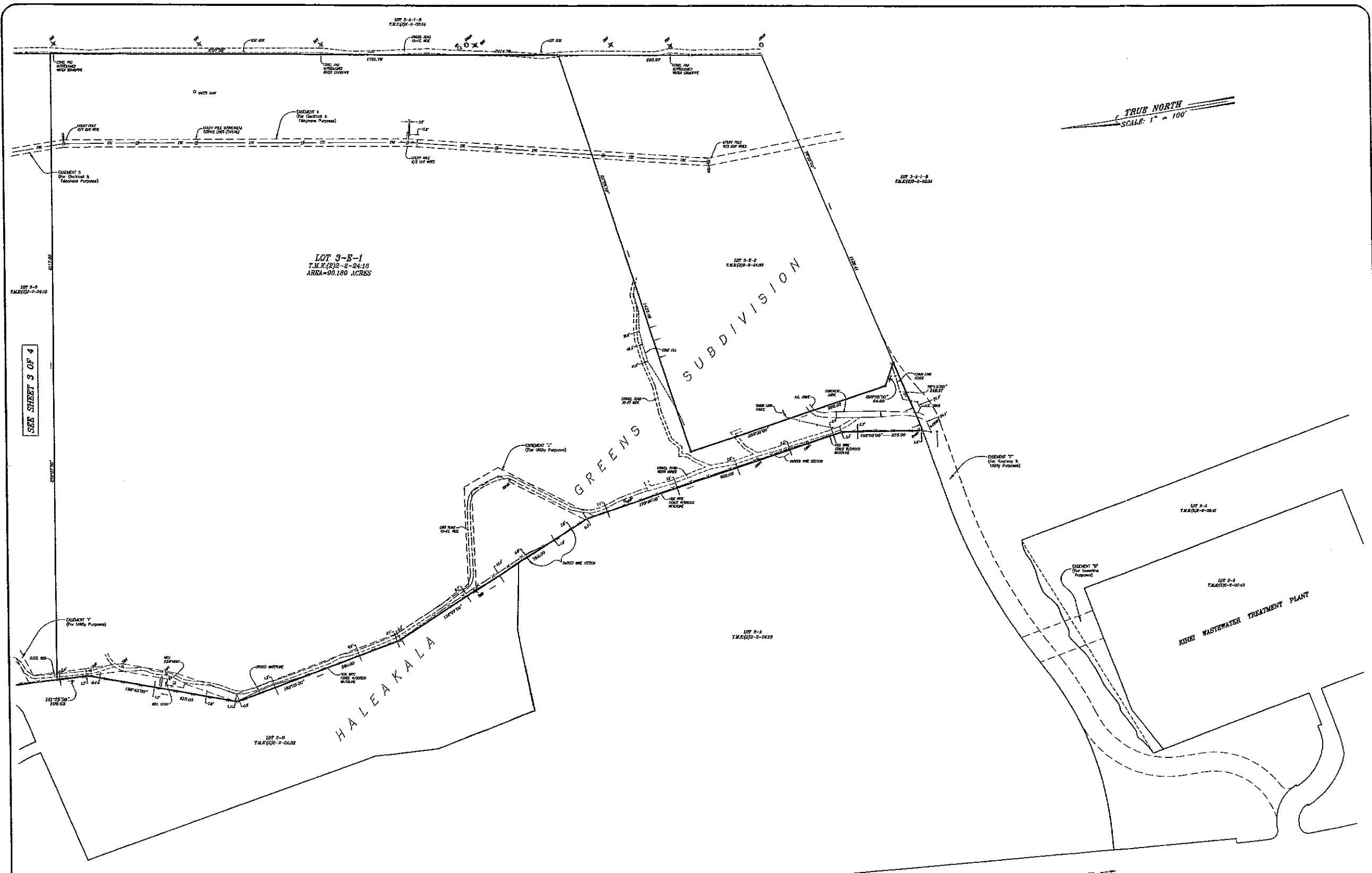
- NOTES:
1. METROGRAPHIC INFORMATION SHOWN HEREON IS BASED ON AN ACTUAL FIELD SURVEY CONDUCTED IN ACCORDANCE WITH THE HAWAII SURVEYING ACT AND RULES THEREUNDER.
 2. DIMENSIONS AND CORNER ELEVATIONS SHOWN HEREON ARE BASED ON THE SURVEY CONTROL STATION "PUB 0 KULU".
 3. ALL DIMENSIONAL CORNERS SHOWN HEREON ON THIS SHEET ARE 1/4" PAPER (100') ON (1000').



I HEREBY CERTIFY TO THE HONORABLE TITLE & RECORDS OF HAWAII, INC.
PACIFIC FM LAND, INC. AND ITS ASSIGNED TITLE.
I MADE AN ON-THE-GROUND SURVEY OF THE RECORDS OF THE LAND SHOWN
HEREON LOCATED IN THE MAUI COUNTY RECORDS AND FOUND THAT THE
DIMENSIONS AND CORNER ELEVATIONS SHOWN HEREON ARE IN ACCORDANCE WITH THE
RECORDS OF THE MAUI COUNTY RECORDS AND THE HAWAII SURVEYING ACT AND RULES
THEREUNDER. I HAVE ALSO MADE A SURVEY OF THE SURROUNDING LANDS AND FOUND
THEY ARE IN ACCORDANCE WITH THE RECORDS OF THE MAUI COUNTY RECORDS AND THE
HAWAII SURVEYING ACT AND RULES THEREUNDER. I HAVE ALSO MADE A SURVEY OF THE
SURROUNDING LANDS AND FOUND THEY ARE IN ACCORDANCE WITH THE RECORDS OF THE
MAUI COUNTY RECORDS AND THE HAWAII SURVEYING ACT AND RULES THEREUNDER.
I HAVE ALSO MADE A SURVEY OF THE SURROUNDING LANDS AND FOUND THEY ARE
IN ACCORDANCE WITH THE RECORDS OF THE MAUI COUNTY RECORDS AND THE HAWAII
SURVEYING ACT AND RULES THEREUNDER. I HAVE ALSO MADE A SURVEY OF THE
SURROUNDING LANDS AND FOUND THEY ARE IN ACCORDANCE WITH THE RECORDS OF THE
MAUI COUNTY RECORDS AND THE HAWAII SURVEYING ACT AND RULES THEREUNDER.



