

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

September 14, 2018

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

File No. 10550(H)

Hawaii

Issuance of Land Patent in Confirmation of a Portion of
Land Commission Award No. 11216, Apana 39 to M. Kekauonohi,
situate at Keopu, District of North Kona, Island of Hawaii,
Tax Map Key: (3)7-5-001:029.

APPLICANT:

Michael J. Matsukawa, Esq., for Isamu Takemoto, Trustee for Keopu
Citizens Club, an unincorporated association, owner of the
subject property.

LEGAL REFERENCE:

Section 171-23, Hawaii Revised Statutes, as amended,
Sections 172-11 and 12, Hawaii Revised Statutes, as amended,
Section 182-2, Hawaii Revised Statutes, as amended and
Section 664-5, Hawaii Revised Statutes, as amended.

LOCATION:

The applicant's private property is comprised of a portion of the
land awarded to M. Kekauonohi under Land Commission Award
No.11216, Apana 39, situate at Laaloa, District of North Kona,
Island of Hawaii, containing an area of 15,149 sq. ft. or 0.348
acre, more or less, and identified by TMK: (3) 7-5-001:029, as
shown on the map attached hereto as Exhibit A.

DCCA VERIFICATION:

Not applicable. As Isamu Takemoto, Trustee for Keopu Citizens
Club, an unincorporated association, and the owner of Tax Map
Key: (3)7-5-001:029, is an unincorporated association, the
applicant is not required to register with the DCCA.

APPLICANT REQUIREMENTS:

Along with a copy of Land Commission Award 11216, Apana 39), the
Applicant has provided a Boundary Certificate including a map and
survey description for the subject portion of Apana 39 of Land

Commission Award 11216 to M. Kekauonohi, filed May 5, 2017 in the Circuit Court of the Third Circuit State of Hawaii, in S.P. No. 17-1-005K (Kona). See Exhibits B and B-1 attached hereto.

REMARKS:

Land Commission Award 11216, Apana 39, dated February 14, 1855, awarded the Ahupuaa of Keopu, in name only, to M. Kekauonohi (Exhibit B).

By Resolutions of the Privy Council dated August 27, 1850, M. Kekauonohi surrendered several of her lands to the Hawaiian Government in lieu of commutation thereby releasing its right to commutation therein as set forth in Volume 9 of Land Commission Awards on Page 662.

Staff Abstractor has confirmed that no commutation is due and that no patent has been issued in confirmation of the subject portion of Land Commission Award 11216, Apana 39, containing an area of 15,149 sq. ft. or 0.348 acre, and designated bearing TMK: (3) 7-5-001:029.

The map and survey description of the subject portion of Keopu provided by the Applicant (Exhibit B-1) will be sent to the State Land Surveyor for approval.

Although no commutation is due, the patent issued in confirmation of the award will evidence that the government's right to commutation therein is satisfied and released.

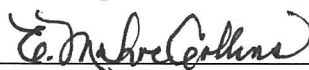
Comments were requested from the Office of Hawaiian Affairs (OHA), however OHA provided no comments by the suspense date.

RECOMMENDATION:

Staff recommends that the Board consent to the issuance of a Land Patent in Confirmation of the subject portion of Apana 39, Land Commission Award No.11216 to M. Kekauonohi, subject to the following:

1. The terms and conditions as prescribed by law upon the issuance of Land Patents in confirmation of Land Commission Awards, as may be amended from time to time;
2. Review and approval by the Department of the Attorney General;
3. Review and approval by the State Surveyor of the map and survey description provided by the applicant; and
4. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State of Hawaii.

Respectfully Submitted,



E. Mahoe Collins

State Abstractor

APPROVED FOR SUBMITTAL:


Suzanne D. Case, Chairperson



Grant

NOTE: Pgs 2/3 3, 61,
owned by Capt. C. K. Investment
Co. Inc. unless otherwise noted

Exhibit A
PARCELS DROPPED: 29
71

10550(H)4
6
8
10
12

LANIHAU to
HIENALOLI-N. KONA-HAWAII

PLAT 13

PLAT

1

wa a ka mahale aia ana i ka M. H. 1848, a wa naha heahea oia a hiki i keia manawa.
 Oia ka makou a haka nei no M. Kikauonohi, he huleana hoi hana malalo iho o ke
 Oia Modio. Ina aku mai oia i ka ke kupa hupakehu, alaila, ua hupom ia ia ka Palafala
 Ila hui ano Modio. Aha, hoi nae na huleana o hana malalo.

