COMMERCIAL-INDUSTRIAL PROPERTY FOR LEASE
KANOELEHUA AVENUE, HILO, HAWAII

STATE OF HAWAII, DEPARTMENT OF LAND AND NATURAL RESOURCES

PROPERTY INFORMATION

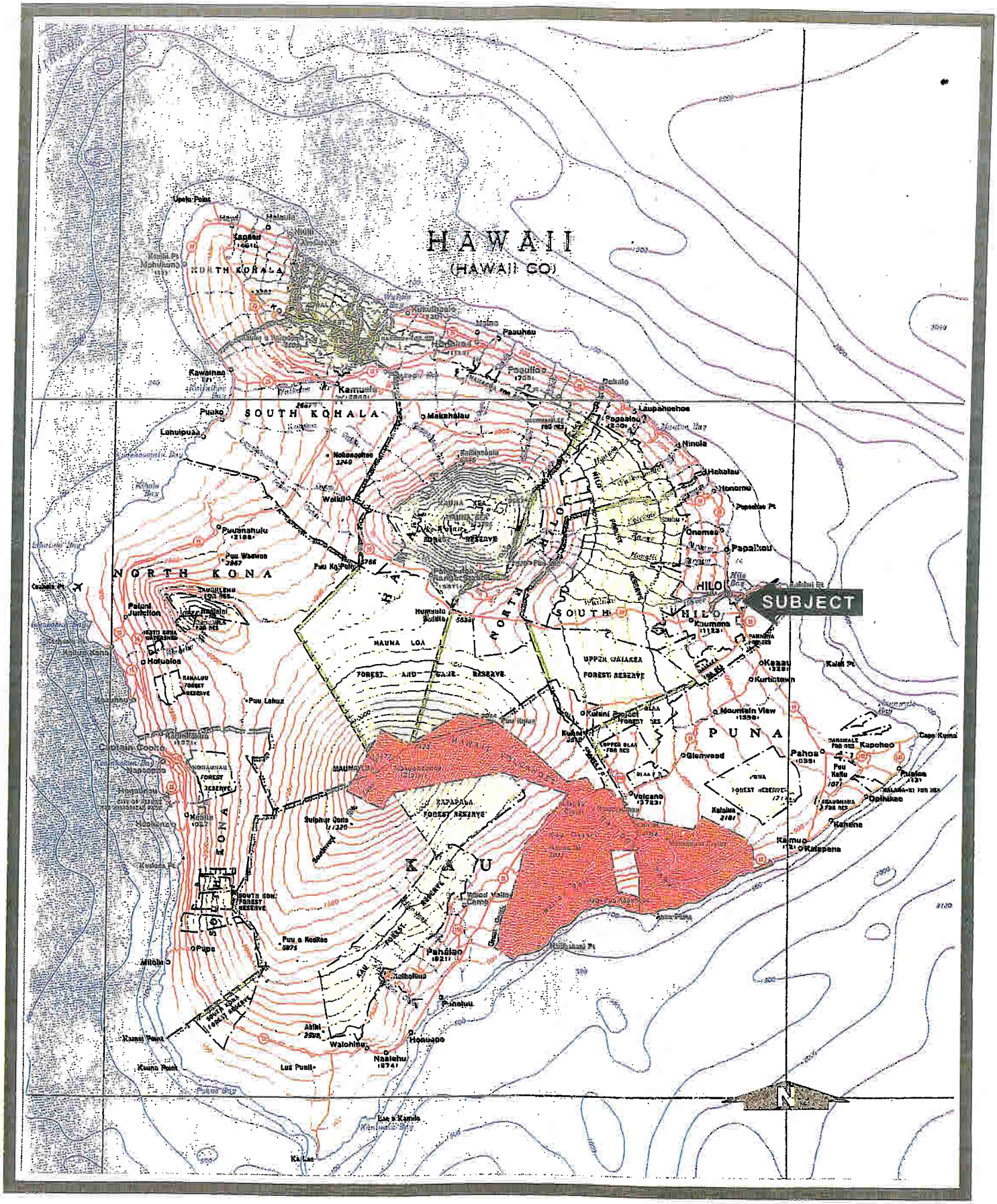
- Located on corner of Kanoelehua and Kekuanaoa Avenues, near entrance to Hilo International Airport, Waiakea, South Hilo, Island of Hawaii
- Tax Map Key No: (3) 2-2-37:41
- 2.847 Acres (approx)
- Vacant Land
- State Land Use: Urban District
- County Zoning: MCX-20 (industrial-commercial mixed use)
- Subject to terms and conditions of County of Hawaii Zoning Ordinance No. 04-5 (copy attached)
- Portion of Property located within Airport Runway Protection Zone and subject to Avigation Easement
- Federal Aviation Administration Review of Proposed Improvements Required

