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November 7, 2023

VIA EMAIL: Chandra.H.Hirotsu@hawaii.gov

AND VIA U.S.P.S. CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Hawaii Historic Places Review Board
Kakuhihewa Building
601 Kamokila Blvd., Suite 555
Kapolei, HI 96707

Alan Downer, Ph.D.
State Historic Preservation Officer, State of Hawaii
Kakuhihewa Building
601 Kamokila Blvd., Suite 555
Kapolei, HI 96707

Re: **NOTICE OF OPPOSITION to Petition for National/Hawaii Register of Historic Places and PETITION FOR CONTESTED CASE HEARING**

Makai Golf Course
Princeville, Hanalei, Kauai, Hawaii
Kauai Tax Map Key Nos. (4) 5-4-005:022, 049, 054;
(4) 5-4-006:003, 005, 006; and (4) 5-4-012:001, 006
Owner: SOF-XI Kauai PV Golf, L.P.

Dear Chairperson Stephens, Board Members, and Dr. Downer:

This letter notifies the Hawaii Historic Places Review Board (the “Board”) and the State of Hawaii Historic Preservation Officer (“SHPO”) of SOF-XI Kauai PV Golf, L.P.’s (“Owner”) **OPPOSITION** to The Albatross Alliance’s Petition to nominate the above-described properties to the National Register of Historic Places and/or the Hawaii Register of Historic Places. Owner also **PETITIONS FOR A CONTESTED CASE HEARING** prior to the Board taking any further action on the Petition.

A. PROPERTY DESCRIPTION

The Makai Golf Course contains eight (8) lots, as described in the attached Makai Golf Course Land Use Index, attached hereto as **Exhibit “1.”** These lots may be grouped into three (3) general categories – Golf Course Lots, Golf Amenities Lots, and Baseyard Lot:

1. Golf Course Lots. Five (5) lots are currently used exclusively for golf course purposes. They are all subject to a Dedication of Golf Course Property dated May 19, 1972 recorded in the Bureau of Conveyances of the State of Hawaii (“Bureau”) in Liber 8301 at Page 112 (“Golf Dedication”). The Golf Dedication provides that these lots are dedicated to golf course and ancillary recreational uses until February 28, 2026. The Golf Course Lots are shown on the following enclosed Exhibits:

a. Lot 1 (Portion of Lot 1-B) is designated as Parcel 22, as shown on Tax Map 5-4-05. **See Exhibit “2.”** Lot 1 (Portion of Lot 1-B) is located on the makai side of Ka Haku Road and contains Holes 12-16 of the Makai Golf Course, as shown on the Makai Golf Course Map. **See Exhibit “5.”** It contains 55.475 acres.

Chairperson Stephens, Board Members, & Dr. Downer
Hawaii Historic Places Review Board
November 7, 2023
Page 2

b. Lot 2 (Portion of Lot 1-B) is designated as Parcel 49, as shown on Tax Map 5-4-05. *See Exhibit “2.”* Lot 2 (Portion of Lot 1-B) is located on the mauka side of Ka Haku Road and contains Holes 10, 11, 17 and 18 of the Makai Golf Course and Holes 4-9 of the Woods Golf Course, as shown on the Makai Golf Course Map. It contains 102.635 acres.

c. Lot 7 (File Plan 1179) is shown on File Plan Map 1179, *see Exhibit “6,”* and is designated as Parcel 3, as shown on Tax Map 5-4-06. *See Exhibit “3.”* Lot 7 (File Plan 1179) is located on the mauka side of Ka Haku Road and contains Holes 1 and 9 of the Makai Golf Course and Holes 1-3 of the Woods Golf Course, as shown on the Makai Golf Course Map. It contains 51.955 acres.

d. Lot 1 (File Plan 1197) is shown on File Plan Map 1197, *see Exhibit “7,”* and is designated as Parcel 1, as shown on Tax Map 5-4-12. *See Exhibit “4.”* Lot 1 (File Plan 1197) is located on the mauka side of Ka Haku Road and contains Holes 2-5 of the Makai Golf Course, as shown on the Makai Golf Course Map. It contains 41.648 acres.¹

e. Lot 5 (File Plan 1197) is shown on File Plan Map 1197, *see Exhibit “7,”* and is designated as Parcel 6, as shown on Tax Map 5-4-12. *See Exhibit “4.”* Lot 5 (File Plan 1197) is located on the makai side of Ka Haku Road and contains Holes 6-8 of the Makai Golf Course, as shown on the Makai Golf Course Map. It contains 25.626 acres.

2. Golf Amenities Lots. Two (2) lots are improved with facilities related to the golf course. They are both subject to the Golf Dedication.

a. Clubhouse Lot. The Clubhouse Lot contains amenities related to the golf course and other recreation activities, including a golf clubhouse and restaurant; a golf barn (for golf carts); a swimming pool and athletic facilities; tennis courts; and a parking area. The Clubhouse Lot is also subject to the Parking License Agreement (described in subsection b below). The Clubhouse Lot is Lot 5 (File Plan 1179), as shown on File Plan Map 1179, *see Exhibit “6,”* and is designated as Parcel 5, as shown on Tax Map 5-4-06, *see Exhibit “3.”* It contains 7.041 acres.

b. Parking Lot. The Parking Lot contains 217 paved parking stalls, which are spread over the entirety of the lot. The Parking Lot is subject to a Parking License Agreement as described in the Memorandum Of Parking License Agreement dated March 18, 2005, and recorded in the Bureau as Document No. 2005-053780. The Parking License Agreement is a perpetual license for the use of 120 parking spaces in the Parking Lot in favor of the Princeville Hotel. The remaining parking spaces are used for the

¹ **Note:** Lot 1 (File Plan 1197) was subsequently consolidated with adjacent property and re-subdivided, as shown on File Plan 1303. *See Exhibit “8.”* As a result, Lot 1 increased in size from 41.321 acres (on file Plan 1197) to 41.648 acres (on File Plan 1303).

Chairperson Stephens, Board Members, & Dr. Downer
Hawaii Historic Places Review Board
November 7, 2023
Page 3

Clubhouse Lot and Golf Course Lots activities. The Parking Lot is Lot 6 (File Plan 1179), as shown on File Plan Map 1179, *see* **Exhibit “6,”** and is designated as Parcel 6, as shown on Tax Map 5-4-06, *see* **Exhibit “3.”** It contains 4.569 acres.

3. Baseyard Lot. The Baseyard Lot contains warehouses and facilities used as the baseyard for the golf course operation. It is not subject to the Golf Dedication. It also contains two (2) warehouses used by Princeville Operating Company, LLC for baseyard purposes pursuant to a Grant Of Easement (Lot 54 Maintenance Yard) dated August 1, 2006, recorded in the Bureau as Document No. 2006-153727. It also contains a building and radio antenna used by Kekahu Foundation, Inc. for KKCR-FM, a community operated radio station. Lot B is designated as Parcel 54 as shown on Tax Map 5-4-05. *See* **Exhibit “2.”** It contains 12.242 acres.

B. LAND USE DESIGNATIONS

The land use designations for the three categories of lots are as follows:

1. Golf Course Lots. The Golf Course Lots are located in the following land use districts: the State Land Use Commission (“LUC”) Urban District; the Kauai General Plan Golf Course Land Use Designation; the Comprehensive Zoning Ordinance of the County of Kauai (“CZO”) Open District; and the CZO Visitor Destination Area (“VDA”).

2. Golf Amenities Lots.

a. Clubhouse Lot. The Clubhouse Lot is located in the following land use districts: LUC Urban District; Kauai General Plan Golf Course Land Use Designation; a 1.2396-acre portion in the CZO General Commercial District and Special Treatment - Public Facilities District; a 5.8014 acre portion in the CZO Open District and Special Treatment - Public Facilities District; and the VDA.

b. Parking Lot. The Parking Lot is located in the following land use districts: LUC Urban District; Kauai General Plan Golf Course Land Use Designation; CZO General Commercial District and Special Treatment - Public Facilities District; and the VDA.

3. Baseyard Lot. The Baseyard Lot is located in the following land use districts: LUC Urban District; Kauai General Plan Natural Land Use Designation; CZO Open District; and the VDA.

C. STATEMENT OF OPPOSITION TO PETITION / PETITION FOR CONTESTED CASE HEARING

Owner formally opposes the Petition and requests a contested case hearing pursuant to Hawaii Administrative Rules (“HAR”) Sections 13-198-6 and Title 13, Chapter 197, Subchapter 4. Owner is a “party” who has the right to request a contested case

Chairperson Stephens, Board Members, & Dr. Downer
Hawaii Historic Places Review Board
November 7, 2023
Page 4

hearing. *See* HAR § 13-197-13(a)(1) (“The owner shall be a party in cases involving chapter 13-198 . . .”).

I. Owner Objects to Listing the Makai Golf Course in the NATIONAL Register of Historic Places

As a procedural matter, if a property owner objects to the listing of their property on the National Register of Historic Places (“National Register”), the Keeper of the National Register (the “Keeper”) *cannot* list the property on the National Register. 36 CFR 60.6. The applicable Federal Code provides:

(g) Upon notification, any owner or owners of a private property who wish to object shall submit to the State Historic Preservation Officer a notarized statement certifying that the party is the sole or partial owner of the private property, as appropriate, and objects to the listing.