Pea nae ia ia ke aku mai no ka hoholohole a me ka hohole ana i ka olelo Puni.
 No ka nani a me ka pui ana i ka olelo ma ka kupa.
 No ke kupa ana i ka olelo hui.

G. M. Robertson
 S. K. Smith

No ka palafala hui.
 No ka hana ana i ka la 20 o Dekemaba 1853.
 No ke kupa ana i na olelo a na huike.
 No ka hohole ana i ka olelo ma ka la 14 o Febuari 1853.

5.00

Ua haka aku makou i keia huleana mamuli o na olelo o na hana i hohole ma
 ka la 19 o Iune M. H. 1852, i pili ana i na hohole.

Helu 11216 M. Kikauonohi.
 Apana 29.30.31.32 & 33.

Ua hui mai oia no hana mau ana o Kikauonohi, (Pahoa, Kialahua, &
 Puni, he mau hupom ma hui, ma ka hupom o Hawaii, no ka mau na hui ia ia
 hui mau ana no ka hui hana hui hui mai i ka wa o ka mahale aia ana i ka M. H. 1848,
 a wa naha heahea oia a hiki i keia manawa.

Oia ka makou a haka nei no M. Kikauonohi, he huleana hoi hana malalo iho o ke
 Oia Modio. Ina aku mai oia i ka ke kupa hupakehu, alaila, ua hupom ia ia ka Palafala
 Ila hui ano Modio. Aha, hoi nae na huleana o hana malalo.

Pea nae ia ia ke aku mai no ka hoholohole a me ka hohole ana i ka olelo Puni.
 No ka nani a me ka pui ana i ka olelo ma ka kupa.
 No ke kupa ana i ka olelo hui.

G. M. Robertson
 S. K. Smith

No ka palafala hui.
 No ka hana ana i ka la 29 o Dekemaba 1853.
 No ke kupa ana i na olelo a na huike.
 No ka hohole ana i ka olelo ma ka la 14 o Febuari 1853.

25.

Ua haka aku makou i keia mau huleana mamuli o na olelo o na hana i hohole
 ma ka la 19 o Iune M. H. 1852, i pili ana i na hohole.

Helu 11216 M. Kikauonohi.
 Apana 34.35.36.37.38 & 39.

Ua hui mai oia no hana mau ana o Kikauonohi, (Pahoa, Kialahua, &
 Puni, he mau hupom ma hui, ma ka hupom o Hawaii, no ka mau na hui ia ia
 hui mau ana no ka hui hana hui mai i ka wa o ka mahale aia ana i ka M. H. 1848,
 a wa naha heahea oia a hiki i keia manawa.

Oia ka makou a haka nei no M. Kikauonohi, he huleana hoi hana malalo iho o ke
 Oia Modio. Ina aku mai oia i ka ke kupa hupakehu, alaila, ua hupom ia ia ka Palafala
 Ila hui ano Modio. Aha, hoi nae na huleana o hana malalo.

Pea nae ia ia ke aku mai no ka hoholohole a me ka hohole ana i ka olelo Puni.
 No ka nani a me ka pui ana i ka olelo ma ka kupa.

Exhibit B

G. M. Robertson

I. Mekaulea

J. H. Smith

No. ku kope ana i ka olelo haina.

No. ku palapala hii

No. ku hana ana i ka la 20 Dekemaba 1853.

No. ku kope ana i na olelo a na hoike.

No. ku hoholo ana i ka olelo ~~maika~~ la 14. Febuari 1852.

31

Ua hoike aku maika i keia mau huleana mamuli o na olelo o na Hanaua i hoholoia ma ka la 19. June M. H. 1852, i pili ana i na Honohiki.

¶ Kelu 11216 M. Mekaunohi.

Aprua 40 & 41.

