

422980_2

Of Counsel:

IMANAKA KUDO & FUJIMOTO

A Limited Liability Law Company

BENJAMIN A. KUDO 2262-0

NAOMI U. KUWAYE 6648-0

JESSE K. SOUKI 8213-0

745 Fort Street, 17th Floor

Honolulu, Hawai'i 96813

Telephone: (808) 521-9500

Attorneys for Petitioner

KAPOLEI PROPERTY DEVELOPMENT, LLC

ORIGINAL

LAND USE COMMISSION
STATE OF HAWAII
2006 NOV 22 A 11:31

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of

KAPOLEI PROPERTY DEVELOPMENT, LLC

To Amend the Agricultural Land
Use District Boundaries into the
Urban Land Use District for
Approximately 344.519 Acres in
Ewa District, Island of Oahu, Tax
Map Key Nos. (1) 9-1-014:033
(por.), 034, 035 and (1) 9-1-
015:020 (por.)

DOCKET NO. A06-763

SECOND AMENDED PETITION FOR
LAND USE DISTRICT BOUNDARY
AMENDMENT; EXHIBITS "2A-1",
"3A-1", "9A-1", "12A-1",
"21", "22", "23";
CERTIFICATE OF SERVICE

SECOND AMENDED PETITION FOR LAND USE DISTRICT BOUNDARY AMENDMENT

EXHIBITS "2A-1", "3A-1", "9A-1", "12A-1", "21", "22", "23"

CERTIFICATE OF SERVICE

TABLE OF CONTENTS

SECOND AMENDED PETITION FOR LAND USE DISTRICT BOUNDARY AMENDMENT

*VERIFICATION

**EXHIBIT "1-1"	TMK Map showing entire petition area and relevant TMK Nos.
**EXHIBIT "1A-1"	TMK Map showing TMK (1) 9-1-14 and a portion of the petition area
*EXHIBIT "1B"	TMK Map showing TMK (1) 9-1-15 and a portion of the petition area
**EXHIBIT "2A"	Survey Map Showing Proposed Kalaeloa Urban District Boundary Amendment
EXHIBIT "2A-1"	Updated Survey Map Showing Proposed Kalaeloa Urban District Boundary Amendment
**EXHIBIT "3A"	Metes and bounds description of Lot A consisting of TMKs (1) 9-1-014:033 (por.), (1) 9-1-014:034, (1) 9-1-014:035, and (1) 9-1-015:020 (por.)
EXHIBIT "3A-1"	Updated metes and bounds description of Lot A consisting of TMKs (1) 9-1-014:033 (por.), (1) 9-1-014:034, (1) 9-1-014:035, and (1) 9-1-015:020 (por.)
**EXHIBIT "4A"	Environmental Impact Statement Preparation Notice

* Please see Petition for Land Use District Boundary Amendment and Exhibits "1" to "16" filed with the State of Hawai'i Land Use Commission on March 17, 2006.

** See Amended Petition for Land Use District Boundary Amendment and Exhibits "1-1", "2A", "3A", "4A", "9A", "11A", "12A", "13A", "16A", and "17" - "20" filed with the State of Hawai'i Land Use Commission on August 7, 2006.

*EXHIBIT "5"	True copy of the Trustees Limited Warranty Deed with Use Restriction, Covenants and Reservation of Rights for TMK (1) 9-1-014:033
*EXHIBIT "6"	True copy of the Trustees Limited Warranty Deed with Use Restriction, Covenants and Reservation of Rights for TMK (1) 9-1-014:034
*EXHIBIT "7"	True copy of the Trustees Limited Warranty Deed with Use Restriction, Covenants and Reservation of Rights for TMK (1) 9-1-015:020
*EXHIBIT "8"	Letter of Authorization for portion of the Petition Area which is owned by Aina Nui Corporation
**EXHIBIT "9A"	Letter of Authorization for portion of the Petition Area which is owned by The Estate of James Campbell
EXHIBIT "9A-1"	Letter of Authorization for portion of the Petition Area which is owned by the James Campbell Company, LLC
*EXHIBIT "10"	Affidavit of Naomi U. Kuwaye Attesting to the Service of Petition for Land Use District Boundary Amendment
**EXHIBIT "11A"	City and County of Honolulu Zoning Map
**EXHIBIT "12A"	Kapolei Harborside Center Project Master Plan Map
EXHIBIT "12A-1"	Updated Kapolei Harborside Center Project Master Plan Map

* Please see Petition for Land Use District Boundary Amendment and Exhibits "1" to "16" filed with the State of Hawai'i Land Use Commission on March 17, 2006.

** See Amended Petition for Land Use District Boundary Amendment and Exhibits "1-1", "2A", "3A", "4A", "9A", "11A", "12A", "13A", "16A", and "17" - "20" filed with the State of Hawai'i Land Use Commission on August 7, 2006.

**EXHIBIT "13A"	Financial Statement
*EXHIBIT "14"	Notification of Petition Filing
*EXHIBIT "15"	Affidavit of Naomi U. Kuwaye Attesting to Sending of the Notification of Petition Filing
**EXHIBIT "16A"	Project Location Map
**EXHIBIT "17"	True copy of deed for TMK (1) 9-1-014:035
**EXHIBIT "18"	Notification of Amended Petition Filing
**EXHIBIT "19"	Affidavit of Stephanie G. Uechi Attesting to Sending of the Notification of Amended Petition Filing
**EXHIBIT "20"	Affidavit of Stephanie G. Uechi Attesting to Service of Amended Petition for Land Use District Boundary Amendment
EXHIBIT "21"	Notification of Second Amended Petition Filing
EXHIBIT "22"	Affidavit of Naomi U. Kuwaye Attesting to Sending of the Notification of Second Amended Petition Filing
EXHIBIT "23"	Affidavit of Naomi U. Kuwaye Attesting to Service of Second Amended Petition for Land Use District Boundary Amendment

CERTIFICATE OF SERVICE

* Please see Petition for Land Use District Boundary Amendment and Exhibits "1" to "16" filed with the State of Hawai'i Land Use Commission on March 17, 2006.

** See Amended Petition for Land Use District Boundary Amendment and Exhibits "1-1", "2A", "3A", "4A", "9A", "11A", "12A", "13A", "16A", and "17" - "20" filed with the State of Hawai'i Land Use Commission on August 7, 2006.

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI'I

In the Matter of the Petition of

KAPOLEI PROPERTY DEVELOPMENT, LLC

To Amend the Agricultural Land
Use District Boundaries into the
Urban Land Use District for
Approximately 344.519 Acres in
Ewa District, Island of Oahu, Tax
Map Key Nos. (1) 9-1-014:033
(por.), 034, 035 and (1) 9-1-
015:020 (por.)

