

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of

CMBY 2011 INVESTMENT, LLC

To Amend the Agricultural Land Use District Boundaries into the Urban Land Use District For Certain Lands Situate at Pulehunui, District of Wailuku, Island and County of Maui, State of Hawai'i, consisting of approximately 86.030 acres, Tax Map Key No. (2) 3-8-008:019

DOCKET NO. A13-797

AFFIDAVIT OF JENNIFER A. BENCK  
ATTESTING TO MAILING OF THE  
NOTIFICATION OF PETITION FILING

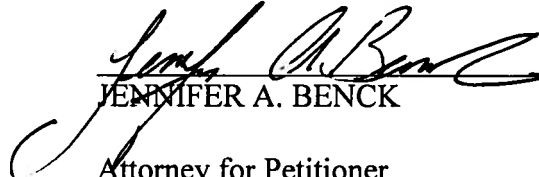
**AFFIDAVIT OF JENNIFER A. BENCK**  
**ATTESTING TO MAILING OF THE NOTIFICATION OF PETITION FILING**

JENNIFER A. BENCK, being first sworn on oath, deposes and says that:

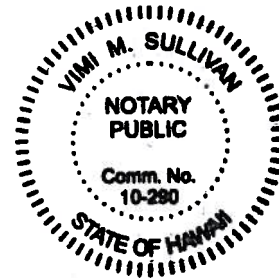
1. Affiant is one of the attorneys for Petitioner, CMBY 2011 Investment, LLC ("**Petitioner**"), is licensed to practice law in the State of Hawai'i, is duly authorized to make this affidavit, and does so upon personal knowledge and belief.
2. This affidavit is made to comply with Section 15-15-50(d), Hawai'i Administrative Rules ("**HAR**") for the State of Hawaii Land Use Commission ("**Commission**").
3. On May 3, 2013, Petitioner filed with the Commission a Petition For Land Use District Boundary Amendment ("**Petition**") in Docket No. A13-797.
4. On May 3, 2013, the same day that the Petition was filed with the Commission and pursuant to HAR Section 15-15-50(d), Petitioner sent a Notification of Petition Filing to persons included on the Statewide and Hawai'i County mailing lists provided to Petitioner by the

Commission on or about April 29, 2013, copies of which are attached hereto as Exhibits "A" and "B" respectively.

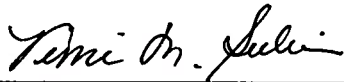
Further affiant sayeth naught.

  
\_\_\_\_\_  
JENNIFER A. BENCK  
Attorney for Petitioner  
CMBY 2011 INVESTMENT, LLC

The attached document: AFFIDAVIT OF MAILING NOTIFICATION OF PETITION FILING, dated May 3, 2013, which consists of Sixteen (16) pages (including this page), was executed by Jennifer A. Benck who was subscribed and sworn to before me this 3rd day of May, 2013 in the First Judicial Circuit of the State of Hawai'i.



(notary stamp or seal)



\_\_\_\_\_  
[Notary Signature]

Printed Name: Vimi M. Sullivan

My commission expires: 9/5/2014

## EXHIBIT A

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