

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

September 25, 2015

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

File No. 10387(H)

HAWAII

Issuance of Land Patent in Confirmation of Land Commission
Award No. 7715, Apana 7 to LOTA KAMEHAMEHA, situate at
Kamano, District of Kohala, Island of Hawaii, Tax Map Key:
(3) 5-7-002:010 (portion of).

APPLICANT:

Robert E. Strand, Esquire, on behalf of the PARKER LAND TRUST

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 Land Commission Award No.
7715, Apana 7 to LOTA KAMEHAMEHA, situate at Kamano, District of
Kohala, Island of Hawaii, containing an area of 436 acres, more
or less, and identified by Tax Map Key: (3)5-7-002:010 (portion
of), as shown on the attached map labeled Exhibit A.

DCCA VERIFICATION:

Not applicable. As a Trustee, the Applicant is not required to
register with the Department of Commerce and Consumer Affairs.

APPLICANT REQUIREMENTS:

The Applicant has provided copies of said Land Commission Award
7715, Certificate of Boundaries No. 145, and Hawaiian Government
Survey Registered Map No. 4 that identify, describe, and depict
the subject Ahupuaa of Kamano (See Exhibits B, C and D).

REMARKS:

As adjudicated on March 17, 1855, Apana 7 of Land Commission
Award 7715 awarded unto Lota Kamehameha, a less than fee simple
title in and to the Ahupuaa of Kamano in the District of Kohala,
Island of Hawaii, subject to the government's right to
commutation therein, and the rights of the native tenants.

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By action of the Privy Council dated August 29, 1850 a Resolution was passed whereby "in consideration of the relinquishment of "Kahikinui", by Lota Kamehameha to the Government", the Minister of the Interior was "authorized to grant Royal Patents to Lot for his lands, without further division or commutation". However, no patent has been issued in confirmation of the subject award to Lot Kamehameha.

The Applicant owns that portion of the Ahupuaa of Kamano included in the area of Tax Map Key (3) 5-7-02:10 and has requested that a patent be issued on the whole of Apana 7 of Land Commission Award 7715 to Lota Kamehameha.

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

RECOMMENDATION:

Staff recommends that the Board consent to the issuance of a Land Patent in Confirmation of the whole of Land Commission Award No. 7715, Apana 7 to LOTA KAMEHAMEHA, 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,



