

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. A10-789
)	
A&B PROPERTIES, INC.)	A&B PROPERTIES, INC.
)	
To Amend the Agricultural Land)	
Use District Boundary into the)	
Urban District for approximately)	
545.229 acres at Wailuku and)	
Waikapu, County of Maui, State of)	
Hawai'i, TMK: 3-8-05: portion of)	
23 and 37, 3-8-07: 71, portion of)	
101 and 104)	
_____)	

AFFIDAVIT OF SERVICE OF PETITION
FOR LAND USE DISTRICT BOUNDARY AMENDMENT

BENJAMIN M. MATSUBARA, #993-0
CURTIS T. TABATA, #5607-0
Matsubara – Kotake
888 Mililani Street, 8th Floor
Honolulu, Hawai'i 96813

Attorneys for Petitioner
A&B PROPERTIES, INC.

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

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23 and 37, 3-8-07: 71, portion of)	
101 and 104)	
_____)	

AFFIDAVIT OF SERVICE OF PETITION
FOR LAND USE DISTRICT BOUNDARY AMENDMENT

STATE OF HAWAII)	
)	ss.:
CITY AND COUNTY OF HONOLULU)	

Benjamin M. Matsubara, being first duly sworn on oath, deposes and says:

A. Affiant is the attorney for Petitioner A&B Properties, Inc. and agent of the Petitioner for a State of Hawai'i Land Use District Boundary Amendment from Agricultural Land Use District to Urban District, identified as Docket No. A10-789, for land situated at Wailuku and Waikapu, County of Maui, Hawai'i and identified as Tax Map Key Nos. (2) 3-8-05: portion of 023 and 037 (2) 3-8-07: 071, portion of 101 and 104.

B. In compliance with §15-15-48(a) of the Hawai'i Administrative Rules ("HAR"), Affiant did on August 25, 2010, deposit in the United States Mail, postage

prepaid, by certified mail, a copy of the Petition for District Boundary Amendment, to
the following:

Mr. Abbey S. Mayer, Director
Office of Planning, State of Hawai`i
P.O Box 2359
Honolulu, Hawai`i 96804

Bryan C. Yee, Esq.
Deputy Attorney General
Department of the Attorney General
425 Queen Street
Honolulu, Hawai`i 96813

Ms. Kathleen Ross Aoki, Director
Maui County Planning Department
County of Maui, State of Hawai`i
250 South High Street
Wailuku, Maui, Hawai`i 96793

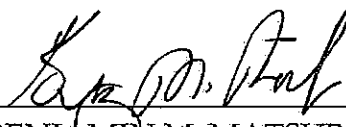
Mr. Jonathan Starr, Chairperson
Maui County Planning Commission
County of Maui, State of Hawai`i
250 South High Street
Wailuku, Maui, Hawai`i 96793

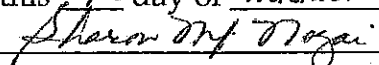
Brian Moto, Esq., Corporation Counsel
Department of the Corporation Counsel
County of Maui, State of Hawai`i
200 South High Street
Wailuku, Maui, Hawai`i 96793

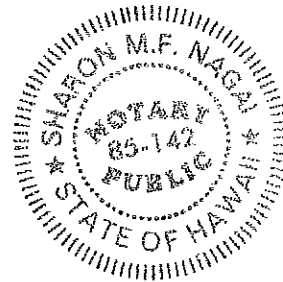
Mr. Greg Schenk
290 Halenani Drive
Wailuku, Maui, Hawai`i 96793

C. This Affidavit is provided in compliance with §15-15-50(c)(5), (C), HAR.

That further Affiant sayeth naught.


BENJAMIN M. MATSUBARA
Attorney for Petitioner
A&B PROPERTIES, INC.

Subscribed and sworn to me
this 24th day of August 2010

Name: **SHARON M.F. NAGAI**
Notary Public, State of Hawai'i
My Commission expires: 04-29-2013

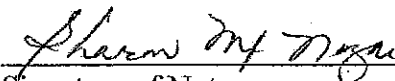


NOTARY CERTIFICATE (Hawai'i Administrative Rules §5-11-8)

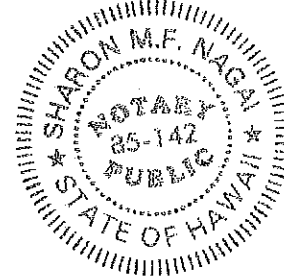
Document Identification or Description: Affidavit Of Service Of Petition For Land Use District Boundary Amendment

Doc. Date: AUGUST 24th, 2010 No. of Pages: 58

Jurisdiction: First Circuit
(in which notarial act is performed)