THIS WORK WAS DONE BY ME OR
UNDER MY DIRECT SUPERVISION.
SHERMAN DUDLEY DEPOYTE
LICENSED PROFESSIONAL LAND SURVEYOR
STATE OF HAWAII CERTIFICATE NO. 1000
EXPIRATION DATE APRIL 30, 2009



SEE SHEET 3 OF 4

- NOTES:**
1. DIMENSIONS INDICATED SHOW EASERS IS BASED ON AN ACTUAL FIELD SURVEY PERFORMED DURING MAY 4, 2007.
 2. ALL EASERS AND EASEMENTS SHOWN HEREON ARE BASED ON GOVERNMENT SURVEY TRANSMITTAL STATION T.M.K. 2-2-24-16.
 3. BOUNDARY COORDINATES SHOWN THIS = ON THIS SHEET ARE 3/4" PER 100' OR (ROUND).

- LEGEND**
- ☒ POINTS RECORDED WITH DEED
 - ☒ POINTS RECORDED WITH DEED
 - ☒ POINTS RECORDED WITH DEED
 - ☒ POINTS RECORDED WITH DEED
 - ☒ POINTS RECORDED WITH DEED



PREPARED FOR:
 PACIFIC RIM LAND, INC.
 381 HUKU LIT PLACE, #202
 HONOLULU, HI

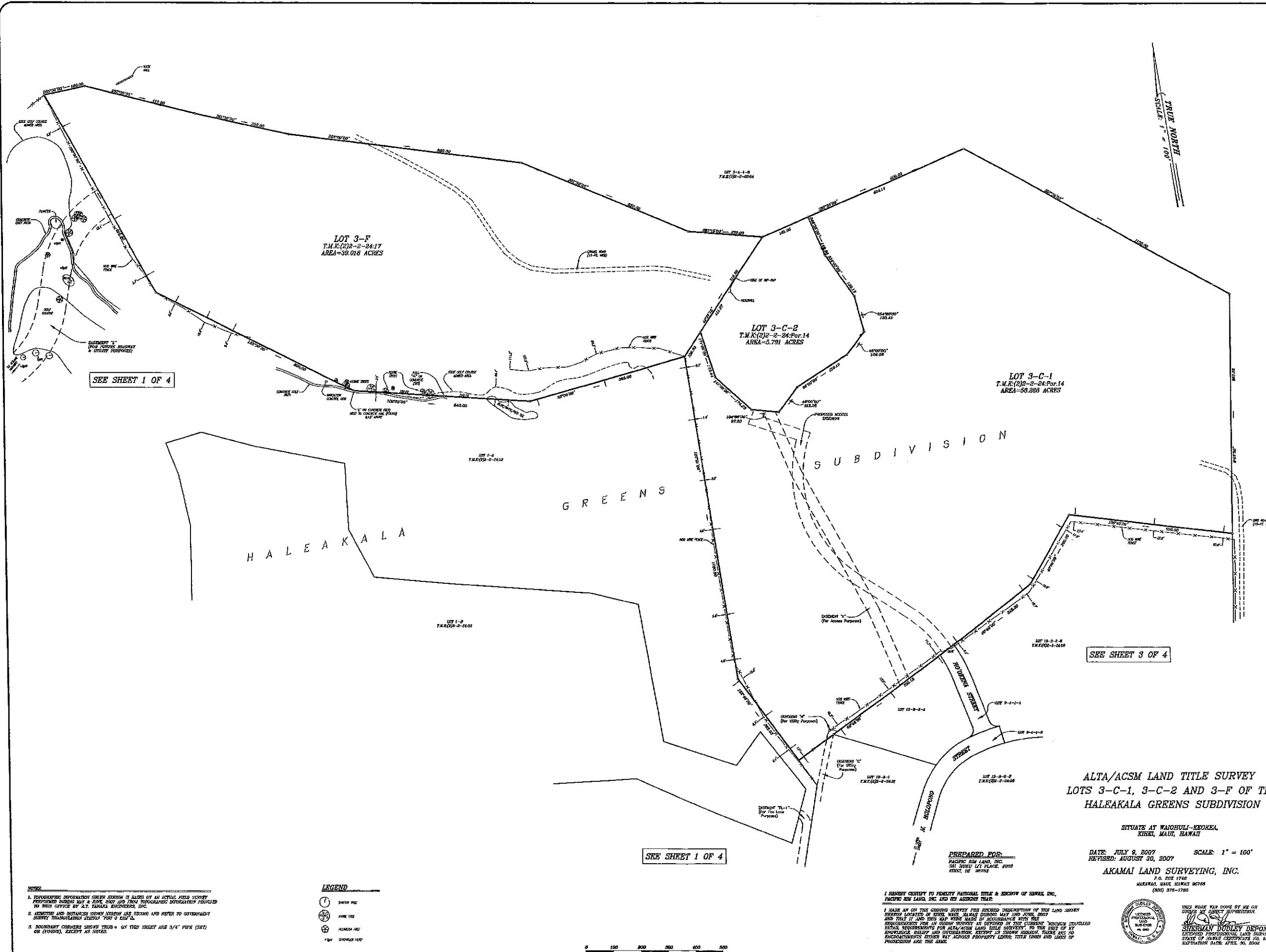
I HEREBY CERTIFY TO HONOLULU NATIONAL TITLE & EASERS OF HAWAII, INC., PACIFIC RIM LAND, INC. AND ITS ASSIGNS THAT:
 I MADE AN ON THE GROUND SURVEY FOR THE ABOVE DESCRIBED OF THE LAND SHOWN HEREON LOCATED IN KIHIKIHI, MAUI, HAWAII DURING MAY AND JUNE, 2007 AND THAT IT AND THIS MAP WERE MADE IN ACCORDANCE WITH THE REQUIREMENTS FOR AN HONOLULU NATIONAL TITLE & EASERS OF HAWAII, INC. SURVEY. TO THE BEST OF MY KNOWLEDGE, BELIEF AND INFORMATION EXCEPT AS SHOWN HEREON, THERE ARE NO ENCUMBRANCES, EASERS OR RIGHTS THAT CROSS THE BOUNDARIES, TITLE LINES AND LINES OF POSSESSION AND THE SAME.