Ua hui mai oia no kona mau aina o Waialeale, & Pania, he mau Ahupuaa ma Pania, ma ka Moku oia. He mau, no ka mea, ua loa ia ia keia mau aina no ka hui Hanamamaha III mai i ka wa o ka Mahalo aina ana i ka M. H. 1848, a ua noho keakea oia a hiki i keia manawa.

Oia ka maika i hoike mai no M. Mekaunohi, he huleana hui kona malalo o ka Ana Moku. Ima uku mau oia i ka hui Ahupuaa hapahele, alaila, ua huihiki ia ia i Palapala Sila ^{ma} Ana Moku. Ima, he mau na huleana o ka maika malalo.

Ima mau ia ia he uku mai no ka hoholohele a ma ka hoholo ana i ka olelo

No. ku kope ana i ka olelo haina.

No. ku palapala hii

No. ku hana ana i ka la 20. Dekemaba 1853.

No. ku kope ana i na olelo a na hoike

No. ku hoholo ana i ka olelo ma ka la 14. Febuari 1852.

G. M. Robertson

I. Mekaulea

J. H. Smith

31

Ua hoike aku maika i keia mau huleana mamuli o na olelo o na Hanaua i hoholoia ma ka la 19. June M. H. 1852, i pili ana i na Honohiki.

¶ Kelu 11216 M. Mekaunohi.

Aprua 42. 43. 44. 45. 46. 47. 48. & 49.

Ua hui mai oia no kona mau aina o Waialeale, & Pania, he mau Ahupuaa ma Pania, ma ka Moku oia. He mau, no ka mea, ua loa ia ia keia mau aina no ka hui Hanamamaha III mai i ka wa o ka Mahalo aina ana i ka M. H. 1848, a ua noho keakea oia a hiki i keia manawa.

Oia ka maika i hoike mai no M. Mekaunohi, he huleana hui kona malalo o ka Ana Moku. Ima uku mau oia i ka hui Ahupuaa hapahele, alaila, ua huihiki ia ia ka Palapala Sila ^{ma} Ana Moku. Ima, he mau na huleana o ka maika malalo.

Ima mau ia ia he uku mai no ka hoholohele a ma ka hoholo ana i ka olelo Pania.

No. ku kope ana i ka olelo haina.

No. ku palapala hii

Awards Volume 9, Page 661

COPY

FILED

Third Circuit Court
Kona Division
State of Hawaii
79-1020 Haukapila Street
Kealahakua, Hawaii 96750

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2017 MAY -5 PM 2:13

L. KILACKA, CLERK
THIRD CIRCUIT COURT
STATE OF HAWAII

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT OF HAWAII

STATE OF HAWAII

IN THE MATTER OF THE)	S.P. NO. 17-1-005K
APPLICATION OF:)	(Kona)
PAUL J. ENDRESEN)	
for a Boundary Certificate)	BOUNDARY CERTIFICATE FOR
under Part I, Chapter 664,)	PORTION OF LAND COMMISSION
Hawaii Revised Statutes for a)	AWARD 11216, APANA 39 TO M.
parcel located at Keopu, North)	KEKAUONOHI (WITH MAP)
Kona, Island, County and State)	
of Hawaii, designated as Tax)	
Map Key (3) 7-5-1: 29, 0.348)	
acre in area.)	

042717.4\endresen\boundary.cer

BOUNDARY CERTIFICATE FOR PORTION OF LAND
COMMISSION AWARD 11216, APANA 39 TO M. KEKAUONOHI

Pursuant to the Order Approving Paul J. Endresen's Application for a Boundary Certificate for a Portion of Apana 39, Land Commission Award 11216 to M. Kekauonohi at Keopu, North Kona, Island, County and State of Hawaii filed concurrently herewith and the provisions of Part I, Chapter 664, Hawaii Revised Statutes, I hereby certify that the true and correct boundaries of that certain portion of Land Commission Award 11216, Apana 39 to M. Kekauonohi at Keopu, North Kona, Island, County and State of Hawaii and that is the subject of said Application to be as below:

Exhibit B-1
10550(H)

I hereby certify that this is a full, true and correct
copy of the original on file in this office.



