BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of
OFFICE OF STATE PLANNING,
STATE OF HAWAII

To Amend the Land Use District Boundary of Certain Lands Situated at Halehaku and Peahi Ahupuaa, Makawao, Island of Maui, State of Hawaii, Identified by Tax Map Key Number of the Second Division: 2-8-8: por. 7 and 12, Consisting of Approximately 932 acres, from the Agricultural District to the Conservation District

Docket No. BR94-713

ORDER GRANTING OFFICE OF STATE PLANNING'S MOTION TO WAIVE REQUIREMENT FOR METES AND BOUNDS DESCRIPTION

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Boundary of Certain Lands Situated )  )
at Halehaku and Peahi Ahupuaa, )  )
Makawao, Island of Maui, State of )  )
Hawaii, Identified by Tax Map Key )  )
Number of the Second Division: )  )
2-8-8: por. 7 and 12, Consisting of )  )
Approximately 932 acres, from the )  )
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The Motion requested a waiver of §15-15-50(c)(3), HAR, which requires the submittal of a metes and bounds description if the subject property of a district boundary amendment petition involves portions of a parcel.

In support of the Motion, Petitioner provided the following: 1) the Petition Area delineated on a full-size copy of
the tax map; 2) the Petition Area delineated on a mylar U.S.G.S. orthophotograph; and, 3) the Petition Area delineated on a mylar U.S.G.S. topographic map.

The Motion came on for hearing before the Land Use Commission ("Commission") on February 23, 1995 at Lahaina, Maui. James F. Nagle, Esq., Deputy Attorney General appeared on behalf of the Petitioner and Gary Zakian, Esq., Deputy Corporation Counsel for the County of Maui, appeared on behalf of the Maui County Planning Department ("County").

The Commission, having received no objections to the Motion from the parties, and having considered the arguments of the parties and the records and files in this proceeding and good cause appearing therefrom;

NOW HEREBY GRANTS Petitioner's Motion, subject to the following condition:

At any time in the future, when an accurate metes and bounds description of any portion of the property is needed, at the request of the Land Use Commission, the Office of State Planning will provide a metes and bounds description and map.


LAND USE COMMISSION
STATE OF HAWAII

By

ALLEN K. HOE
Chairperson and Commissioner
BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of
OFFICE OF STATE PLANNING,
STATE OF HAWAII

Docket No. BR94-713
CERTIFICATE OF SERVICE

To Amend the Land Use District
Boundary of Certain Lands Situated
at Halehaku and Peahi Ahupu'a,
Makawao, Island of Maui, State of
Hawaii, Identified by Tax Map Key
Number of the Second Division:
2-8-8: por. 7 and 12, Consisting of
Approximately 932 acres, from the
Agricultural District to the
Conservation District

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Order Granting
Office of State Planning's Motion to Waive Requirement for Metes
and Bounds Description was served upon the following by either
hand delivery or depositing the same in the U. S. Postal Service
by certified mail:

GREGORY G.Y. PAI, PH.D., Director
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CERT.
Office of the Corporation Counsel
County of Maui
200 South High Street
Wailuku, Hawaii 96793

DATED: Honolulu, Hawaii, this 14th day of ______ March ______ 1995.

ESTHER UEDA
Executive Officer