...

(n) If the owner of a private property . . . [has] objected to the nomination prior to the submittal of a nomination, the State Historic Preservation Officer shall submit the nomination to the Keeper only for a determination of eligibility pursuant to subsection (s) of this section.

...

(s) If the owner of private property . . . has objected to the nomination by notarized statement prior to listing, the Keeper shall review the nomination and make a determination of eligibility within 45 days of receipt, unless an appeal is filed. The Keeper shall list such properties determined eligible in the National Register upon receipt of notarized statements from the owner(s) of private property that the owner(s) no longer object to listing.

36 CFR 60.6(g), (n), (s) (emphasis added). Attached hereto as **Exhibit “9”** is the notarized affidavit of Jason Cruce, Owner’s authorized signatory, certifying that Owner is the sole owner of the property described above, and that Owner objects to the listing on the National Register. Owner’s objection precludes the Keeper from listing the property on the National Register.

Notwithstanding Owner’s objections, the Makai Golf Course also fails to qualify for listing in the National Register. The applicable criteria for evaluating whether a property belongs on the National Register is contained in 36 CFR 60.4. The Petition states that the Makai Golf Course qualifies for registration because it satisfies criteria A and C, which are:

National Register criteria for evaluation. The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and

Chairperson Stephens, Board Members, & Dr. Downer
Hawaii Historic Places Review Board
November 7, 2023
Page 5

(a) that are associated with events that have made a significant contribution to the broad patterns of our history; or

(c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction;

36 CFR 60.4 (emphasis added). The Makai Golf Course, as beautiful as it may be, does not meet these criteria.

i. Criterion A is Not Met

With respect to criterion A, one cannot realistically say that the Makai Golf Course, developed in the 1970s, is associated with the origins of golf in Hawaii. According to Petitioner, golf originated in Hawaii in or around the late 1800s when wealthy, well-traveled landowners introduced the game to the islands. Petitioner then devotes *sixteen (16) pages* to the development of golf in Hawaii up to the 1970s before introducing the Makai Golf Course. Clearly, Makai Golf Course was not associated with the origins of golf in this State.

Petitioner also noted that many new golf courses sprang up in the 1960s and 1970s contemporaneously with the Makai Golf Course:

Hawaii's golfing opportunities dramatically expanded starting in the 1960s, with the number of golf courses in the new State more than tripling between Statehood and the turn of the century. . .

During the 1970s, thirteen new golf courses were constructed in Hawaii, eight of which were resort related, with Princeville's Makai Course on Kauai being one of the earliest and also the largest golf development of the decade. Other resort/hotel related courses that opened during the 1970s included: an 18 hole course at the Kuilima resort hotel on Oahu (1972), the 18 hole, Robert Trent Jones, Jr. designed course for the resort community at Waikoloa Village on the island of Hawaii (1972), the expansion of the Kauai Surf Hotel's 9 hole golf course to 18 holes on Kauai (1972), the 18 hole Blue Course at the planned destination resort at Wailea on Maui (1972), and the 18 hole Orange Course in the same resort (1978), the 18 hole course at Sea Mountain resort at Punaluu on the island of Hawaii (1974), the resort hotel and community at Kapalua on Maui (1975), and the planned resort community on Molokai at Kaluakoi (1977). In comparison to these other courses, the Makai Course at Princeville stands out as the largest and one of the premier golf courses of its period.

Petition, Narrative Statement of Significance, Criterion A: Associations with Golf in Hawaii (emphasis added). Thus, according to Petitioner, golf was already well established in the islands long before construction of the Makai Golf Course. Moreover, over a dozen courses were constructed at or around the same time as the Makai Golf Course – including another by the same architect, Robert Trent Jones, Jr. This shows how relatively

Chairperson Stephens, Board Members, & Dr. Downer
Hawaii Historic Places Review Board
November 7, 2023
Page 6

unremarkable the course is with respect to the origins and history of golf in Hawaii.

Even if one might somehow find that the Makai Golf Course was integral to the history of golf in Hawaii, there is nothing “significant” about the course. The National Park Service’s (“NPS”) bulletin, “How to Apply the National Register Criteria for Evaluation” (rev. 1995),² provides guidance to determine whether a property is significant:

In order to decide whether a property is significant within its historical context, the following five things must be determined:

- The facet of prehistory or history of the local area, State, or the nation that the property represents;
- Whether that facet of prehistory or history is significant;
- Whether it is a type of property that has relevance and importance in illustrating the historic context;
- How the property illustrates that history; and finally
- Whether the property possesses the physical features necessary to convey the aspect of prehistory or history with which it is associated.

Id. at 7. Nothing about the Makai Golf Course illustrates its “importance” to the history of golf in Hawaii because it is just that: a golf course. All of the other golf courses designed in the 1970s convey the same amount of information about the development of golf in Hawaii – that is, that it exists. Many of the courses developed in the 1970s are still around today, so there is no convincing reason why the Makai Golf Course should be included in the National Register as illustrative of the development of golf in this State.

Petitioner also argues that criterion A is met because the Makai Golf Course was significant to the development of Princeville at Hanalei (“Princeville”). *See* Petition, Narrative Statement of Significance, Criterion A: Associations with the Development of Princeville at Hanalei. There is nothing significant or historical about this planned development community from the 1970s.³ The development of Princeville was not “an

² The Keeper uses these guidelines to make their determination. *See* 36 CFR 60.4 (“Guidance in applying the criteria is further discussed in the “How To” publications, Standards & Guidelines sheets and Keeper’s opinions of the National Register.”)

³ The Petition states that the Makai Golf Course opened in 1971. *See* Petition, Sections 8 and 9 (“The full 27 holes with their 126 bunkers were ready for play in the fall of 1971.”). That was barely 50 years ago. Given how new the property is – and also considering the major renovation that occurred in 2010, addressed further below – it might be more appropriate to require Petitioner to satisfy 36 CFR 60.4(g), which is that a property “achieving significance within the past 50 years” may only be included in the register if it is of “exceptional importance.” *See* NPS Bulletin, “Guidelines for Evaluating and Nominating Properties that Have Achieved Significance Within the Past Fifty Years” (rev. 1998) at 1 (“This principle [requiring “exceptional importance”] safeguards against listing properties which are of only contemporary, faddish value and ensures that the National Register is a register of **historic** places.”).

Chairperson Stephens, Board Members, & Dr. Downer
Hawaii Historic Places Review Board
November 7, 2023
Page 7

important moment in American history.” See NPS Bulletin, “How to Apply the National Register Criteria for Evaluation” (rev. 1995) at 12. Nor does the Makai Golf Course’s speculative “contribution” towards attracting potential owners to Princeville constitute a significant historical event worthy of inclusion in the National Register. By that token, the National Register should include every attractive amenity included in a planned development community, from dog parks to playgrounds. If that were allowed, the list would grow exponentially and would tarnish the virtue of the National Register.

ii. Criterion C is Not Met Either

Criterion C provides that a property may be significant if a property “[embodies] the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.” 36 CFR 60.4(c). According to Petitioner, the Makai Golf Course satisfies Criterion C because it is “the work of a master” and because it is “typical of the artistry of Robert Trent Jones, Jr.” Petition, Section 9.

The Makai Golf Course was designed by Robert Trent Jones, Jr., who is still alive. While Mr. Jones is certainly skilled at designing golf courses, the NPS “strongly discourages” listing the work of a still-living individual:

On rare occasions, properties associated with individuals still living have been listed in the National Register. However, the nomination of such properties is strongly discouraged in order to avoid use of the National Register listing to endorse the work or reputation of a living person.

NPS Bulletin, “Guidelines for Evaluating and Nominating Properties that Have Achieved Significance Within the Past Fifty Years” (rev. 1998) at 9 (emphasis added). There are instances, however, where the works of a still-living person have been added to the National Register. For example, two properties in Ohio associated with a still-living folk artist were added because his work was “widely recognized as being exceptionally important within the realm of folk art” and because the two properties “were the only extant properties associated with the artist and that association was long standing (30-40 years).” *Id.*

While the Makai Golf Course is nice, there is nothing historic or unique about the course that distinguishes it from the dozens of other courses designed by Mr. Jones, including ten (10) in Hawaii alone. Much of the Petition discusses how many sportswriters have written favorably about the beauty of the course (note that much of the praise is about the scenery and lush tropical landscape), but that alone does not make it a historic or significant property worthy of designation as a National treasure. Adding the course to the National Register because it is beautiful and nothing more would be to endorse the work or reputation of Mr. Jones, which the NPS strongly discourages.