Clerk, Third Circuit Court, State of Hawaii

All of that certain parcel of land (being portion of the land(s) described in and covered by Royal Patent (none), Land Commission Award Number 11216, Apana 39 to M. Kekauonohi) situate, lying and being at Keopu 1st, District of North Kona, Island and County of Hawaii, State of Hawaii, being LOT 1 and thus bounded and described:

Beginning at a point at the southwest corner of this parcel of land on the east side of the Mamalahoa Highway the coordinates of which referred to Government Survey Triangulation Station "NORTH MERIDIAN" being 6,382.46 feet north and 12,313.23 feet east and running by azimuths measured clockwise from true South:

- | | | | |
|----|----------|--------|---|
| 1. | 149° 12' | 20.00 | feet along east side of Mamalahoa Highway to a pipe; |
| 2. | 240° 26' | 14.10 | feet along south side of Land Commission Award 9971, Apana 27 to W.P. Leleiohoku to a pipe; |
| 3. | 216° 08' | 89.34 | feet along south side of Land Commission Award 9971, Apana 27 to W.P. Leleiohoku to a pipe; |
| 4. | 241° 06' | 115.48 | feet along south side of Land Commission Award 9971, Apana 27 to W.P. Leleiohoku to a pipe; |
| 5. | 241° 51' | 135.97 | feet along south side of Land Commission Award 9971, Apana 27 to W.P. Leleiohoku to a pipe; |
| 6. | 331° 51' | 45.69 | feet along remainder of Land Commission Award 11216, Apana 39 to M. Kekauonohi to a pipe; |
| 7. | 52° 18' | 137.76 | feet along remainder of Land Commission Award 11216, Apana 39 to M. Kekauonohi to a pipe; |

8. 82° 22' 30" 125.39 feet along remainder of
Land Commission Award
11216, Apana 39 to M.
Kekauonohi to a pipe;
9. 36° 08' 82.00 feet along remainder of
Land Commission Award
11216, Apana 39 to M.
Kekauonohi to a pipe;
10. 60° 26' 17.96 feet to the point of
beginning and containing
an area of 0.348 acre,
more or less.

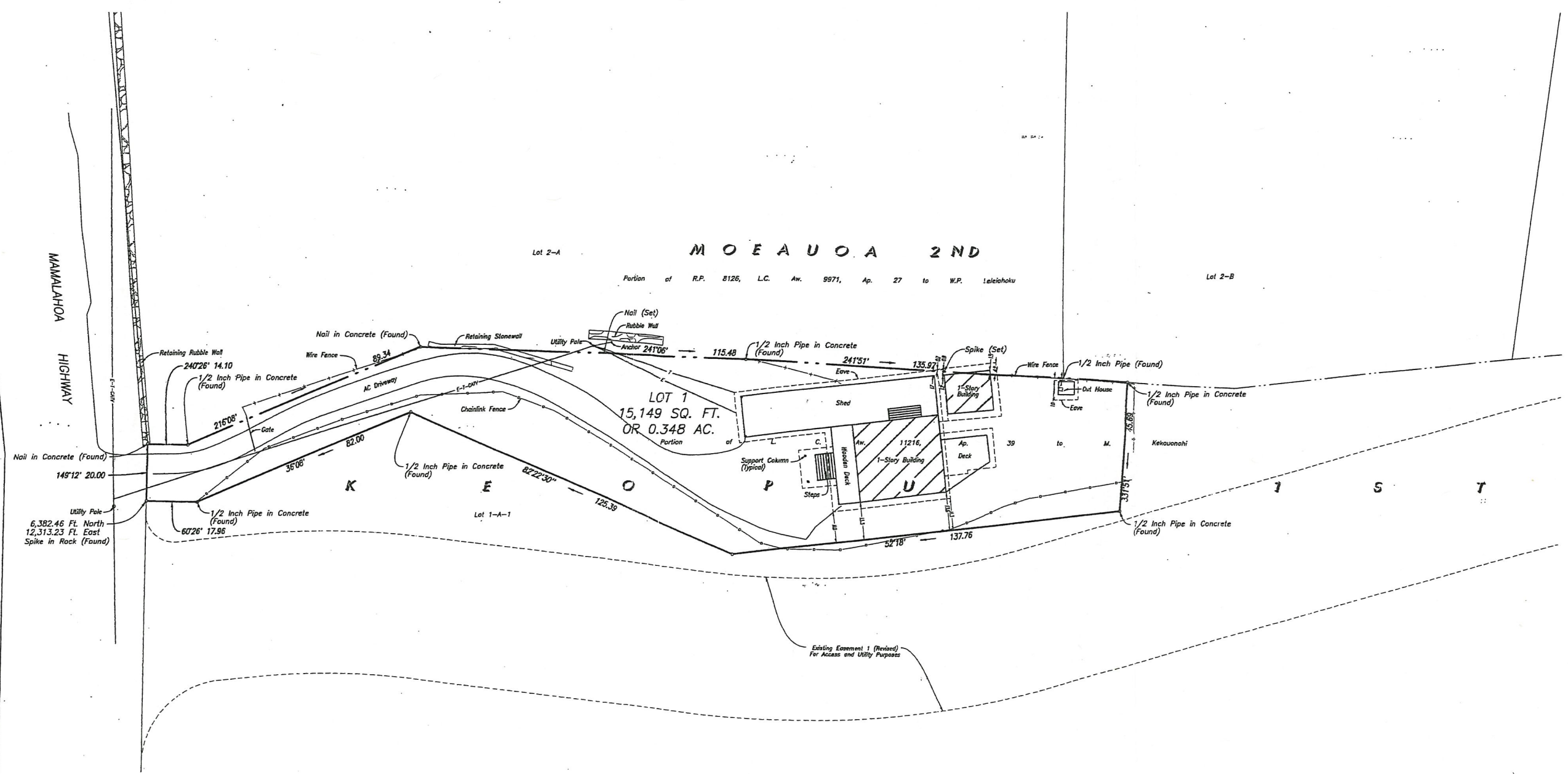
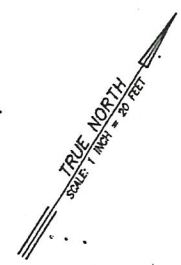
The map for the foregoing parcel is attached hereto and made a part of this Boundary Certificate. For real property tax purposes, the County of Hawaii designates the parcel as Tax Map Key (3) 7-5-01: 29.

