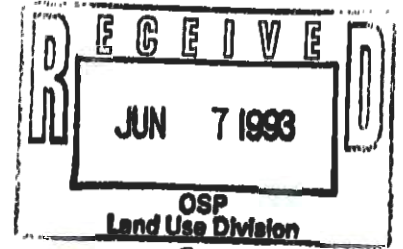


BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII



In the Matter of the Petition of)
)
THE TRUSTEES UNDER THE WILL AND)
OF THE ESTATE OF JAMES CAMPBELL,)
DECEASED)
)
To Amend the Agricultural Land)
Use District Boundary into the)
Urban Land Use District for)
Approximately 813.02 Acres of)
land at Honouliuli, Ewa, Island)
of Oahu, State of Hawaii, Tax Map)
Key Nos.: 9-1-15: 4 (por.);)
9-1-16: 1 (por.), 4 (por.), 5, 6,)
9 (por.), 12, 13, 16 (por.), 18,)
24 (por.), 30; 9-2-03: 2 (por.),)
12; 9-2-19: 1 (por.))

DOCKET A87-613
THE TRUSTEES UNDER THE
WILL AND OF THE ESTATE
OF JAMES CAMPBELL,
DECEASED

This is to certify that this is a true and correct
copy of the document on file in the office of the
State Land Use Commission, Honolulu, Hawaii.

JUN 04 1993 by *[Signature]*
Date Executive Officer

ORDER GRANTING MOTION FOR THIRD AMENDMENT
TO FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND DECISION AND ORDER

JUN 4 9 56 AM '93
LAND USE COMMISSION
STATE OF HAWAII

93 JUN 4 PM 3 24
DIRECTOR'S OFFICE

10 K1

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of	)	DOCKET A87-613
)	
THE TRUSTEES UNDER THE WILL AND	)	THE TRUSTEES UNDER THE
OF THE ESTATE OF JAMES CAMPBELL,	)	WILL AND OF THE ESTATE
DECEASED	)	OF JAMES CAMPBELL,
	)	DECEASED
To Amend the Agricultural Land)	
Use District Boundary into the)	
Urban Land Use District for)	
Approximately 813.02 Acres of)	
land at Honouliuli, Ewa, Island)	
of Oahu, State of Hawaii, Tax Map)	
Key Nos.: 9-1-15: 4 (por.);)	
9-1-16: 1 (por.), 4 (por.), 5, 6,)	
9 (por.), 12, 13, 16 (por.), 18,)	
24 (por.), 30; 9-2-03: 2 (por.),)	
12; 9-2-19: 1 (por.))	
)	

ORDER GRANTING MOTION FOR THIRD AMENDMENT
TO FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND DECISION AND ORDER

WHEREAS, The Trustees Under the Will and of the Estate of James Campbell, Deceased (hereinafter "Petitioner"), filed on December 4, 1992 its Motion for Third Amendment to Findings of Fact, Conclusions of Law, and Decision and Order, pursuant to Section 15-15-70 of the Hawaii Land Use Commission Rules.

WHEREAS, the matter having come on for hearing at Honolulu, Hawaii, on April 1, 1993, no objections having been made by the Office of State Planning and the Department of Planning, City and County of Honolulu,

WHEREAS, the Land Use Commission (hereinafter "Commission"), having considered Petitioner's supporting

memorandum and arguments of the parties, hereby makes the following findings of fact, conclusions of law, and decision and order:

FINDINGS OF FACT

1. On June 29, 1988, and by its Decision and Order dated September 23, 1988, the Commission approved the Petitioner's request for reclassification from the Agricultural District to the Urban District of approximately 135 acres (Increment I), and incrementally approved approximately 755 acres (Subsequent Increments), for a residential and business community, at Honouliuli, Ewa, Island of Oahu, State of Hawaii, identified as TMK No.: 9-1-15: 4 (por.); TMK No.: 9-1-16: 1 (por.), 4 (por.), 5, 6, 9 (por.), 12, 13, 16 (por.), 18, 24 (por.), 30; TMK No.: 9-2-03: 2 (por.), 12; TMK No.: 9-2-19: 1 (por.).

2. On January 10, 1989, Petitioner filed a Motion to Amend Findings of Fact, Conclusions of Law, and Decision and Order ("Motion to Amend") to amend the Commission's Decision and Order dated September 23, 1988 by deleting approximately 76.98 acres from the Subsequent Increments.

3. On January 26, 1989, and by Order dated March 29, 1989, the Commission approved Petitioner's Motion to Amend and amended the area comprising the Subsequent Increments to approximately 678.02 acres.