LEASE TERMS

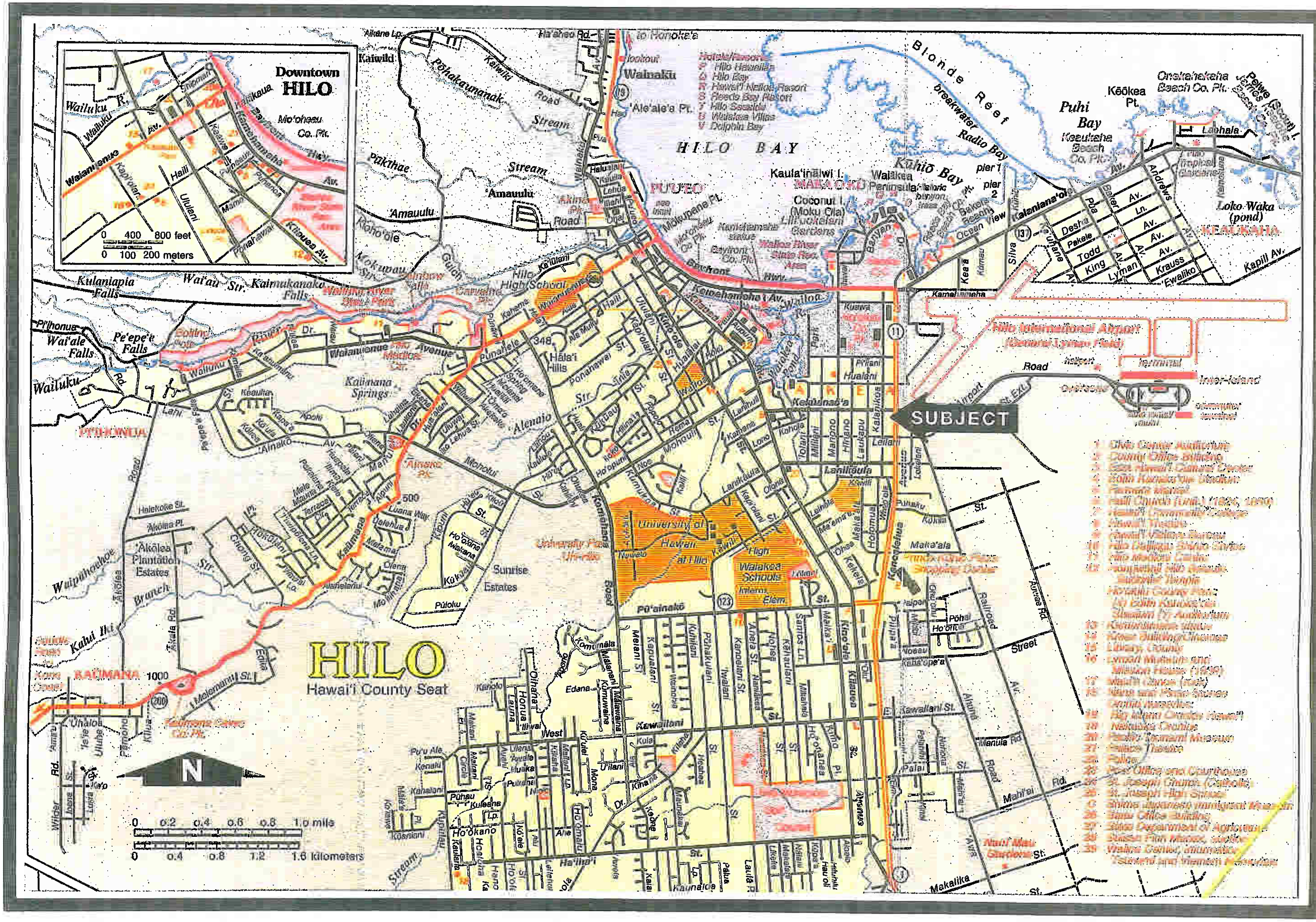
- Lease to be offered via Public Auction process
- Lease Term: 55 yrs
- Known Rent Period: 30 yrs, subject to fixed increases every five years during the 30 year period
- Rent Reopenings: End of 30th and 40th yrs
- Character of Use: Business, commercial and/or light industrial purposes, and any other uses permitted under the County of Hawaii zoning ordinance
- Minimum Required Improvements: $3,000,000
- Rent Waiver: Up to first 12 months
- Other Lease Terms & Conditions to be Determined