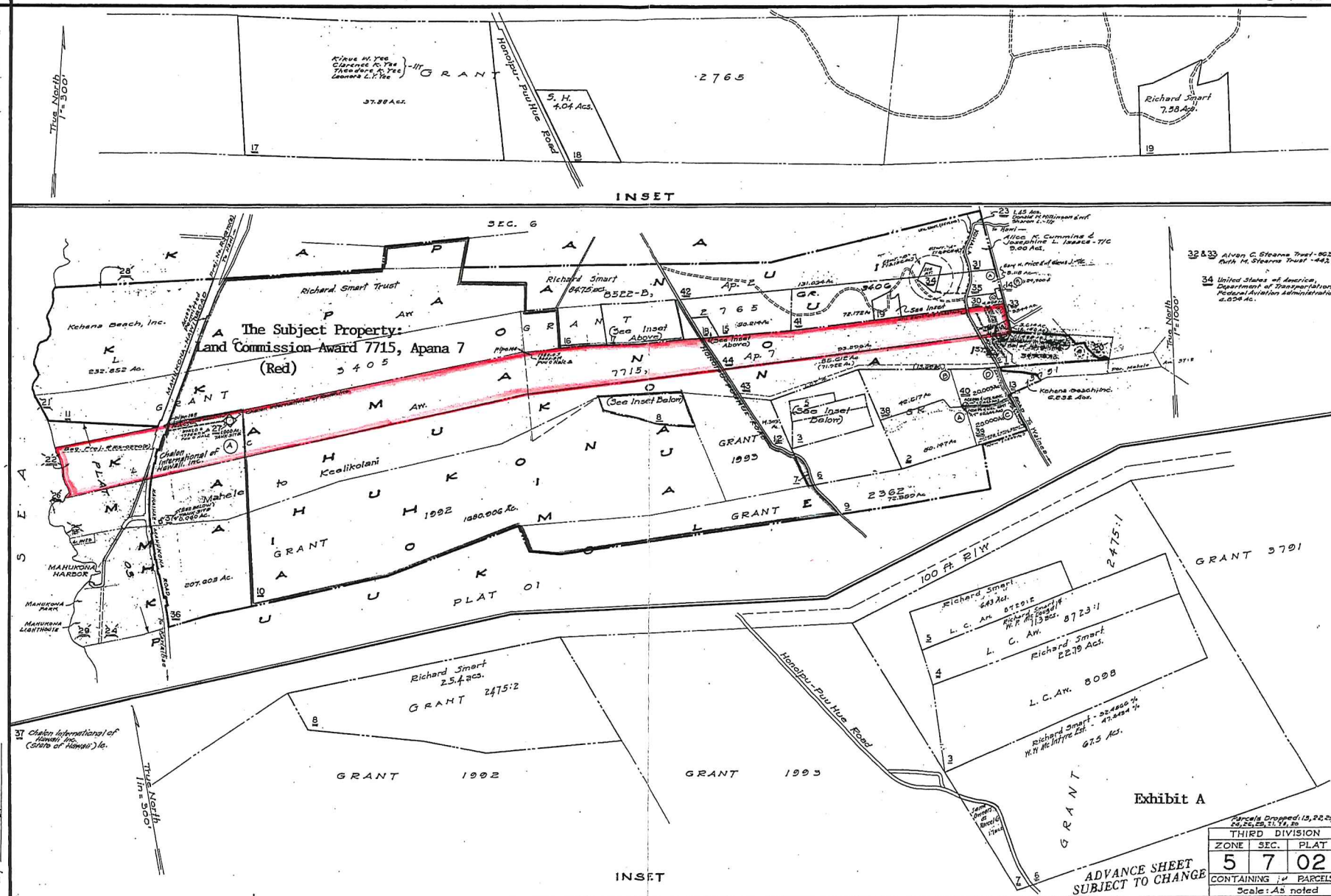
E. Mahoe Collins,
State Abstractor

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson

Dwg. No: 2499
Source: Private Survey
By: R.D. - Aug, 1935



9 7715. *Solms-Laubachia*
ma 4. 5. 6. 7. 8. 9

Pone mau iia ia he yehu mo kea hoohelehele amua kea hoohele amua i kea Hele Pono.

Atua rumi a mi ku jvai ana iha ole ma hea Kupifoa

Si ku kope ana i ma olelo hoima

No ka prapata hii

Si ha buona ann

Sto bi sepe ana i na ole hrota-

Ka hua 'hooholo ana i ka olelo ma ka la'au. Maraki West.

7715 Totō Kametametsa.
Mama 10. 11. 12 & 13.

There was an old tree when our first hole was made and it was the old tree.

It's a rumour a me hy prai anai i kha dala ma kha Kupipra.

Me ke hōpe ana i mā ōllo Kōina.

Stipa pulchra Kun

It's a hana am.

No he hope an i now oldo broke

Katha Inshukh aima ukha olti mantha ba 19,0 Marathi 1855.

17/5 Lita Namahameha
Apr. 14/515.

Apr 14 515

[illegible]

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Exhibit C

NO. 145

CERTIFICATE OF BOUNDARIES

Land of: K A M A N O

District of: N. K O H A L A

Island of: H A W A I I

Decision rendered: Sept. 20, 1882

By: F. S. Lyman
Commr. of Boundaries
Island of Hawaii

See Reg Map 4 (b-1-4)

N^o 1445

CERTIFICATE OF BOUNDARIES

Island of Hawaii District
of North Kohala Land of
Kamamao

Decision rendered Sept. 20th 1882

By H. S. Lyman

Commissioner of Boundaries

for the Island of Hawaii

L. C. AWARD

N^o 145

CERTIFICATE OF BOUNDARIES OF THE LAND

of Kamans District of North Kohala Island
of Hawaii

L. C. AWARD, NO. _____

COMMISSION OF BOUNDARIES

Third Judicial Circuit, H. S. Lyman Esq., Commissioner.

IN THE MATTER OF THE BOUNDARIES

Of the Land of Kamans -
District of North Kohala Island
of Hawaii

JUDGMENT.

An application to decide and certify the Boundaries of the Land
of Kamans District of North Kohala Island
of Hawaii having been filed with me on the 3rd day of
July 1882 by J. M. Lydgate acting
for D. J. Wight, the owner of the land
in accordance with the provisions of an Act to facilitate the settlement of
Boundaries, &c., approved on the 22d day of June, A. D. 1868; now, there-
fore, having duly received and heard all the testimony offered in reference
to the said boundaries ~~and having gone on the said land, at the request of~~

and having endeavored otherwise to obtain all information possible to enable
me to arrive at a just decision, which will more fully appear by reference to the
records of this matter by me kept in Book No. 5 D, page 23, and it
appearing to my satisfaction that the true, lawful and equitable boundaries,
are as follows, viz:

"Commence at solid rock marked T at
head of small cove in small ravine and
just under rail road bridge (T = true bear-
ing fr. South round by West)

T 259.07 10.210 ft along Ellakona I.
264.37 11.425 .

To top of Kabeikaw Hill, stone
mkd K. fr. which Govt. station
on Puu o Hale 131.05

Hawickill Ch. 194. 12

166. 35

600 ft along Kahei

84. 50

4730 . . . Pappas to pile of
stones at S.E. cor. of Gr. 2765
Kalimalena, from which Puu

o Hale 251. 47

Marno 189. 43.