DOCKET NO. A06-763

SECOND AMENDED PETITION FOR
LAND USE DISTRICT BOUNDARY
AMENDMENT

SECOND AMENDED PETITION FOR LAND USE DISTRICT BOUNDARY AMENDMENT

COMES NOW, PETITIONER KAPOLEI PROPERTY DEVELOPMENT, LLC, a
Hawai'i limited liability company, by and through its attorneys,
the law firm of IMANAKA KUDO & FUJIMOTO, a limited liability law
company, and hereby submits the following amendment to the
Petition for Land Use District Boundary Amendment which was
filed with the State Land Use Commission ("Commission") on
March 17, 2006 (hereinafter referred to as the "Petition").

Petitioner respectfully submits this second amendment to
the Petition pursuant to section 15-15-43, Hawaii Administrative
Rules ("HAR"), which states in relevant part that:

. . . All pleadings may be amended at any
time until forty-five days prior to the hearing
date set pursuant to section 15-15-51.
Amendments offered prior to the hearing date
shall be served on all parties and filed with the
commission. All parties shall have the

opportunity to provide any further response to address the amended pleading up to thirty days prior to the hearing date set pursuant to section 15-15-51.

I. INTRODUCTION

On March 17, 2006, Kapolei Property Development, LLC (hereinafter referred to as the "Petitioner") filed a Petition for Land Use District Boundary Amendment to reclassify approximately 331.674 acres from the Agricultural District to the Urban District in Commission Docket A06-763.

Subsequent to filing the Petition, an additional 12.845-acre parcel identified by Tax Map Key number ("TMK") (1) 9-1-014:035 was added which increased the overall area subject to the Petition ("Petition Area") to approximately 344.519 acres, prompting the submission of an Amended Petition for Land Use District Boundary Amendment; Exhibits "1-1", "1A-1", "2A", "3A", "4A", "9A", "11A", "12A", "13A", "16A", "17"- "20"; Certificate of Service ("Amendment") to the Commission on August 7, 2006.

A few developments affecting the Petition Area have occurred since filing the Amendment, namely, a transfer of ownership of certain parcels within the Petition Area to an affiliated entity, and a change in the lot numbers for certain parcels as a result of the reconsolidation and subdivision process.

In addition, since filing the Amendment, Petitioner has conducted a formal survey of the preservation component of their master plan and the Project Master Plan Map has been amended to reflect the area's accurate acreage.

Finally, the Petitioner desires to provide supplemental information regarding the proposed number of lots for the project.

II. AMENDMENTS

Petitioner is amending and/or supplementing the Petition as follows:

A. Transfer in Ownership Interest in Certain Parcels Within the Petition Area from the Estate of James Campbell to James Campbell Company, LLC

There has been a transfer of ownership interest in certain lands covered under the Petition situated at Kapolei, Oahu, State of Hawai'i, referred to as TMK 9-1-014:035 from the Estate of James Campbell ("EJC") to its successor, James Campbell Company, LLC ("JCC"). JCC is a Hawai'i-based national real estate company wholly owned by EJC, and the successor to EJC, which ends in 2007 as specified by James Campbell's Will. The transition to JCC ensures that the ongoing business of EJC will continue beyond 2007. A side-by-side comparison reflecting this change in ownership is provided below for your reference.

B. Change in Lot Numbers of Parcels Within the Petition Area as a Result of Consolidation and Resubdivision and Relinquished Ownership

The Land Court lot numbers for certain parcels in the Petition Area have changed because of a consolidation and resubdivision of the parcels. Lot 14084 (TMK 9-1-014:034) and Lot 14083 (TMK 9-1-015:020) were consolidated into Lot 16914 (por.). Also, EJC relinquished its interest in Lot 16914 (por.); thus, Kapolei Property Development, LLC ("KPD") and Aina Nui Corporation ("ANC"), affiliates of JCC, have an undivided ownership interest in Lot 16914 (por.) (TMKs 9-1-014:034 and 9-1-015:020 (por.)). It should be noted that TMKs for all parcels as well as the total Petition Area acreage has remained unchanged. A side-by-side comparison reflecting these changes is shown below:

PREVIOUS			
TMK	Land Court Lot	Area (acres)	Ownership
9-1-014:033 (por.)	Lot 14082 (por.)	137.529	KPD/ANC
9-1-014:034	Lot 14084	19.947	KPD/ANC
9-1-014:035	Lot 14085	12.845	EJC
9-1-015:020 (por.)	Lot 14083 (por.)	174.198	KPD/ANC/EJC
Total Petition Area		344.519	

UPDATED			
TMK	Land Court Lot	Area (acres)	Ownership
9-1-014:033 (por.)	Lot 14082 (por.)	137.529	KPD/ANC
9-1-014:034	Lot 16914 (por.)	19.947	KPD/ANC
9-1-014:035	Lot 14085	12.845	JCC
9-1-015:020 (por.)	Lot 16914 (por.)	174.198	KPD/ANC
Total Petition Area		344.519	

C. Corrected Acreage for Preservation Component of Master Plan

Since filing the Amendment, Petitioner has conducted a formal survey of the preservation component of its master plan and the Project Master Plan Map has been amended to reflect the area's accurate acreage. The preservation area, located in the southern portion of the Petition Area, was formed in the early 1990s, with the guidance of Bernice Pauahi Bishop Museum zoologist Dr. Alan Ziegler, who conducted substantial investigations of the sinkholes located in this area. In December 1992, Dr. Ziegler walked the site with representatives of the former EJC, to delineate the position for a boundary fence to protect this area. The preserve area was subsequently fenced by EJC. At the time the fence was erected, the area of the preserve was erroneously estimated to be between seven (7) and eight (8) acres, but was never formally surveyed. As a follow-up to inquiries regarding the sinkhole preserve, Petitioner commenced a land survey of the fenced area in October 2006. The survey indicates an actual area of approximately six (6) acres enclosed by the boundary of the fenced sinkhole preserve. There are many sinkhole resources of significance that lie within this approximate six-(6)-acre area, as bounded by the AES coal conveyor to the west, the Hawaiian Western Steel waste pile to the north, existing Hanua Road to the east, and an existing

access road off Hanua Road serving the compost business tenant. The land between Malakole Street and the fence is not included in the sinkhole preserve area, as it includes an easement for pipelines and the roadway access to the adjoining compost business tenant. The close concentration of sinkholes has significant scientific value, and the approximate six-(6)-acre area will continue to be preserved.

D. Proposed Number of Lots

Petitioner desires to provide supplemental information regarding the Petition regarding the proposed number of lots. Lots within Kapolei Harborside Center are expected to range between one (1) to three (3) acres in size based on comparable existing projects in the area. However, the project could be developed with up to as many as two thousand (2,000) lots based on several potential industrial zoning designations. The actual number of lots, lot sizes, types of lots and selling range are conceptual and subject to further planning and market conditions.