THIS WORK WAS DONE BY ME OR UNDER MY DIRECT SUPERVISION.
 SHERMAN DUDLEY DEPONTE
 LICENSED PROFESSIONAL LAND SURVEYOR
 STATE OF HAWAII CERTIFICATE NO. 6094
 EXPIRATION DATE: APRIL 30, 2008

**ALTA/ACSM LAND TITLE SURVEY
 OF LOT 3-E-1 OF THE
 HALEAKALA GREENS SUBDIVISION**

SITUATE AT WAIOHOLI-KEOKEA,
 KIHIKIHI, MAUI, HAWAII
 DATE: JULY 9, 2007 SCALE: 1" = 100'
 REVISED: AUGUST 30, 2007
AKAMAI LAND SURVEYING, INC.
 P.O. BOX 1749
 MAEWAHO, MAUI, HAWAII 96768
 (808) 878-0177



SEE SHEET 1 OF 4

SEE SHEET 3 OF 4

SEE SHEET 1 OF 4

- NOTES:**
1. TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED UPON AN ACTUAL FIELD SURVEY PERFORMED DURING MAY & JUNE, 2007 AND FROM TOPOGRAPHIC INFORMATION PROVIDED TO THIS OFFICE BY S.T. YAMADA ENGINEERS, INC.
 2. LENGTHS AND DISTANCES SHOWN HEREON ARE FEET AND REFER TO GOVERNMENT SURVEY TRANSMISSION SLIDING TIE 0 LINE.
 3. BOUNDARY CORNERS SHOWN THIS SHEET ARE 3/4" PAPER (SEE) OR (FOOTING), EXCEPT AS NOTED.