INQUIRIES

For additional information, please call DLNR, Hawaii District Land Office at (808) 974-6203

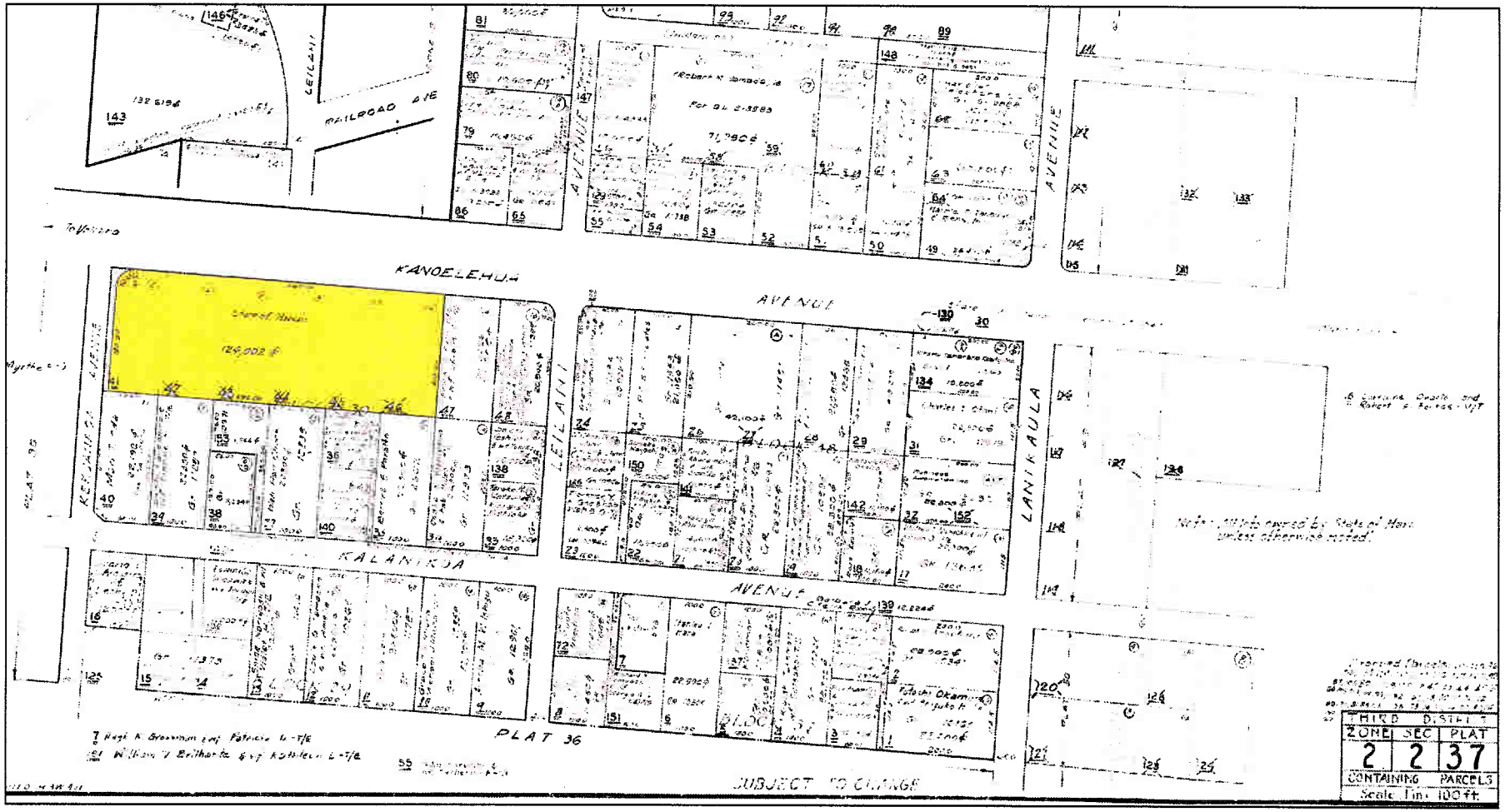


MAP LOCATING SUBJECT PROPERTY



MAP LOCATING SUBJECT PROPERTY

TAX MAP



Information is Subject to Change without Notice

DLNR – 03/09/07

COUNTY OF HAWAI'I STATE OF HAWAI'I

BILL NO. 184

ORDINANCE NO. 04 5

AN ORDINANCE AMENDING SECTION 25-8-33 (CITY OF HILO ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAI'I COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (RS-10) TO INDUSTRIAL-COMMERCIAL MIXED (MCX-20) AT WAIAKEA, SOUTH HILO, HAWAI'I, COVERED BY TAX MAP KEY 2-2-37:41.

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF HAWAI'I:

SECTION 1. Section 25-8-33, Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code, is amended to change the district classification of property described hereinafter as follows:

The district classification of the following area situated at Waiakea, South Hilo, Hawai'i, shall be Industrial-Commercial Mixed (MCX-20):

Beginning at the northeast corner of this parcel of land and at the southwest corner of the intersection of Kekuanaoa Avenue and Kanoelehua Avenue, Federal Aid Secondary Project S-18(1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 1843.00 feet South and 11,062.50 feet East, thence running by azimuths measured clockwise from True South:

1.	360°	00'	560.00	feet along the west side of Kanoelehua Avenue, Federal Aid Secondary Project S-18(1);
2.	90°	00'	210.50	feet along Grant 12626 to Shigeo Fujimoto;
3.	180°	00'	590.00	feet along Grant 12602 to Charles A. Peralto and Bernice S. Peralto, Grant 11497 to John B. and Alice V. De Mello, Grant 10839 to (Miss) B. K. N. Chock, Grant 10971 to George W. Makaea, Grant 11297 to M. Ikawa and T. F. Ikawa, and Grant 12806 to Takayoshi Oda;

4. 270° 00' 180.50 feet along the south side of Kekuanaoa Avenue;

5. Thence along the south side of Kekuanaoa Avenue on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
315° 00' 42.43 feet
to the point of beginning and containing an AREA OF 124,002 SQUARE FEET.