S. 76. 00 W. (mag) 3523 ft to corner of wall Kalimalena

S. 82. 05 W. " 1122 . along Kalimalena

S. 78. 15 W. " 1543 " " " to S.E. cor.

of Gr. 2765 - a pile of stones
and stone mld T about 100 ft
makai of road. -

80. 15

10.640 ft along Pappas to old
Heiau on high ground mau

ka of Cut made by H.R.R.
a pile of stones in the centre
of which is a remarkable long
sea stone marked Δ and

set up on end. - from this point

Puu o Hale 261. 02

Marno. - 250. 15

Point of Commencement

348. 50 - 1138 ft. -

80. 00 down bluff - to sea shore, thence
along shore to point of Commence-
ment. - Containing 436. Acres. -

(Surveyed by J. M. Lydgate - July - 1882. -)

It is therefore adjudged, and I do hereby decide and Certify that the Boundaries of the said Land, are, and here after shall be as hereinbefore set forth.

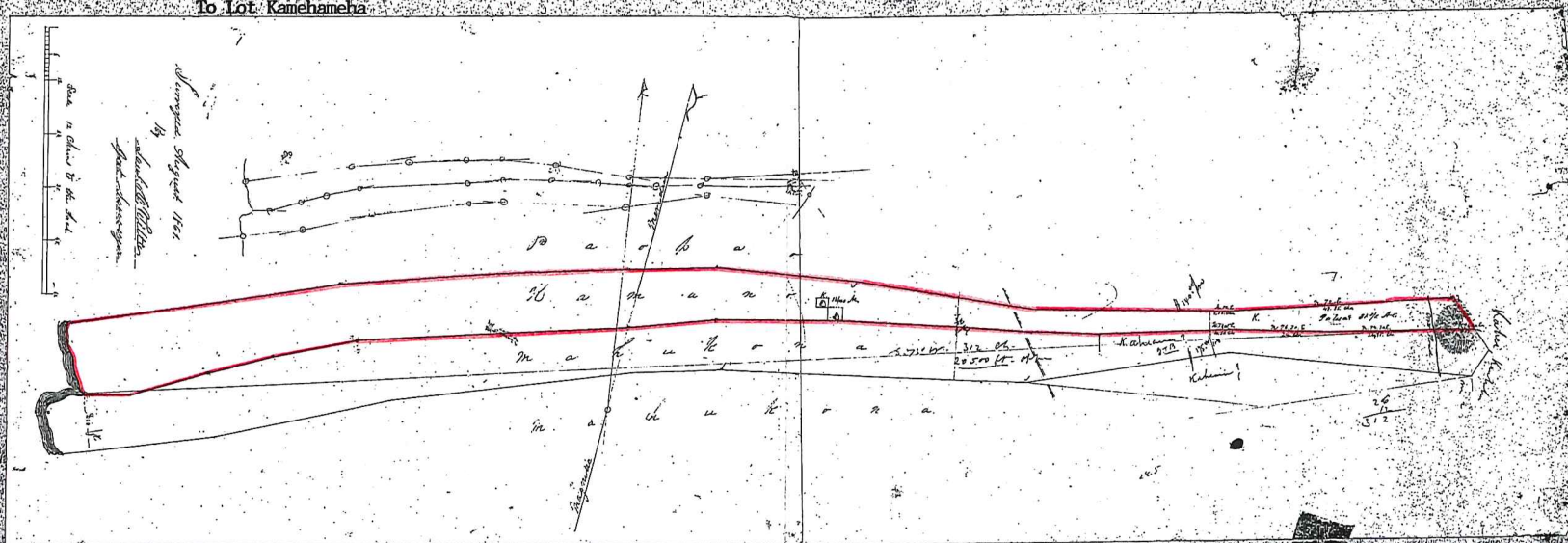
Given under my hand at Hilo, Island of Hawaii, the Twentieth day of September A.D. one thousand eight hundred and eighty two. —

J. I. Lyman
Commissioner of Boundaries

I hereby Certify that the foregoing is a true copy of the Certificate of the Boundaries of the Land called Kamano, in the District of North Kohala, Island of Hawaii, as recorded in the Office of the Commissioner of Boundaries, Third Judicial District, Hawaiian Islands, in Book Number 4, C. on pages 18 and 19.

J. I. Lyman
Commissioner of Boundaries.

The Ahupuaa of Kamano
Land Commission Award 7715, Apana 7
To Lot Kamehameha



KAMANO and KAMANO
Kamano, Hawaii
Vol. 1, Sheet 1, 1861

HAWAIIAN GOVERNMENT SURVEY.	
Page No.	4
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Volume	4

Exhibit-D

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