

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
Y-O LIMITED PARTNERSHIP)
To Amend the Land Use District)
Boundary of Approximately 410.913)
acres, identified by Tax Map Key)
No.: 7-3-09: 17 at Kaloko and)
Kohanaiki, North Kona, Hawaii from)
the Agricultural to the Urban)
District)
_____)

DOCKET NO. A81-525
Y-O LIMITED PARTNERSHIP

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 13 1990 by *Lothar Leidel*
Date Executive Officer

ORDER APPROVING MOTION FOR MODIFICATION OF
CONDITION "A" OF THE DECISION AND ORDER

JUN 13 1990
10:24 AM
STATE LAND USE COMMISSION

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ORDER APPROVING MOTION FOR MODIFICATION OF
CONDITION "A" OF THE DECISION AND ORDER

Petitioner, Y-O Limited Partnership, having moved for an amendment to the Land Use Commission's Decision and Order of January 19, 1983, to modify Condition "A" by deleting the restraint on alienation by deleting the phrase, ". . . prior to assigning or transferring its interest in the subject property", pursuant to Section 15-15-70, Hawaii Land Use Commission Rules, and the Land Use Commission, having duly considered Petitioner's motion at its meeting of May 21, 1990, at Kailua-Kona, Hawaii, and based on the arguments of the parties with good cause existing therefrom,

HEREBY ORDERS that Petitioner's motion be granted. Accordingly, Condition "A" is modified to read as follows:

"A. Petitioner shall provide housing opportunities for low and moderate income Hawaii residents by offering for sale, on a preferential basis, on its own or in cooperation

with either or both the Hawaii Housing Authority or the County of Hawaii, ten per cent (10%) of the lots or houses and lots to be developed on the subject property, to residents of the State of Hawaii of low and moderate family income as determined by the Hawaii Housing Authority or County of Hawaii from time to time. The preferential lots or houses and lots shall be offered for sale at prices not exceeding prices that enable such purchasers to qualify for and obtain state-assisted financing (e.g., Act 105 or Hula Mae) or federally-insured or assisted financing (e.g., FHA Section 245 Program) intended to encourage home ownership by low and moderate income families."

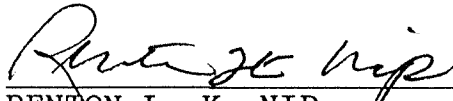
All other conditions shall continue in full force and effect.

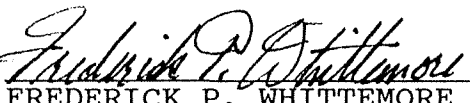
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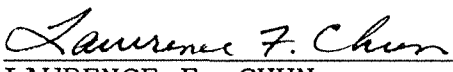
DOCKET NO. A81-525 - Y-O LIMITED PARTNERSHIP

Done at Honolulu, Hawaii, this 13th day of June, 1990,
per motion on May 21, 1990.

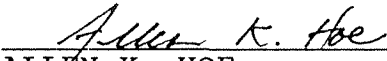
LAND USE COMMISSION
STATE OF HAWAII

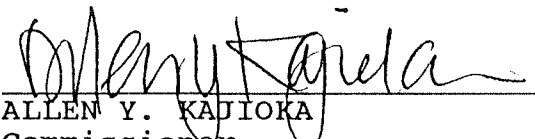
By 
RENTON L. K. NIP
Chairman and Commissioner

By 
FREDERICK P. WHITTEMORE
Vice Chairman and Commissioner

By 
LAWRENCE F. CHUN
Commissioner

By (excused)
SHARON R. HIMENO
Commissioner

By 
ALLEN K. HOE
Commissioner

By 
ALLEN Y. KAJIOKA
Commissioner

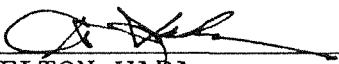
Filed and effective on
June 13, 1990

Certified by:


Executive Officer

By (absent)
EUSEBIO LAPENIA, JR.
Commissioner

By (absent)
JAMES M. SHINNO
Commissioner

By 
ELTON WADA
Commissioner

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the Order Approving Motion For Modification Of Condition "A" Of The 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:

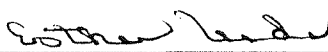
HAROLD S. MASUMOTO, Director
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Honolulu, Hawaii 96813

CERT. DUANE KANUHA, Planning Director
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Hilo, Hawaii 96720

DATED: Honolulu, Hawaii, this 13th day of June 1990.



ESTHER UEDA
Executive Officer