January 26, 2004

Gregory R. Mooers, President
Mooers Enterprises
PO Box 1101
Kamuela, HI 96743

Dear Mr. Mooers:

Use Permit No. 82
Applicant: Nansay Hawaii, Inc. (Hale Wailani Partners)
Subject: Response to Letter Regarding Revocation of Permit
Tax Map Key: 6-2-001:018, 074 & 075

Thank you for your letter dated January 13, 2004 responding to our request to revoke Use Permit No. 82. Based on your request, we will defer action regarding the revocation of Use Permit No. 82.

If you have any questions, please feel free to contact Jeff Darrow at 961-8288.

Sincerely,

CHRISTOPHER J. YUEN
Planning Director

JWD:smn
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cc w/copy of letter: Planning Department-Kona
Planning Commission

MOOERS ENTERPRISES, LLC
P.O. Box 1101
KAMUELA, HAWAII 96743

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PLANNING DEPARTMENT
COUNTY OF HAWAII

January 13, 2004

Mr. Christopher Yuen
Director
Planning Department
County of Hawaii
101 Pauahi Street, Suite 3
Hilo, Hawaii 96720

Re: Use Permit No. 82
Hale Wailani Partners
TMK: 6-2-01:18,74&75

Dear Mr. Yuen:

I am in receipt of your letter dated December 17, 2003, requesting confirmation that we would like to revoke the Use Permit identified above for a golf course on the subject property.

Given our on-going negotiations with you related to our compliance with conditions related to our change of zone ordinance REZ 759, we request that the issue of the Use Permit be deferred until all of these issues are agreed to and the method of making the fair share contributions determined.

We are in active discussion with the Office of Housing and Community Development about additional contributions toward their affordable rental project at Ouli. We will be contacting you shortly about proposals that we believe will complete our compliance with REZ 759.

Should you or your staff have any questions please contact me directly.

Sincerely,

Gregory R. Mooers

Gregory R. Mooers
President

GRM:jy
Copy: Steve Hurwitz, C&H Properties

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