

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI'I

In the Matter of the Petition of

U of N BENCORP

To Amend the Agricultural Land Use District
to the Urban Land Use District for
Approximately 62 Acres, Tax Map Key Nos.:
(3) 7-5-010:085 and 7-5-017:006 situated at
Wai'aha, North Kona, County and State of
Hawai'i

DOCKET NO. A02-737

DECLARATION OF MARIA F.
FAGERSTROEM-RYDER

DECLARATION OF MARIA F. FAGERSTROEM-RYDER

I, MARIA F. FAGERSTROEM-RYDER, declare and state as follows:

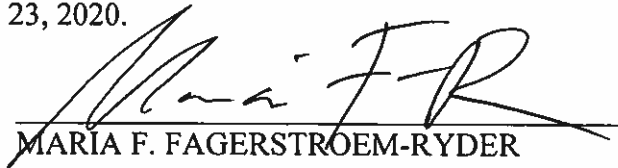
1. I am an attorney with Carlsmith Ball LLP, attorneys for University of the Nations, Kona, Inc. ("**Petitioner**"), successor-in-interest to U of N Bencorp, the original Petitioner in Docket No. A02-737.
2. Attached hereto as **Petitioner's Exhibit 1** is a true and correct copy of the Findings of Fact, Conclusions of Law, and Decision and Order for a State Land Use District Boundary Amendment; Exhibit A filed on August 8, 2003.
3. Attached hereto as **Petitioner's Exhibit 2** is a true and correct copy of the 2020 Master Plan Update for the Revised Project prepared by G70.
4. Attached hereto as **Petitioner's Exhibit 3** is a true and correct copy of the Environmental Planning Report prepared by G70.
5. Attached hereto as **Petitioner's Exhibit 4** is a true and correct copy of the Master Plan from the 2003 State Land Use District Boundary Amendment in this docket.
6. Attached hereto as **Petitioner's Exhibit 5** is a true and correct copy of the Master Plan from the 2006 Motion to Amend.
7. Attached hereto as **Petitioner's Exhibit 6** is a true and correct copy of a Zoning Map compiled using the County of Hawai'i Planning Department's GIS system (with notations added).

8. Attached hereto as **Petitioner's Exhibit 7** is a true and correct copy of excerpts from the 2005 Hawai'i County General Plan.
9. Attached hereto as **Petitioner's Exhibit 8** is a true and correct copy of the Hawai'i County 2040 Draft General Plan Future Land Use Map for the North Kona District (with notation added).
10. Attached hereto as **Petitioner's Exhibit 9** is a true and correct copy of the construction costs estimates for the Revised Project prepared by the UNK.
11. Attached hereto as **Petitioner's Exhibit 10** is a true and correct copy of a letter dated February 18, 2020 from Central Pacific Bank.
12. Attached hereto as **Petitioner's Exhibit 11** is a true and correct copy of the UNK's 2018 IRS Form 990 provided by the UNK.
13. Attached hereto as **Petitioner's Exhibit 12** is a true and correct copy of the UNK's Consolidated Audited Financial Statements with Independent Auditor's Report for the Years Ended June 30, 2019 and 2018.
14. Attached hereto as **Petitioner's Exhibit 13** is a true and correct copy of a worksheet prepared by the UNK showing additional tuition to be applied to the Revised Project.
15. Attached hereto as **Petitioner's Exhibit 14** is a true and correct copy of UNK's Faith-Based Financing Model provided by UNK.
16. Attached hereto as **Petitioner's Exhibit 15** is a true and correct copy of an e-mail dated March 11, 2020 from Richard Wheelock to Ken Van Bergen regarding the potential for the UNK to obtain water units.
17. Attached hereto as **Petitioner's Exhibit 16** is a true and correct copy of a letter from the County of Hawai'i, Department of Environmental Management's Wastewater Deputy Chief.
18. Attached hereto as **Petitioner's Exhibit 17** is a true and correct copy of a letter from the County of Hawai'i, Office of Housing and Community Development Housing Administrator.
19. Attached hereto as **Petitioner's Exhibit 18** is a true and correct copy of a press release dated September 23, 2011 issued by the Hawai'i Housing Finance and Development Corporation entitled "Hawai'i Housing Finance and Development Corporation Seeks Public Private Partnership for Affordable Rental in Kona".

20. Attached hereto as **Petitioner's Exhibit 19** is a true and correct copy of the Minutes of the Regular Meeting of the Hawai'i Housing Finance and Development Corporation form April 10, 2014.

21. Attached hereto as **Petitioner's Exhibit 20** is a true and correct copy of Exhibit C to a Ground Lease with Lessor Ka `Ohana Waiaha entitled "Eligibility and Priority System ad Offering Procedures for Homeowner Resales to Eligible Successor Homeowners".

DATED: Honolulu, Hawai'i, March 23, 2020.


MARIA F. FAGERSTROEM-RYDER