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January 29, 1992

JAN 29 3 15 PM '92
LAND USE COMMISSION
STATE OF HAWAII

HAND-DELIVERED

Ms. Esther Ueda
State of Hawaii
Land Use Commission
Room 104
Old Federal Building
335 Merchant Street
Honolulu, HI 96813

Re: 1991 Annual Report/LUC Docket No. A-76-418/
Moana Corporation

Dear Ms. Ueda:

We are responding to your letter dated October 9, 1991, regarding the above-referenced matter. Sports Shinko (Kauai) Co., Ltd. is the successor in interest to approximately 321 acres of the original, approximately 457-acre parcel which was re-classified by the Land Use Commission on July 7, 1977 at the request of the petitioner, Moana Corporation. Sports Shinko is the successor in interest to Kiahuna Land Company, which in turn was the successor in interest to the original petitioner Moana Corporation. Inasmuch as Sports Shinko is not original petitioner in connection with this matter, it has had to rely upon information received from its predecessors and others in interest concerning the compliance with the conditions contained in the LUC's Decision and Order dated

→ Exhibit B

Ms. Esther Ueda
January 29, 1992
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July 7, 1977, as amended by Order Granting Motion to Amend Conditions, dated December 13, 1979.

The information which we have been able to obtain regarding compliance with the conditions is contained in letters to the Land Use Commission, dated September 1 and 14, 1990, submitted by the law firm of Case & Lynch on behalf Kiahuna Land Co. (Please see copies of enclosed letters.) To the best knowledge of Sports Shinko, these letters correctly reflect the status of compliance with condition nos. 1 through 8 as contained in the LUC's Decision and Order, as amended.

Condition No. 9, as amended, states as follows:
"That the Petitioner substantially complete within five years from the date of the granting of re-zoning of the subject site by the County of Kauai, being March 23, 1979, all off-site improvements, landscaping and all of the single family residential home sites, at least 300 multi-family residential units, and appropriate portion of the convenience complex and the recreational and other amenities planned for the development, and that the Petitioner report to the Commission annually on the progress of the development and his compliance with these conditions."

As stated in the 1990 annual report, 90 units have been completed and sold, a 35,000-square foot shopping village has been constructed and roads and utilities have been installed. Being the successor in interest to approximately 321 acres of the approximately 457 acre original petition area, and not being able to refer to the remaining portion of the original petition area, Sports Shinko would add that it has preliminary plans to complete construction of the single-family/multi-family residential units but such completion is subject to improvement of economic conditions. In respect to the remaining portion of the original petition area, we can only note that the Augustus Knudsen Trust appears to be the fee simple owner of such properties and there are various lessees whose plans are not presently known to Sports Shinko.

→ But this condition was to be satisfied in 5 years.

Ms. Esther Ueda
January 29, 1992
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We trust that the foregoing submission satisfies the Commission's annual reporting requirement. If you have any questions, please let us know.

Very truly yours,



Karl K. Kobayashi

KK:in

cc: Sports Shinko (Kauai) Co., Ltd.

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C DUDLEY PRATT (1800-1870)

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PA LAW CORPORATION

September 14, 1990

Ms. Esther Ueda
State of Hawaii
Land Use Commission
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813

Re: 1990 Annual Report
Docket No. A-76-418/Moana Corporation

Dear Ms. Ueda:

Pursuant to a telephone conversation with Steve Tagawa of your office, we are submitting this supplement to the revised 1990 Annual Report dated September 1, 1990.

Condition:

- 1-4. \$2,000,000.00 contribution to Kauai County for implementation of a county housing program.
7. Commission archaeological and biological study on property covered by docket.

Status:

Petitioner made payments amounting to \$9,000,000.00 to Kauai County by check in installments of \$10,000.00 during the three year period from 1984-87. The balance of the contribution was paid by check in October, 1987.

The archaeological and biological study was prepared by Francis Ching in 1980.

HAND DELIVERY

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LAND USE COMMISSION
STATE OF HAWAII

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PA LAW CORPORATION

September 1, 1990

Ms. Esther Ueda
Executive Officer
State of Hawaii
Land Use Commission
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813

Re: Revised 1990 Annual Report
Docket No. A-76-418/Moana Corporation

Dear Ms. Ueda:

Pursuant to the Land Use Commission's request, we are resubmitting the 1990 status report on the property covered by the above-mentioned docket (the "Property") to include a list of the conditions applicable to the Property, pursuant to the Decision and Order dated July 7, 1977, and a brief description of the progress made with respect to each condition.

Condition:

- 1-4. (as amended by Order Granting Motion to Amend Conditions, 1, 2, 3, 4, dated 12/13/79) \$2,000,000.00 contribution to Kauai County for implementation of a County housing program.
5. Construction of recreational and other amenities, including golf course and golf course club house.

Status:

Satisfied as of
October 1, 1987

Satisfied as of
October, 1987;
18-hole golf course
with cart barn and
club house
constructed.

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LAND USE COMMISSION
STATE OF HAWAII