- LEGEND**
- ⊙ BOUNDARY CORNER
 - ⊙ BOUNDARY CORNER
 - ⊙ BOUNDARY CORNER
 - ⊙ BOUNDARY CORNER



**ALTA/ACSM LAND TITLE SURVEY
LOTS 3-C-1, 3-C-2 AND 3-F OF THE
HALEAKALA GREENS SUBDIVISION**

SITUATE AT WAIOHULI-KOHOA,
KUHUI, MAUI, HAWAII

DATE: JULY 9, 2007 SCALE: 1" = 100'
REVISED: AUGUST 30, 2007

AKAMAI LAND SURVEYING, INC.
P.O. BOX 1748
MAKAWAO, MAUI, HAWAII 96768
(808) 876-1788

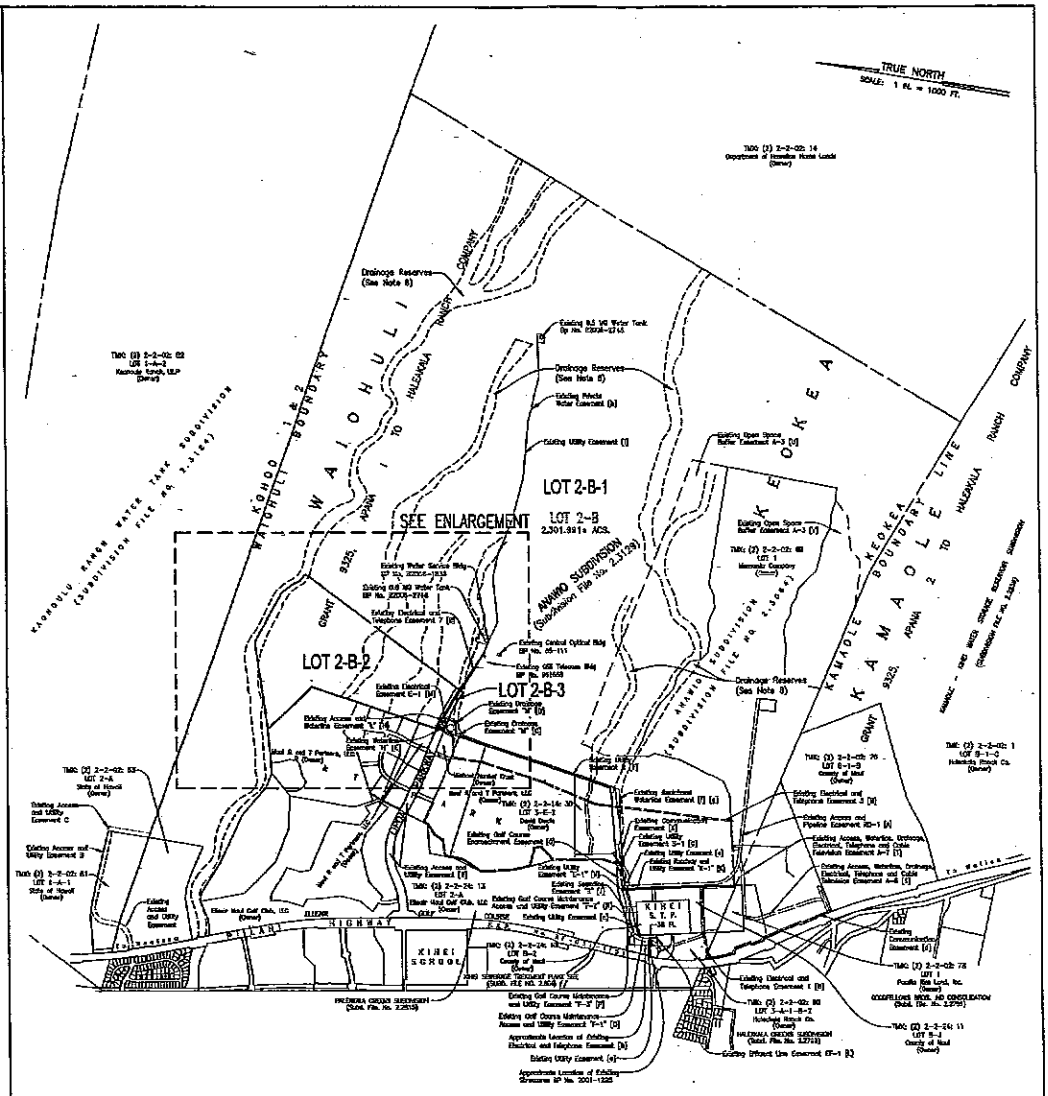
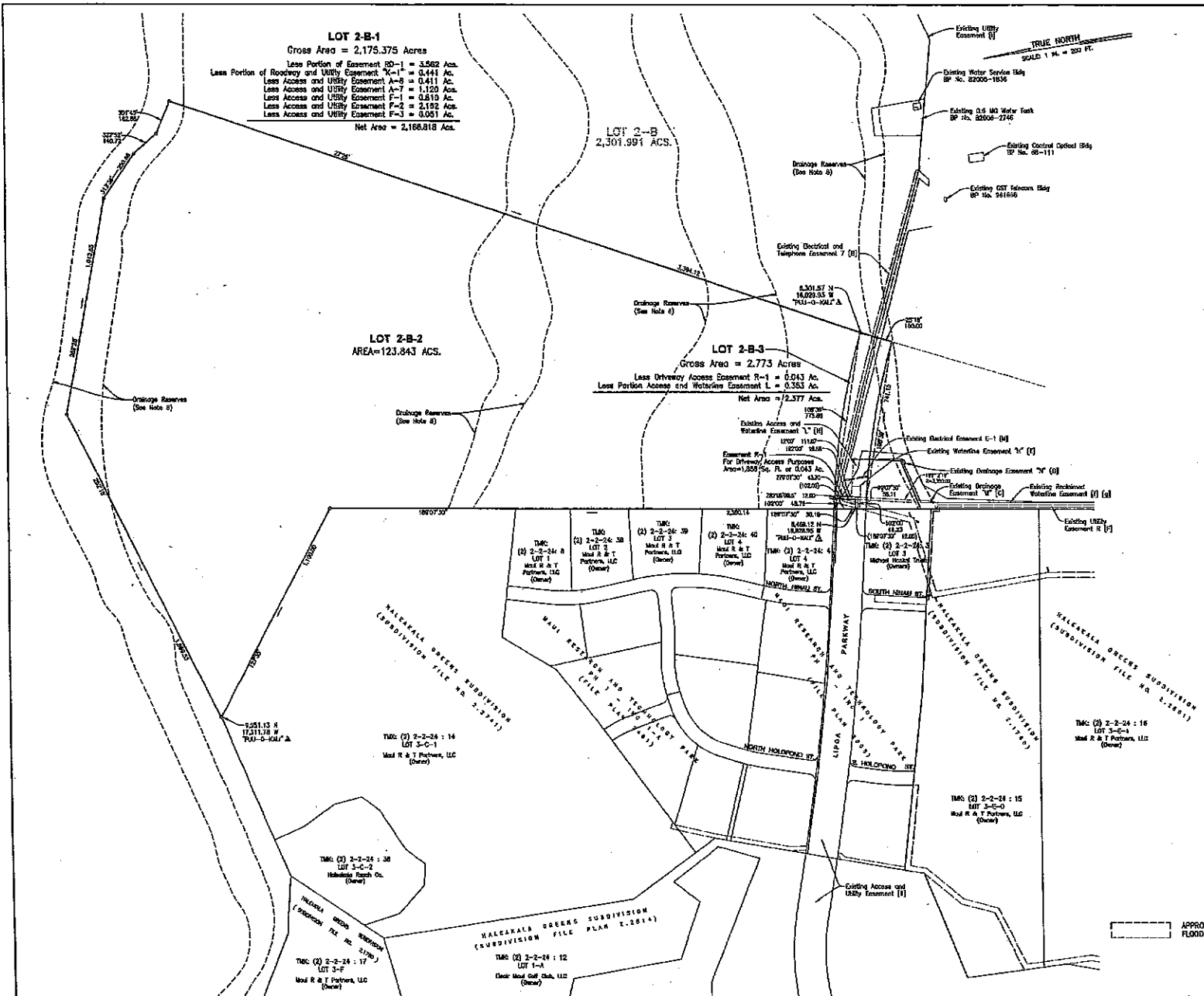
PREPARED FOR:
PACIFIC RIM LAND, INC.
381 HUKU LAY PLACE, 4002
HONOLULU, HI 96813