E. Updated Exhibits

Pursuant to the above-mentioned information in Sections II.A.-II.C., the *Table of Contents for the Amended Petition for Land Use District Boundary Amendment*; Exhibit "2A" - *Survey Map Showing Proposed Kalaeloa Urban District Boundary Amendment*; Exhibit "3A" - *Metes and bounds description of Lot A consisting of TMKs (1) 9-1-014:033 (por.), (1) 9-1-014:034, (1)*

9-1-014:035, and (1) 9-1-015:020 (por.); and Exhibit "12A" - Kapolei Harborside Center Project Master Plan Map, as provided in the Amended Petition filed August 7, 2006 have been updated and replaced by the following: *Table of Contents for the Second Amended Petition for Land Use District Boundary Amendment*; Exhibit "2A-1" - *Updated Survey Map Showing Proposed Kalaeloa Urban District Boundary Amendment*, Exhibit "3A-1" - *Updated metes and bounds description of Lot A consisting of TMKs (1) 9-1-014:033 (por.), (1) 9-1-014:034, (1) 9-1-014:035, and (1) 9-1-015:020 (por.); and Exhibit "12-A-1" - Updated Kapolei Harborside Center Project Master Plan Map*, attached to this Second Amended Petition and incorporated herein (collectively, "Updated Exhibits").

Specifically, *Table of Contents for the Second Amended Petition for Land Use District Boundary Amendment* has incorporated the Updated Exhibits, as well as new exhibits listed below in Section II.F.

Exhibit "2A-1" - *Updated Survey Map Showing Proposed Kalaeloa Urban District Boundary Amendment* and Exhibit "3A-1" - *Updated metes and bounds description of Lot A consisting of TMKs (1) 9-1-014:033 (por.), (1) 9-1-014:034, (1) 9-1-014:035, and (1) 9-1-015:020 (por.)* reflect the updated lot numbers for parcels in the Petition Area.

Further, Exhibit "12-A-1" - *Updated Kapolei Harborside Center Project Master Plan Map* has incorporated the corrected preserve area acreage.

F. New Exhibits

In addition to the Updated Exhibits listed in Section II.E., Petitioner respectfully submits the following new exhibits in connection with this Second Amended Petition:
Exhibit "9A-1" - *Letter of Authorization for portion of the Petition Area which is owned by the James Campbell Company, LLC;*
Exhibit "21"- *Notification of Second Amended Petition Filing;*
Exhibit "22" - *Affidavit of Naomi U. Kuwaye Attesting to Sending of Notification of Second Amended Petition Filing;* and Exhibit "23"- *Affidavit of Naomi U. Kuwaye Attesting to Service of Second Amended Petition for Land Use District Boundary Amendment.*

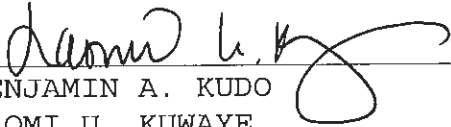
All other exhibits not otherwise mentioned are current and not affected by the supplemental information.

III. CONCLUSION

Based upon the foregoing, Petitioner respectfully submits the foregoing amendments pursuant to HAR § 15-15-43 for the Commission's review and appropriate action.

DATED: Honolulu, Hawai'i, November 22, 2006.

Of Counsel:
IMANAKA KUDO & FUJIMOTO
A Limited Liability Law Company



BENJAMIN A. KUDO
NAOMI U. KUWAYE
JESSE K. SOUKI
Attorneys for Petitioner
KAPOLEI PROPERTY DEVELOPMENT,
LLC

LAND USE COMMISSION
STATE OF HAWAII
2006 NOV 22 A 11:32
14082

2006 NOV 22 A 11:32

140 22 A 11:32

11:32

7.

- on 2
ion
f La
on 2
ion
La
on 1
ius
th a
87 f
La

9. Thence along the West side of Kalaeloa Boulevard, Lot 172-C (Map 132) of Land Court Application 1069, on a curve to the left with a radius of 2,054.00 feet, the chord azimuth and distance being:
353° 17' 48.5" 118.06 feet;
10. 351° 39' 530.66 feet along the West side of Kalaeloa Boulevard, Lot 172-C (Map 132) and Lot 14283 (Map 1118) of Land Court Application 1069;
11. Thence along the North side of Malakole Road, Lots 14283, 14284 (Map 1118) and Lot 425-B (Map 320) of Land Court Application 1069, on a curve to the right with a radius of 65.00 feet, the chord azimuth and distance being:
40° 02' 49.5" 97.21 feet;
12. 88° 26' 39" 4,017.62 feet along the North side of Malakole Road, Lot 425-B (Map 320), and Lot 3159 (Map 322) of Land Court Application 1069;
13. Thence along the North side of Malakole Road, Lot 3159 (Map 322) of Land Court Application 1069, on a curve to the right with a radius of 542.96 feet, the chord azimuth and distance being:
119° 49' 52" 565.56 feet;
14. 225° 00' 1,118.90 feet along Lot 9541 (Map 711) of Land Court Application 1069;
15. Thence along the remainder of Lot 14082 (Map 1083) of Land Court Application 1069, on a curve to the left with a radius of 473.00 feet, the chord azimuth and distance being:
247° 01' 18" 354.71 feet;
16. 225° 00' 1,428.25 feet along same;

17. Thence along same, on a curve to the left with a radius of 807.50 feet, the chord azimuth and distance being:
154° 47' 55" 547.02 feet;
18. 135° 00' 389.74 feet along same;
19. 152° 40' 240.39 feet along Lot 9541 (Map 711) of Land Court Application 1069;
20. 225° 00' 2,235.96 feet along Lot 9540 (Map 710) and Lot 9542-B (Map 1019) of Land Court Application 1069;
21. 135° 00' 1,530.76 feet along Lot 9542-B (Map 1019) of Land Court Application 1069;
22. 285° 23' 3,058.01 feet along the remainder of Lots 14082 (Map 1083) and 16914 (Map 1316) of Land Court Application 1069;
23. 195° 23' 79.79 feet along the remainder of Lot 16714 (Map 1316) of Land Court Application 1069;
24. Thence along same, to the point of beginning, on a curve to the right with a radius of 720.00 feet, the chord azimuth and distance being:
213° 43' 46" 453.25 feet
and containing an area of 344.519 acres.

October 20, 2006
Honolulu, Hawaii



Gary S. Takamoto
Gary S. Takamoto
Licensed Professional Land Surveyor
Certificate Number 7946
License Expires 4/08



November 20, 2006

Hawaii State Land Use Commission
P.O. Box 2359
Honolulu, Hawai'i 96804-2359

LAND USE COMMISSION
STATE OF HAWAII
2006 NOV 22 A 11:32

Dear Chairperson Judge and Commissioners:

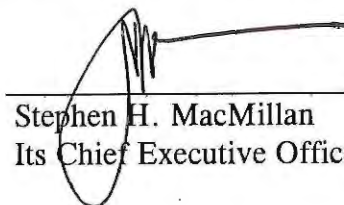
Re: Petition by Kapolei Property Development, LLC for Land Use District
Boundary Amendment, Reclassifying Approximately 345 Acres, Situated in the
'Ewa District, Island of O'ahu

The James Campbell Company, LLC ("JCC") is the fee owner of the real property identified as tax map key ("TMK") parcel number (1) 9-1-14:035, situated at Honouliuli, District of 'Ewa, City and County of Honolulu, Island of O'ahu, State of Hawai'i, more particularly described in Exhibit "2A-1" and Exhibit "3A-1" attached to the Second Amended Petition in Docket No. A06-763, (collectively referred to as the "Property").