4. On March 3, 1989, Petitioner filed a Motion for Second Amendment to the Findings of Fact, Conclusions of Law,

and Decision and Order ("Motion for Second Amendment") to reflect the exchange of approximately 8.5 acres between Increment I and the Subsequent Increments and for the reconfiguration of the boundaries of the park proposed in the Subsequent Increments. The net acreage of both Increment I and the Subsequent Increments would remain the same.

5. On April 14, 1989, and by Order dated May 30, 1989, the Commission approved Petitioner's Motion for Second Amendment to the Commission's Decision and Order dated September 23, 1988.

6. On December 4, 1992, Petitioner filed a Motion for Third Amendment to Findings of Fact, Conclusions of Law, and Decision and Order ("Motion for Third Amendment") to delete approximately 150.681 acres from the approximately 678.02 acres currently comprising the Subsequent Increments, which were either not slated for development or are no longer owned by Petitioner. The approximately 150.681 acres are composed of the following parcels:

- a. A 72.97-acre parcel in the northern part of the Subsequent Increments consisting of Lot 5553, a portion of Lot 2675, and a 0.211-acre triangulation station, identified as TMK No.: 9-1-16: 6 (por.) and TMK No.: 9-2-03: 5 (por.), 12.
- b. An 18.560-acre parcel in the northeastern part of the Subsequent Increments consisting of portions of Lots 5607, 5608, and 5609, identified as TMK No.: 9-2-03: 18 (por.), 81 (por.), 82 (por.) and TMK No.: 9-2-19: 55 (por.).
- c. A 42.655-acre portion of Lot 7266 in the eastern part of the Subsequent Increments, identified as TMK No.: 9-1-16: 1 (por.).

d. A 16.496-acre strip of land along the southern border of the Subsequent Increments consisting of Lots 347, 1906, and 350-D, identified as TMK No.: 9-1-16: 5, 12.

7. On December 8, 1992, Petitioner filed a Motion to Approve Subsequent Increments for Kapolei City (hereinafter "Motion to Approve Subsequent Increments"), which reflected the proposed deletion of the approximately 150.681 acres from the Subsequent Increments, and requested the incremental redistricting of the remaining approximately 527.339 acres of the Subsequent Increments to the Urban District.

8. On February 19, 1993, Petitioner filed a First Amendment to Motion for Third Amendment and a First Amendment to Motion to Approve Subsequent Increments. Both amended motions reflected changes in the Tax Map Keys for parcels in both Increment I and the Subsequent Increments due to the consolidation and resubdivision of certain areas within the Petition Area since the approval of Increment I. The current Tax Map Keys for the approximately 135 acres comprising Increment I are as follows: 9-1-16: 1 (por.), 24 (por.), 43, 44, 45, 46, 47 (por.), 48 (por.), 50, 51, 52, 53 (por.), and 55. The current Tax Map Keys for the approximately 678.02 acres comprising the Subsequent Increments are as follows: 9-1-15: 4 (por.); 9-1-16: 1 (por.), 5, 6 (por.), 9 (por.), 12, 13, 16 (por.), 18, 24 (por.), 30, 34, 47 (por.), 48 (por.), 53 (por.), 54; 9-2-03: 5 (por.), 12, 18 (por.), 81 (por.), 82 (por.); and 9-2-19: 1 (por.), 55 (por.).

9. On March 22, 1993, Petitioner filed its Second Amendment to Motion for Third Amendment which requested that the Commission amend Condition No. 1 of the Decision and Order dated May 30, 1989 to allow for a residential component within the Subsequent Increments.

10. On April 1, 1993, the Commission held its hearing on Petitioner's Motion for Subsequent Increment and Motion for Third Amendment. At the hearing, the parties herein stipulated to delete an approximately 42.655-acre portion of Lot 7266, identified as TMK No.: 9-1-16: 1 (por.), and an approximately 16.496-acre strip of land consisting of Lots 347, 1906, and 350-D, identified as TMK No.: 9-1-16: 5 and 12, from Petitioner's Motion for Third Amendment, and to include the combined approximately 59.151 acres of the said three parcels into the Subsequent Increments. The remaining approximately 91.53 acres, identified as TMK No.: 9-1-16: 6 (por.); TMK No.: 9-2-03: 5 (por.), 12, 18 (por.), 81 (por.), 82 (por.); and TMK No.: 9-2-19: 55 (por.), continued to be the subject of Petitioner's Motion for Third Amendment. Petitioner also withdrew its Second Amendment to Motion for Third Amendment that requested a residential component within the Subsequent Increments.

