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 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
WYETH M. MATSUBARA, #6935-0
Matsubara - Kotake
888 Mililani Street, 8th Floor
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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 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

AFFIDAVIT OF SENDING NOTIFICATION OF PETITION FILING

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 §15-15-50(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)

Signature of Notary Date of Certificate
Ryan K. Tagomori May 8, 2013

Printed Name of Notary (Official Stamp or Seal)
May 8, 2013

NOTIFICATION OF PETITION FILING

This is to advise you that the First Amendment to Petition for District Boundary Amendment with the following general information has been submitted to the State of Hawai‘i Land Use Commission:

Docket No: A10-787

Petitioner/Address:
Maui R&T Partners, LLC
1300 North Holopono, Suite 201
Kihei, Maui, Hawai‘i 96753

Matsubara - Kotake
888 Millani Street, 8th Floor
Honolulu, Hawai‘i 96813

Landowners:
Maui R&T Partners, LLC
Haleakala Ranch Company

Tax Map Key Numbers:
(2) 2-2-024-016 and 017 and
(2) 2-2-002-054 (por.)

Location:
Kihei, Island of Maui, Hawai‘i

Requested Reclassification:
Agricultural to Urban

Acreage:
Approximately 253.05 acres

Proposed Use:
A mixed use project including knowledge industry, technology, industrial, manufacturing, retail, commercial, residential, civic facilities, park and open space.

You may review detailed information regarding the First Amendment to Petition at the Land Use Commission (“Commission”) office or the County of Maui, Planning Department located at 250 S. High Street, Suite 200, Wailuku, Maui, Hawai‘i. The Commission’s office is located at 235 S. Beretania Street, Room 406, Honolulu, Hawai‘i. Office hours are from 7:45 a.m. to 4:30 p.m., Mondays through Fridays.

A hearing on this First Amendment to Petition will be scheduled at a future date. If you are interested in participating in the hearing as a public witness, please write or call the Commission office at P.O. Box 2359, Honolulu, Hawai‘i 96804-2359, telephone (808)387-3822. If you intend to participate in the hearing as an intervenor, pursuant to § 15-15-52, Hawai‘i Administrative Rules, you should file a Notice of Intent to Intervene with the Commission within 30 days of the date of this notice. Please contact the Commission Office for further information.
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Last Updated: 4/15/13

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<th>Address</th>
<th>City, State Zip</th>
</tr>
</thead>
<tbody>
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<td>P. O. Box 3412</td>
<td>Lihue, HI 96766</td>
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<tr>
<td>Mr. Dan Yasui</td>
<td>A &amp; B Properties, Inc.</td>
<td>Honolulu, HI 96801-3440</td>
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<tr>
<td>Ms. Holly Hackett</td>
<td>1442 Lusilana Street #105</td>
<td>Honolulu, HI 96813</td>
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<tr>
<td>Jesse Souki, Director</td>
<td>Office of Planning</td>
<td>P. O. Box 2359</td>
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<td>Ms. Branda Salgado</td>
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<td>420 Waiakamilo Road, Suite 205</td>
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<td>Peter H. M. Lee</td>
<td>Hawaii LECET</td>
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<tr>
<td>Mr. Robert J. Smolenski</td>
<td>841 Bishop Street, Ste. 1717</td>
<td>Honolulu, HI 96813-3970</td>
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<td>Mr. Steven Strauss</td>
<td>P. O. Box 11517</td>
<td>Hilo, HI 96720</td>
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<td>Wesley R. Segawa &amp; Associates</td>
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<td>Communications Pacific</td>
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<td>Steven Lee Montgomery, Ph.D.</td>
<td>94-610 Palai Street</td>
<td>Waipahu, HI 96797-4535</td>
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<td>Frank Carlos</td>
<td>399 Pulwa Road</td>
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<td>Brenda Luana Machado Lee</td>
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<td>Rush Moore LLP</td>
<td>737 Bishop Street, Suite 2400</td>
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<td>Stanford S. Carr, President</td>
<td>1100 Alakea Street, 27th Floor</td>
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<td>Stanford Carr Development LLC</td>
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<td>Bill Mills, Chairman</td>
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<td>DOT Highways / Hawaii District Office</td>
<td>Engineer Program Manager</td>
<td>50 Makaala Street</td>
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<td>Department of Transportation</td>
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<td>Law Offices of Kyong-Su Im LLLC</td>
<td>1608 Leukahi St.</td>
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<td>Honolulu, HI 96821</td>
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<td>Chairman - Planning Commission</td>
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<td>Curtis T. Tabata</td>
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<td>DOT - Airports Administrator</td>
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<th>Name</th>
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<tbody>
<tr>
<td>Wendy Cortez-Botelho</td>
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<tr>
<td>Kaoholi Kahele</td>
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<tr>
<td>Beverly Pauole-Moore</td>
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<tr>
<td>Leticia &quot;Letty&quot; Castillo</td>
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<td>Outdoor Circle- Bob Loy</td>
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<tr>
<td>Shannon Allvado</td>
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<tr>
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<tr>
<td>Shannon Wood</td>
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Real Property Tax Div – County of Maul Service Center, Suite A-16
70 Kaahumanu Avenue
Kahului, Hawaii 96732

MAUI MAILING LIST
Updated: 2/4/13
BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI‘I

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

) DOCKET NO. A10-787

) 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. Deputy Attorney General Department of the Attorney General 425 Queen Street Honolulu, Hawai‘i 96813 (CERTIFIED MAIL, RETURN RECEIPT REQUESTED)
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

(CERTIFIED MAIL, RETURN RECEIPT REQUESTED)

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

(CERTIFIED MAIL, RETURN RECEIPT REQUESTED)

JAMES A. Q. GIROUX, ESQ.
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(CERTIFIED MAIL, RETURN RECEIPT REQUESTED)

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 Piilani 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

(CERTIFIED MAIL, RETURN RECEIPT REQUESTED)
Haleakala Ranch Company (CERTIFIED MAIL, RETURN RECEIPT REQUESTED)
(Through its Agent Donald A. Young)
529 Kealaloa Avenue
Makawao, Maui, Hawai‘i 96768

Pacific Rim Land, Inc. (CERTIFIED MAIL, RETURN RECEIPT REQUESTED)
(Through its Agent J. Stephen Goodfellow)
1300 North Holopoano Street, Suite 201
Kihei, Maui, Hawai‘i 96753

Signature Homes of Hawaii, LLC (CERTIFIED MAIL, RETURN RECEIPT REQUESTED)
(Through its Agent R. Clay Sutherland)
24 North Church Street, Suite 408
Wailuku, Maui, Hawai‘i 96793

DATED: Honolulu, Hawai‘i, May 8, 2013

Of Counsel:
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MAUI R&T PARTNERS, LLC