DATED: Kealahou, Hawaii, MAY - 4 2017

/S/ Ronald Ibarra (Seal)

JUDGE OF THE ABOVE-ENTITLED COURT,
Acting as Commissioner of Boundaries
for the Third Judicial Circuit Under
Part I. Chapter 664, Hawaii Revised
Statutes

Certificate of Boundaries of a Portion of Land Commission Award
11216 to M. Kekauonohi (With Map)
In the Matter of the Application of: Paul J. Endresen for a
Boundary Certificate, S.P. No 17-1-005K
In the Circuit Court of the Third Circuit, State of Hawaii

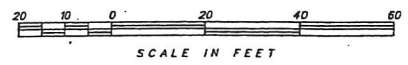


AS-BUILT MAP SHOWING
LOT 1

Being a Portion of L. C. Aw. 11216, Ap. 39 to M. Kekauonohi

At Keopu 1st, North Kona
Island and County of Hawaii, State of Hawaii

- NOTES:
1. Azimuths and coordinates are referred to Government Survey Triangulation Station "KAILUA (NORTH MERIDIAN)".
 2. The features, shown hereon, were located by an actual survey on the ground done between December 7, 2016 and December 30, 2016.



Prepared For:
TOM SORESENSEN
Alii Woodtailors
82-6012 Mamalahoa Highway
Captain Cook, Hawaii 96704

Prepared By:
WES THOMAS ASSOCIATES
Land Surveyors
75-5749 Koloa Street
Kailua-Kona, Hawaii 96740-1817
TEL (808) 329-2353
FAX (808) 329-5334 EMAIL surveys@wtahawaii.com



WES THOMAS ASSOCIATES
Land Surveyors
This work was prepared by me or
under my direct supervision.
Crystal T. Yamasaki
CRYSTAL THOMAS YAMASAKI
Licensed Professional Land Surveyor
State of Hawaii Certificate Number LS-4331
Expiration Date: April 2018

PROJECT NO.: 18966
DATE: DECEMBER 19, 2016
FIELD BOOK NO.: 1340
TAX MAP KEY: 7-5-001-029 (3RD DIVISION)
REVISED: JANUARY 16, 2017 (ADDED FENCE)