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LAND USE COMMISSION  
STATE OF HAWAII

2019 APR - 9 A 10:41

Attorney for Petitioner  
A CHARITABLE FOUNDATION CORPORATION

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of	)	Docket No. A05-758
	)	
A CHARITABLE FOUNDATION	)	MOTION FOR ORDER RELEASING
CORPORATION	)	CONDITION NOS. 1, 4, 7, 8, 10 AND
	)	11 AS SET FORTH IN THE
To Amend The Agricultural Land Use District	)	FINDINGS OF FACT,
Boundary Into The Conservation Land Use	)	CONCLUSIONS OF LAW, AND
District for Approximately 28.759 Acres Of Land	)	DECISION AND ORDER DATED
And The Conservation Land Use District Into The	)	APRIL 21, 2006 AND IN THE
Agricultural Land Use District For	)	DECLARATION OF CONDITIONS
Approximately 5.129 Acres Of Land At Pupukea,	)	RECORDED IN THE BUREAU OF
Ko'olauloa And Waialua, O'ahu, Hawai'i, Tax	)	CONVEYANCES OF THE STATE
Map Keys.: 5-9-23: Por. 1; 5-9-24:1; And 6-1-02:	)	OF HAWAII AS DOCUMENT NO.
Por. 22	)	2006-105635; AFFIDAVIT OF
	)	AUTHORIZED OFFICER (DAVID S.
	)	DRUZ); EXHIBITS 1 TO 5;
	)	MEMORANDUM IN SUPPORT OF
	)	MOTION; NOTICE OF MOTION;
	)	AND CERTIFICATE OF SERVICE
	)	
	)	Hearing Date: July 11, 2019
	)	Time: 9:00 a.m.
	)	Place: Daniel K. Inouye International
	)	Airport
	)	(HDOT Airports Conference
	)	Room (Interisland side, 7 <sup>th</sup>
	)	Floor))
	)	300 Rodgers Boulevard
	)	Honolulu, Hawai'i 96819

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MOTION FOR ORDER RELEASING  
CONDITION NOS. 1, 4, 7, 8, 10 AND 11 AS  
SET FORTH IN THE FINDINGS OF FACT,  
CONCLUSIONS OF LAW, AND DECISION AND ORDER  
DATED APRIL 21, 2006 AND  
IN THE DECLARATION OF CONDITIONS RECORDED IN THE  
BUREAU OF CONVEYANCES OF THE STATE OF HAWAII  
AS DOCUMENT NO. 2006-105635

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

A CHARITABLE FOUNDATION CORPORATION, a Nevada nonprofit corporation duly registered as a foreign nonprofit corporation in the State of Hawaii, Petitioner in Docket No. A05-758 ("Petitioner"), by and through its attorney, Dickson C. H. Lee of Takushi Wong Lee & Yee - A Law Corporation, respectfully moves the Land Use Commission of the State of Hawaii ("Commission") for the following relief.<sup>1</sup>

1. Release and remove the following conditions numbered 1, 4, 7, 8, 10 and 11 set forth in the Findings of Fact, Conclusions of Law, and Decision and Order dated April 21, 2006, in Docket No. A05-758 and the corresponding numbered conditions which are set forth in the Declaration of Conditions recorded in the Bureau of Conveyances of the State of Hawaii on June 7, 2006 as Doc. No. 2006-105635, inasmuch as the Petitioner has fully complied with or otherwise reasonably satisfied said conditions.

2. Such other related relief as the Commission may deem just and appropriate in the premises.

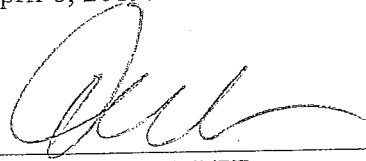
This Motion is made pursuant to § 15-15-70 (Motions) and § 15-15-94 (Modification or deletion of conditions or orders) of the Hawaii Land Use Commission Rules and is based upon the record and files in Docket No. A05-758 and the attached Affidavit of Authorized Officer

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<sup>1</sup> Benjamin M. Matsubara of Matsubara Lee & Kotake represented Petitioner A Charitable Foundation Corporation in the original proceedings before the Land Use Commission. Subsequently, Petitioner A Charitable Foundation Corporation engaged Dickson C. H. Lee to represent it in connection with compliance with the Land Use Commission's conditions.

(David S. Druz) and exhibits attached thereto and incorporated therein by reference, the attached memorandum, and the argument to be made upon a hearing on this Motion which is hereby requested.

DATED: Honolulu, Hawai'i, April 8, 2019.



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DICKSON C.H. LEE  
Attorney for Petitioner A CHARITABLE  
FOUNDATION CORPORATION