All as shown on the map attached hereto, marked Exhibit "A" and by reference made a part hereof.

SECTION 2. In accordance with Section 25-2-44, Hawai'i County Code, the County Council finds the following conditions are:

(1) Necessary to prevent circumstances which may be adverse to the public health, safety and welfare; or

(2) Reasonably conceived to fulfill needs directly emanating from the land use proposed with respect to:

(A) Protection of the public from the potentially deleterious effects of the proposed use, or

(B) Fulfillment of the need for public service demands created by the proposed use.

A. The applicant, its successors or assigns shall be responsible for complying with all of the stated conditions of approval.

B. The required water commitment payment shall be submitted to the Department of Water Supply in accordance with its "Water Commitment Guidelines Policy" prior to Final Plan Approval for the proposed development(s). Prior to this payment, water calculations with anticipated maximum daily water usage as recommended by a registered engineer shall be submitted to the Department of Water Supply. The applicant shall install a backflow preventer (reduced pressure

type) meeting with the approval of the Department of Water Supply prior to the issuance of the certificate of occupancy.

C. Development of the property shall be completed within five (5) years from the effective date of this ordinance. Prior to the start of construction, Final Plan Approval for the proposed development shall be secured from the Planning Director in accordance with the Zoning Code. Plans shall identify proposed structures, fire protection measures, paved driveway and parking stalls, and other improvements associated with the proposed development. Landscaping shall be indicated on the plans for the purpose of mitigating any potential adverse noise or visual impacts to adjoining parcels. The landscaping shall be provided in accordance with the requirements of Planning Department's Rule No. 17 (Landscaping Requirements) and with Section 25-5-137 (Landscaping of Yards in MCX District).