JCC hereby authorizes Kapolei Property Development, LLC, its attorneys and/or its respective representatives to submit a petition to reclassify the said Property from agricultural to urban under Chapter 205 of the Hawaii Revised Statutes and to do all things necessary thereunder to effect the purpose of the said petition.

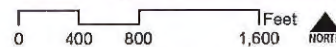
James Campbell Company, LLC

By:


Stephen H. MacMillan
Its Chief Executive Officer

jlr:01033200\K12026

Exhibit "9A-1"



November 22, 2006

Notification of Second Amended Petition Filing

This is to advise you that a petition to amend the State Land Use District Boundaries with the following general information has been submitted to the State of Hawaii Land Use Commission:

Docket No.: A06-763
Petitioner/Address: Kapolei Property Development, LLC
1001 Kamokila Boulevard, Suite 250
Kapolei, Hawaii 96707
Landowners: Kapolei Property Development, LLC, Aina Nui Corporation and James Campbell Company, LLC (Kapolei Property Development, LLC is the authorized agent for Aina Nui Corporation and James Campbell Company, LLC for the purposes of this petition)
Tax Map Key Numbers: (1) 9-1-14: 33 (por.), 34, and 35
(1) 9-1-15: 20 (por.)
Location: Honouliuli, Ewa District, Oahu, Hawaii
Request Reclassification: Agricultural to Urban
Acreage: Approximately 344.519 acres
Proposed Uses: Business industrial park

You may review detailed information regarding the petition at the Land Use Commission ("Commission") office or the City and County of Honolulu, Department of Planning and Permitting.

The Commission's office is located at 235 S. Beretania Street, Room 406, Honolulu, Hawaii. Office hours are from 7:45 a.m. to 4:30 p.m., Mondays through Fridays.

A hearing on this petition will be scheduled at a future date. If you are interested in participating in the hearing as a public witness, please write or call the Commission office at P.O. Box 2359, Honolulu, Hawaii 96804-2359; telephone (808) 587-3822.

If you intend to participate in the hearing as an intervenor, pursuant to § 15-15-52, Hawaii Administrative Rules, you should file a Notice of Intent to Intervene with the Commission within 30 days of the date of this notice. Please contact the Commission office for further information.

STATE OF HAWAII
LAND USE COMMISSION



Kapolei Harborside Center
Project Location Map

423532_1

Of Counsel:

IMANAKA KUDO & FUJIMOTO

A Limited Liability Law Company

BENJAMIN A. KUDO 2262-0

NAOMI U. KUWAYE 6648-0

JESSE K. SOUKI 8213-0

745 Fort Street, 17th Floor

Honolulu, Hawaii 96813

Telephone: (808) 521-9500

Attorneys for Petitioner

KAPOLEI PROPERTY DEVELOPMENT, LLC

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of
KAPOLEI PROPERTY DEVELOPMENT, LLC

To Amend the Agricultural Land
Use District Boundaries into the
Urban Land Use District for
Approximately 344.519 Acres in
Ewa District, Island of Oahu, Tax
Map Key Nos. (1) 9-1-014:033
(por.), 034, 035 and (1) 9-1-
015:020 (por.)

DOCKET NO. A06-763

AFFIDAVIT OF NAOMI U. KUWAYE
ATTESTING TO SENDING OF THE
NOTIFICATION OF SECOND
AMENDED PETITION FILING;
ATTACHMENTS "A" AND "B"

AFFIDAVIT OF NAOMI U. KUWAYE ATTESTING TO SENDING
OF THE NOTIFICATION OF SECOND AMENDED PETITION FILING

STATE OF HAWAII)
)
CITY AND COUNTY OF HONOLULU) SS:

NAOMI U. KUWAYE, being first sworn on oath, deposes and
says that:

1. Affiant is one of the attorneys for Petitioner,
KAPOLEI PROPERTY DEVELOPMENT, LLC ("Petitioner"), is licensed to

LAND USE COMMISSION
STATE OF HAWAII
2006 NOV 22 A 11:32

practice law in the State of Hawaii, is duly authorized to make this affidavit, and does so upon personal knowledge and belief.

2. This affidavit is made to comply with section 15-15-50(d), Hawaii Administrative Rules ("HAR") for the State of Hawaii, Land Use Commission ("Commission").

3. On November 22, 2006, Petitioner filed with the Commission a second amended petition for a boundary amendment ("Second Amended Petition") in Docket No. A06-763.

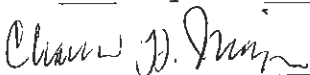
4. On November 22, 2006, the same day that the Second Amended Petition was submitted to the Commission and pursuant to HAR § 15-15-50(d), Petitioner sent a Notification of Second Amended Petition Filing to persons included on the statewide and Oahu mailing lists provided to Petitioner by the Commission on or about November 14, 2006 (attached hereto as Attachments "A" and "B", respectively).

Further affiant sayeth naught.



NAOMI U. KUWAYE

Subscribed and sworn to before me
this 22nd day of November, 2006.



Notary Public, State of Hawaii

Charlene H. Miyakawa

Printed Name

My commission expires: 9.9.2010



UH Director of Capital Improvements
1951 East West Road
Honolulu, Hawaii 96822

Mr. Carroll Cox
PO Box 89-3062
Millilani, HI 96789

STATEWIDE LIST 2006
Last Updated: 11/08/06

Earth Justice Legal Defense Fund
Austin Building, Suite 400
223 South King Street
Honolulu HI 96813

Mr. Perry Artates
Hawaii Operating Engineers
95 Lono Avenue, Suite 104
Kahului HI 96732-1610

Ashford & Wriston Library
P. O. Box 131
Honolulu HI 96810

Associated Press
500 Ala Moana Boulevard, Suite 7-590
Honolulu, Hawaii 96813

Rose Marie H. Duey
Alu Like, Inc., Maui Island Center
1977 Kaohu Street
Wailuku HI 96793

Mr. Ikuto Taketa
c/o Hawaii Irrigation & Supply
803 Mapunapuna Street
Honolulu HI 96819

Michael J. Belles, Esq.
Belles Graham Proudfoot & Wilson
4334 Rice Street, Suite 202
Lihue HI 96766

Roddy Bilan
P. O. Box 30602
Honolulu HI 96820

Gary L. Blaich, M.D.
P. O. Box 1434
Kilauea HI 96754

Mr. Merle A.K. Kelai
P.O. Box 3440
Honolulu, Hawaii 96801

Mr. Kenneth Okamura
641 Polipoli Road
Kula, Hawaii 96790

James S. Greenwell
Lanihau Partners L.P.
3465 Waialae Avenue, Suite 260
Honolulu HI 96816

