

D-5

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

May 25, 2012

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

File No.10418

Hawaii

Issuance of Land Patent in Confirmation of a Portion of Land Commission Award No. 9971, Apana 5 to W.P. Leleiohoku, situate at Paalaea, District of Hamakua, Island of Hawaii, Tax Map Key: (3) 4-5-006:004.

APPLICANT:

The Estate of Takeko Fujino by Sachiko Ishihara, Personal Representative and Robin L. Miller, Attorney

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 is a portion of Apana 5 of Land Commission Award No. 9971 to W.P. Leleiohoku, situate, lying and being at Paalaea, District of Hamakua, Island of Hawaii, containing an area of 14,041 square feet, more or less, and identified by Tax Key:(3) 4-5-06:04, as shown on the attached map labeled Exhibit A.

DCCA VERIFICATION:

Not applicable. The applicant is the sole proprietor of the subject property and, as such, is not required to register with the Department of Commerce and Consumer Affairs.

REMARKS:

As adjudicated by the Land Commissioners on January 29, 1855, Apana 5 of Land Commission Award No. 9971 (Exhibit B), awarded the Ahupuaa of Paalaea in the District of Hamakua on the Island of Hawaii to W.P. Leleiohoku. The subject property to be patented is a portion thereof.

The Government's commutation therein was released by resolution of the Privy Council dated August 27, 1850, in lieu of said W.P. Leleiohoku's surrendering of his various lands to the Government, as set forth in Volume 3, Page 327, of the Privy Council Records and in Volume 10, Page 514 of the Land Commission Awards.

The staff abstractor has confirmed that no patent has been issued in confirmation of Apana 5 of Land Commission Award 9971, including the subject portion designated as Tax Map Key: (3) 4-5-06:04.


A modern map and survey description of the subject portion of Apana 5 of Land Commission Award 9971 (Exhibit C), has been submitted by the Applicant, and found to be in accordance with survey standards by the State Land Surveyor.

RECOMMENDATION:

Staff recommends that the Board consent to the issuance of a Land Patent in Confirmation of the subject portion 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,