I HEREBY CERTIFY TO FACILITY NATIONAL TITLE & RESERV OF HAWAII, INC., PACIFIC RIM LAND, INC. AND ITS ASSIGNS THAT:

I MADE AN ON THE GROUND SURVEY FOR RECORDED DESCRIPTION OF THE LAND SHOWN HEREON LOCATED IN KUHOA, MAUI, HAWAII DURING MAY AND JUNE, 2007 AND THAT IT AND THIS MAP WERE MADE IN ACCORDANCE WITH THE REQUIREMENTS FOR AN ALTA SURVEY AS DEFINED IN THE CURRENT STANDARD SURVEYING PRACTICE FOR ALTA/ACSM LAND TITLE SURVEYS. TO THE BEST OF MY KNOWLEDGE, BELIEF AND OPINION, EXCEPT AS SHOWN HEREON, THERE ARE NO ENCUMBRANCES OTHER THAN THOSE SHOWN HEREON, TITLE LINES AND LINES OF POSSESSION ARE THE SAME.



THIS WORK WAS DONE BY ME OR UNDER MY DIRECT SUPERVISION.
SHERMAN DUDLEY DEPONTE
LICENSED PROFESSIONAL LAND SURVEYOR
STATE OF HAWAII LICENSE NO. 6900
EXPIRATION DATE: APRIL 30, 2008



NOTES:

- ALL BOUNDARY CORNERS ARE MARKED WITH 3/4" PIPES, UNLESS OTHERWISE NOTED.
- ALL ALTIMETERS AND RECORD COORDINATES, REFERS TO GOVERNMENT SURVEY TRIANGULATION STATION TMA-0-1047.
- CORNERS OF ADJACENT LOTS, AS SHOWN ON PLAN, TAKEN FROM RECORDS IN THE REAL PROPERTY RECORDS.
- PLUMBING TO HAWAII COUNTY CODE SECTION 3-44-01(5)(C), THE COUNTY OF HAWAII IS NOT RESPONSIBLE FOR ANY FAULT, NEGLIGENCE, EASEMENT (EXCEPT NOT LIMITED TO DRAINAGE, SEWER, ACCESS, RESEARCH TUBES OR ANCHORING DEVICES), OR ANY OTHER PRESENT OR FUTURE PROPERTY SHOWN ON THIS MAP OR SHOWN ON THESE PLANS, UNLESS THE HAWAII COUNTY COUNCIL HAS ACCEPTED ITS DECISION BY A RESOLUTION APPROVED BY A MAJORITY OF COUNCIL MEMBERS AT A REGULAR OR SPECIAL MEETING OF THE HAWAII COUNTY COUNCIL.
- LOTS 2-B-1, 2-B-2 AND 2-B-3 OF ANAWIO SUBDIVISION (SUBDIVISION FILE NO. 23070) HAVE EXISTING VEHICULAR ACCESS RIGHTS TO PALANI HIGHWAY (MAP NO. 88-01-115) OVER AND ACROSS LOT 8 OF HALEKALANA GREENS SUBDIVISION - PHASE 1 / RECORDING 1 (FILE PLAN 2008) AND LOT 4 OF HALEKALANA GREENS SUBDIVISION (SUBDIVISION FILE NO. 21814).
- LOT 2-B-3 IS A PRIVATE ROADWAY LOT.
- EASEMENT R-1 IS FOR DRAINAGE ACCESS PURPOSES IN FAVOR OF LOT 2-B-2.
- DRAINAGE RESERVE: NO BUILDING CONSTRUCTION SHALL OCCUR IN THE DRAINAGE RESERVE UNLESS CONTIGUOUS AND THE 100 YEAR FLOOD ELEVATION LIMITS ARE PROVIDED AND THE APPROPRIATE PERMITS/APPROVALS ARE OBTAINED.

ENLARGEMENT
SCALE: 1 IN. = 1000 FT.

NOTES:

- EXISTING EASEMENT R-1 FOR ACCESS AND UTILITY PURPOSES IN FAVOR OF THE COUNTY OF HAWAII, RECORDED IN DOCUMENT NO. 88-015810 DATED DECEMBER 28, 1997 (8,447 AC.).
- EXISTING EASEMENTS L-1 AND L-2 FOR ELECTRICAL AND TELEPHONE PURPOSES IN FAVOR OF HAWAII ELECTRIC COMPANY, LTD. AND HAWAIIAN TELEPHONE COMPANY, INC., RECORDED IN LIBER 2209, PAGE 758, DATED MAY 6, 1988 (2,484 SQ. FT., 1,282 SQ. FT. AND 45,217 SQ. FT.).
- EXISTING EASEMENT "M" FOR DRAINAGE PURPOSES IN FAVOR OF THE BOARD OF WATER SUPPLY, COUNTY OF HAWAII, RECORDED IN DOCUMENT NO. 2008-123112, DATED AUGUST 8, 2001 (5,140 SQ. FT.).
- EXISTING EASEMENT "N" FOR DRAINAGE PURPOSES IN FAVOR OF THE BOARD OF WATER SUPPLY, COUNTY OF HAWAII, RECORDED IN DOCUMENT NO. 2002-104113, DATED AUGUST 8, 2001 (529 SQ. FT.).
- EXISTING EASEMENT "O" FOR WATERLINE PURPOSES IN FAVOR OF BOARD OF WATER SUPPLY, COUNTY OF HAWAII, RECORDED IN DOCUMENT NO. 88-102894, DATED DECEMBER 17, 1981 (6,200 SQ. FT.).
- EXISTING EASEMENT "P" FOR UTILITY PURPOSES IN FAVOR OF HALEKALANA GREENS SUBDIVISION, RECORDED IN DOCUMENT NO. 2009-158607 DATED OCTOBER 16, 2009 (25,703 SQ. FT.).
- EXISTING EASEMENT "Q" FOR UTILITY PURPOSES IN FAVOR OF HALEKALANA GREENS SUBDIVISION, RECORDED IN DOCUMENT NO. 2009-122944, DATED MAY 4, 2009 (2,214 SQ. FT.).
- EXISTING EASEMENT "R" FOR ACCESS AND WATERLINE PURPOSES IN FAVOR OF BOARD OF WATER SUPPLY, COUNTY OF HAWAII, RECORDED IN DOCUMENT NO. 2002-104113, DATED AUGUST 8, 2001 (529 SQ. FT.).
- EXISTING EASEMENT "S" FOR ACCESS AND UTILITY PURPOSES IN FAVOR OF HALEKALANA GREENS SUBDIVISION AND LOT 5 OF HALEKALANA GREENS SUBDIVISION FROM PHASE 1/RECORDING 1 FILE PLAN 2008 IN FAVOR OF HALEKALANA GREENS COMPANY AND PHASE 1/RECORDING 1 FILE PLAN 2008, RECORDED IN DOCUMENT NO. 2007-259615, DATED NOVEMBER 23, 2007.
- EXISTING EASEMENT "T" FOR SEWERLINE PURPOSES IN FAVOR OF HALEKALANA GREENS SUBDIVISION (8,447 SQ. FT.) (CARRIED OVER)

T.M.K.: (2) 2-2-02 - 84

ANAWIO SUBDIVISION
SUBDIVISION OF LOT 2-B OF ANAWIO SUBDIVISION
INTO LOTS 2-B-1, 2-B-2 AND 2-B-3
AND DESIGNATION OF EASEMENT R-1

BEING PORTIONS OF GRANT 9325, APANA 1 TO HALEKALANA RANCH COMPANY AND GRANT 9325, APANA 2 TO HALEKALANA RANCH COMPANY
WAIOHOLE-KEOKEA, MAKAWAO, KULA, (KIHEI), MAUI, HAWAII

OWNER: HALEKALANA RANCH COMPANY
ADDRESS: MAKAWAO, MAUI, HAWAII

SCALE: 1 IN. = 200 FT.

NOTES:

- LOT 2-B-1 IS SUBJECT TO THE FOLLOWING GENERAL EASEMENTS:
 - EXISTING EASEMENT FOR UTILITY PURPOSES IN FAVOR OF HAWAII ELECTRIC COMPANY, LTD. AND HAWAIIAN TELEPHONE COMPANY, INC., RECORDED IN DOCUMENT NO. 2007-051218, DATED AUGUST 20, 2007 (SEWER EASEMENT).
 - EXISTING EASEMENTS FOR ELECTRICAL AND TELEPHONE PURPOSES IN FAVOR OF HAWAII ELECTRIC COMPANY, LTD. AND HAWAIIAN TELEPHONE COMPANY, INC., RECORDED IN LIBER 22281, PAGE 729, DATED DECEMBER 15, 1988 (SEWER EASEMENT) 25 FT. WIDE.
 - EXISTING EASEMENTS FOR UTILITY PURPOSES IN FAVOR OF HAWAII ELECTRIC COMPANY, LTD. AND HAWAIIAN TELEPHONE COMPANY, INC., RECORDED IN DOCUMENT NO. 88-015810, DATED DECEMBER 28, 1997 (SEWER EASEMENT).
 - EXISTING EASEMENT FOR UTILITY PURPOSES IN FAVOR OF HAWAII ELECTRIC COMPANY, LTD. AND HAWAIIAN TELEPHONE COMPANY, INC., RECORDED IN DOCUMENT NO. 2004-087816, DATED APRIL 18, 2004 (SEWER EASEMENT).
 - EXISTING EASEMENT FOR RECLAIMED WATERLINE PURPOSES IN FAVOR OF SIGNATURE DEVELOPMENT OF HAWAII, LLC, RECORDED IN DOCUMENT NO. 2009-238268, DATED DECEMBER 12, 2009 (SEWER EASEMENT).
 - EXISTING EASEMENT FOR RECLAIMED WATERLINE PURPOSES IN FAVOR OF HAWAIIAN PROPERTIES, LLC, RECORDED IN DOCUMENT NO. 2008-225008, DATED DECEMBER 12, 2008 (SEWER EASEMENT).
 - EXISTING EASEMENT FOR PRIVATE WATER SYSTEM PURPOSES IN FAVOR OF HAWAIIAN SERVICES, LLC, RECORDED IN DOCUMENT NO. 2009-234918, DATED DECEMBER 15, 2009 (SEWER EASEMENT).
 - EXISTING EASEMENT FOR UTILITY PURPOSES IN FAVOR OF HAWAII ELECTRIC COMPANY, LTD. AND HAWAIIAN TELEPHONE COMPANY, INC., RECORDED IN DOCUMENT NO. 2007-033182, DATED SEPTEMBER 18, 2006 (SEWER EASEMENT).
 - EXISTING EASEMENT FOR UTILITY, SEWER AND RECLAIMED WATER PURPOSES IN FAVOR OF ELIJAH MAUI SOLE CLUB, LLC, RECORDED IN DOCUMENT NO. 2006-082464, DATED MARCH 30, 2006 (NOT SHOWN ON MAP).
 - EXISTING EASEMENT FOR SEWERLINE PURPOSES IN FAVOR OF SIGNATURE DEVELOPMENT OF HAWAII, LLC AND HAWAIIAN PROPERTIES, LLC RECORDED IN DOCUMENT NO. 2009-147264 DATED AUGUST 31, 2009 (NOT SHOWN ON MAP).