Signature of Notary AUGUST 24, 2010
Date of Certificate

SHARON M.F. NAGAI
Printed Name of Notary



(Official Stamp or Seal)

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. A10-789
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A&B PROPERTIES, INC.)	A&B PROPERTIES, INC.
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Hawai'i, TMK: 3-8-05: portion of)	
23 and 37, 3-8-07: 71, portion of)	
101 and 104)	
_____)	

AFFIDAVIT OF SENDING OF NOTIFICATION OF PETITION FILING

EXHIBITS "1" AND "2"

BENJAMIN M. MATSUBARA, #993-0
CURTIS T. TABATA, #5607-0
Matsubara - Kotake
888 Mililani Street, 8th Floor
Honolulu, Hawai'i 96813

Attorneys for Petitioner
A&B PROPERTIES, INC.

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI'I

In the Matter of the Petition of) DOCKET NO. A10-789
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A&B PROPERTIES, INC.) A&B PROPERTIES, INC.
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545.229 acres at Wailuku and)
Waikapu, County of Maui, State of)
Hawai'i, TMK: 3-8-05: portion of)
23 and 37, 3-8-07: 71, portion of)
101 and 104)
_____)

AFFIDAVIT OF SENDING OF NOTIFICATION OF PETITION FILING

STATE OF HAWAI'I)
) ss.:
CITY AND COUNTY OF HONOLULU)

Benjamin M. Matsubara, being first duly sworn on oath, deposes and says:

A. Affiant is the attorney for Petitioner A&B PROPERTIES, INC. and agent of the Petitioner for a State of Hawaii Land Use District Boundary Amendment from the Agricultural Land Use District to the Urban Land Use District, identified as Docket No. A10-789, for land situated at Wailuku and Waikapu, County of Maui, Hawai'i and identified as Tax Map Key Nos. (2) 3-8-05: portion of 023 and 037 (2) 3-8-07: 71, portion of 101 and 104.

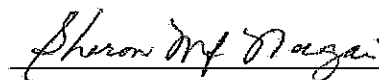
B. In compliance with §15-15-50(d) of the Hawai'i Administrative Rules ("HAR"), Affiant did on August 25, 2010, deposit in the United States Mail, postage prepaid, by regular mail, a copy of the Notification of Petition Filing, attached hereto as Exhibit "1", to the persons identified in the required mailing list, attached hereto as Exhibit "2."

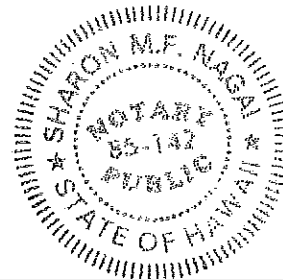
C. This Affidavit is provided in compliance with §15-15-50(d), HAR.

That further Affiant sayeth naught.


BENJAMIN M. MATSUBARA

Subscribed and sworn to me
this 24th day of AUGUST 2010

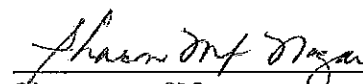

Name: **SHARON M.F. NAGAI**
Notary Public, State of Hawai'i
My Commission expires: 04-21-2013



NOTARY CERTIFICATE (Hawaii Administrative Rules §5-11-8)
Document Identification or Description: Affidavit of Sending of Notification of Petition Filing;
Exhibits "1" and "2"

Doc. Date: AUGUST 24, 2010 No. of Pages: 58

Jurisdiction: First Circuit
(in which notarial act is performed)


Signature of Notary AUGUST 24, 2010
Date of Certificate

SHARON M.F. NAGAI
Printed Name of Notary



(Official Stamp or Seal)

August 25, 2010

NOTIFICATION OF PETITION FILING

This is to advise you that a first amendment to amended petition to amend the State Land Use District Boundaries with the following general information has been submitted to the State of Hawai'i Land Use Commission:

Docket No: A10-789

Petitioner/Address: A&B Properties, Inc.
822 Bishop Street
Honolulu, Hawai'i 96813

Matsubara - Kotake
888 Millilani Street, 8th Floor
Honolulu, Hawai'i 96813

Landowners and A&B Properties, Inc.

Tax Map Key Number: (2) 3-8-05: por. 023 and 037, (2) 3-8-07: 71,
por. 101 and 104

Location: Wailuku and Waikapu, County of Maui,
State of Hawai'i

Requested Reclassification: Agricultural to Urban

Acreage: Approximately 545.229 acres

Proposed Use: Approximately 2,550 residential multi-family and single units, village mixed use, commercial, business/light industrial, community center, regional parks, neighborhood parks and sites for cultural preserve and school and related infrastructure.