Patrick Borge, Sr.
536 Haawina Street
Paia, Hawaii 96779-9609

P. Roy Catalani
Young Brothers, Ltd.
Pier 40 -- P. O. Box 3288
Honolulu, HI 96801

Building Industry Association of Hawaii
1727 Dillingham Blvd.
Honolulu HI 96819

Building Trades Council
Gentry Pacific Design Ctr. Ste. 215A
560 N. Nimitz Hwy. #50
Honolulu HI 96817

Attn: Roy A. Vitousek III
Cades Schutte Fleming & Wright
75-170 Hualalai Road, Ste. B-303
Kailua-Kona HI 96740

Ms. Phyllis Cayan
99-060 Kauhale St, Apt. 607
Aiea HI 96701

Mr. Charles Trembath
4152 Palaumahu
Lihue HI 96766

Surety Kohala Corporation
P. O. Box 249
Hawi HI 96719

Mr. Bruce Tsuchida
Townscape
900 Fort Street Mall, #1160
Honolulu HI 96813

Ms. Meredith J. Ching
Alexander & Baldwin, Inc.
P. O. Box 3440
Honolulu HI 96801

Council Services Administration
Kauai County Council
4396 Rice Street, #206
Lihue, HI 96766

Ms. K. Chun
P. O. Box 3705
Honolulu HI 96811

City Desk Clerk-Public Hearings
Honolulu Star Bulletin
500 Ala Moana Boulevard, Unit 210
Honolulu, Hawaii 96813-4914

Ms. Eleanor Mirikitani
c/o Waikoloa Land Co.
150 Waikoloa Beach Drive
Waikoloa HI 96738

Mr. David Penn
P. O. Box 62072
Honolulu HI 96839

Mr. Alan Suwa
Castle & Cooke Hawaii
100 Kahelu Avenue, 2nd Floor
Mililani, Hawaii 96789

Mr. Lunakanawai Hauanio
P. O. Box 871
Capt. Cook HI 96704

Alan Kaufman, DVM
P O Box 297
Kula, HI 96790

Karen Piltz
Chun Kerr Dodd Beaman & Wong
745 Fort Street, 9th Floor
Honolulu, HI 96813

Mr. David Rae
The Estate of James Campbell
1001 Kamokila Boulevard
Kapolei HI 96707

United States Marine Corps
Commander, Marine Forces Pacific
Attn: G4. Box 64118
Camp H.M. Smith, Hawaii 96861-4118

David Kimo Frankel
Chair, Sierra Club, Hawai'i Chapter
P. O. Box 1185
Volcano HI 96785

U.S. Fish and Wildlife Service
300 Ala Moana Blvd., Rm. 3-122
Honolulu HI 96813

Department of the Army
Directorate of Public Works
Attn: Planning Division
Schofield Barracks, Hawaii 96857-5013

Mr. Albert K. Fukushima
1841 Palamoi Street
Pearl City HI 96782

Mr. Ian Costa, Director
Planning Department - Kauai
4444 Rice Street, Suite 473
Lihue HI 96766

J. Gillmar
P. O. Box 2902
Honolulu HI 96802

Lynn Kaho'ohalahala
124 A Fleming Road
Lahaina, HI 96761

Isaac Hall, Esq.
2087 Wells Street
Wailuku HI 96793

The Hallstrom Group, Inc.
Suite 1350, Pauahi Tower
1001 Bishop Street
Honolulu HI 96813

Ms. Esther Ueda
98-1784-B Kaahumanu Street
Pearl City HI 96782

Real Property Division
County of Kauai
4444 Rice Street
Lihue HI 96766

Mr. Randy Hara
C&C Department of Planning & Permitting
650 South King Street
Honolulu HI 96813

Hawaii's Thousand Friends
25 Malunui Ave., Suite 102, PMB 282
Kailua HI 96734

Jacqui Hoover, President
Hawaii Leeward Planning Conference
P. O. Box 2159
Kamuela HI 96743

Hawai'i Operating Eng Stabilization Fund
Attn: Adrian Keohokalole
1432 Middle Street
Honolulu HI 96819

Mr. Norman Hayashi
563 West Kawaiilani Street
Hilo HI 96720

Mrs. Jan Higa & Company
3171 Waialae Avenue
Honolulu HI 96816

Department of the Navy
Commander in Chief, U.S. Pacific Fleet
Commander in Chief
250 Makalapa Drive
Pearl Harbor, HI 96860-3131

U.S. Pacific Command
Commander in Chief
Box 64028
Camp H.M. Smith, Hawaii 96861-4028

Commander
Navy Region Hawaii
850 Ticonderoga Street, Suite 110
Pearl Harbor HI 96860-5101

Lawrence Ing, Esq.
Ing, Horikawa & Jorgensen
2145 Wells Street, Suite 204
Wailuku, Hawaii 96793-2222

Mrs. Dora Horikawa
99-645 Kaulainahee Place
Aiea HI 96701-3542

William E. Wankett, Inc.
1110 University Ave., #508
Honolulu, HI 96826-1508

Gina Catone
Paul Johnson Park & Niles
1001 Bishop Street, Suite 1300
Honolulu HI 96813

Mr. Alexander C. Kinzler
1100 Alakea Street Ste. 2900
Honolulu, HI 96813-2833

Diana Leone
46-074 Puulena Street, #1124
Kaneohe, HI 96744

Jill K. Veles, Legal Assistant
Oshima, Chun, Fong & Chung
841 Bishop Street, #400
Honolulu HI 96813

Isaac Fiesta
ILWU Local 142 - Hawaii Division
100 W. Lanikaula Street
Hilo, HI 96720

Libbie Kamisugi
2500 Aha Aina Place
Honolulu HI 96821

Collette M. Sakoda
Environmental Planning Solutions LLC
945 Makaiwa Street
Honolulu, HI 96816

Dwight Kauahikaua
Kawaiahao Plaza, Suite 108
567 South King Street
Honolulu HI 96813

PBR Hawaii
101 Aupuni Street, Suite 310
Hilo HI 96720

Verizon Hawaii, Inc.
Attn: Real Property Section
P O Box 2200
Honolulu, HI 96841

Mark Matsunaga
KHON
88 Piikoi Street
Honolulu HI 96814

Cheryl Izuka, Senior Title Officer
Title Guaranty of Hawaii, Inc.
235 Queen Street
Honolulu, Hawaii 96813

Attn.: Ms. Wanda Wehr
KITV News 4
801 S. King Street
Honolulu HI 96813

West Hawaii Today
Attn: Reed Flickinger
P. O. Box 789
Kailua-Kona HI 96745-0789

Mr. Chester Koga
R.M. Towill Corporation
420 Waiakamilo Road, #411
Honolulu HI 96818

Benjamin A. Kudo, Esq.
Imanaka Kudo & Fujimoto
745 Fort Street, 17th Floor
Honolulu HI 96813

Mr. Kenneth Kupchak
Damon Key Bocken Leong & Kupchak
1001 Bishop Street, #1600
Honolulu HI 96813

