

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of) DOCKET NO. A11-792
)
DEPARTMENT OF HOUSING AND) DEPARTMENT OF HOUSING AND
HUMAN CONCERNS, COUNTY OF) HUMAN CONCERNS, COUNTY
MAUI) OF MAUI
)
To Amend the Agricultural Land Use)
District Boundary into the Urban District for)
approximately 73.000 acres at Lanai City,)
Island of Lanai, State of Hawai`i, TMK)
(2) 4-9-2: portion of 58)
_____)

**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 DEPARTMENT OF HOUSING AND HUMAN CONCERNS, COUNTY OF MAUI 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. A11-792, for land situated at Lanai City, Island of Lanai, State of Hawai`i, TMK (2) 4-9-2: portion of 58.

B. In compliance with §15-15-48(a) of the Hawai`i Administrative Rules ("HAR"), Affiant did on May 2, 2011, deposit in the United States Mail, postage

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

JESSE SOUKI, Director
Office of Planning, State of Hawai`i
235 South Beretania Street
6th Floor, Leiopapa A Kamehameha
Honolulu, Hawai`i 96813

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Department of the Corporation
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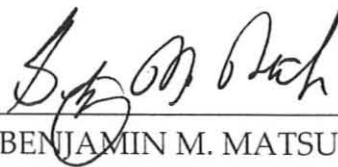
WILLIAM SPENCE, Director
Maui County Planning Department
County of Maui, State of Hawai`i
250 South High Street
Wailuku, Maui, Hawai`i 96793

LANAI PLANNING COMMISSION
c/o Maui County Planning Department
County of Maui, State of Hawai`i
250 South High Street
Wailuku, Maui, Hawai`i 96793

MAUI COUNTY PLANNING
COMMISSION
c/o Maui County Planning Department
County of Maui, State of Hawai'i
250 South High Street
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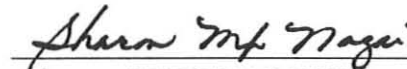
C. This Affidavit is provided in compliance with §15-15-50(c)(5)(C), HAR.

That further Affiant sayeth naught.



BENJAMIN M. MATSUBARA
Attorney for Petitioner
DEPARTMENT OF HOUSING AND
HUMAN CONCERNS, COUNTY OF
MAUI

Subscribed and sworn to me
this 29th day of April 2011


Name SHARON M.F. NAGAI
Notary Public, State of Hawai'i
My commission expires: 4-21-2013



STATE OF HAWAII NOTARY CERTIFICATION

Doc. Description: Affidavit Of Service Of Petition For Land Use District Boundary Amendment

Date of Document: APRIL 29, 2011 # Pages: 3

Date of Notarization: APRIL 29, 2011


Notary Public Signature

Print Name: SHARON M.F. NAGAI

Notary Public, State of Hawai'i, FIRST Circuit

Notary Commission No. 85-142



(Stamp or Seal)

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of) DOCKET NO. A11-792
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DEPARTMENT OF HOUSING AND) DEPARTMENT OF HOUSING AND
HUMAN CONCERNS, COUNTY OF) HUMAN CONCERNS, COUNTY
MAUI) OF MAUI
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To Amend the Agricultural Land Use)
District Boundary into the Urban District for)
approximately 73.000 acres at Lanai City,)
Island of Lanai, State of Hawai`i, TMK)
(2) 4-9-2: portion of 58)
_____)

AFFIDAVIT OF SENDING OF NOTIFICATION OF PETITION FILING

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

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

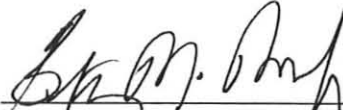
A. Affiant is the attorney for Petitioner DEPARTMENT OF HOUSING AND HUMAN CONCERNS, COUNTY OF MAUI and agent of the Petitioner for a State of Hawai`i Land Use District Boundary Amendment from Agricultural Land Use District to Urban District, identified as Docket No. A11-792, for land situated at Lanai City, Island of Lanai, State of Hawai`i, TMK (2) 4-9-2: portion of 58.

B. In compliance with §15-15-50(d) of the Hawai`i Administrative Rules ("HAR"), Affiant did on May 2, 2011, 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."

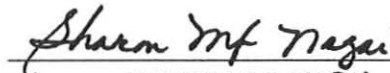
C. This Affidavit is provided in compliance with §15-15-50(d), HAR.

That further Affiant sayeth naught.



BENJAMIN M. MATSUBARA
Attorney for Petitioner
DEPARTMENT OF HOUSING AND
HUMAN CONCERNS, COUNTY OF
MAUI

Subscribed and sworn to me
this 29th day of April 2011


Name SHARON M.F. NAGAI
Notary Public, State of Hawai'i
My commission expires: 4-21-2013



STATE OF HAWAI'I NOTARY CERTIFICATION

Doc. Description: Affidavit Of Sending Notification Of Petition Filing

Date of Document: 4-29-2011 # Pages: 2

Date of Notarization: 4-29-2011


Notary Public Signature

Print Name: SHARON M.F. NAGAI

Notary Public, State of Hawai'i, FIRST Circuit

Notary Commission No. 85-142



(Stamp or Seal)

May 2, 2011

NOTIFICATION OF 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 Hawai'i Land Use Commission:

Docket No: A11-792

Petitioner/Address: Department of Housing and Human Concerns, County of Maui
2200 Main Street, Suite 546
Wailuku, Maui, Hawai'i 96793

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

Landowner: County of Maui

Tax Map Key Number: (2) 4-9-2: portion of 58

Location: Lanai City, Island of Lanai, County of Maui, State of Hawai'i

Requested Reclassification: Agricultural to Urban

Acreage: Approximately 73.000 acres

Proposed Use: The Project will consist of approximately 425 residential units. According to the Project's conceptual master plan, there will be 208 single-family residences on 6000 square foot minimum lots and 217 multi-family units on approximately 13.29 acres of land. The project will include two parks and a site for a community center.