WARREN S. LINGMOR - ENGINEER, INC.
1100 West Street Professional Center - Suite 402
2115 Yale Street - Waialeale, Hawaii 96721
(808) 829-1123 Fax: (808) 829-1428

March 28, 2010
Revised: October 25, 2012
Revised: November 27, 2012

SUBDIVISION FILE NUMBER: 23070

Maui R&T Partners LLC
Balance Sheet
As Of December 31, 2012

February 21, 2013 3:34 PM
Page 1

	YTD Actual
ASSETS	
Cash	
FRB Checking 4199	61,030
FRB Money Market 5431	10,947
Bank of Hawaii - Checking 7102	9,944
Total Cash	81,921
Notes Receivable	
Accounts Receivable	11,387
Total Notes Receivable	11,387
Investments	
Work-in-process	25,557,182
Work-in-process II	9,726,324
Option Purchase Cost	2,614,600
Contra - Reclass to B/S Tax AJE	(2,625,198)
Contra - Interest Expensed	(3,058,167)
Contra - Other Expenses	(6,342)
Total Investments	32,208,399
Prepaid Expenses	
Accumulated Amortization	(2,835)
Organizational Costs - Intangible	10,598
Total Prepaid Expenses	7,763
Other Assets	
TOTAL ASSETS	32,309,470
LIABILITIES & PARTNERS CAPITAL	
Liabilities	
Accounts Payable	117,235
Accrued Interest - Haleakala	1,172,366
Accrued Interest - Pacific Rim Land	1,119,102
Loan Pay - Haleakala Ranch	4,000,000
Loan Pay - Pacific Rim Land	3,802,415
Loan Pay - Option Consideration Note	1,845,600
Loan - ASB	2,424,569
Total Liabilities	14,481,288
PARTNERS CAPITAL	
Capital	(18,383,711)
Income/(Loss)	(555,529)
Total Partners Capital	17,828,182

EXHIBIT " 14 "

Maui R&T Partners LLC
Balance Sheet
As Of December 31, 2012

February 21, 2013 3:34 PM
Page 2

YTD Actual

TOTAL LIAB & PARTNERS CAPITAL

32,309,470

Maui R&T Partners LLC

February 21, 2013 3:35 PM

Income Statement

Page 1

For the 12 Months Ending December 31, 2012

	3 Months Ended Dec 31, 2012	Percent	Year to Date as of Dec 31, 2012	Percent
INCOME				
Rental Income	41,426		98,689	
Taxes	1,220		1,220	
Well Water Income	(295)		(295)	
TOTAL INCOME	42,350		99,613	
Cost of Sales				
EXPENSES				
Accounting	42		42	
SUB-TOTAL EXPENSES	42		42	
Interest Expense - Haleakala Ranch	83,748		334,990	
Interest Expense - Pacific Rim Land	80,028		320,112	
OTHER INCOME AND EXPENSE				
Interest Income	0		2	
TOTAL OTHER INCOME AND EXPENSE	(163,775)		(655,101)	
NET INCOME	(121,467)		(555,529)	

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI'I

In the Matter of the Petition of	)	DOCKET NO. A10-787
)	
MAUI R&T PARTNERS, LLC	)	AFFIDAVIT OF SERVICE OF FIRST
	)	AMENDMENT TO PETITION FOR
To Amend the Land Use District	)	DISTRICT BOUNDARY AMENDMENT
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.))	
_____)	

AFFIDAVIT OF SERVICE OF FIRST AMENDMENT
TO PETITION FOR DISTRICT BOUNDARY AMENDMENT

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

Attorneys for Petitioner
MAUI R&T PARTNERS, LLC

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI'I

In the Matter of the Petition of	)	DOCKET NO. A10-787
)	
MAUI R&T PARTNERS, LLC	)	AFFIDAVIT OF SERVICE OF FIRST
	)	AMENDMENT TO PETITION FOR
To Amend the Land Use District	)	DISTRICT BOUNDARY AMENDMENT
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.))	
_____)	

AFFIDAVIT OF SERVICE OF FIRST AMENDMENT
TO PETITION FOR DISTRICT BOUNDARY AMENDMENT

STATE OF HAWAI'I)	
	)	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) 2-2-002:054 (por.).

B. In compliance with §15-15-48(a) of the Hawai'i Administrative Rules ("HAR"), Affiant did on May 8, 2013, deposit in the United States Mail, postage

prepaid, by certified mail, a copy of the First Amendment to Petition for District Boundary Amendment, to the following:

JESSE SOUKI, Director
Office of Planning, State of Hawai`i
235 South Beretania Street
6th Floor, Leiopapa A Kamehameha
Honolulu, Hawai`i 96813

BRIAN C. YEE, ESQ.
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

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

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

Maui Electric Company, Limited
Attn: Greg Kauhi
P.O. Box 398
Kahului, Maui, Hawai`i 96733-6898

Hawaiian Telcom, Inc.
Legal Department
P.O. Box 2200
Honolulu, Hawai'i 96841

Elleair Maui Golf Club LLC
(Through its Agent Elleair Hawaii, Inc.
1345 Piillani Highway
Kihei, Maui, Hawai'i 96753