Chairperson Stephens, Board Members, & Dr. Downer
Hawaii Historic Places Review Board
November 7, 2023
Page 8

While the Petition attempts to downplay this fact, the Makai Golf Course underwent a major renovation in the late 2000s. As one article reported in January 2010:

PRINCEVILLE, Hawaii - Makai Golf Club at the St. Regis Princeville Resort on Kauai's North Shore has reopened for play after a multi-million dollar renovation

The Makai project included the reconfiguration of greens complexes, reshaping of the bunkers, cart-path work and upgrading the practice facility. More importantly, the course got new turf – seashore paspalum on tees, fairways and greens. The fine-bladed, saltwater-tolerant grass thrives on coastal golf courses. It also has an unmistakable, bright green hue.

The course also received new bunker sand and an additional 300 yards in length, bringing the par 72 to more than 7,200 yards. Four sets of tees now - there were three - and new tee boxes, give players more options, said Makai Golf Club General Manager Alex Nakajima.

“It’s really like a brand new golf course,” said Nakajima, who worked at the Prince Course from 1993 to 2000. “The community is very excited about Makai.”

Nakajima said Jones added wrinkles near the greens to create more challenges. The new sand is pure-white G3 silica, imported from Vietnam. “That white sand with the green, paspalum fairways is a nice contrast,” Nakajima said. “You don’t see that much around here.”

Although the golf course has yet to receive a new rating, Nakajima said he thinks it plays about five strokes more difficult for a 15-handicapper than before the renovations.

In addition to the course changes, the old clubhouse was demolished with plans to rebuild within a couple years.

“Kauai’s Makai Golf Club: Back in Business and Better Than Ever,” hawaiigolf.com, <http://www.hawaiigolf.com/news/makai-golf-club-on-kauai-re-opens-11045.htm> (Jan. 25, 2010). A copy of this article is attached hereto as **Exhibit “10.”** Thus, Mr. Jones changed the site – “It’s really like a brand new golf course” – in 2010, destroying its “historical” character. The NPS advisory bulletin addresses scenarios like this:

Applying Criterion C: Design/Construction

Not Eligible

- A designed landscape that has had major changes to its historic design, vegetation, original boundary, topography/grading, architectural features, and circulation system will not qualify.

NPS Bulletin, “How to Apply the National Register Criteria for Evaluation” (rev. 1995) at

Chairperson Stephens, Board Members, & Dr. Downer
Hawaii Historic Places Review Board
November 7, 2023
Page 9

18. Mr. Jones “added wrinkles near the greens to create more challenges,” added new sand, expanded the course, replaced the vegetation, added new tees, and demolished a clubhouse. The course created in the 1970s is gone, and what remains is a modern, contemporary course.

Finally, “a property is not eligible as the work of a master simply because it was designed by a prominent architect.” NPS Bulletin, “How to Apply the National Register Criteria for Evaluation” (rev. 1995) at 20. In order to qualify, “The property must express a particular phase in the development of the master’s career, an aspect of his or her work, or a particular idea or theme in his or her craft.” *Id.* Petitioner readily admits that, “Golf course critics have noted that as a result of designing so many courses in so many countries, Robert Trent Jones, Jr. ‘has never developed a trademark style that is easy to pin down.’” Petition, Narrative Statement of Significance, Criterion C: Typical of the Artistry of Robert Trent Jones, Jr. (emphasis added). According to Petitioner, there are “a number of broad traits form[ing] a common thread throughout many of his projects.” Since he applies the same themes in all of his designs, any one of the numerous courses “found in over fifty countries and on six continents” could serve as a representative of a Robert Trent Jones, Jr.-designed golf course.

To summarize, Owner **objects** to the listing of the Makai Golf Course on the National Register. In addition, the Keeper should determine that the property is **ineligible** for listing on the National Register anyways because it is not an unadulterated historical work that is a “significant” part of American history, architecture, archeology, engineering, or culture. *See* 36 CFR 60.4, 36 CFR 60.6(s).

II. Owner Objects to Listing the Makai Golf Course in the HAWAII Register of Historic Places

The criteria for evaluating whether a property belongs on the Hawaii Register of Historic Places (“Hawaii Register”) is practically identical to the criteria used for the National Register:

§ 13-198-8 Criteria for decisions; considerations. In deciding whether a property should be entered and ordered into the Hawaii register, the review board shall evaluate whether the property meets or possesses, individually or in combination, the following criteria or characteristics:

(1) The quality of significance in Hawaiian history, architecture, archaeology, and culture, which is present in districts, sites, buildings, structures, and objects of State and local importance that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

(A) That are associated with events that have made a significant contribution to the broad patterns of our American or Hawaiian history;

(B) That are associated with the lives of persons significant in our past;

Chairperson Stephens, Board Members, & Dr. Downer
Hawaii Historic Places Review Board
November 7, 2023
Page 10

(C) That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

(D) That have yielded, or may be likely to yield, information important in prehistory or history;

(2) Environmental impact, i.e., whether the preservation of the building, site, structure, district, or object significantly enhances the environmental quality of the State;

(3) The social, cultural, educational, and recreational value of the building, site, structure, district, or object, when preserved, presented, or interpreted, contributes significantly to the understanding and enjoyment of the history and culture of Hawaii, the Pacific area or the nation.

HAR § 13-198-18. The Makai Golf Course does not meet these standards for the same reasons it does not meet the standards used for the National Register.

Criterion A – that the property is associated with events that have made a significant contribution to the broad patterns of our American or Hawaiian history – is not satisfied for the reasons stated above. Additionally, even if the people of Hawaii wanted to preserve a vestige of the history of golf in the islands (for which there does not appear to be an appetite given the lack of golf courses on the Hawaii Register), it does not make sense to include the Makai Golf Course. As the Petition indicates, the Makai Golf Course was not the first or even one of the original golf courses in Hawaii, and thirteen golf courses were constructed in 1970 at or around the same time as the Makai Golf Course.

Criterion C is not met for the same reasons stated above. It is also not the only Robert Trent Jones, Jr.-designed course in Hawaii. According to Petitioner's count, he designed ten (10) courses in Hawaii, many of which are still in operation today. It is not imperative to preserve this golf course as an example of Mr. Jones' work when there are still so many others operating in Hawaii.

Because the first criteria under the Hawaii Register is not met, there is no need to evaluate the second (environmental impact) or the third (the social, cultural, educational, and recreational value of the building); however, we will briefly address each. With respect to environmental benefits, a golf course might preserve open space and provide drainage but it is still an artificial creation, and if added to the Hawaii Register, it will require large amounts of water, fertilizer, and chemicals to maintain.⁴ Any positive environmental benefits are likely minimal, at best. With respect to whether the property will contribute significantly to the understanding and enjoyment of the history and culture

⁴ The owner of a private property listed in the Hawaii Register has an obligation to ensure that the design, material, or outer appearance or those characteristics that qualified the property for entry onto the Hawaii Register are not changed. See HRS § 6E-10; HAR § 13-189-9.

Chairperson Stephens, Board Members, & Dr. Downer
Hawaii Historic Places Review Board
November 7, 2023
Page 11

of Hawaii, it behooves Petitioner to explain how a relatively standard golf course, designed for a sport with Scottish origins, contributes to the enjoyment of the history and culture of this State. For all of these reasons, and for reasons that will be presented at the contested case hearing, the Board should deny Petitioner's request to list the Makai Golf Course on the Hawaii Register.

D. CLOSING

The purpose of the National and Hawaii Registers is to preserve only those buildings, structures, objects, sites, and districts that hold "significant" importance that allow future generations to understand and appreciate our collective history. The process should be used sparingly, with the Keeper and the Board scrutinizing applications and selecting only those properties that meet the lofty criteria designed to ensure that individuals or organizations do not use the process merely as a tool to halt development. To include the Makai Golf Course on these Registers would dilute the requirements and lessen the value that designation provides.

In closing, we reiterate that Owner **OBJECTS** to the listing of the Makai Golf Course on the National and Hawaii Registers, and requests a **CONTESTED CASE HEARING** to provide additional facts and argument before the Board makes its decision on the Petition. Owner reserves the right to make additional arguments as additional information becomes available.

We thank you in advance for your consideration of this letter.

Very truly yours,

DAMON KEY LEONG KUPCHAK HASTERT



Gregory W. Kugle
Ross Uehara-Tilton
Casey T. Miyashiro

Enclosures Exhibits "1"- "10"

CTM:gwk/rut/ctm
818329

EXHIBIT “1”

**MAKAI GOLF COURSE
LAND USE INDEX**

TMK (4)	LOT	FILE PLAN/ FORMER LOT	AREA (acres)	SLUC	GENERAL PLAN	CZO	NOTES
<u>A. Golf Course Lots</u>							
5-4-005:022	1	Portion Parcel 1-B Unit XVII	55.475 (53.350)	Urban	Golf Course	Open	1. Dedicated for Golf Course uses. 2. Contains Makai Golf Course Holes 12-16.
5-4-005:049	2	Portion Parcel 1-B	102.635	Urban	Golf Course	Open	1. Dedicated for Golf Course uses. 2. Contains Makai Golf Course Holes 10, 11, 17 and 18, and Woods Golf Course Holes 4-9.
5-4-006:003	7	1179	51.955	Urban	Golf Course	Open	1. Dedicated for Golf Course uses. 2. Contains Makai Golf Course Holes 1 and 9, and Woods Golf Course Holes 1-3.