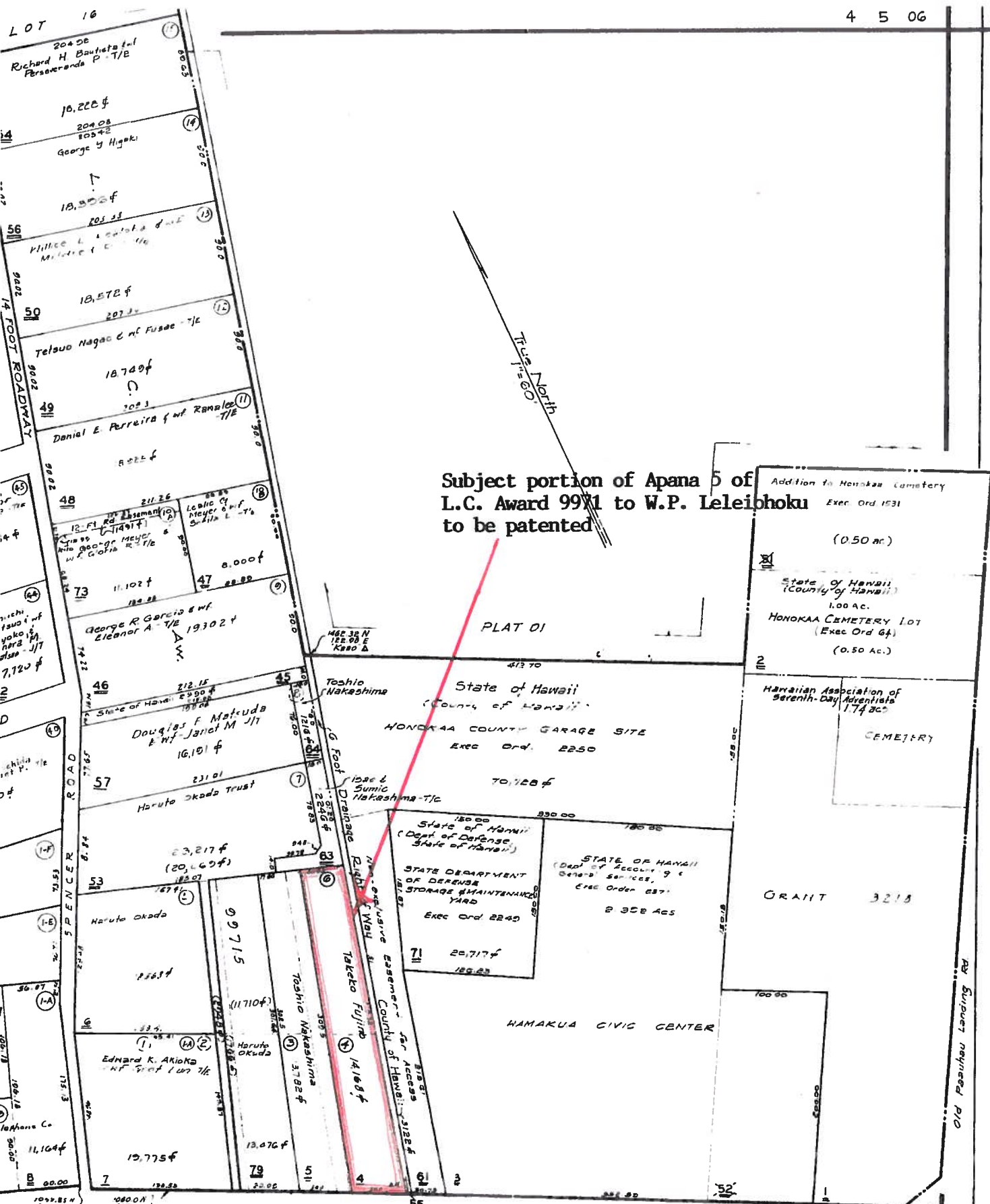


E. Mahoe Collins
State Abstractor

APPROVED FOR SUBMITTAL:



William J. Aila, Jr., Chairperson



Subject portion of Apana 5 of L.C. Award 99X1 to W.P. Leleiohoku to be patented

PLAT 01

Exhibit A

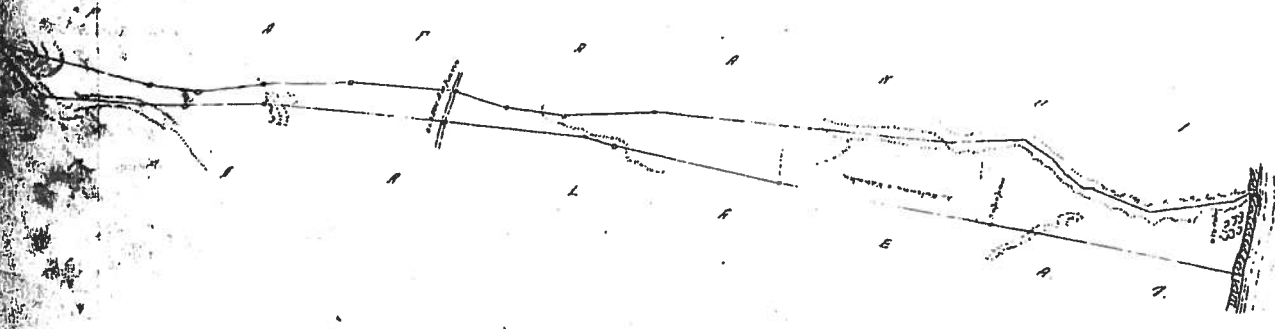
THIRD DIVISION		
ZONE	SEC.	PLAT
4	5	06
CONTAINING PARCELS		
SCALE: 1 in. = 60 ft		

APANA 5.

