

CADES SCHUTTE  
A Limited Liability Law Partnership

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HONOIPU HIDEAWAY, LLC



BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of  
HONOIPU HIDEAWAY, LLC

For Boundary Interpretation of certain  
land consisting of approximately 17.5470  
acres situated at 56-102 Old Coast Guard  
Road, Tax Map Key No. (3) 5-6-001-074,  
Kapaa-Upolu, North Kohala, County of  
Hawaii, State of Hawaii.

DOCKET NO. DR21-73

**THIRD SUPPLEMENTAL  
EXHIBIT LIST**

**EXHIBIT 39**

**CERTIFICATE OF SERVICE**

### **THIRD SUPPLEMENTAL EXHIBIT LIST**

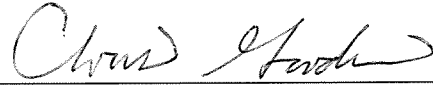
Honoipu Hideaway, LLC (“**Petitioner**”), a Hawai‘i limited liability company, respectfully submits this third supplemental exhibit list. The third supplemental list adds Exhibit 39, a full copy of the 1969 State of Hawaii Land Use Regulations Review. Exhibit 39 is attached to this exhibit list.

| <b>Ex.</b> | <b>Description</b>                                                                 |
|------------|------------------------------------------------------------------------------------|
| 1.         | Eckbo, Dean, Austin & Williams, State of Hawaii Land Use Regulations Review (1969) |
| 2.         | Land Use Commission Rules (1964)                                                   |
| 3.         | 1964 LUC Map Certified                                                             |
| 4.         | 1969 LUC Map Certified                                                             |
| 5.         | 1974 LUC Map Certified                                                             |
| 6.         | Overlay Property with 300-ft Setback                                               |
| 7.         | Overlay Map 300-ft Setback                                                         |
| 8.         | 1982 USGS Map Overlay                                                              |
| 9.         | 1954 Aerial Excerpt                                                                |
| 10.        | 1954 Aerial                                                                        |
| 11.        | 1965 Aerial Excerpt                                                                |
| 12.        | 1965 Aerial Original                                                               |
| 13.        | 1982 USGS Certified Map                                                            |
| 13A.       | 1957 USGS Certified Original                                                       |
| 13B.       | 1982 USGS Certified Map                                                            |
| 14.        | Loran Station Info Book                                                            |
| 15.        | 250 Kohalans Article                                                               |
| 16.        | 1961 USCG Road Picture                                                             |
| 17.        | 1961 USCG House Picture                                                            |
| 18.        | GIS Aerial Photo                                                                   |
| 19.        | Corrected Boundary Survey                                                          |
| 20.        | Overlay New Road Current Line                                                      |

| <b>Ex.</b> | <b>Description</b>                                                                                       |
|------------|----------------------------------------------------------------------------------------------------------|
| 21.        | Application of Hawaiian Electric Company Inc.                                                            |
| 22.        | Stengle Declaratory Order                                                                                |
| 23.        | Stengle Amendment                                                                                        |
| 24.        | Church Petition                                                                                          |
| 25.        | Linge v. Hawaii Government Employees Association AFSCME Local 152<br>AFL-CIO                             |
| 26.        | Civil Jury Instructions 3.3                                                                              |
| 27.        | Waikiki Marketplace Investment Co. v. Chair of Zoning Board of Appeals of<br>City and County of Honolulu |
| 28.        | Denning v. Maui County                                                                                   |
| 29.        | Nakamine v. Board of Trustees of Employees Retirement System                                             |
| 30.        | Lucas v. South Carolina Coastal Council                                                                  |
| 31.        | Penn Central Transportation Co. v. City of New York                                                      |
| 32.        | County Zoning Map                                                                                        |
| 33.        | Office Memorandum dated March 17, 1959                                                                   |
| 34.        | U.S. Coast Guard Speed Letter dated September 18, 1959                                                   |
| 35.        | 1969 Review Agricultural Uses Map TMK Overlay Excerpt                                                    |
| 36.        | 1969 Review Agricultural Uses Map TMK Overlay                                                            |
| 37.        | 1954 USGS Aerial Excerpt TMK Overlay                                                                     |
| 38.        | 1954 USGS Aerial TMK Overlay                                                                             |
| 39.        | Eckbo, Dean, Austin & Williams, State of Hawaii Land Use Regulations<br>Review (1969) (Full Copy)        |

DATED: Honolulu, Hawai'i, December 22, 2021.

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A handwritten signature in cursive script, appearing to read "Calvert G. Chipchase", written in black ink.

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**CERTIFICATE OF SERVICE**

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The undersigned hereby certify that on this date, a copy of the foregoing document was duly served on the following persons at their last known address by depositing a copy in the U.S. mail, postage prepaid:

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*State of Hawaii and Office of Planning and Sustainable  
Development*

DATED: Honolulu, Hawai'i, December 22, 2021.

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