



STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
LAND USE COMMISSION
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813
Telephone: 587-3822

December 16, 1992

Mr. James Wm. McCully
James McCully Orchid Culture
P. O. Box 311
Mountain View, Hawaii 96771

Dear Mr. McCully:

Subject: BOUNDARY INTERPRETATION No. 92-48 for TMK No.: 2-9-03: 13,
Wailea, South Hilo, Hawaii

Pursuant to your November 23, 1992 letter, please be advised that the subject parcel is designated within the Conservation / Agricultural Districts.

A blueline print of your map with the State Land Use Conservation / Agricultural District boundary delineated in metes & bounds is enclosed for your reference.

With respect to your desire to seek a boundary amendment to amend the Conservation District boundary of the subject parcel, please be advised that inasmuch as such an amendment would involve the reclassification of lands out of the Conservation District, you would need the approval of the State Land Use Commission.

If you have any questions, please call Fred Talon or Bert Saruwatari of my staff at 587-3822.

Sincerely,

A handwritten signature in cursive script, appearing to read "Esther Ueda".

ESTHER UEDA
Executive Officer

EU:f1

encl: Boundary Interpretation Map dated December 16, 1992

cc: William Paty, BLNR Chairperson,
Attn: Conservation Affairs Office
Virginia Goldstein, County of Hawaii Planning Director
Glenn Y. Sato, Tax Maps & Records Supervisor,
C&C of Honolulu, Department of Finance

James McCully

ORCHID CULTURE

November 23, 1992

Post Office Box 311
Mountain View, Hawaii 96771
Telephone 808 968-6317
Fax 808 968-6934

RECEIVED

NOV 24 1992

Land Use Commission
Ms. Esther Ueda, Executive Officer
Old Federal Building
335 Merchant St. Rm. 104
Honolulu, Hi. 96813

State of Hawaii
LAND USE COMMISSION

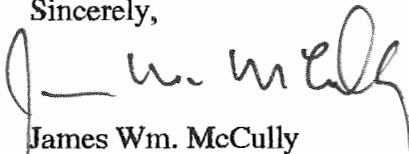
Dear Ms. Ueda,

This letter is to request a determination of the boundary line for TMK 3rd 2-9-03:13, a portion of which is within the Conservation district. I have already sent a vellum of a survey map done on the property this past October 21, 1992. Please note the location of the waters edge, quite a distance from my property boundary.

Under your rules published as Title 15, Subtitle 3, Chapter 15, Subchapter 2, 15-15-22, b,1, "Whenever a district line falls within...a street, alley...it may be deemed to be in the midpoint of the foregoing." This would suggest that the conservation line should currently be located at the middle of the railroad grade.

I do intend to request a boundary change to 40' from the top of the pali. This seems to me to be in keeping with the conservation district function, as well as allowing my use of the majority of my property. Since the property comprises approximately 13.064 acres I understand I would deal with the County of Hawaii Planning Department in this matter. Is this correct? Thank you for your time and consideration on this request,