Burt Lau, Esq.
999 Bishop St., Ste. 2600
Honolulu HI 96813

Land Use Research Foundation of Hawaii
700 Bishop Street, Suite 1928
Honolulu HI 96813

Dain P. Kane
Maui County Council
200 South High Street
Wailuku HI 96793

Pat Lee & Associates, Inc.
45-248A Pahikaua Place
Kaneohe HI 96744

League of Women Voters
49 South Hotel Street, Rm. 314
Honolulu HI 96813

Dickson C. H. Lee, Esq.
Takushi Wong Lee & Yee
841 Bishop Street, Suite 1540
Honolulu, Hawaii 96813

Michael Y. M. Loo
Princeville Corporation
P. O. Box 223040
Princeville HI 96722-3040

Life of the Land
76 North King Street, Suite 203
Honolulu HI 96817

Steven S.C. Lim, Esq.
Carlsmith Ball
121 Waiianuenue Avenue
Hilo HI 96720

Crockett & Nakamura
38 S. Market Street
Wailuku, Hawaii 96793

Eric Maehara, Esq.
1001 Bishop Street #700
Honolulu HI 96813

Benjamin M. Matsubara, Esq.
C.R. Kendall Building, 8th Floor
888 Milliani Street
Honolulu HI 96813

Sue White
1118 Maunawili Road
Kailua HI 96734

Metro Calendar
P. O. Box 3110
Honolulu HI 96802

William W.L. Yuen, Esq.
Pacific Tower, Suite 2700
1001 Bishop Street
Honolulu HI 96813

Attn: Bonnie Stifel
McCorriston Miller Mukai MacKinnon
P. O. Box 2800
Honolulu HI 96803-2800

Mr. Christopher Yuen, Director
County of Hawaii, Planning Department
101 Pauahi Street, Suite 3
Hilo, Hawaii 96720

Pat Tummons
72 Kapiolani Street
Hilo, Hawaii, 96720

Kojo Acquaah
LexisNexis Matthew Bender
701 East Water Street
Charlottesville, VA 22902

Real Property Tax Division, Dept of Finance
County of Hawaii
101 Aupuni Street, Suite 4
Hilo, HI 96720-4224

Frances Mossman
P. O. Box 31069
Honolulu HI 96820-1069

Franklin Mukai, Esq.
McCorriston Miller Mukai MacKinnon
P. O. Box 2800
Honolulu HI 96803-2800

National Resources Conservation Svc.
Attn: Chris Smith
P. O. Box 50004
Honolulu HI 96850

Mr. Jim Stanney
c/o The Resort Group
1100 Alakea Street, 25th Floor
Honolulu, Hawaii 96813

Native Hawaiian Legal Corporation
1164 Bishop Street, #1205
Honolulu HI 96813

Nathan Natori, Esq.
1360 Pauahi Tower
1001 Bishop Street
Honolulu HI 96813

Natural Resources Conservation Svc.
300 Ala Moana Blvd., Room 4-118
Honolulu HI 96850

Wilson Okamoto & Associates
Attn: Earl Matsukawa
1907 S. Beretania Street
Honolulu, HI 96826

Julian Ng, Inc.
P. O. Box 816
Kaneohe HI 96744-0816

Mr. John M. White
Hawaii Land Company
P. O. Box 10
Honolulu HI 96810

Ms. Donna Ann Kamehaiku Ono
He'e'ia Historical Society
46-522 Haiku Plantations Drive
Kaneohe HI 96744

Peter Yukimura
P. O. Box 1031
Lihue, HI 96766

Mr. Robert H. Taniguchi
c/o Campbell Estate
1001 Kamokila Boulevard
Kapolei HI 96707

Mr. Kyle Chock, Executive Director
Pacific Resource Partnership
1001 Bishop Street, Suite 1501
Honolulu HI 96813

Mr. Gordon Pang
7 Waterfront Plaza, Suite 210
500 Ala Moana Blvd.
Honolulu HI 96813

Ms. Rhoda Libre
P. O. Box 246
Kaumakani HI 96747

PBR Hawaii
Pacific Tower, Suite 650
1001 Bishop Street
Honolulu HI 96813

The Pele Defense Fund
P. O. Box 404
Volcano HI 96785

Mr. Michael Foley, Director
Planning Department - County of Maui
250 South High Street
Wailuku HI 96793

Mr. James Dumlao
1001 Bishop Street, #1600
Honolulu, HI 96813

Chairman - Planning Commission
County of Kauai
4444 Rice Street, Suite 473
Lihue HI 96766

Real Property Tax Division
Department of Finance - County of Hawaii
101 Pauahi Street, Suite No. 4
Hilo HI 96720

Mr. Richard Poirier
95-584 Naholoholo
Mililani HI 96789

Prosser Realty, Inc.
4379 Rice Street
Lihue HI 96766

Sierra Club, Kauai Group
P. O. Box 3412
Lihue HI 96766

Mr. Dan Yasui
A & B Properties, Inc.
P. O. Box 3440
Honolulu HI 96801-3440

HMH Ventures, Inc.
Ms. Holly Hackett
P.O. Box 755
Honolulu, Hawaii 96808

Tonata Taone
282960 Komula St. # G41
Pepeekeo, HI 96783

Ms. Brenda Salgado
KGMB
1534 Kapiolani Boulevard
Honolulu HI 96814

Sierra Club, Hawai'i Chapter
P. O. Box 2577
Honolulu HI 96803

Doreen Keomalo
282960 Komula St. #G41
Pepeekeo, HI 96783

Mr. Robert J. Smolenski
841 Bishop Street, Ste. 1717
Honolulu HI 96813-3970

Mr. Steven Strauss
P. O. Box 11517
Hilo HI 96720

Wesley R. Segawa & Associates
736 South St. #206
Honolulu, HI 96813

Mr. Bruce A. Coppa
Communications Pacific
TOPA Financial Center
Fort Street Tower, Penthouse
745 Fort Street
Honolulu, HI 96813

Claudia Rohr
369 Nene St.
Hilo, HI 96720

Dr. Steven Lee Montgomery
94-610 Palai Street
Waipahu, Hawaii 96797-4535

Frank Carlos
398 Puiwa Road
Honolulu, HI 96817

Randall Sakumoto, Esq.
McCorriston Miller Mukai MacKinnon LLP
P. O. Box 2800
Honolulu, Hawaii 96803-2800

Brenda Luana Machado Lee
P. O. Box 133
Captain Cook, Kona, Hawaii 96704

Laura Kodama
Castle and Cooke
100 Kahelu Avenue, 2nd Floor
Mililani, HI 96789

C. Mike Kido
External Affairs
The Pacific Resource Partnership
1001 Bishop Street, ASB Tower #1501
Honolulu, HI 96813

Irene Anzai
Rush Moore LLP
737 Bishop Street, Suite 2400
Honolulu, HI 96813

Diane E. Erickson, Esq.
Deputy Attorney General
425 Queen Street
Honolulu HI 96813

Representative Cindy Evans
7th District
State Capitol, Room 311
Honolulu, Hawaii 96813