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 located at 650 South King Street, Ground Floor, Honolulu, Hawai'i. The Commission's office is located at 235 S. Beretania Street, Room 406, Honolulu, Hawai'i. 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, Hawai'i 96804-2359; telephone (808) 587-3822. If you intend to participate in the hearing as an intervenor, pursuant to § 15-15-52, Hawai'i 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.

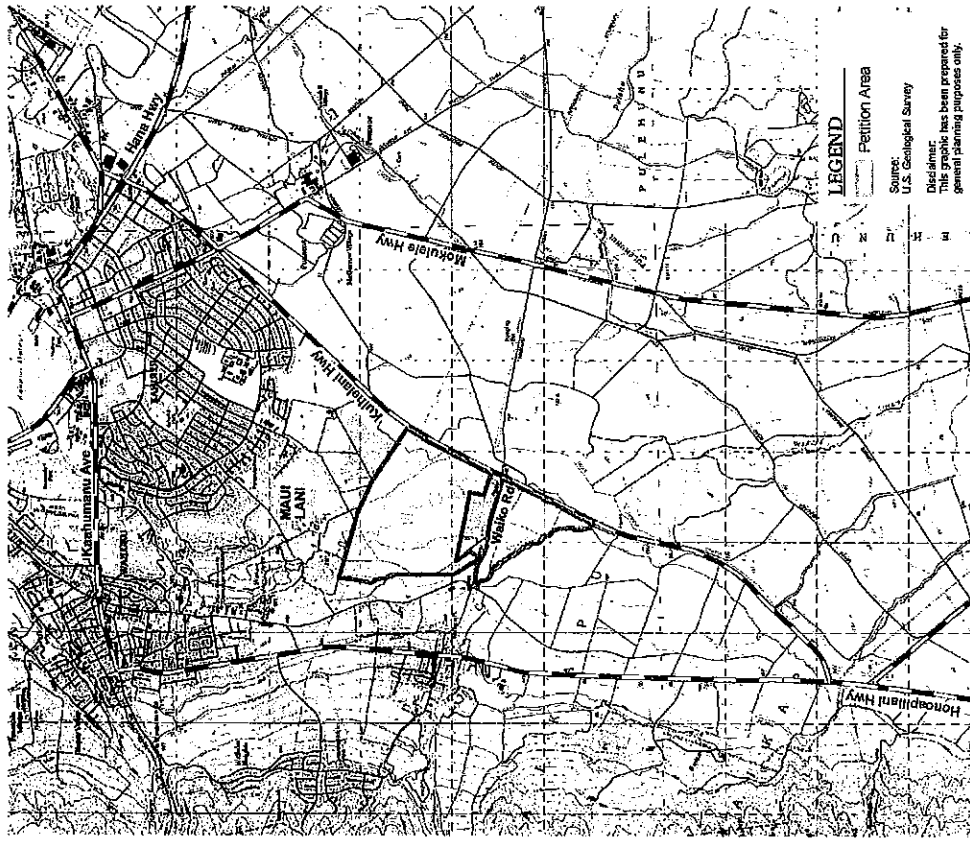
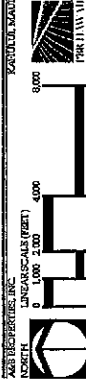


Exhibit 2
Location Map

WAI'ALE



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Honolulu, Hawaii 96822

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Hawaii Community Development Authority
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Last Updated: 07/12/2010

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Capt. Cook HI 96704

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Chun Kerr Dodd Beaman & Wong
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Commander, Marine Forces Pacific
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Camp H.M. Smith, Hawaii 96861-4118

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State Capitol, Room 311
Honolulu, Hawaii 96813

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300 Ala Moana Blvd., Rm. 3-122
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Directorate of Public Works
Attn: Planning Division
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BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. A10-789
)	
A&B PROPERTIES, INC.)	A&B PROPERTIES, INC.
)	
To Amend the Agricultural Land)	
Use District Boundary into the)	
Urban District for approximately)	
545.229 acres at Wailuku and)	
Waikapu, County of Maui, State of)	
Hawai'i, TMK: 3-8-05: portion of)	
23 and 37, 3-8-07: 71, portion of)	
101 and 104)	
_____)	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing document was duly served upon the following by depositing the same in the U.S. Postal Service by certified mail (return receipt requested), postage prepaid, on August 25, 2010:

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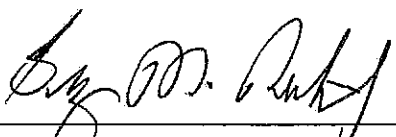
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