TMK (4)	LOT	FILE PLAN/ FORMER LOT	AREA (acres)	SLUC	GENERAL PLAN	CZO	NOTES
5-4-012:001	1	1303	41.468	Urban	Golf Course	Open	1. Dedicated for Golf Course uses. 2. Contains Makai Golf Course Holes 2-5.
5-4-012:006	5	1197	25.626	Urban	Golf Course	Open	1. Dedicated for Golf Course uses. 2. Contains Makai Golf Course Holes 6-8.
B. <u>Golf Amenities Lots</u>							
5-4-006:005 (Clubhouse Lot)	5	1179	7.041	Urban	Golf Course	General Commercial/Special Treatment-Public (1.2396 ac.) Open/Special Treatment-Public (5.8014 ac.)	1. Dedicated for Golf Course uses. 2. Contains: Golf Clubhouse; restaurant; pro shop; tennis courts; pool; and golf cart barn.
5-4-006:006 (Parking Lot)	6	1179	4.569	Urban	Golf Course	General Commercial/Special Treatment-Public	1. Dedicated for Golf Course uses. 2. Contains improved parking.

TMK (4)	LOT	FILE PLAN/ FORMER LOT	AREA (acres)	SLUC	GENERAL PLAN	CZO	NOTES
C. <u>Baseyard Lot</u>							
5-4-005:054 (Baseyard Lot)	B	----	12.242	Urban	Natural	Open	1. Contains: Golf Course Baseyard; KKCR Radio Station; and Princeville Operating Company Baseyard. 2. Not subject to Golf Course Dedication.

EXHIBIT “2”

SOURCE: Tax Maps Branch

PROPOSED PARCEL(S): 11, 12, 14, 15, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 8

EXHIBIT “3”



Note: All facts entered by Consolidated Oil & Gas, Inc. unless otherwise noted.

**FOR PROPERTY ASSESSMENT PURPOSES
SUBJECT TO CHANGE**

DEPARTMENT OF TAXATION
PROPERTY TECHNICAL OFFICE
TAX MAPS DIVISION
STATE OF HAWAII

TAX MAP

FOURTH TAXATION DISTRICT		
ZONE	SEC	PLAT
5	4	06

SCALE: 1 IN. = 200 FT.

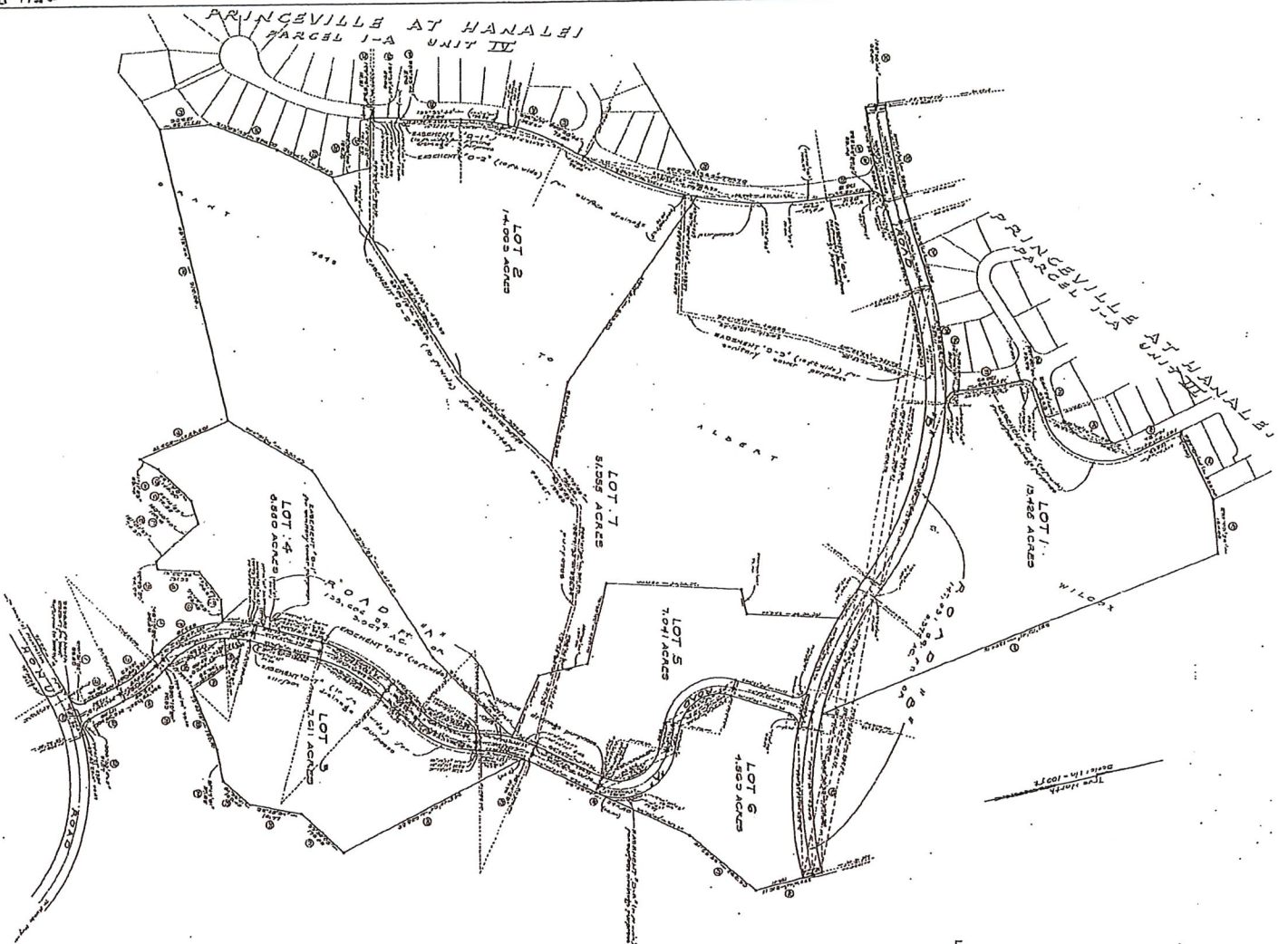
Packets Dropped: 4, 10, 11, 12

EXHIBIT "3"

EXHIBIT “4”

EXHIBIT “5”

EXHIBIT “6”



PRINCEVILLE AT HANA LEI PARCEL I-A UNIT IV

LAND SITUATED AT THE NORTHERLY SIDE OF HANA ROAD APPROXIMATELY 210 FEET NORTHWEST FROM THE INTERSECTION OF HANA ROAD AND KUHIO HIGHWAY AT HANA LEI, HALELEA, KAUAI, HAWAII

OWNER: EAGLE COUNTY DEVELOPMENT CORPORATION
ADDRESS: P.O. BOX 121 HANA LEI, KAUAI, HAWAII, 96714

Being a Portion of Grant 1415 to Albert B. Wilcox

SUBDIVIDED INTO LOTS 1, 2, 3, 4, 5, 6, AND 7, AND ROADS A AND B
AND DESIGNATION OF EASEMENTS 9-1 TO 9-3 INCLUSIVE
EASEMENTS D-1 TO D-7 INCLUSIVE

