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Attorneys for PETITIONER

D.R. HORTON - SCHULER HOMES, LLC,

a Delaware limited liability company,

d.b.a. D.R. HORTON-SCHULER DIVISION

### BEFORE THE LAND USE COMMISSION

### OF THE STATE OF HAWAII

In the Matter of the Petition of

D.R. HORTON – SCHULER HOMES, LLC, a Delaware limited liability company, d.b.a. D.R. HORTON-SCHULER DIVISION

To Amend the Agricultural Land Use District Boundaries into the Urban Land Use District for Approximately 1,553.844 Acres in Ewa District, Island of Oahu, Tax Map Key Nos. (1) 9-1-017:004 (por.), 059 and 072; (1) 9-1-018:001 and 004

DOCKET NO. A06-771

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

## BEFORE THE LAND USE COMMISSION

## OF THE STATE OF HAWAII

In the Matter of the Petition of

DOCKET NO. A06-771

D.R. HORTON – SCHULER HOMES, LLC, a Delaware limited liability company, d.b.a. D.R. HORTON-SCHULER DIVISION

To Amend the Agricultural Land Use District Boundaries into the Urban Land Use District for Approximately 1,553.844 Acres in Ewa District, Island of Oahu, Tax Map Key Nos. (1) 9-1-017:004 (por.), 059 and 072; (1) 9-1-018:001 and 004

# 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, D.R. HORTON SCHULER HOMES, LLC, a Delaware limited liability company, d.b.a. D.R. HORTON-SCHULER DIVISION ("Petitioner"), is licensed to 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 May 18, 2011, Petitioner filed with the Commission a second amendment to its petition for a boundary amendment ("Second Amended Petition") in Docket No. A06-771.

4. The foregoing Second Amended Petition, Verification, and Petition Exhibits "16A", "17A", "18A", "19A", "20" - "24", pursuant to HAR § 15-15-48(a), were duly served by certified mail or hand delivery to each of the following persons on May 18, 2011, addressed as follows:

State of Hawaii HAND DELIVERY

Department of Business, Economic Development and Tourism

OFFICE OF PLANNING

Attn: Jesse K. Souki, Esq.

State Office Tower

235 South Beretania Street, 6th Floor

Honolulu, Hawaii 96813

State of Hawaii HAND DELIVERY

Department of Business, Economic Development and Tourism

OFFICE OF PLANNING

Land Use Division

Attn: Ms. Mary Lou Kobayashi

State Office Tower

235 South Beretania Street, 6<sup>th</sup> Floor

Honolulu, Hawaii 96813

State of Hawaii CERTIFIED MAIL

DEPARTMENT OF THE ATTORNEY GENERAL

Attn: David M. Louie, Esq.

Bryan C. Yee, Esq.

Hale Auhau

425 Oueen Street

Honolulu, Hawaii 96813

City and County of Honolulu CERTIFIED MAIL

DEPARTMENT OF PLANNING AND PERMITTING

Attn: Mr. David Tanoue, Director 650 South King Street, 7<sup>th</sup> Floor

Honolulu, Hawaii 96813

City and County of Honolulu CERTIFIED MAIL

PLANNING COMMISSION

650 South King Street

Honolulu, Hawaii 96813

City and County of Honolulu

DEPARTMENT OF THE CORPORATION COUNSEL

Attn: Carrie K. S. Okinaga, Esq. 530 South King Street, Room 110

Honolulu, Hawaii 96813

D.R. HORTON - SCHULER HOMES, LLC,

d.b.a. D.R. Horton-Schuler Division

Attn: Mr. Michael T. Jones, Division President

Mr. Robert Q. Bruhl, Vice President

Mr. Cameron Nekota, Vice President

650 Iwilei Road, Box 209

Honolulu, Hawaii 96817

FRIENDS OF MAKAKILO

Attn: Mr. Kioni Dudley, President

92-1365 Hauone Street

Kapolei, Hawaii 96707

MORIHARA LAU & FONG, LLP

Attn: Yvonne Y. Izu, Esq.,

Attorney for HASEKO (EWA), INC.

Davies Pacific Center

841 Bishop Street, Suite 400

Honolulu, Hawaii 96813

U.S. FILTER OPERATING SERVICES, INC.

55 Shuman Boulevard

Naperville, IL 60563

DEPARTMENT OF THE ARMY

Attn: Directorate of Information Management

Headquarters, United States

Army Garrison, Hawaii

Schofield Barracks, Hawaii 96857-5000

State of Hawaii

DEPARTMENT OF TRANSPORTATION

Highways Division

Attn: Mr. Dean Yogi, Right-of-Way Manager

601 Kamokila Boulevard, Room 691

Kapolei, Hawaii 96707

**CERTIFIED MAIL** 

**CERTIFIED MAIL** HAWAIIAN ELECTRIC COMPANY, INC. Attn: Corporate Secretary P.O. Box 2750 Honolulu, Hawaii 96840 **CERTIFIED MAIL** HAWAIIAN TELCOM, INC. Attn: Legal Department P.O. Box 2200 Honolulu, Hawaii 96841 BOARD OF WATER SUPPLY **CERTIFIED MAIL** City and County of Honolulu 630 South Beretania Street Honolulu, Hawaii 96843-0001 Ms. Elizabeth Yoshikawa **CERTIFIED MAIL** 91-2103 Old Fort Weaver Road Ewa Beach, Hawaii 96706 CERTIFIED MAIL Mr. Larry G. Jefts P.O. Box 27 Kunia, Hawaii 96759 **CERTIFIED MAIL** Mr. Henry E. Gibson d.b.a. Rocker G. Livestock 41-1800 Kalanianaole Highway Waimanalo, Hawaii 96795 ALOUN FARM, INC. CERTIFIED MAIL 91-1440 Farrington Highway Kapolei, Hawaii 96707 Mr. Frank Law **CERTIFIED MAIL** 91-1008 Aipo'ola Street Ewa Beach, Hawaii 96706 SYNGENTA SEEDS, INC. CERTIFIED MAIL P.O. Box 8

Kunia, Hawaii 96759

ROBERTS HAWAII SCHOOL BUS, INC. 680 Iwilei Road, Suite 700 Honolulu, Hawaii 96817

**CERTIFIED MAIL** 

NAOMI U. KUWAYE

Subscribed and sworn to before me this 18th day of May, 2011.	
Vig DM	MORGANIA MORGANIA
Notary Public, State of Hawaii	TAOTARN *
Ava N. Morgan	= X 2000 C/S =
Printed Name	- INTERPRETATION
M	WWWWWWW.
My commission expires: 07/23/2012	

NOTARY CERTIFICATION STATEMENT	
Document Identification or Description:  KUWAYE ATTESTING TO SERVICE OF SECOND AMENDED  PETITION FOR LAND USE DISTRICT BOUNDARY AMENDMENT	
Document Date: $\frac{5/18/2011}{}$ or Undated at time of notarization.	MORCY WILLIAM MORCY WILLIAM MORCY WILLIAM MORCY WILLIAM MORCY WILLIAM
No. of Pages: 6 Jurisdiction: First Circuit	TAR * 2000-360 *
(in which notarial act is performed)	O POBLIC E
Signature of Notary  Date of Notarization and	OF HAMIN
Certification Statement	WWWWW.
Ava N. Morgan	(Official Stamp or Seal)
Printed Name of Notary	. ,