

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
DON KARLEEN and PEGGY KARLEEN)
To Amend the Conservation Land)
Use District Boundary into the)
Urban Land Use District for)
Approximately 6,606 square feet)
at Wainiha, Kauai, Hawaii, Tax)
Map Key Number: 5-8-12: 12)
_____)

Docket No. A91-668

DON KARLEEN and
PEGGY KARLEEN

This is to certify that this is a true and correct
copy of the document on file in the office of the
State Land Use Commission, Honolulu, Hawaii.

JUL 09 1993

by



Date

Executive Officer

ORDER GRANTING AMENDED MOTION TO RELEASE
CONDITIONS OF APPROVAL DUE TO SATISFACTION OF CONDITIONS

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LAND USE COMMISSION
STATE OF HAWAII

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|------------------------------------|--------------------|
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|) | PEGGY KARLEEN |
| To Amend the Conservation Land) | |
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| _____) | |

ORDER GRANTING AMENDED MOTION TO RELEASE
CONDITIONS OF APPROVAL DUE TO SATISFACTION OF CONDITIONS

On May 6, 1993, Don Karleen and Peggy Karleen ("Petitioner") filed its Motion To Release Annual Report Condition ("Motion"), pursuant to Section 15-15-94, Hawaii Administrative Rules ("H.A.R.").

On May 14, 1993, Petitioner filed its Amended Motion To Release Conditions Of Approval Due To Satisfaction Of Conditions ("Amended Motion"), pursuant to Section 15-15-94, H.A.R. The Amended Motion superseded Petitioner's Motion filed on May 6, 1993.

The Amended Motion requested that the conditions imposed by the Land Use Commission ("Commission") in the Findings of Fact, Conclusions of Law, and Decision and Order ("Decision and Order") filed on January 8, 1992 in this Docket, which reclassified approximately 6,606 square feet from the Conservation District to the Urban District, be released on the

basis that all conditions of approval have been satisfied. The Amended Motion included a copy of the Petitioner's annual report dated December 28, 1992, filed pursuant to Condition No. 5 of the Decision and Order, and the Affidavit of Don Karleen.

This Commission, having duly considered Petitioner's Amended Motion, annual report, and the Affidavit of Don Karleen, at its meeting of June 29, 1993, at Waikapu, Maui, and with no objection from the other parties and good cause existing therefrom,


IT IS HEREBY ORDERED that Petitioner's Amended Motion be granted, and that


Conditions One through Eight of the Commission's Decision and Order are hereby released.


DOCKET NO. A91-668 - DON KARLEEN & PEGGY KARLEEN


Done at Honolulu, Hawaii, this 9th day of July 1993,
per motion on June 29, 1993.

LAND USE COMMISSION
STATE OF HAWAII


By 
ALLEN Y. KAJIOKA
Chairman and Commissioner


By 
KAREN S. AHN
Vice Chairman and Commissioner

By 
JOANN N. MATTSON
Vice Chairman and Commissioner

By 
ALLEN K. HOE
Commissioner

By 
EUSEBIO LAPENIA, JR.
Commissioner

By 
RENTON L. K. NIP
Commissioner

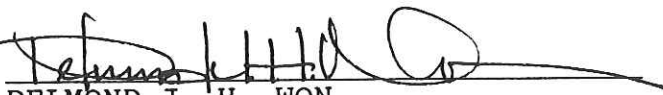
By 
TRUDY K. SENDA
Commissioner

Filed and effective on
July 9, 1993

Certified by:


Executive Officer

By (absent)
ELTON WADA
Commissioner

By 
DELMOND J. H. WON
Commissioner

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the Order Granting Amended Motion to Release Conditions of Approval Due to Satisfaction of Conditions was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:


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Office of the County Attorney
County of Kauai
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Lihue, Hawaii 96766

CERT. WALTON HONG, ESQ., Attorney for Petitioner
3135-A Akahi Street
Lihue, Hawaii 96766

DATED: Honolulu, Hawaii, this 9th day of July 1993.



ESTHER UEDA
Executive Officer