AREA = 113,089 ACRES

Map made by
Hawaii Survey
Hawaii Survey
Hawaii Survey



Hawaii Survey
Hawaii Survey
Hawaii Survey

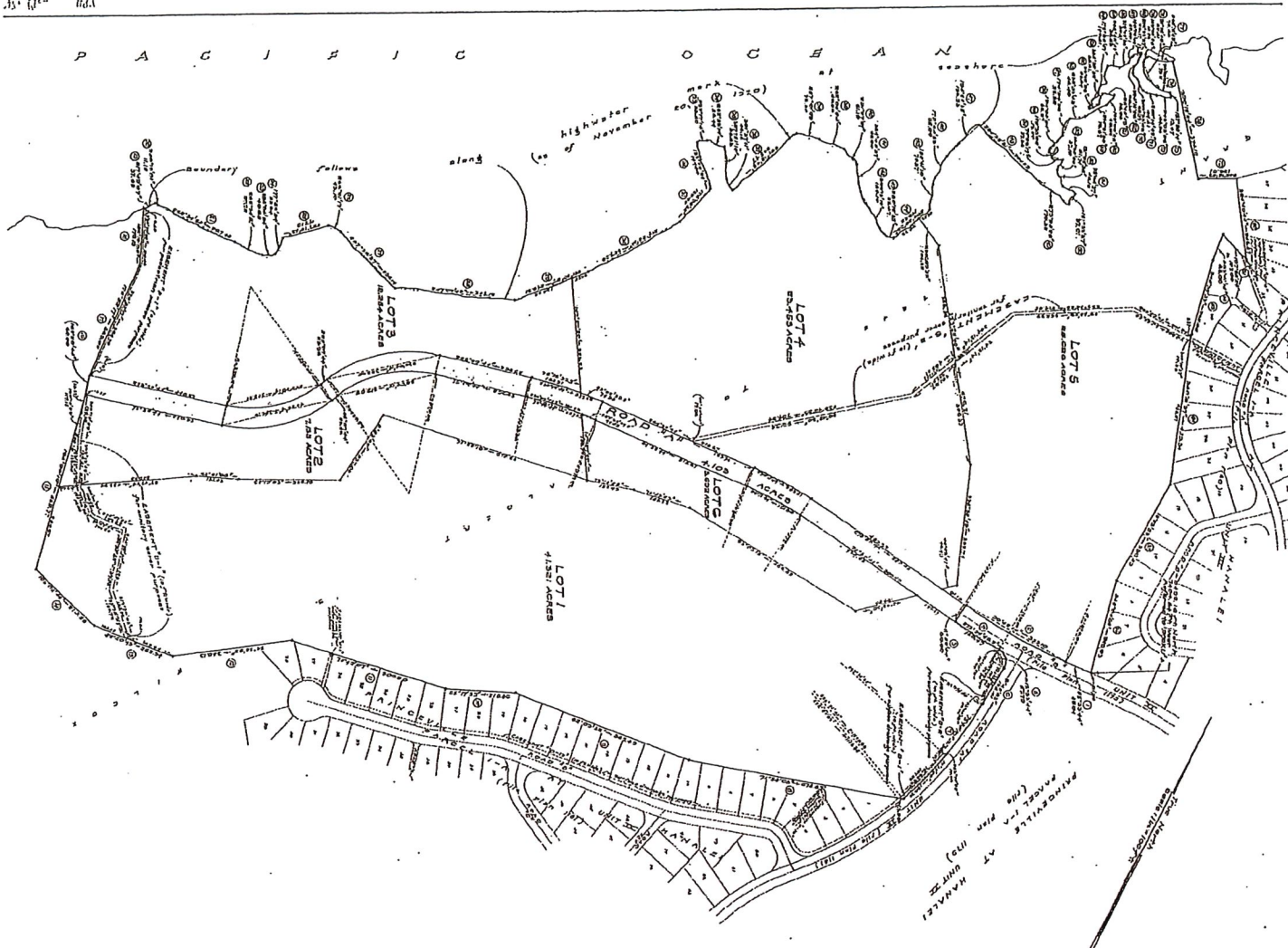
NOTES

1. The area is from an aerial survey on the ground made by or under the direct supervision of the undersigned between June 1, 1970 and June 31, 1970 and may be altered by the State Surveyor with my Certification Book 026 and subsequent Book 027.
2. The area is from an aerial survey on the ground made by or under the direct supervision of the undersigned between June 1, 1970 and June 31, 1970 and may be altered by the State Surveyor with my Certification Book 026 and subsequent Book 027.
3. The area is from an aerial survey on the ground made by or under the direct supervision of the undersigned between June 1, 1970 and June 31, 1970 and may be altered by the State Surveyor with my Certification Book 026 and subsequent Book 027.
4. The area is from an aerial survey on the ground made by or under the direct supervision of the undersigned between June 1, 1970 and June 31, 1970 and may be altered by the State Surveyor with my Certification Book 026 and subsequent Book 027.
5. The area is from an aerial survey on the ground made by or under the direct supervision of the undersigned between June 1, 1970 and June 31, 1970 and may be altered by the State Surveyor with my Certification Book 026 and subsequent Book 027.
6. The area is from an aerial survey on the ground made by or under the direct supervision of the undersigned between June 1, 1970 and June 31, 1970 and may be altered by the State Surveyor with my Certification Book 026 and subsequent Book 027.
7. The area is from an aerial survey on the ground made by or under the direct supervision of the undersigned between June 1, 1970 and June 31, 1970 and may be altered by the State Surveyor with my Certification Book 026 and subsequent Book 027.
8. The area is from an aerial survey on the ground made by or under the direct supervision of the undersigned between June 1, 1970 and June 31, 1970 and may be altered by the State Surveyor with my Certification Book 026 and subsequent Book 027.
9. The area is from an aerial survey on the ground made by or under the direct supervision of the undersigned between June 1, 1970 and June 31, 1970 and may be altered by the State Surveyor with my Certification Book 026 and subsequent Book 027.
10. The area is from an aerial survey on the ground made by or under the direct supervision of the undersigned between June 1, 1970 and June 31, 1970 and may be altered by the State Surveyor with my Certification Book 026 and subsequent Book 027.

AREA OF EASEMENTS

The area of easements is shown on the map and is described as follows: Easement 9-1 is a 10-foot wide easement for a utility line running along the northern boundary of Lot 1. Easement 9-2 is a 10-foot wide easement for a utility line running along the northern boundary of Lot 2. Easement 9-3 is a 10-foot wide easement for a utility line running along the northern boundary of Lot 3. Easement D-1 is a 10-foot wide easement for a utility line running along the northern boundary of Lot 4. Easement D-2 is a 10-foot wide easement for a utility line running along the northern boundary of Lot 5. Easement D-3 is a 10-foot wide easement for a utility line running along the northern boundary of Lot 6. Easement D-4 is a 10-foot wide easement for a utility line running along the northern boundary of Lot 7. Easement D-5 is a 10-foot wide easement for a utility line running along the northern boundary of Lot 8. Easement D-6 is a 10-foot wide easement for a utility line running along the northern boundary of Lot 9. Easement D-7 is a 10-foot wide easement for a utility line running along the northern boundary of Lot 10.

EXHIBIT “7”



PRINCEVILLE AT HANALEI

PARCEL 1-A
UNIT VII

LABD. SITUATED APPROXIMATELY 5000 FEET NORTHWEST.
FROM THE INTERSECTION OF KUMHO HIGHWAY AND HONG ROAD

AT HANALEI, HALELEA, KAUI, HAWAII

OWNER: EAGLE COUNTY DEVELOPMENT CORPORATION
ADDRESS: P.O. BOX 121 HANALEI, KAUAI, HAWAII: 96714

Balance of Grant 4845 to Albert S. Wilcox

SUBDIVIDED INTO LOTS 4 TO 6, INCLUSIVE, AND ROAD A AND DESIGNATION OF EASEMENTS 9-1 AND 9-2 EASEMENTS D-1 AND D-2 AND EASEMENT P-1

AREA= 117.584 ACRES

This map is from an actual survey on the ground made by or under the direct supervision of the undersigned between June 1, 1970 and Feb. 6, 1971 and may be checked by the State Surveyor with my Calculation Book No. 103, and Worksheet No. 103.

by the State Surveyor with my usual help, and
Worked No. 103.

PO. Box 107
Hanalei, Kauai, Hawaii
96714
February 6, 1971



Billie K. Mink
Registered Professional Surveyor
Certification Number 670

I hereby certify that the description of the above property has been examined and checked and is true and correct. The same is in accordance with the original and correct records of the Bureau of Land Management and is so reported in accordance with Section 3072 and 31 of the Federal Land Statute.

Special Agent

Edgar J. Baker *Edgar J. Baker*
Special Agent

Office of Plans
or Plans of
Bureau of Comptroller
General of the
Army, U.S. Army, 1917
and filed in the 1917

UNITED AIR SOURCE ASSOCIATION
HOLLAND, MI 48127
RECORDED IN LIBRARY THAT ON PAGES 100-101

NOTES

- ① Figure shows that ② indicates number of course in description
- ③ Allotted lands owned by Eagle County Development Corp.
- ④ Allottees' residences noted on this map.
- ⑤ Elements D-1 and D-2, being smaller owner elements in favor of Eagle County Development Corp.
- ⑥ Elements D-1 and D-2, being smaller elements in favor of Emeralds Community Association.
- ⑦ Element D-1, being residential because element in favor of The City and County of Kauai.

AREA OF EASEMENTS

- [illegible]

Fireman 1197

EXHIBIT “8”

PRINCEVILLE AT HANALEI
PARCEL 1-A
UNIT XV

LAND SITUATED ALONG THE SOUTHERLY BOUNDARY OF LOTS
C AND 6 OF PRINCEVILLE AT MANATEE, PARCEL 1-A, UNIT VII
(FILE PLAN 1197)

AT HANALEI, HALELEA, KAUAI, HAWAII
OWNER: EAGLE COUNTY DEVELOPMENT CORPORATION
ADDRESS: P.O. BOX 121, HANALEI, KAUAI, HAWAII, 96714

Being a portion of OPENT 4845 to ALBERT S. WILCOX
 being also all of Lot 1 of PINEVILLE AT HANNALEI,
 PARCEL 1-A, UNIT I (Pilo Plan 157)
 being also all of Lot 3 of PINEVILLE AT HANNALEI,
 PARCEL 1-A, UNIT II (Pilo Plan 157)
 being also all of Lot 20 of PINEVILLE AT HANNALEI,
 PARCEL 1-A, UNIT III (Pilo Plan 160)

SUBDIVIDED INTO LOTS 1 AND 2
AND DESIGNATION OF EASEMENTS D-1 AND D-2
AND EASEMENT S-1

AREA = 60.822 ACRES

This map is from an actual survey on the ground made by, or under the direct supervision of the undersigned between July 7, 1878 and August 13, 1878 and may be checked by the State Surveyor with my Calculation Book No. 117, mentioned on file in and Field Book No. 117.

