

ORIGINAL

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Attorney for Petitioner
GROVE FARM PROPERTIES, INC.

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

LAND USE COMMISSION
STATE OF HAWAII
MAY 8 8 13 AM '88

In the Matter of the Petition)	DOCKET NO. <u>A89-636</u>
)	
of)	
)	
GROVE FARM PROPERTIES, INC.)	(GROVE FARM PROPERTIES, INC.)
)	
to Amend the Land Use District)	SUPPLEMENT TO AND FIFTH
Boundary of Property Situated at)	AMENDMENT OF PETITION FOR
Lihue, Island and County of)	LAND USE DISTRICT BOUNDARY
Kauai, State of Hawaii.)	AMENDMENT; CERTIFICATE OF
)	SERVICE

DML/050589/3272K

SUPPLEMENT TO AND FIFTH AMENDMENT OF
PETITION FOR LAND USE DISTRICT BOUNDARY AMENDMENT

GROVE FARM PROPERTIES, INC., a Hawaii corporation (hereinafter "Petitioner"), by and through its authorized representative, respectfully submits this Supplement to and Fifth Amendment of its Petition for Land Use District Boundary Amendment, which shall supplement and amend the Petition in the following manners:

1. The Project and Project Site

Petitioner hereby deletes from its request to amend the land use district boundaries of the property that approximate 5 acre portion thereof within Kauai tax map key no. 3-4-05:portion of parcel 7, the property thus covered by the Petition consists of an approximate area of 603 acres (inclusive of roadways) situate at Lihue and Puhi, Kauai, lying on the westerly side of Nawiliwili Road, the southerly side of Kaumualii Highway and the easterly side of Puhi Road designated as Kauai tax map key nos. 3-3-03:portion of parcel 1, and 3-3-06:portion of parcel 19. A metes and bounds description of the Petition Property and a map depicting the exact location thereof prepared by a registered professional surveyor are attached hereto as Exhibits A-1 and A-2, respectively.

A revised District Plan Map, which deletes the referenced 5 acre parcel and reflects the relocation of the apartment style housing thereon originally contemplated is attached as Exhibit B and is hereby substituted for the Exhibit B currently on file with the Petition and for the map appended to the Planning and Engineering Report (Exhibit E) on file with the Petition. The revised District Plan Map overlayed on the tax map key map for the area is attached as Exhibit M. A summary of the proposed land uses within the Lihue-Puhi project area, revised on the basis of the deletion of the referenced 5 acre parcel and the relocation of the

proposed use thereon is attached hereto as Exhibit E-1 and is provided as an amendment to the Planning and Engineering Report and the Petition.

2. Petitioner's Proprietary Interest

To the extent that Section I. F. of the Petition reflects that Grove Farm Company, Incorporated, is the owner of the Property covered by the Petition, the Petition is amended to reflect that Grove Farm Company, Incorporated, is the fee owner of those portions of the Property designated as Kauai tax map key nos. 3-3-03:portion of parcel 1. Grove Farm Land Corp., a Hawaii corporation, an affiliate of Petitioner, is the fee owner of that portion of the Petition Property designated as Kauai tax map key no. 3-3-06:portion of parcel 19. Petitioner has a proprietary interest in this latter portion of the Petition Property and has been authorized by Grove Farm Land Corp. to seek the boundary amendment requested in the Petition, as confirmed in the letter attached to this Supplement as Exhibit D-1.

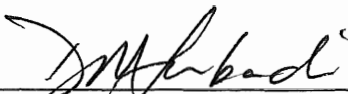
3. Supplemental Exhibits

Attached hereto as Exhibits H-1 and I-1, respectively, are addendums and supplements to the Archaeological Survey (Exhibit H) and Botanical Survey (Exhibit I) which are filed in support of the Petition. Also attached hereto, numbered in the manner reflected on the First Amended List of Exhibits, are the resumes of each of those individuals who are proposed to testify as experts at the hearing on the Petition.

WHEREFORE, Petitioner, by and through its authorized representative, respectfully requests that the Petition be so supplemented and amended.

DATED: Honolulu, Hawaii, May 5, 1989.

CASE & LYNCH

By 
DENNIS M. LOMBARDI
Attorneys for Petitioner

Of Counsel:
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Boundary of Property Situated at)	(SUPPLEMENT TO AND FIFTH
Lihue, Island and County of)	AMENDMENT)
)	
Kauai, State of Hawaii.)	
)	

DML/050589/3272K(5&6)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the date set forth below, a true and correct copy of the SUPPLEMENT TO AND FIFTH AMENDMENT OF PETITION FOR LAND USE DISTRICT BOUNDARY AMENDMENT was duly served upon the those noted below by depositing unfiled copies of same in the United States Mail, postage prepaid, and addressed as follows::

Mr. Harold Matsumoto
Office of State Planning
State of Hawaii
Room 410, State Capitol
Honolulu, HI 96813

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Land Use Division
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State of Hawaii
250 South King Street
Honolulu, HI 96813

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Michael Belles, Esq.
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Kauai County Planning Commission
c/o Mr. Tom Shigemoto
4280 Rice Street
Lihue, Kauai, HI 96766

The Lihue Plantation Company, Ltd.
2970 Kele Street
Lihue, Kauai, HI 96766

Kauai Vet Clinic
P. O. Box 3345
Lihue, HI 96766

Department of Public Works
County of Kauai
4280 Rice Street
Lihue, Kauai, HI 96766

Grove Farm Land Corp.
P. O. Box 2069
Puhi Rural Branch
Lihue, Kauai, HI 96766

Department of Water
County of Kauai
4280 Rice Street
Lohue, HI 96766

State of Hawaii
Department of Transportation
869 Punchbowl Street
Honolulu, HI 96813

United States of America
Secretary of Interior
U.S. Fish & Wildlife Service
300 Ala Moana Boulevard
Room 5302
Honolulu, HI 96813

DATED: Honolulu, Hawaii, May 5, 1989.

A handwritten signature in dark ink, appearing to read "Dennis M. Lombardi", is written over a horizontal line.

DENNIS M. LOMBARDI
Attorney for Petitioner