

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

April 10, 2015

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

File No.10472-A (H)

HAWAII

Issuance of Land Patent in Confirmation of Land Commission Award No. 9971, Apana 5 to W.P. Leleiohoku, situate lying and being the Ahupuaa of Paalaea, District of Hamakua, Island of Hawaii, Tax Map Key: (3) 4-5-002:084 (portion of).

APPLICANT:

Alan M. Okamoto, Esquire, for RABO AGRIFINANCE, INC., a foreign corporation, incorporated under the laws of Delaware, and duly registered with the Department of Commerce and Consumer Affairs, State of Hawaii, whose agents' business and mailing address is 1136 Union Mall Suite 301, Honolulu, Hawaii 96813.

LEGAL REFERENCE:

Section 171-23, Hawaii Revised Statutes, as amended,
Sections 172-11 and 12, Hawaii Revised Statutes, as amended,
Section 182-2, Hawaii Revised Statutes, as amended and
Section 664-5, Hawaii Revised Statutes, as amended.

LOCATION:

The private property awarded under Apana 5 of Land Commission Award No. 9971 to W.P. Leleiohoku, situate lying and being the Ahupuaa of Paalaea, District of Hamakua, Island of Hawaii, contains an area of 122.3 acres, more or less. The applicant owns a portion of the subject award identified as being a portion of Tax Map Key: (3) 4-5-002:084, as shown on the attached map labeled Exhibit A.

DCCA VERIFICATION:

Place of business registration confirmed: YES X NO _____
Registered business name confirmed: YES X NO _____
Applicant in good standing confirmed: YES X NO _____

APPLICANT REQUIREMENTS:

The Applicant has provided a copy of Land Commission Award 9971, Apana 5 with the original survey map and description of the Ahupuaa of Paalaea, attached thereto. (See Exhibit B)

April 10, 2015

REMARKS:

Apana 5 of Land Commission Award 9971, as adjudicated on January 29, 1855, awarded to W.P. Leleiohoku, a less than fee simple title in and to the Ahupuaa of Paalaea in the District of Hamakua, Island of Hawaii, subject to the government's right to commutation therein, and the rights of the native tenants.

By action of the Privy Council on May 27, 1850 a Resolution was approved for the division of the lands of William Pitt Leleiohoku to be surrendered in Lieu of Commutation as set forth in Vol. 3 of Privy Council Records on Page 327.

The staff abstractor has confirmed that no patent has been issued in confirmation of this award to W.P. Leleiohoku.

Although no commutation is due, the patent issued in confirmation of the whole of this award will evidence that the government's right to commutation therein is satisfied and released.

The Office of Hawaiian Affairs (OHA) provided no comments.

RECOMMENDATION:

Staff recommends that the Board consent to the issuance of a Land Patent in Confirmation of Apana 5 of Land Commission Award No. 9971 to W.P. Leleiohoku, subject to the following:

1. The terms and conditions as prescribed by law upon the issuance of Land Patents in confirmation of Land Commission Awards, as may be amended from time to time;
2. Review and approval by the Department of the Attorney General; and
3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State of Hawaii.

Respectfully Submitted,



E. Mahoe Collins
Staff Abstractor

APPROVED FOR SUBMITTAL:

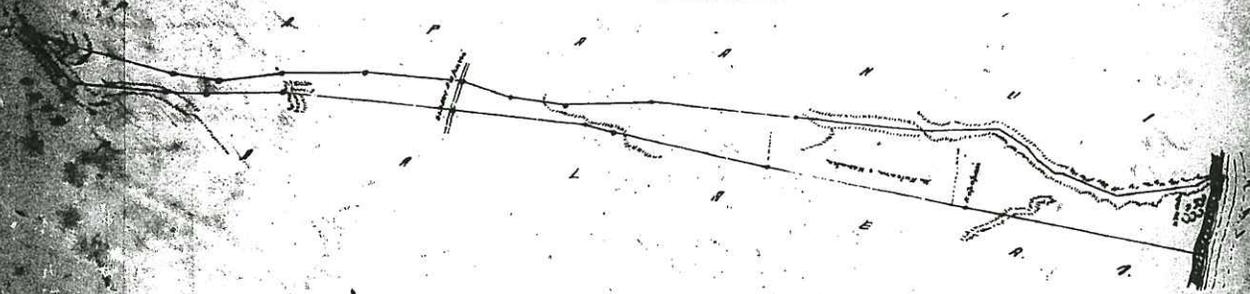


Carty S. Chang, Interim Chairperson

APANA 6

PAALAE
HAMAKUA HAWAII

Maui unolelo o kua kii ma'o

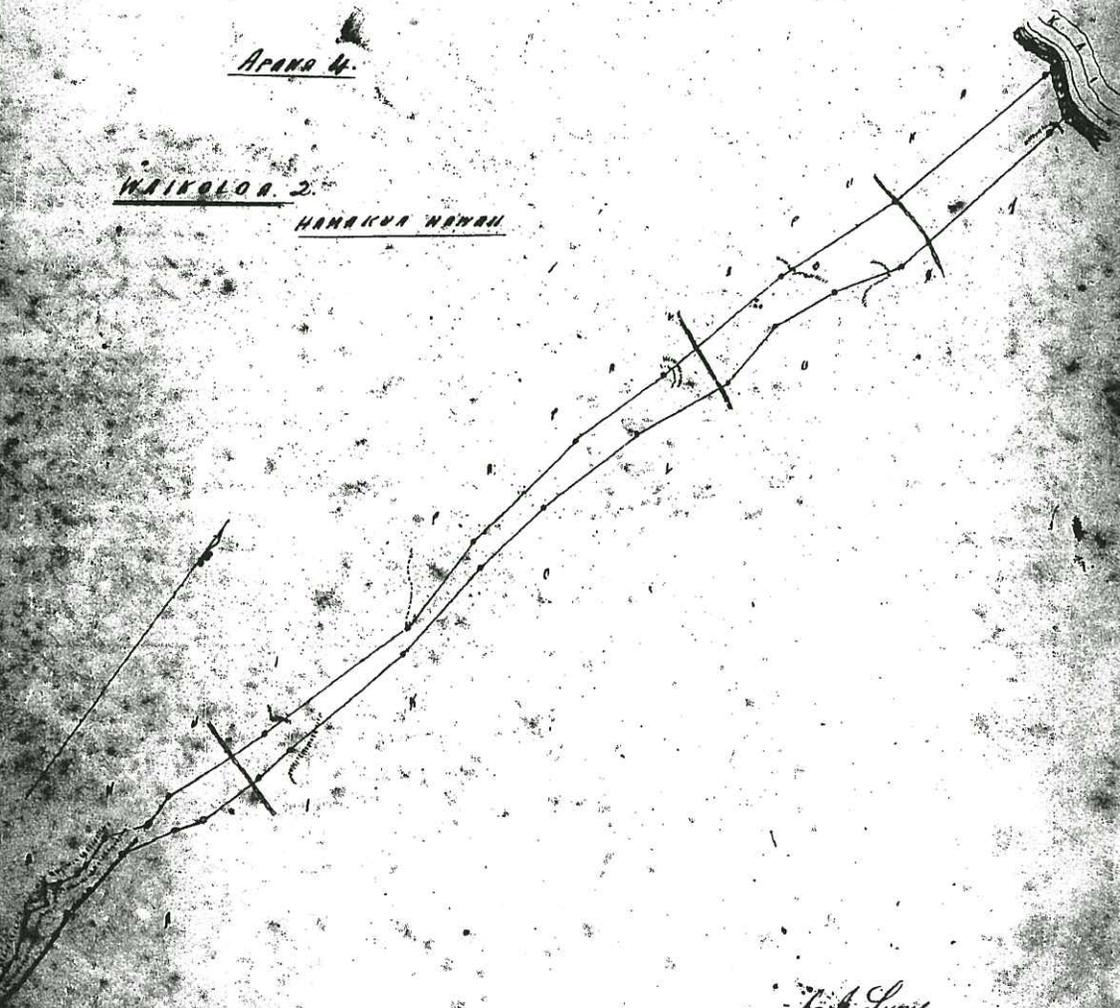


Scale 1000 ft to an inch

C. J. Lyons
Oct. 31. 1852

APANA 4

WAIKOLOA 2
HAMAKUA HAWAII



Scale 1000 ft to an inch

C. J. Lyons
Nov. 11. 1852