Sincerely,



James Wm. McCully

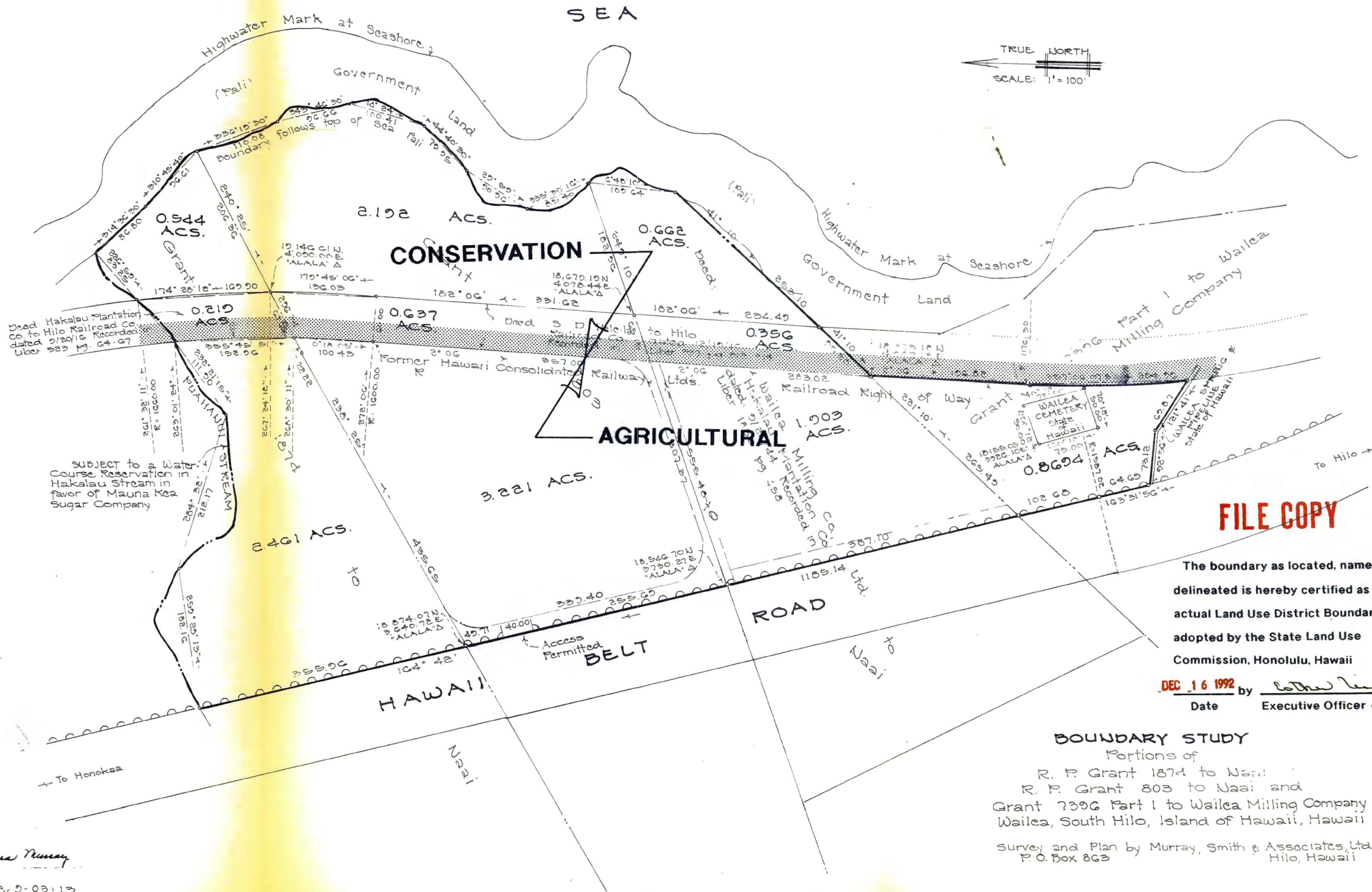
Boundary

Interpretation No. 92 48

FILE COPY

Boundary

Interpretation No. 92 48 1



FILE COPY

The boundary as located, named and delineated is hereby certified as the actual Land Use District Boundary adopted by the State Land Use Commission, Honolulu, Hawaii

DEC 16 1992 by *[Signature]*
Date Executive Officer

BOUNDARY STUDY

Portions of
R. P. Grant 1874 to Naai
R. P. Grant 803 to Naai and
Grant 7306 Part 1 to Wailea Milling Company
Wailea, South Hilo, Island of Hawaii, Hawaii

Survey and Plan by Murray, Smith & Associates, Ltd.
P. O. Box 863 Hilo, Hawaii

Donald James Murray
TMK 3rd/2-0-03-13
October 21, 1992