PC-DBA 100
Kamela, K. M. & Kamela
36714
August 13, 1976



A. E. Merrill Jr.
Regional Administrative Surveys
Certificate Number 33-2-5.

[illegible]

State of Hawaii
Office of
Revenue and Commerce
Received for filing 1961 with day of
January 11, 1965 of 1965 at
and 1965 at 1965 at 1965 at
Mark
Register of Commerce

NOTES ..

- [illegible]

AREA OF EASEMENTS

Element D-1 offloading Lot 1 = 4,340 Sq. Ft.
 Element D-2 offloading Lot 1 = 1,548 Sq. Ft.
 Element D-3 over and across Lots 1 and 2 = 14,777 Sq. Ft.

EXHIBIT "8"

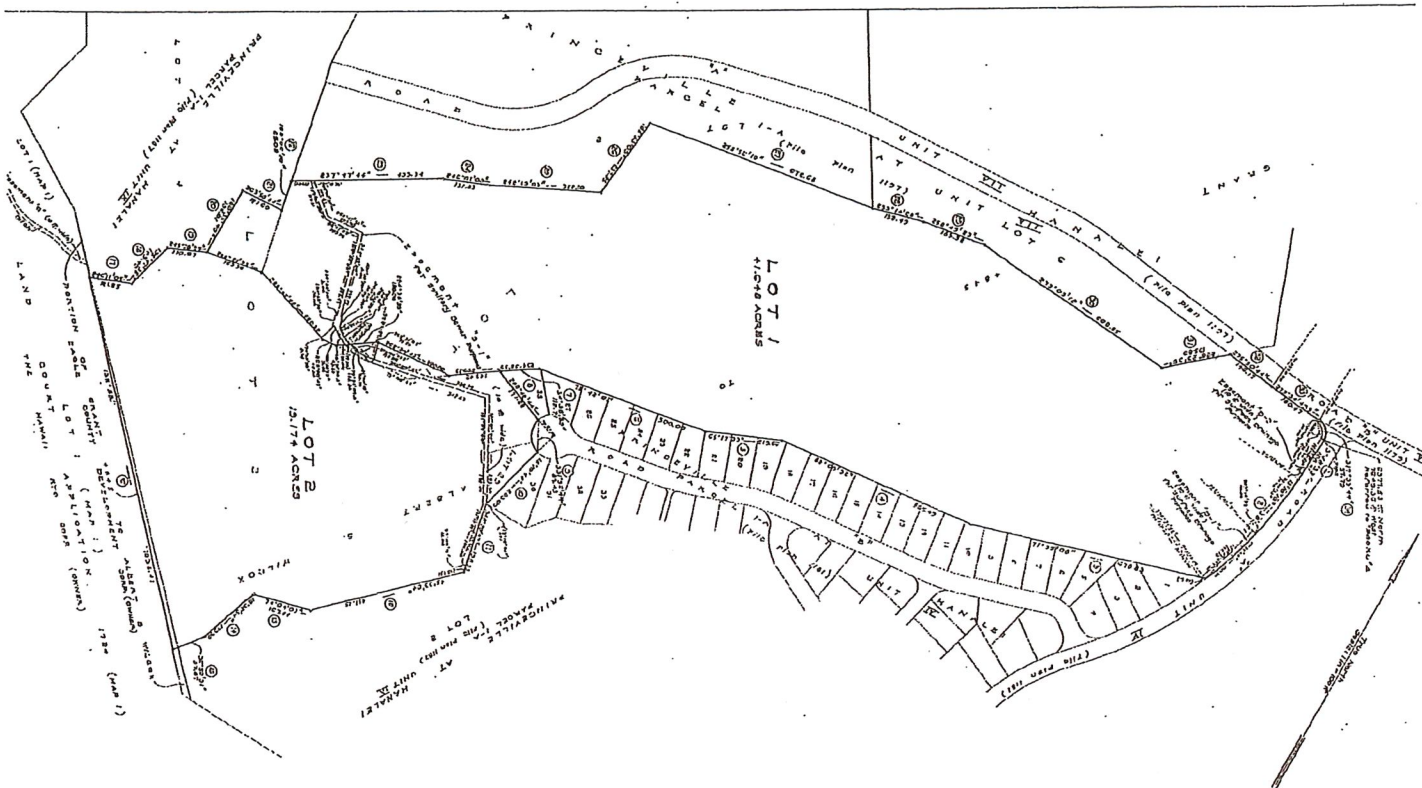


EXHIBIT “9”

AFFIDAVIT OF JASON CRUCE

STATE OF Texas)
COUNTY OF Bexar) SS:

JASON CRUCE, being first duly sworn, on oath deposes and says:

1. I am the authorized signatory for SOF-XI Kauai PV Golf, L.P., a Delaware limited partnership.

2. SOF-XI Kauai PV Golf, L.P., a Delaware limited partnership, is the owner of the following properties:

a. The Golf Course Lots are shown on the following enclosed Exhibits:

(i) Lot 1 (Portion of Lot 1-B) is designated as Parcel 22, as shown on Tax Map 5-4-05 **[Exhibit "I"]**. Lot 1 (Portion of Lot 1-B) is located on the makai side of Ka Haku Road and contains Holes 12-16 of the Makai Golf Course, as shown on the Makai Golf Course Map **[Exhibit "4"]**. It contains 55.475 acres.

(ii) Lot 2 (Portion of Lot 1-B) is designated as Parcel 49, as shown on Tax Map 5-4-05. Lot 2 (Portion of Lot 1-B) is located on the mauka side of Ka Haku Road and contains Holes 10, 11, 17 and 18 of the Makai Golf Course and Holes 4-9 of the Woods Golf Course, as shown on the Makai Golf Course Map. It contains 102.635 acres.

(iii) Lot 7 (File Plan 1179) is shown on File Plan Map 1179 *[Exhibit "5"]*, and is designated as Parcel 3, as shown on Tax Map 5-4-06 *[Exhibit "2"]*. Lot 7 (File Plan 1179) is located on the mauka side of Ka Haku Road and contains Holes 1 and 9 of the Makai Golf Course and Holes 1-3 of the Woods Golf Course, as shown on the Makai Golf Course Map. It contains 51.955 acres.

(iv) Lot 1 (File Plan 1197) is shown on File Plan Map 1197 **[Exhibit "6"]**, and is designated as Parcel 1, as shown on Tax Map 5-4-12 **[Exhibit "3"]**. Lot 1 (File Plan 1197) is located on the mauka side of Ka Haku Road and contains Holes 2-5 of the Makai Golf Course, as shown on the Makai Golf Course Map. It contains 41.648 acres. *[Note: Lot 1 (File Plan 1197) was subsequently consolidated with adjacent property and resubdivided, as shown on File Plan 1303 **[Exhibit "7"]**. As a result, Lot 1 increased in size from 41.321 acres (on file Plan 1197) to 41.648 acres (on File Plan 1303).]*

(v) Lot 5 (File Plan 1197) is shown on File Plan Map 1197, and is designated as Parcel 6, as shown on Tax Map 5-4-12. Lot 5 (File Plan 1197) is located on the

makai side of Ka Haku Road and contains Holes 6-8 of the Makai Golf Course, as shown on the Makai Golf Course Map. It contains 25.626 acres.

b. Golf Amenities Lots. There are two (2) lots which are improved with facilities related to the Golf Course. They are both subject to the Golf Dedication.

(i) Parking Lot. The Parking Lot (identified by Kauai TMK No. (4) 5-4-006:006) contains 217 paved parking stalls which are spread over the entirety of the lot. The Parking Lot is subject to a Parking License Agreement as described in the Memorandum Of Parking License Agreement dated March 18, 2005, recorded in the Bureau of Conveyances of the State of Hawaii ("Bureau") as Document No. 2005-053780. The Parking License Agreement is a perpetual license for the use of 120 parking spaces on the Parking Lot in favor of the Princeville Hotel. The remaining parking spaces are used for the Clubhouse Lot and Golf Course Lots activities. Lot 6 (File Plan 1179), as shown on File Plan Map 1179, and is designated as Parcel 6, as shown on Tax Map 5-4-06. It contains 4.569 acres.

(ii) Clubhouse Lot. The Clubhouse Lot contains amenities related to the Golf Course uses and other recreation activities, including: a Golf Clubhouse and restaurant; a Golf Barn (for golf carts); a swimming pool and athletic facilities; tennis courts; and a parking area. The Clubhouse Lot is also subject to the Parking License Agreement. Lot 5 (File Plan 1179), as shown on File Plan Map 1179, and is designated as Parcel 5, as shown on Tax Map 5-4-06. It contains 7.041 acres.

c. Baseyard Lot. The Baseyard Lot contains warehouses and facilities used as the baseyard for the Golf Course operation. It is not subject to the Golf Reservation. It also contains two (2) warehouses used by Princeville Operating Company, LLC for baseyard purposes pursuant to a Grant Of Easement (Lot 54 Maintenance Yard) dated August 1, 2006 recorded in the Bureau as Document No. 2006-153727. It contains a building and radio antenna used by Kekahu Foundation, Inc. for KKCR-FM, a community operated radio station. Lot B is designated as Parcel 54 as shown on Tax Map 5-4-05. It contains 12.242 acres.