CONCLUSIONS OF LAW

Pursuant to Chapter 205, HRS, and the Hawaii Land Use Commission Rules, the Commission having considered Petitioner's Motion for Third Amendment, supporting evidence and the

arguments of the parties, concludes that granting of the subject Motion is reasonable and non-violative of Chapter 205, HRS, and the Hawaii Land Use Commission Rules.

ORDER

IT IS HEREBY ORDERED that Petitioner's Motion for Third Amendment to Findings of Fact, Conclusions of Law, and Decision and Order, be approved.


IT IS FURTHER ORDERED that the area comprising Increment I, identified as TMK No.: 9-1-16: 1 (por.), 24 (por.), 43, 44, 45, 46, 47 (por.), 48 (por.), 50, 51, 52, 53 (por.), and 55, and approximately shown on Exhibit "A" attached hereto and incorporated by reference herein, shall remain at approximately 135 acres. The area comprising the Subsequent Increments, identified as TMK No.: 9-1-15: 4 (por.); TMK No.: 9-1-16: 1 (por.), 5, 6 (por.), 9 (por.), 12, 13, 16 (por.), 18, 24 (por.), 30, 34, 47 (por.), 48 (por.), 53 (por.), 54; and TMK No.: 9-2-19: 1 (por.), and also approximately shown on said Exhibit "A", shall be amended to be approximately 586.490 acres, for a total Petition Area in this Docket to now be approximately 721.490 acres.

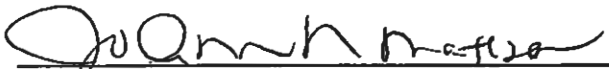
DOCKET NO. A87-613 - ESTATE OF JAMES CAMPBELL, DECEASED


Done at Honolulu, Hawaii, this 4th day of June 1993,
per motion on April 1, 1993.