Ms. Heide Meeker
Dept. of Education/Facilities & Support Svcs
809 8th Avenue, Building J
Honolulu, Hawaii 96816

Mr. Abe Mitsuda
Office of Planning
P. O. Box 2359
Honolulu HI 96804-2359

Ms. Laura H. Thielen, Director
Office of Planning
P. O. Box 2359
Honolulu HI 96804-2359

Lance Tauoa
DOH-Environmental Planning, Rm. 312
919 Ala Moana Boulevard
Honolulu HI 96814

Department of Transportation
Harbors Division
79 South Nimitz Highway
Honolulu HI 96813

Director - OEQC
235 South Beretania St., Rm. 702
Honolulu HI 96813

Mr. Theodore Liu, Director
DBEDT
P. O. Box 2359
Honolulu HI 96804-2359

Mr. Ronald F. Tsuzuki
Highways Division, Planning Branch
869 Punchbowl Street
Honolulu, HI 96813

Deputy Director
Department of Transportation
869 Punchbowl Street
Honolulu HI 96813

Tourism Branch
Dept. of Business, Economic Dev.
P. O. Box 2359
Honolulu HI 96804-2359

LTC Ron Swafford
HIARNG Environmental Office
3949 Diamond Head Road
Honolulu, HI 96816-4495

Mr. Gary Choy
DOT Design Branch, Highways Division
601 Kamokila Blvd., Room 688-A
Kapolei HI 96707

Ms. Julia Tsumoto
DOT Transportation Planning Office
869 Punchbowl Street
Honolulu, HI 96813

Department of Land and Natural Resources
Land Division, Coastal Lands Program
P O Box 621
Honolulu, HI 96809-0621

Executive Director
HCDCH
677 Queen Street, Suite 300
Honolulu HI 96813

Mr. Gordon Matsuoka
DAGS - Public Works Division
P. O. Box 119
Honolulu HI 96810

Senator Brian Kanno
State Capitol
Honolulu HI 96813

HCDCH
Planning & Evaluation Office
677 Queen Street, Suite 300
Honolulu HI 96813

Linden H. Joesting
Deputy Attorney General
465 South King St., Room 300
Honolulu HI 96813

Ms. Jalna Keala
Office of Hawaiian Affairs
711 Kapiolani Boulevard, #500
Honolulu HI 96813

Major General Edward L. Correa, Jr.
Department of Defense
3949 Diamond Head Road
Honolulu HI 96816

Raynor M. Minami, Director
Dept. of Education/Facilities & Support Svcs
809 8th Avenue
Honolulu HI 96816

Commission on Water Resource Management
Dept. of Land & Natural Resources
1151 Punchbowl Street, Room 227
Honolulu HI 96813

Land Management Division
Dept. of Land & Natural Resources
1151 Punchbowl Street, Room 131
Honolulu, HI 96813

Dept. of Land & Natural Resources
Chairperson's Office
1151 Punchbowl Street, Room 130
Honolulu HI 96813

Deputy Director
Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809

Dept. of Hawaiian Home Lands
P. O. Box 1879
Honolulu HI 96805

The Honorable Linda Lingle
Governor, State of Hawaii
State Capitol
Honolulu HI 96813

Ms. Sara Collins
DLNR - Historical Preservation Division
601 Kamokila Blvd., Room 555
Kapolei HI 96707

Chairman of the Board
Dept of Agriculture
1428 South King Street
Honolulu HI 96814

Mr. Allan Parker
Operating Engineers Stabilization
1432 Middle Street
Honolulu HI 96819

Gentry Waipio Community Association
94-1036 Waipio Uka St., #104A
Waipahu HI 96797

Mr. James Gonser
605 Kapiolani Blvd.
Honolulu HI 96813

Doug Chun, Analyst
Office of Council Services
City & County of Honolulu
530 S. King Street, Suite 207
Honolulu HI 96813

Dennis and Katherine Kamada
87-085 Kulaaupuni Street
Waianae, Hawaii 96792

Ken Schmidt, GIS Administrator
City & County Planning & Permitting
650 S. King Street
Honolulu, HI 96813

Ms. Pat Liu
Gentry Homes
P. O. Box 295
Honolulu HI 96809

Leonard Oshiro, President
Mikilua Farm Bureau Center
87-1360 Paakea Road
Waianae, HI 96792

Ms. Cynthia Rezentes
87-149 Maipela Street
Waianae, Hawaii 96792

Mr. Michael Morita
Maunalua Associates, Inc.
P. O. Box 25007
Honolulu HI 96825

Mrs. Elizabeth M. Myers
4151-A Nuuanu Pali Drive
Honolulu HI 96817-1061

Glen Kila, Chair
Waianae Coast Neighborhood Board
530 S. King Street, Room 400
Honolulu, HI 96813

Pearl City Neighborhood Board
c/o Neighborhood Commission Office
530 South King Street, Room 400
Honolulu HI 96813

Real Property Assessment
City & County of Honolulu
842 Bethel Street, 2nd Floor
Honolulu HI 96813

Mr. Doug Aton, Acting Administrator
Oahu Civil Defense Agency
650 S. King Street
Honolulu HI 96813

Ms. Jane A. Ross
92-783 Laaloa Place
Kapolei HI 96707-1644

Mr. Larry Leopardi
Director and Chief Engineer
C&C of Honolulu, Dept. of Fac. Maint.
650 South King Street
Honolulu HI 96813

Donna Rewick
45-220 Kokokahi Place
Kaneohe, HI 96744

Disa Hauge, VP
Maili Elementary School
87-360 Kulaaupuni St.
Waianae, HI 96792

Warren Chaiko
3378 Alohea Avenue
Honolulu, Hawaii 96816

Shannon Wood
Koolau News
P. O. Box 1013
Kailua, Hawaii 96734

Representative Maile Shimabukuro
45th District
State Capitol, Room 315
Honolulu, Hawaii 96813

Director
Department of Planning & Permitting
City & County of Honolulu
650 South King Street
Honolulu HI 96813

Scot Muraoka
Board of Water Supply
City & County of Honolulu
630 S. Beretania Street
Honolulu HI 96813

Haleakala Ranch Company
529 Kealaloa Avenue
Makawao HI 96768

Laverne DeCoito
87-844 Hakimo Road
Waianae, HI 96792

Anthony Lee
Real Property Assessment
City & County of Honolulu
842 Bethel Street, 2nd Floor
Honolulu HI 96813