3. On October 8, 2023, I received a letter dated October 4, 2023, from the State Historic Preservation Division notifying Princeville Development Corporation, and not SOF-XI Kauai PV Golf, L.P., a Delaware limited partnership, that the above identified properties would be presented to the Hawaii Historic Places Review Board for consideration to the Hawaii Register of Historic Places and recommendation to the National Register of Historic Places.

4. In accordance with Hawaii Administrative Rules Section 13-198(d), SOF-XI Kauai PV Golf, L.P., a Delaware limited partnership, hereby notifies the Hawaii Historic Places Review Board that it objects to the nomination of the properties for listing on to the Hawaii Register of Historic Places as provide under Chapter 198 of the Hawaii Administrative Rules.

5. In accordance with 36 C.F.R. Sec. 60.6, SOF-XI Kauai PV Golf, L.P., a Delaware limited partnership, hereby states its objections to the nomination of the properties on to the National Register of Historic Places.

Further affiant sayeth naught.

Jason Matthew Cruce
JASON CRUCE

Doc. Date: 10/17/2023 # Pages: 21

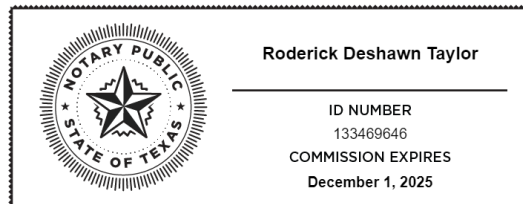
Doc. Description: Affidavit of Jason Cruce

Notary Name: Roderick Deshawn Taylor _____ Circuit

Subscribed and sworn to before me this
17th day of October, 20 23

Roderick Deshawn Taylor
Notary Public, State of Texas

My commission expires: 12/01/2025



Notarized online using audio-video communication

EXHIBIT "1"

**MAKAI GOLF COURSE
LAND USE INDEX**

TMK (4)	LOT	FILE PLAN/ FORMER LOT	AREA (acres)	SLUC	GENERAL PLAN	CZO	NOTES
<u>A. Golf Course Lots</u>							
5-4-005:022	1	Portion Parcel 1-B Unit XVII	55.475 (53.350)	Urban	Golf Course	Open	1. Dedicated for Golf Course uses. 2. Contains Makai Golf Course Holes 12-16.
5-4-005:049	2	Portion Parcel 1-B	102.635	Urban	Golf Course	Open	1. Dedicated for Golf Course uses. 2. Contains Makai Golf Course Holes 10, 11, 17 and 18, and Woods Golf Course Holes 4-9.
5-4-006:003	7	1179	51.955	Urban	Golf Course	Open	1. Dedicated for Golf Course uses. 2. Contains Makai Golf Course Holes 1 and 9, and Woods Golf Course Holes 1-3.

TMK (4)	LOT	FILE PLAN/ FORMER LOT	AREA (acres)	SLUC	GENERAL PLAN	CZO	NOTES
5-4-012:001	1	1303	41.468	Urban	Golf Course	Open	1. Dedicated for Golf Course uses. 2. Contains Makai Golf Course Holes 2-5.
5-4-012:006	5	1197	25.626	Urban	Golf Course	Open	1. Dedicated for Golf Course uses. 2. Contains Makai Golf Course Holes 6-8.
<u>B. Golf Amenities Lots</u>							
5-4-006:005 (Clubhouse Lot)	5	1179	7.041	Urban	Golf Course	General Commercial/Special Treatment-Public (1.2396 ac.) Open/Special Treatment-Public (5.8014 ac.)	1. Dedicated for Golf Course uses. 2. Contains: Golf Clubhouse; restaurant; pro shop; tennis courts; pool; and golf cart barn.
5-4-006:006 (Parking Lot)	6	1179	4.569	Urban	Golf Course	General Commercial/Special Treatment-Public	1. Dedicated for Golf Course uses. 2. Contains improved parking.

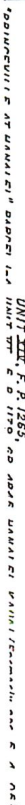
TMK (4)	LOT	FILE PLAN/ FORMER LOT	AREA (acres)	SLUC	GENERAL PLAN	CZO	NOTES
C. <u>Baseyard Lot</u>							
5-4-005:054 (Baseyard Lot)	B	----	12.242	Urban	Natural	Open	1. Contains: Golf Course Baseyard; KKCR Radio Station; and Princeville Operating Company Baseyard. 2. Not subject to Golf Course Dedication.

EXHIBIT "2"

SOURCE: Tax Maps Branch

PROPOSED PARCEL(S): 11, 12, 14, 15, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 8

EXHIBIT "3"



Note: All facts entered by Consolidated Oil & Gas, Inc. unless otherwise noted.

FOR PROPERTY ASSESSMENT PURPOSES
SUBJECT TO CHANGE

DEPARTMENT OF TAXATION
PROPERTY TECHNICAL OFFICE
TAX MAPS BRANCH
STATE OF HAWAII
TAX MAP

FOURTH TAXATION DISTRICT		
ZONE	SEC	PLAT
5	4	06

SCALE: 1 IN. = 900 FT.

Paragraphs Dropped: 4, 10, 11, 12

EXHIBIT "3"

EXHIBIT "4"

[illegible]

UNIT III, F. P. 1252
"PRINCEVILLE AT HANAIEI," PAR. 1-2, UNIT XII, F. P. 1137, GR. 4945, HANAIEI, KAUAI (Formerly per. 5-4-05).

UNIT XIII, F. P. 1252

4845 HARVEI R

1 / 15

2

—

F

PROPERTY ASSESSMENT PD
SUBJECT TO CHANGE

SCALE 1 IN. = 200'	4	5
--------------------	---	---

21

Notes All lots owned by Consolidated Child Care, Inc. unless otherwise noted.

FOR PROPERTY ASSESSMENT PURPOSES
SUBJECT TO CHANGE

SUBJECT TO CHANGE

Parcels dropped!

DEPARTMENT OF TAXATION
PROPERTY TECHNICAL OFFICE
TAX MAPS BRANCH
STATE OF HAWAII
TAX MAP

FOURTH TAXATION DISTRICT		
ZONE	SEC.	PLAT
5.	4	12

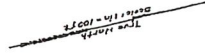
SCALE: 1 IN. = 200 FT.

EXHIBIT "4"

3 4 12 41N DIST

EXHIBIT "5"

EXHIBIT "6"



FIVE FLAND 1179

AT HANALEI, HALELEA, KAUAI, HAWAII

ADDRESS: P.O. BOX 121 HAHALEI, KAUAI, HAWAII, 96714

Delin's a portion of Grant 1045 to Albert S. Wilcox

EASEMENTS D-1 TO D-7 INCLUSIVE

AREA = 113.689 ACRES

Manuel, Manuel, Manuel
30714
Man 01,1010



Billar K. Hinni
Registered Professional Surveyor
Certificate Number CTD

NOTES

- Figures shown above
- Indicate number of courses in description
- All existing lands owned by Eagle Canyon Development Corp.
- Estimated 2nd to 5th to include existing water resources
- Owner of Eagle Canyon Development Corp.
- Owner of 2nd, third, fourth, and fifth acrement in favor of Shawville Community Association
- Ownership due to 2nd acrement being surface driving easement
- Owner of Shawville Community Association

AREA OF EASEMENTS

[illegible]

21 yrs of Married
Office of
Bureau of Commerce
Resident from 1913 to 1914 day of
March 12, 1914 at 10:00 A.M.
and died in the N.Y. 17th

LETTER AND BRIEF DESCRIPTION
NUMBER IN YEAR YEAR ON PAGES 7-11

EXHIBIT "7"

EXHIBIT "8"

PRINCEVILLE AT HANALEI
PARCEL 1-A
UNIT XV

LAND SITUATED ALONG THE SOUTHERLY BOUNDARY OF LOTS
2 AND 6 OF PRINCEVILLE AT MANATEE, PARCEL 1-A, UNIT VII
(FILE PLAN 1157)

AT HANALEI, HALELEA, KAUAI, HAWAII
OWNER: EAGLE COUNTY DEVELOPMENT CORPORATION
ADDRESS: PO BOX 121, HANALEI, KAUAI, HAWAII, 96714

Being a portion of OPENT 4845 to ALBERT S. WILCOX
 being also all of Lot 1 of PUNCEVILLE AT HANNALEI,
 PARCEL 1-A, UNIT III (Pilo Plan 157);
 being also all of Lot 3 of PUNCEVILLE AT HANNALEI,
 PARCEL 1-A, UNIT II (Pilo Plan 157);
 being also all of Lot 20 of PUNCEVILLE AT HANNALEI,
 PARCEL 1-A, UNIT II (Pilo Plan 156).