D. Access to the property shall be from Kanoelehua Avenue meeting with the approval of the State Department of Transportation. A right turn in only may be permitted from Kekuanaoa Avenue only upon meeting with the approval of both the Department of Public Works and the State Department of Transportation.

E. Improvements shall be constructed along the entire frontage of Kekuanaoa Avenue consisting of, but not limited to, pavement widening with concrete curb, gutter and sidewalk, drainage improvements, and any required relocation of utilities meeting with the approval of the Department of Public Works.

F. Install streetlights, traffic control devices, signs, and markings meeting with the approval of the Department of Public Works, Traffic Division.

G. A drainage study shall be prepared and any drainage improvements shall be constructed meeting with the approval of the Department of Public Works prior to the issuance of a certificate of occupancy.

H. The applicant shall connect to the existing County sewer lateral prior to the issuance of a certificate of occupancy.

I. The applicant shall comply with all applicable laws, rules, regulations and requirements of the affected agencies for the proposed development including, but not limited to, the Department of Public Works, the Department of Water Supply and the State Department of Transportation.

J. A final status report shall be submitted to the Planning Director upon compliance with all conditions of approval of this change of zone.

K. An initial extension of time for the performance of conditions within the ordinance may be granted by the Planning Director upon the following circumstances:

1. The non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors or assigns, and that are not the result of their fault or negligence.

2. Granting of the time extension would not be contrary to the General Plan or Zoning Code.

3. Granting of the time extension would not be contrary to the original reasons for the granting of the change of zone.

4. The time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year).

5. If the applicant should require an additional extension of time, the Planning Director shall submit the applicant's request to the County Council for appropriate action.

L. Should any of the conditions not be met or substantially complied with in a timely fashion, the Director may initiate rezoning of the subject area to its original or more appropriate designation.

SECTION 3. In the event that any portion of this ordinance is declared invalid, such invalidity shall not affect the other parts of this ordinance.

SECTION 4. This ordinance shall take effect upon its approval.

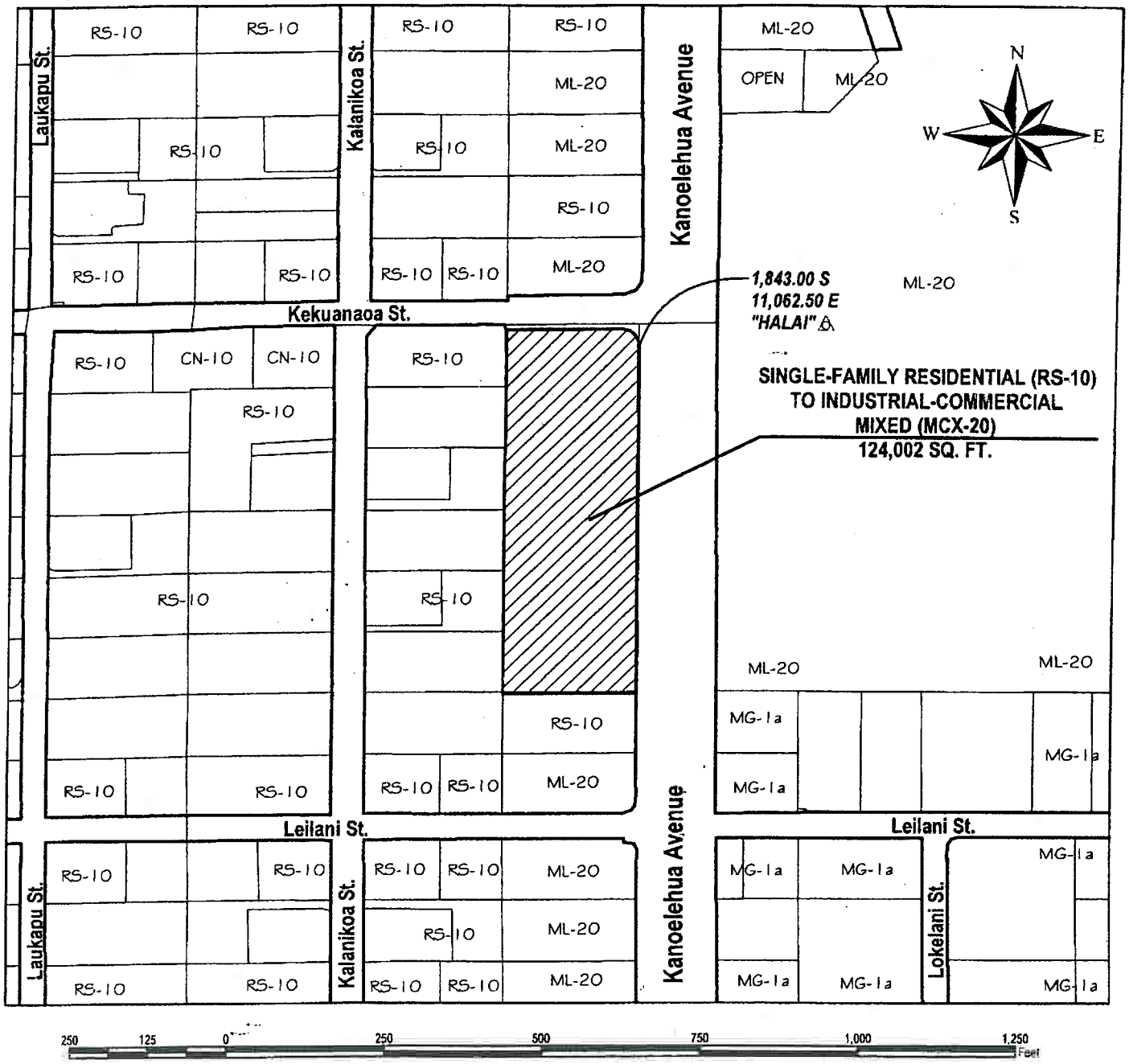
INTRODUCED BY:

COUNCIL MEMBER, COUNTY OF HAWAI'I

Hilo, Hawai'i

Date of Introduction: December 17, 2003
Date of 1st Reading: December 17, 2003
Date of 2nd Reading: January 7, 2004
Effective Date: January 15, 2004

REFERENCE: Comm. 413



AMENDMENT TO THE ZONING CODE

AMENDING SECTION 25-8-33 (CITY OF HILO ZONE MAP)
ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE,
BY CHANGING THE DISTRICT CLASSIFICATION
FROM SINGLE-FAMILY RESIDENTIAL (RS-10)
TO INDUSTRIAL-COMMERCIAL MIXED (MCX-20)
AT WAIAKEA, SOUTH HILO, HAWAII

PREPARED BY: PLANNING DEPARTMENT
COUNTY OF HAWAII

TMK: 2-2-037:041

Date: October 8, 200

EXHIBIT "A"

(State of Hawaii, DLNR:110

OFFICE OF THE COUNTY CLERK
County of Hawaii
Hilo, Hawaii

RECEIVED
2004 JAN 15 AM 9 04
COUNTY CLERK
COUNTY OF HAWAII

Introduced By: Leningrad Elarionoff
Date Introduced: December 17, 2003
First Reading: December 17, 2003
Published: N/A

REMARKS:

ROLL CALL VOTE	AYES	NOES	ABS	EX
Arakaki	X			
Chung			X	
Elarionoff	X			
Holschuh	X			
Jacobson	X			
Reynolds	X			
Safarik	X			
Tulang	X			
Tyler	X			
	8	0	1	0

Second Reading: January 7, 2004
To Mayor: January 9, 2004
Returned: January 16, 2004
Effective: January 15, 2004
Published: January 25, 2004

REMARKS:

ROLL CALL VOTE	AYES	NOES	ABS	EX
Arakaki	X			
Chung	X			
Elarionoff	X			
Holschuh	X			
Jacobson	X			
Reynolds	X			
Safarik	X			
Tulang	X			
Tyler	X			
	X	0	0	0

I DO HEREBY CERTIFY that the foregoing BILL was adopted by the County Council published as indicated above.

APPROVED AS TO
FORM AND LEGALITY:

DEPUTY CORPORATION COUNSEL
COUNTY OF HAWAII

Date 1/12/04

COUNCIL CHAIRMAN

COUNTY CLERK

Bill No.: 184
Reference: C-415/PC-66
Ord No.: 04 5

Approved/Disapproved this 15th *day*
of January, *20* 04.

MAYOR, COUNTY OF HAWAII