LAND USE COMMISSION
STATE OF HAWAII


By 
ALLEN Y. KAJIOKA
Chairman and Commissioner


By 
KAREN S. AHN
Vice Chairman and Commissioner

By 
JOANN N. MATTSON
Vice Chairman and Commissioner

By 
ALLEN K. HOE
Commissioner

By (absent)
EUSEBIO LAPENIA, JR.
Commissioner

By 
RENTON L. K. NIP
Commissioner

By 
TRUDY K. SENDA
Commissioner

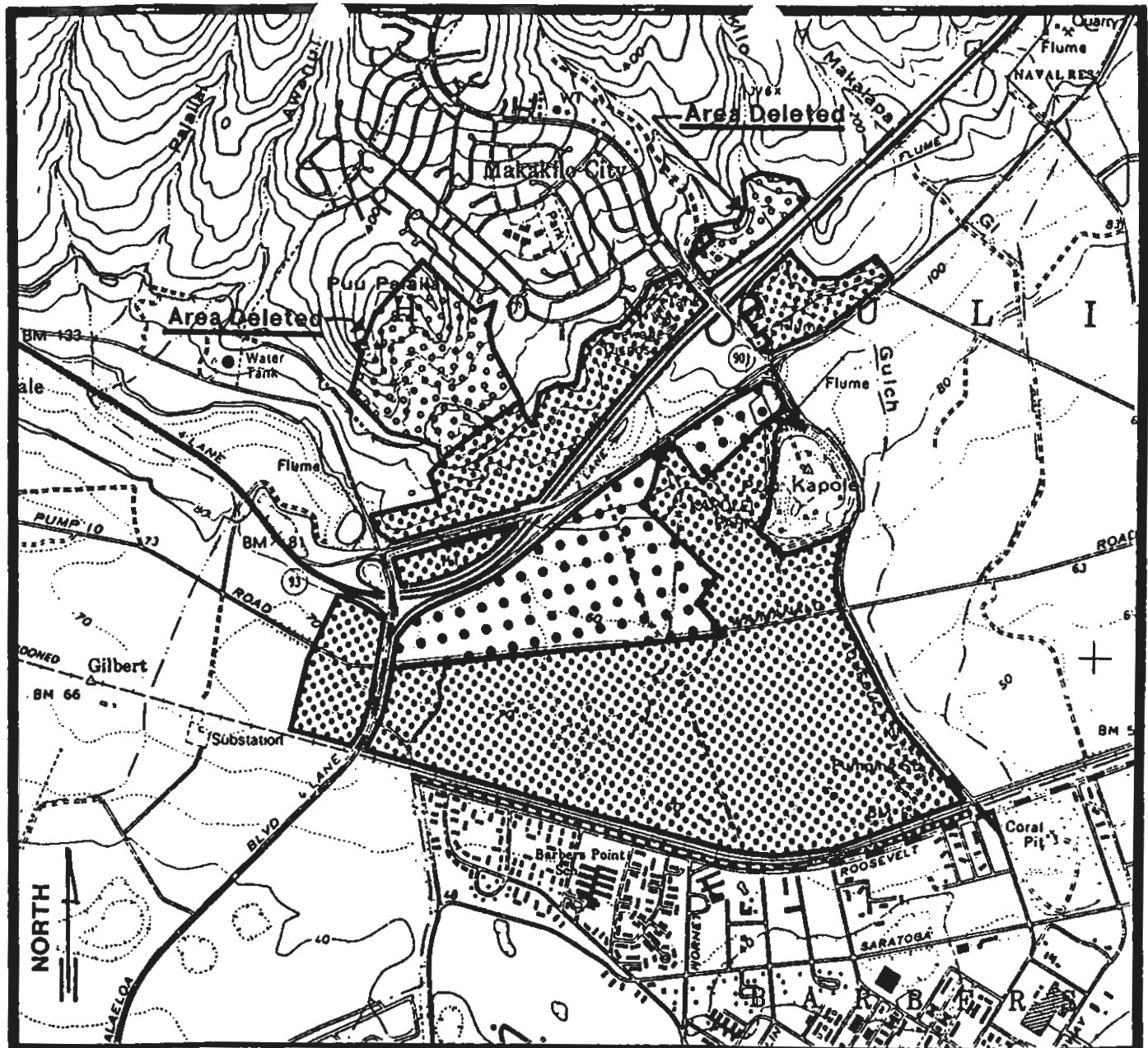
Filed and effective on
June 4, 1993

Certified by:


Executive Officer

By 
ELTON WADA
Commissioner

By (absent)
DELMOND J. H. WON
Commissioner



DOCKET NO. A87-613 / THE TRUSTEES UNDER THE
 WILL AND THE ESTATE OF
 JAMES CAMPBELL, DECEASED
 LOCATION MAP



INCREMENT I

TMK No. : 9-1-16 : por. 01, por. 24, 43, 44, 45,
 46, por. 47, por. 48, 50, 51, 52, por. 53, & 55

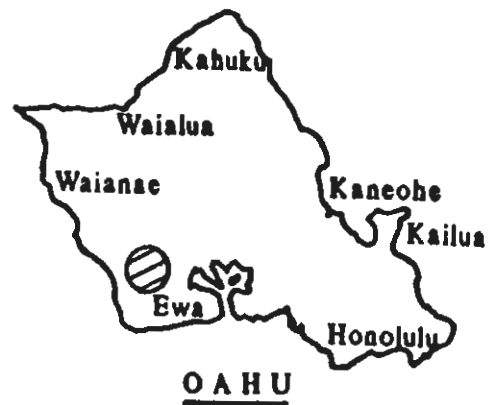


SUBSEQUENT INCREMENTS

TMK No. : 9-1-15: por. 04; 9-1-16: por. 01, 05, por. 06, por. 09, 12, 13,
 por. 16, 18, por. 24, 30, 34, por. 47, por. 48, por. 53, 54; 9-2-19: por. 01



AREA DELETED



HONOULIULI, EWA, OAHU, HAWAII

SCALE: 1" = 2000 ft ±

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of	)	DOCKET A87-613
THE TRUSTEES UNDER THE WILL AND	)	THE TRUSTEES UNDER THE
OF THE ESTATE OF JAMES CAMPBELL,	)	WILL AND OF THE ESTATE
DECEASED	)	OF JAMES CAMPBELL,
	)	DECEASED
To Amend the Agricultural Land)	
Use District Boundary into the)	
Urban Land Use District for)	
Approximately 813.02 Acres of)	
land at Honouliuli, Ewa, Island)	
of Oahu, State of Hawaii, Tax Map)	
Key Nos.: 9-1-15: 4 (por.);)	
9-1-16: 1 (por.), 4 (por.), 5, 6,)	
9 (por.), 12, 13, 16 (por.), 18,)	
24 (por.), 30; 9-2-03: 2 (por.),)	
12; 9-2-19: 1 (por.))	

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Order Granting Motion For Third Amendment To Findings Of Fact, Conclusions Of Law, And Decision And Order was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:

HAROLD S. MASUMOTO, Director
Office of State Planning
P. O. Box 3540
Honolulu, Hawaii 96811-3540

CERT. ROBIN FOSTER, Chief Planning Officer
Planning Department
City and County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

CERT. IVAN LUI-KWAN, ESQ., Attorney for Petitioner
Carlsmith Ball Wichman Murray Case Mukai & Ichiki
2200 Pacific Tower
1001 Bishop Street
Honolulu, Hawaii 96813

DATED: Honolulu, Hawaii, this 4th day of June 1993.


ESTHER UEDA
Executive Officer