SUBDIVIDED INTO LOTS 1 AND 2
AND DESIGNATION OF EASEMENTS D-1 AND D-2
AND EASEMENT S-1

AREA = 60.822 ACRES

This map is from an actual survey on the ground made by, or under the direct supervision of the undersigned between July 7, 1878 and August 13, 1878 and may be checked by the State Surveyor with my Calculation Book No. 117, mentioned on file in and Field Book No. 117.

PC-DBA 100
Kamela, K. M. & Kamela
36714
August 13, 1976



A. E. Merrill Jr.
Regional Administrative Surveys
Certificate Number 33-2-5.

[illegible]

Atty. at Law
Office of
Hon. J. Edgar Hoover
Received for filing 1941 with copy of
letter to J. Edgar Hoover dated
and filed in file 1941
Proctor
Register of Deeds

RECEIVED BY LIBRARY 0306 ON PASADENA - 198

NOTES ..

- [illegible]

AREA OF EASEMENTS

Zosmenant, D-1 affecting leaf 1 = 1,370 sq. ft.
 Zosmenant D-2 affecting leaf 1 = 1,548 sq. ft.
 Zosmenant D-3 over and across leaf 1 and
 2 = 1,777 sq. ft.

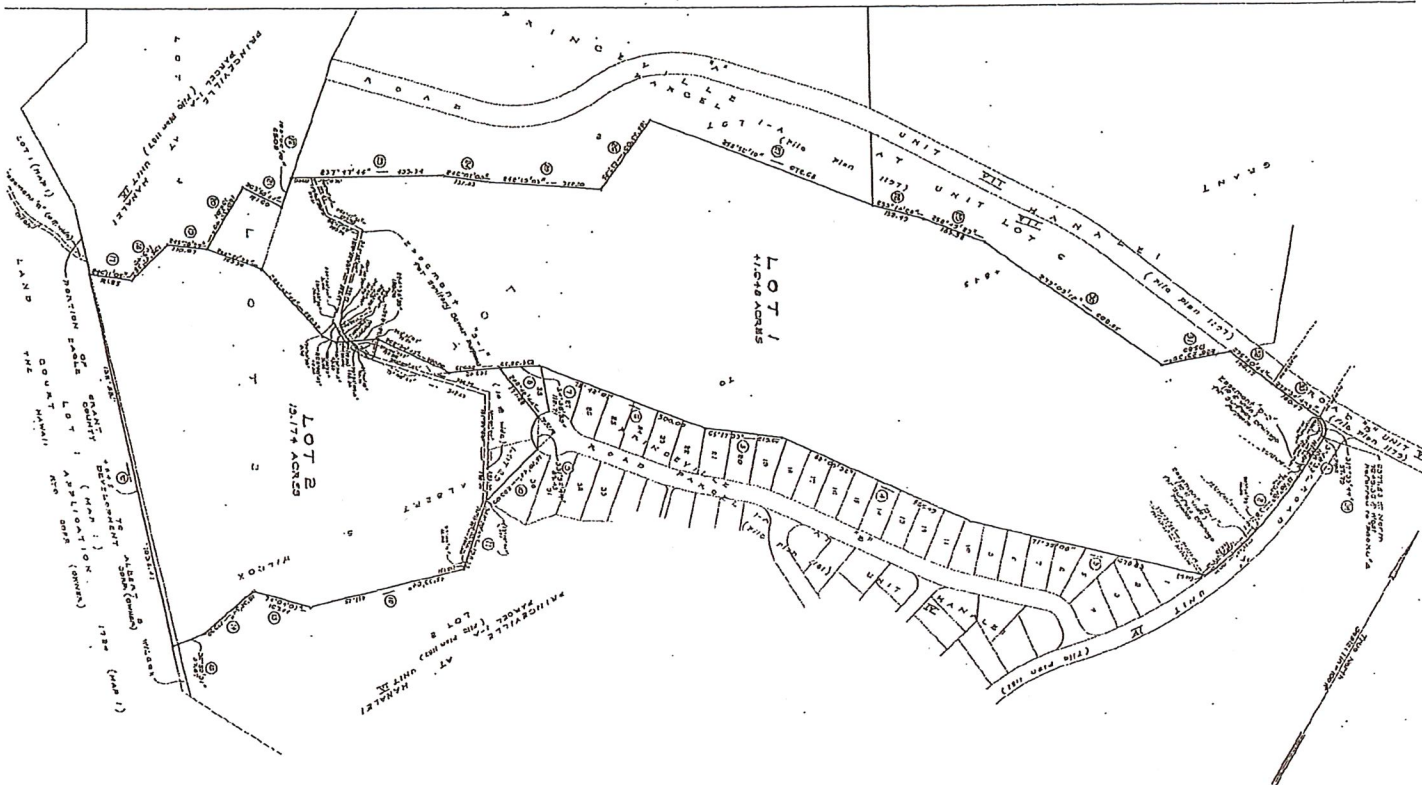


EXHIBIT “10”

[Home \(/\)](#)
[Destinations \(/destination/\)](#)
[Tee Times \(/tee-times/\)](#)
[Golf Courses \(/courses/\)](#)
[Articles \(/articles/\)](#)
[Resorts \(/listings/resorts/\)](#)
[Golf Map \(/map/\)](#)
[Deals \(/golf-packages/\)](#)
[FREE Quote \(/free-quote/\)](#)

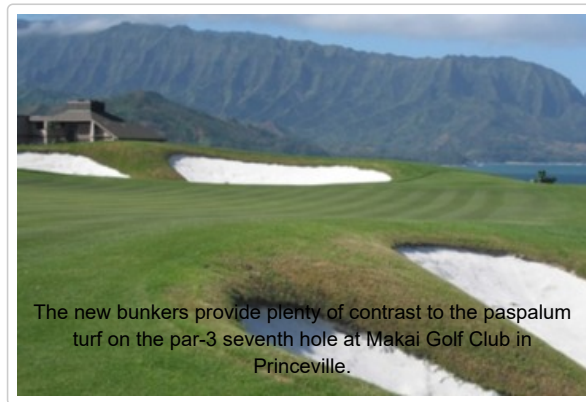
[Home \(/\)](#) » News

Kauai's Makai Golf Club: Back in business and better than ever

PRINCEVILLE, Hawaii - **Makai Golf Club** (<http://www.hawaiigolf.com/courses/princeville/princeville-makai-ocean-lakes/>) at the St. Regis Princeville Resort on Kauai's North Shore has reopened for play after a multi-million dollar renovation.

Robert Trent Jones Jr., who originally designed Makai, also oversaw the renovation. Opened in 1971, the golf course features lakes, woodlands and great views of the Pacific Ocean coastline.

Jones also directed design of the widely acclaimed and nearby [Prince Course at Princeville](#)



The new bunkers provide plenty of contrast to the paspalum turf on the par-3 seventh hole at Makai Golf Club in Princeville.



Related Articles

[Golf and more on Kauai](#)
<http://www.hawaiigolf.com/destination/kauai.html>

If you go

(<http://www.hawaiigolf.com/courses/princeville/princeville-at-hanalei-prince/>), which opened in 1991.

Troon Golf of Scottsdale, Ariz., which manages Makai, does not manage the Prince Course; it is separately owned. Golfers can obtain packages that include both courses, however.

The Makai project included the reconfiguration of greens complexes, reshaping of the bunkers, cart-path work and upgrading the practice facility. More importantly, the course got new turf – seashore paspalum on tees, fairways and greens. The fine-bladed, saltwater-tolerant grass thrives on coastal golf courses. It also has an unmistakable, bright green hue.

The course also received new bunker sand and an additional 300 yards in length, bringing the par 72 to more than 7,200 yards. Four sets of tees now - there were three - and new tee boxes, give players more options, said Makai Golf Club General Manager Alex Nakajima.

"It's really like a brand new golf course," said Nakajima, who worked at the Prince Course from 1993 to 2000. "The community is very excited about Makai."

Nakajima said Jones added wrinkles near the greens to create more challenges. The new sand is pure-white G3 silica, imported from Vietnam. "That white sand with the green, paspalum fairways is a nice contrast," Nakajima said. "You don't see that much around here."

Although the golf course has yet to receive a new rating, Nakajima said he thinks it plays about five strokes more difficult for a 15-handicapper than before the renovations.

In addition to the course changes, the old clubhouse was demolished with plans to rebuild within a couple years.

Work on the golf course began in late 2008, coinciding with the renovation of the Princeville Hotel. It reopened as the St. Regis Princeville Resort in October 2009. Overlooking beautiful Hanalei Bay, the resort offers 252 guest rooms, a signature restaurant and the hotel's Halelea Spa.

To celebrate the reopening, the resort is offering an "Endless Golf Package" for travel between Jan. 30 and July 1. It includes unlimited golf for two at Makai Golf Club with a minimum stay of five nights required at the St. Regis Princeville Resort. It also includes Callaway rental clubs for two. Rates begin at \$610 for one room per night.

January 25, 2010

Reader Comments / Reviews

LEAVE A COMMENT

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