PAALEA

HAMAKUA HAWAII

Mapa o Paaleara a Hamakua Hawaii



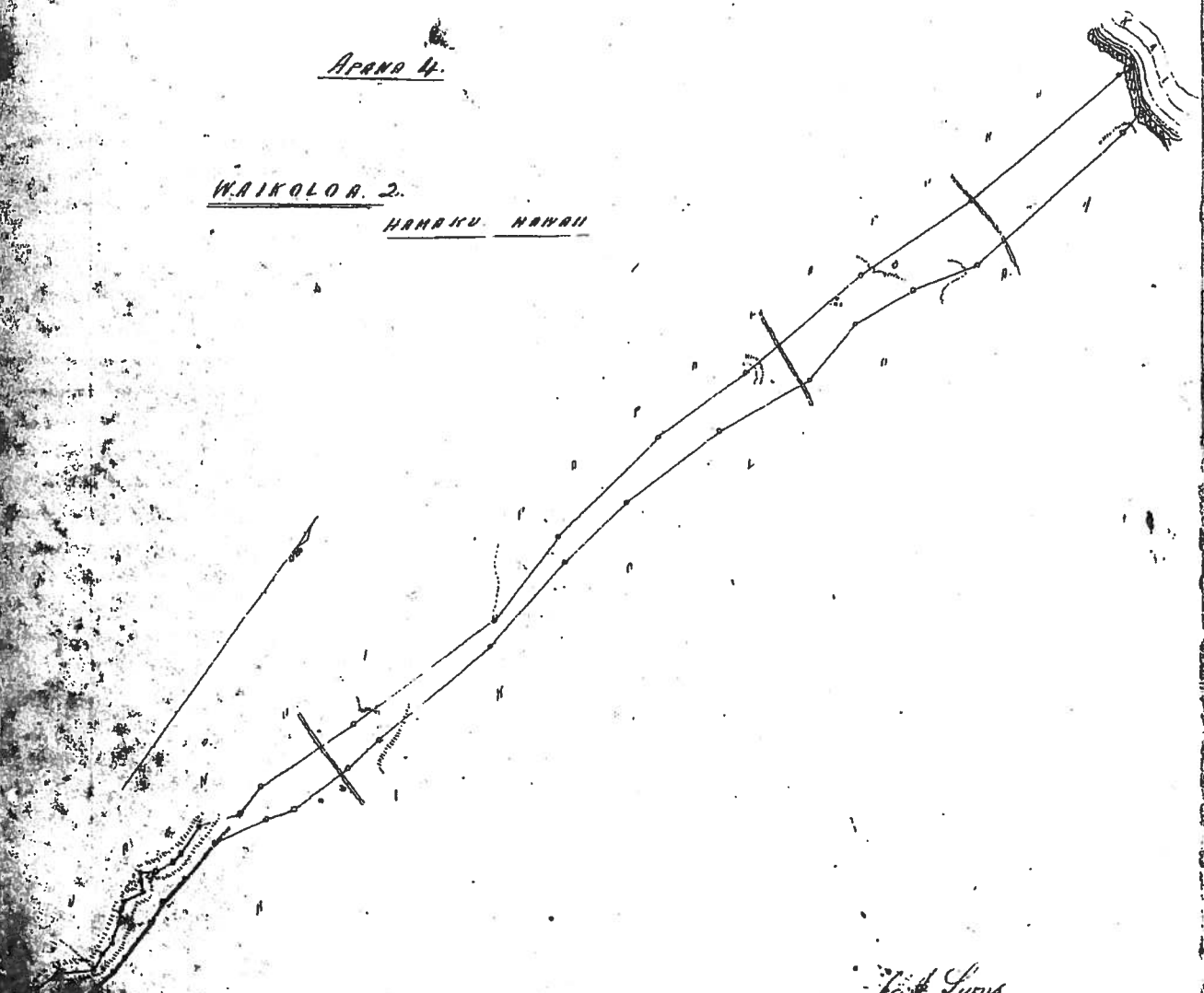
Scale 1000 ft to an inch

W. J. Lyons
Oct. 31. 1852

APANA 4.

WAIKOLA, 2.

HAMAKUA HAWAII



Scale 1000 ft to an inch

W. J. Lyons
Nov. 11. 1852

Honorable 1871 N. J. Liliuokalani
Spina 5.

Ua ha'ana'ia oia ma kama huihui ma Paalaa ma Hoamakuu, ma ka Motupuni o Hawaii.
Eia ma'ama'ama i ka'oi oia ma kama huihui ma Paalaa ma Hoamakuu ma ka Motupuni o Hawaii.
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TMK (3) 4-5-06:04

Being a portion of Land Commission Award 9971, Apana 5 to Leleiohoku

Situated at Paalaea 3, Honokaa, Hamakua, Hawaii

Beginning at the Southeasterly corner of this parcel of land along the Northerly side of Mamane Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Kao" being 963.86 feet North and 16.38 feet West, thence running by azimuths measured clockwise from True South:

1. 116° 18' 00" 50.00 feet along the Northerly side of Mamane Street;
2. 195° 31' 00" 309.50 feet along the remainder of Land Commission Award 9971, Apana 5 to Leleiohoku;
3. 288° 44' 00" 40.80 feet along the same;
4. 14° 00' 00" 316.67 feet along the same to the point of beginning and containing an area of 14,041 square feet.

This work was prepared by me
or under my direct supervision



Blaine W. Ito
Licensed Professional Land Surveyor
Certificate Number 5691



Exhibit C

53

63

Honokaa County Garage Site

TRUE NORTH
Scale: 1in. = 50ft.

110

112

79

9971

Apana 5

115

288'44'
40.80

Leleiohoku

195'31' — 309.50

TMK 4-5-06:04
14,041 sq.ft.

14'00' — 316.67

6 Foot Drainage Right of Way County of Hawaii

71 State Department of Defense Storage & Maintenance Yard

Hamakua Civic Center

BOUNDARY SURVEY MAP

Being a survey of a portion of Land Commission Award 9971, Apana 5 to Leleliohoku. Situated at Paalaea 3, Honokaa, Hamakua, Island, County & State of Hawaii. TMk 4-5-06:04 December 12,2011

Note: Survey complied from Government Records

to Waipio
A.W.

MAMANE STREET

11678' — 50.00

61
963.86 N
16.38 W
KAAO 4

to Hilo

Honokaa High School

This work was prepared by me or under my direct supervision

Blaine W. Ito
Licensed Professional Surveyor
Certificate Number 5691



Drawn By:
True North Surveys, LLC.
P.O. Box 421
Paaulo, Hawaii 96776