Maui Highlands Properties LLC
(Through its Agent Raymond M.
Phillips)
3220 South Kihei Road
Kihei, Maui, Hawai'i 96753

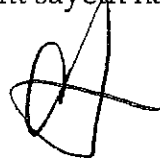
Haleakala Ranch Company
(Through its Agent Donald A. Young)
529 Kealaloa Avenue
Makawao, Maui, Hawai'i 96768

Pacific Rim Land, Inc.
(Through its Agent J. Stephen
Goodfellow)
1300 North Holocono Street, Suite 201
Kihei, Maui, Hawai'i 96753

Signature Homes of Hawaii, LLC
(Through its Agent R. Clay
Sutherland)
24 North Church Street, Suite 408
Wailuku, Maui, Hawai'i 96793

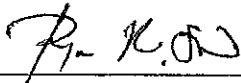
C. This Affidavit is provided in compliance with §15-15-50(c)(5), (C), HAR.

That further Affiant sayeth naught.



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

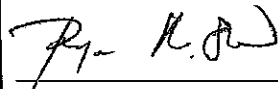
Subscribed and sworn to me
this 8th day of May 2013



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 of First Amendment to
Petition for District Boundary Amendment
Doc. Date: May 8, 2013 No. of Pages: 4
Jurisdiction: 1st Circuit
(in which notarial act is performed)



Signature of Notary

May 8, 2013
Date of Certificate

Ryan K. Tagomori
Printed Name of Notary



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	)	AFFIDAVIT OF SENDING OF
	)	NOTIFICATION OF PETITION
To Amend the Land Use District	)	FILING
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.))	
_____)	

AFFIDAVIT OF SENDING OF NOTIFICATION OF PETITION FILING

EXHIBITS "1" AND "2"

BENJAMIN M. MATSUBARA, #993-0
CURTIS T. TABATA, #5607-0
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Attorneys for Petitioner
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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) AFFIDAVIT OF SENDING
) NOTIFICATION OF PETITION
To Amend the Land Use District) FILING
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.))
_____)

AFFIDAVIT OF SENDING OF NOTIFICATION OF PETITION FILING

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

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

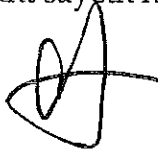
A. Affiant is one of the attorneys for Petitioner MAUI R&T PARTNERS, LLC ("Petitioner") and agent of the Petitioner for a State of Hawai'i Land Use District Boundary Amendment from Agricultural Land Use District to Urban District, identified as Docket No. A10-787, for land situated at Kihei, Maui, Hawai'i and identified as Tax Map Key Nos. (2) 2-2-24:016 and 017, and (2) 2-2-002:054 (por.).

B. In compliance with §15-15-50(d) of the Hawai'i Administrative Rules ("HAR"), Affiant did on May 8, 2013, deposit in the United States Mail, postage

prepaid, by regular mail, a copy of the Notification of Petition Filing, attached hereto as Exhibit "1", to the persons identified in the required mailing list, attached hereto as Exhibit "2."

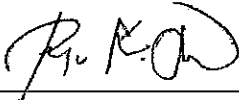
C. This Affidavit is provided in compliance with §15-15-50(d), HAR.

That further Affiant sayeth naught.



CURTIS T. TABATA

Subscribed and sworn to me
this 8th day of May 2013



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



NOTARY CERTIFICATE (Hawaii Administrative Rules §5-11-8)

Document Identification or Description: Affidavit of Sending of Notification of Petition Filing

Doc. Date: May 8, 2013 No. of Pages: 14

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



May 8, 2013

Signature of Notary

Date of Certificate

Ryan K. Tagomori

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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 8, 2013:

JESSE SOUKI, Director
Office of Planning, State of Hawai`i
235 Beretania Street, 6th Floor
Honolulu, Hawai`i 96813

(HAND DELIVERY)

BRIAN C. YEE, ESQ.
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425 Queen Street
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RECEIPT REQUESTED)**

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County of Maui, State of Hawai`i
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RECEIPT REQUESTED)**

Planning Commission
County of Maui, State of Hawai`i
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Maui Electric Company, Limited
Attn: Greg Kauhi
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Kahului, Maui, Hawai`i 96733-6898

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

Hawaiian Telcom, Inc.
Legal Department
P.O. Box 2200
Honolulu, Hawai`i 96841

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

Elleair Maui Golf Club LLC
(Through its Agent Elleair Hawaii, Inc.
1345 Piillani Highway
Kihei, Maui, Hawai`i 96753

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

Maui Highlands Properties LLC
(Through its Agent Raymond M.
Phillips)
3220 South Kihei Road
Kihei, Maui, Hawai`i 96753

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Haleakala Ranch Company
(Through its Agent Donald A. Young)
529 Kealaloa Avenue
Makawao, Maui, Hawai'i 96768

**(CERTIFIED MAIL, RETURN
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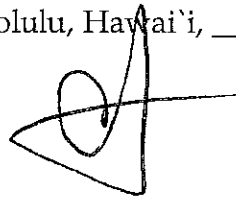
Pacific Rim Land, Inc.
(Through its Agent J. Stephen
Goodfellow)
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Kihei, Maui, Hawai'i 96753

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

Signature Homes of Hawaii, LLC
(Through its Agent R. Clay
Sutherland)
24 North Church Street, Suite 408
Wailuku, Maui, Hawai'i 96793

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

DATED: Honolulu, Hawai'i, May 8, 2013.



Of Counsel:
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A Law Corporation

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WYETH M. MATSUBARA
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