Ms. Michelle Matson
3931 Gail Street
Honolulu, Hawaii 96815-4502

Doug Meller
2749 Rooke Avenue
Honolulu, Hawaii 96817

OAHU MAILING LIST
Updated: 11/01/06

Alan Takemoto
Hawaii Farm Bureau Federation
2343 Rose Street
Honolulu, HI 96819

Ms. Denise Saylor
87-1098 Oheohe Street
Waianae, Hawaii 96792

Sylvia Brown
87-515 Kulaaupuni Street
Waianae, HI 96792

Creighton Chang
94-203 Paioa Place Apt. P106
Waipahu, Hawaii 96797

Jeff Kagihara
1702 S. King Street
Honolulu, HI 96826

Island Insurance Co.
Attn: Rodney Ajifu
1165 Bethel Street
Honolulu, HI 96813

Eric Enos
Kaala Farms
P. O. Box 630
Waianae, Hawaii 96792

Ronald Morikawa
95-888 Holu Place
Mililani, HI 96789

Roy Morioka
1190A Iki Place
Honolulu, HI 96821

Gary Kaneko
92-210 Awaawahea Place
Kapolei, HI 96707

Mr. Wayne Watanabe
1701 Kalakaua Ave.
Honolulu, HI 96826

Wayne Dang
758 Elepaio Street
Honolulu, HI 96816

423528_1

Of Counsel:

IMANAKA KUDO & FUJIMOTO

A Limited Liability Law Company

BENJAMIN A. KUDO 2262-0

NAOMI U. KUWAYE 6648-0

JESSE K. SOUKI 8213-0

745 Fort Street, 17th Floor

Honolulu, Hawaii 96813

Telephone: (808) 521-9500

Attorneys for Petitioner

KAPOLEI PROPERTY DEVELOPMENT, LLC

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of

KAPOLEI PROPERTY DEVELOPMENT, LLC

To Amend the Agricultural Land
Use District Boundaries into the
Urban Land Use District for
Approximately 344.519 Acres in
Ewa District, Island of Oahu, Tax
Map Key Nos. (1) 9-1-014:033
(por.), 034, 035 and (1) 9-1-
015:020 (por.)

DOCKET NO. A06-763

AFFIDAVIT OF NAOMI U. KUWAYE
ATTESTING TO SERVICE OF
SECOND AMENDED PETITION FOR
LAND USE DISTRICT BOUNDARY
AMENDMENT

AFFIDAVIT OF NAOMI U. KUWAYE ATTESTING TO SERVICE OF
SECOND AMENDED PETITION FOR LAND USE DISTRICT BOUNDARY AMENDMENT

STATE OF HAWAII)

)

SS:

CITY AND COUNTY OF HONOLULU)

NAOMI U. KUWAYE, being first sworn on oath, deposes and
says that:

1. Affiant is one of the attorneys for Petitioner,
KAPOLEI PROPERTY DEVELOPMENT, LLC ("Petitioner"), is licensed to

Exhibit "23"

2006 NOV 22 A 11:33
LAND USE COMMISSION
STATE OF HAWAII

practice law in the State of Hawaii, is duly authorized to make this affidavit, and does so upon personal knowledge and belief.

2. This affidavit is made to comply with section 15-15-50 (c)(5)(C), Hawaii Administrative Rules ("HAR") for the State of Hawaii, Land Use Commission ("Commission").

3. On November 22, 2006, Petitioner filed with the Commission a second amended petition for a boundary amendment ("Second Amended Petition") in Docket No. A06-763.

4. The foregoing Amended Petition and Exhibits "2A-1", "3A-1", "9A-1", "12A-1", "21", "22", "23", pursuant to HAR § 15-15-48(a), were duly served by certified mail or personally served to each of the following persons on November 22, 2006, addressed as follows:

State of Hawai'i
Department of Business, Economic
Development and Tourism
OFFICE OF PLANNING
Attn: Ms. Laura Thielen
P.O. Box 2359
Honolulu, Hawai'i 96804

CERTIFIED MAIL

State of Hawai'i
Department of Business, Economic
Development and Tourism
OFFICE OF PLANNING
Attn: Mr. Abe Mitsuda
Land Use Division
P.O. Box 2359
Honolulu, Hawai'i 96804

CERTIFIED MAIL

State of Hawai'i
DEPARTMENT OF THE ATTORNEY GENERAL
Attention: Mark Bennett, Esq.
Hale Auhau
425 Queen Street
Honolulu, Hawai'i 96813

CERTIFIED MAIL

City and County of Honolulu
DEPARTMENT OF PLANNING AND PERMITTING
Attn: Mr. Henry Eng
650 South King Street, 7th Floor
Honolulu, Hawai'i 96813

CERTIFIED MAIL

City and County of Honolulu
PLANNING COMMISSION
650 South King Street
Honolulu, Hawai'i 96813

CERTIFIED MAIL

City and County of Honolulu
DEPARTMENT OF THE CORPORATION COUNSEL
Attn: Carrie K. S. Okinaga, Esq.
530 South King Street, Room 110
Honolulu, Hawai'i 96813

CERTIFIED MAIL

Ms. Donna Goth
President
Aina Nui Corporation
1001 Kamokila Boulevard, Suite 255
Kapolei, Hawai'i 96707

CERTIFIED MAIL

Mr. Stephen H. MacMillan
Chief Executive Officer
James Campbell Company, LLC
1001 Kamokila Boulevard
Kapolei, Hawai'i 96707

CERTIFIED MAIL

Chevron Products Company
91-480 Malakole Street
Kapolei, Hawai'i 96707

CERTIFIED MAIL

Hawaiian Electric Company, Inc.
900 Richards Street
Honolulu, Hawai'i 96840

CERTIFIED MAIL

Hawaiian Telcom
P.O. Box 2200
Honolulu, Hawai'i 96841

CERTIFIED MAIL

Tesoro Hawaii Refinery
91-325 Komohana Street
Kapolei, Hawai'i 96707

CERTIFIED MAIL

Hawaii MMD LLC
Davies Pacific Center
841 Bishop Street, Suite 700
Honolulu, Hawai'i 96813

CERTIFIED MAIL

AES Hawaii
91-086 Kaomi Loop
Kapolei, Hawai'i 96707

CERTIFIED MAIL

Aloha Petroleum, Ltd.
91-119 Hanua Street
Kapolei, Hawai'i 96707

CERTIFIED MAIL

Milo Nursery, Inc.
2226 Kalihi Street
Honolulu, Hawai'i 96819

CERTIFIED MAIL

Menehune Green
91-400 Malakole Street
Kapolei, Hawai'i 96707

CERTIFIED MAIL

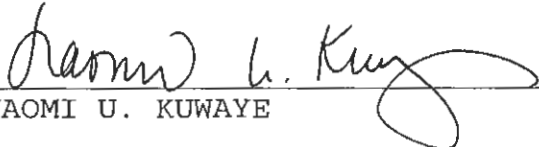
Grace Pacific
P. O. Box 78
Honolulu, Hawai'i 96810

CERTIFIED MAIL

Hawaiian Cement
91-055 Kaomi Loop
Kapolei, Hawai'i 96707

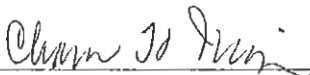
CERTIFIED MAIL

Further affiant sayeth naught.



NAOMI U. KUWAYE

Subscribed and sworn to before me
this 22nd day of November, 2006.



Notary Public, State of Hawaii

Charlene H. Miyakawa

Printed Name
My commission expires: 9.7.2010