You may review detailed information regarding the petition at the Land Use Commission ("Commission") office or the Department of Planning, County of Maui located at 250 South High Street, Wailuku, Maui, Hawai'i 96793. The Commission's office is located at 235 South 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 is scheduled for May 26-27, 2011. 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.

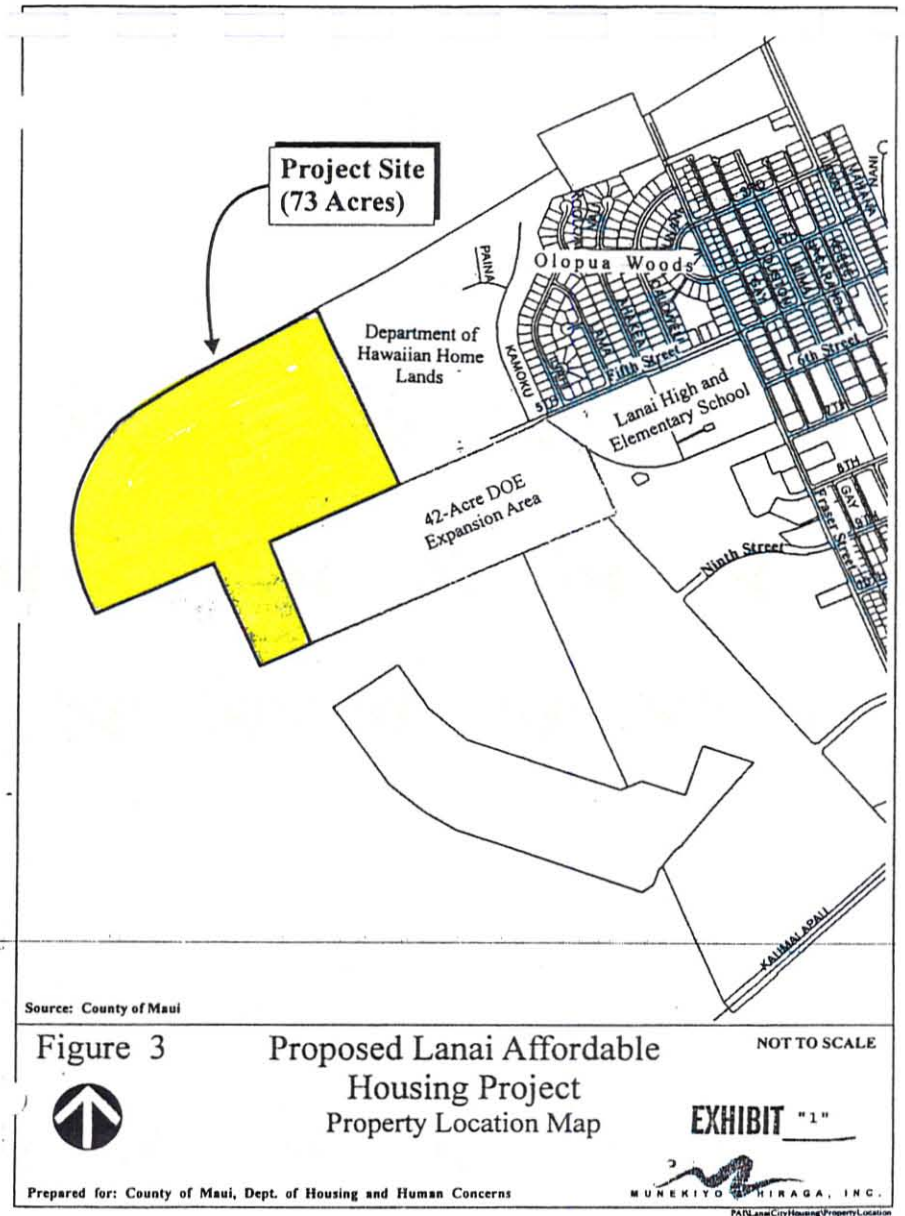


EXHIBIT "1"

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STATEWIDE MAILING LIST
Last Updated: 4/26/11

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BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of) DOCKET NO. A11-792
)
DEPARTMENT OF HOUSING AND) DEPARTMENT OF HOUSING AND
HUMAN CONCERNS, COUNTY OF) HUMAN CONCERNS, COUNTY
MAUI) OF MAUI
)
To Amend the Agricultural Land Use)
District Boundary into the Urban District for)
approximately 73.000 acres at Lanai City,)
Island of Lanai, State of Hawai'i, TMK)
(2) 4-9-2: portion of 58)
_____)

CERTIFICATE OF SERVICE

I hereby certify that a file-marked copy of the foregoing document was duly served upon the parties listed below AS INDICATED on May 2, 2011:

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DATED: Honolulu, Hawai`i, May 2, 2011.

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