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 Urban Land Use
District Boundary into the
Conservation Land Use District for
Approximately 29 Acres of Land at
Hanamaulu, Lihue, Kauai, State of
Hawaii, TMK No.: 3-7-03: por. 1

DOCKET NO. BR94-714
ORDER GRANTING OFFICE
OF STATE PLANNING'S
MOTION TO WAIVE
REQUIREMENT FOR
METES AND BOUNDS
DESCRIPTION

ORDER GRANTING OFFICE OF STATE PLANNING'S MOTION TO WAIVE
REQUIREMENT FOR METES AND BOUNDS DESCRIPTION
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. BR94-714
) ORDER GRANTING OFFICE
) OF STATE PLANNING’S ) ORDERING
) MOTION TO WAIVE ) ORDER GRANTING OFFICE
) REQUIREMENT FOR ) OF STATE PLANNING’S
) METES AND BOUNDS ) MOTION TO WAIVE
) DESCRIPTION ) REQUIREMENT FOR
) ) METES AND BOUNDS
) ) DESCRIPTION
)

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

On December 12, 1994, the Office of State Planning
("Petitioner") filed a Motion to Waive Requirement for Metes and
Bounds Description ("Motion"), pursuant to §§15-15-34, 15-15-41,

The Motion requested a waiver of §15-15-50(c)(3), HAR
which requires 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 Nagle, Esq., Deputy Attorney General, appeared on behalf of
the Petitioner. The County of Kauai Planning Department was not present at the hearing.

The Commission, having considered the arguments of Petitioner 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 Petition Area is needed, at the request of the Land Use Commission, Petitioner shall provide a metes and bounds map and description.


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  
)
)
)
To Amend the Urban Land Use  
District Boundary into the  
Conservation Land Use District for  
Approximately 29 Acres of Land at  
Hanamaulu, Lihue, Kauai, State of  
Hawaii, TMK No.: 3-7-03: por. 1  
)
)

DOCKET NO. BR94-714  
CERTIFICATE OF SERVICE  

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  
Office of State Planning  
P. O. Box 3540  
Honolulu, Hawaii 96811-3540  

RICK EICHER, ESQ.  
Deputy Attorney General  
425 Queen Street, 3rd Floor  
Honolulu, Hawaii 96813  

DEE CROWELL, Planning Director  
Planning Department, County of Kauai  
Suite 473, Building A  
4444 Rice Street  
Lihue, Hawaii 96766  

HARTWELL H.K. BLAKE, ESQ.  
County Attorney  
CERT.  
Office of the County Attorney  
County of Kauai  
4396 Rice Street, #202  
Lihue, Hawaii 96766  

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

________________________________________  
ESTHER UEDA  
Executive Officer