

June 6, 1978

Mr. Meyer M. Ueoka
UEOKA & LUNA
Attorneys at Law
2103 Wells Street
Wailuku, Maui 96793

Dear Mr. Ueoka:

This is in response to your letter of May 31, 1978 requesting the State Land Use Designation for a portion of TMK 4-3-10: 15, Maui. Our file and records reflect that under Docket Number A69-218 - MICHAEL T. MCCORMACK, the Land Use Commission considered the reclassification of the subject property. At that time, it was the intent of the Commission to reclassify all of the lands in question below the new highway alignment from agriculture to urban.

Subsequent to this boundary change, a letter request for a boundary interpretation for the subject area was made by Ms. Lani Au. A copy of the letter and response is attached for your information. Although the letter from this office states that TMK 4-3-10: 15 is located within the Agricultural District, this interpretation was based on the proposed new highway alignment at that time. However, now that the highway has been constructed I am interpreting, as was the intent of the Land Use Commission in 1969, the subject property identified as a portion of TMK 4-3-10: 15 or parcel 17-A comprising approximately 1.044 acres to be located within the State Land Use Urban District.

Should you have any questions on this matter, please call this office.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

GYF:jy
Encls.
cc: Ms. Lani Au

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May 31, 1978

Mr. Gordon Y. Furutani
Executive Officer
Land Use Commissions Staff
190 South King Street
Suite 1795
Honolulu, Hawaii 96813

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LAND USE COMMISSION
STATE OF HAWAII

Re: Parcel 17-A, Tax Key 4-3-10

Dear Mr. Furutani:

The State of Hawaii has proceeded with the condemnation of that portion of land described on the Tax Map as Tax Key 4-3-10-15. The State of Hawaii condemned the said parcel designated as Parcel 17 for the purpose of the construction of the Honoapiilani Highway.

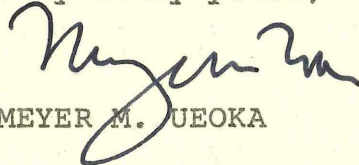
There is a sliver of land designated as Parcel 17-A which was not needed for the highway purposes but was condemned by the State principally because it was a remnant. This parcel designated as 17-A is approximately 1.044 acres. The State of Hawaii is willing to release said Parcel 17-A from the condemnation suit as long as I waive severance damages.

It is my understanding that anything below the highway including Parcel 17-A is classified as Urban; and under the General Plan of the County of Maui, the same is zoned as Apartment.

Will you please give me an interpretation of the classification of Parcel 17-A as to whether or not, now that the highway boundaries have been clearly established, said Parcel 17-A is Agricultural or Urban.

Your cooperation in this matter will be greatly appreciated.

Very truly yours,


MEYER M. UEOKA

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