

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

LAND USE COMMISSION
STATE OF HAWAII
2003 AUG 28 P 4: 21

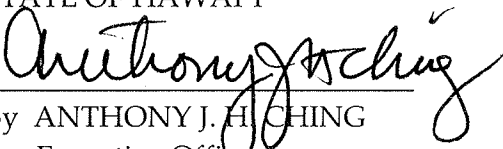
Docket No. DR02-26 Kuleana Ku'ikahi, LLC

MINUTE ORDER

Pursuant to a motion duly made, seconded and unanimously carried, the Land Use Commission ("Commission") at its meeting on August 7, 2003, voted to issue a Minute Order in this docket clarifying on the record that its Order Regarding Withdrawal of Petition for a Declaratory Order ("Order"), which was issued on July 2, 2003, was an order authorizing the withdrawal of the Petition for a Declaratory Order and did not contain findings of fact and conclusions of law. In addition, the Commission clarifies that portions of the order were *dicta* and are not binding as precedent. Nevertheless, the Commission believes that the portions of the Order that are *dicta* are supported in the record of the proceeding up to the time the Order was issued, and the Order was intended to provide guidance to the counties as to the Commission's views relating to approval of agricultural subdivisions and enforcement of chapter 205, Hawaii Revised Statutes, as it relates to lands classified in the agriculture district and agricultural subdivisions.

DATED: AUG 28 2003 , Honolulu, Hawai'i

LAND USE COMMISSION
STATE OF HAWAII


By ANTHONY J. H. CHING
Executive Officer

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In The Matter Of The Petition Of)	DOCKET NO. DR02-26
)	
KULEANA KU'IKAHI, LLC)	CERTIFICATE OF SERVICE
)	
For A Declaratory Order Declaring That)	
Subdivision And Development Of)	
Approximately 4,500 Acres Of Land In)	
An Agricultural District Requires A)	
District Boundary Amendment)	
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the Minute Order was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by regular or certified mail as noted:

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Dated: Honolulu, Hawaii, AUG 28 2003



ANTHONY J. H. CHING
Executive Officer