

# ALOHA ESTATES NEWS

VOL. 1

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WINTER

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WHAT'S NEW IN PUNA'S  
FINEST SUBDIVISION.

## **NEW OFFICERS FOR Y2K** **IMPORTANT** **RECENT LAWSUIT INFORMATION**

### **Annual Membership Meeting**

At our annual membership meeting on March 28, 2000, a new Board of Directors was elected after a lively discussion among those attending. The discussion was on topics that would be beneficial to our subdivision. The seven person board then held their first board meeting to elect officers. The board is now responsible for running the business of Aloha Estates keeping in mind the wishes of the owners.

2001 general membership meeting will be held on Feb. 15, Thursday from 7-9PM Mt View School Cafeteria

### **Judge says owners have legal duty**

The first order of business and by far the most important is the road paving program. For this we need your money. This subdivision was created in the days before the county required paved roads and Hawaii County has nothing to do with our roads, it is our responsibility. Here are some excerpts from the recent lawsuit in Circuit Court, State of Hawaii, filed March 2, 2000. In para 2, Judge Nakamura declares "where a subdivision is created consisting of lots and private roadways servicing them, owners of lots abutting the roads have a legal duty to contribute to necessary road maintenance." He goes on to say in para 3 that the Aloha Estates Association "be entitled to assess and collect mandatory road maintenance fees from all property owners". So, what this means is that the courts will enforce us in collecting the fees which are \$30 per lot through 2000. In 2001, due to inflation, fees will be \$40 per year per lot (original lots as per subdivision plan). We are very reluctant to use the courts to help us get payments and it would be wonderful if everyone sent their fair share.

### **MAHALO PLENTY**

**A HEARTFELT THANK YOU TO GAY BARFIELD WHO SPENT HOURS ON THE PHONE CONTACTING THE VARIOUS AGENCIES THAT MIGHT HELP US WITH FILLING AND GRADING MAUNA LOA ROAD, OUR ACCESS ROAD AT THE VOLCANO END OF ALOHA ESTATES AFTER IT WAS MADE IMPASSABLE BY RUTS CAUSED BY RAIN RUNOFF.**

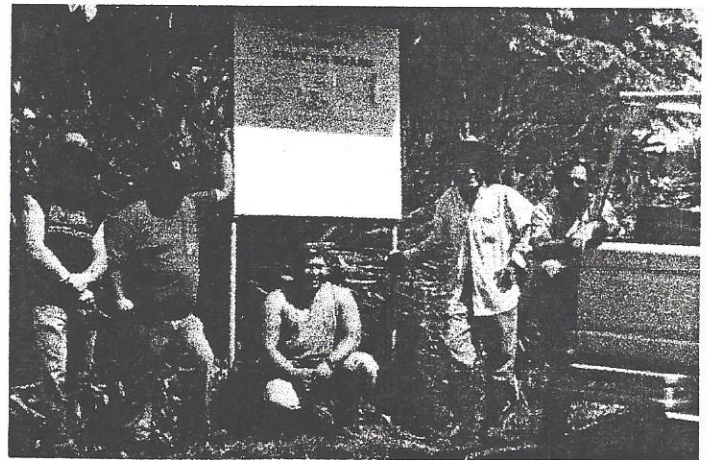
### President's Views

Aloha to all Aloha Estates Property Owners.

As we begin the real new Millennium, let us all be conscientious property owners and neighbors by extending courtesy in keeping our roadways clear of any debris, including brush, trash, toys, cars, etc.; limiting the burning of leaves on windy days (It is unlawful, unless 500' away from your nearest neighbor); practicing speed control, especially on our newly paved Mauna Kea Road, and most importantly, keeping crime to a minimum, by reporting suspicious vehicles or persons by calling 911. Dumping unwanted items, including cars, furniture, appliances, animals, etc., has been a big problem, and so, jotting down vehicle license numbers are important if you so witness any sort of these activities in your area. Unlawful use of firearms will be reported, and, once the source is located, local law enforcement officials will be called upon. If you rent your home out, make sure your Property Managers are on top of things, and having them update you by means of pictures on the interior and exterior condition of your home, before, during and after the rental period. If your lot is undeveloped, periodical checks are advised to prevent squatters from encroaching on your property. Caring for our community, is in everyone's best interest. Remember, E malama ka 'aina (Take care of the land.) Thank you.

Submitted by: Bill Kruger

President, Aloha Estates Association



Steve Muir      Gene Madriaga      Bill Kruger  
Sid Liborio      John Flatley

"The clean-up crew in front of new bulletin board"

## My Hawaii

Living here in Aloha Estates has been an absolutely wonderful experience, one I will enjoy for many years to come. I guess that's why we were drawn to build our "dream home" here, and nearly 4 years since our move, it's been a nice change from the fast-paced, hectic Oahu living we came from. As a native Hawaiian, the peaceful tranquility I experience here, cannot be compared to anywhere else in Hawaii. Surrounded by the Ola'a Forest Reserve, it is our quiet Shangri-la, hidden from the outskirts of Hilo 17 miles away. We may NOT have many of the luxuries that we were accustomed to on Oahu, such as U.S. mail delivery, Cable TV, street lights, trash pick-ups, straight paved roads or a Zippy's Restaurant at every corner, but it is Home, with lots of country charm. Star-gazing, bicycling, blasting your radio or TV, are a few of the amenities to living here (There are no immediate neighbors on either side of us). We also have water catchment systems here in our subdivision, and depend heavily on our rainy climate to fill our water tanks. Recent drought conditions though, have warranted us to limit our use of this precious natural resource. It's been pretty nippy in the mornings too, reaching 55 degrees, and warming to the 80's in the afternoon. Due to our 2000' elevation, though, it makes for very cool days. Volcano National Parks is about 10 miles south of us, with many activities that we enjoy, such as viewing the lava eruptions, exploring the park, or bowling at KMC (Kilauea Military Camp). Fine dining restaurants are also available there or in Volcano Village. I hope you've enjoyed reading my thoughts on life in Aloha Estates, My Hawaii.

Submitted by: Leilani Kruger

Secretary, Aloha Estates Association

### *Mahalo nui loa*

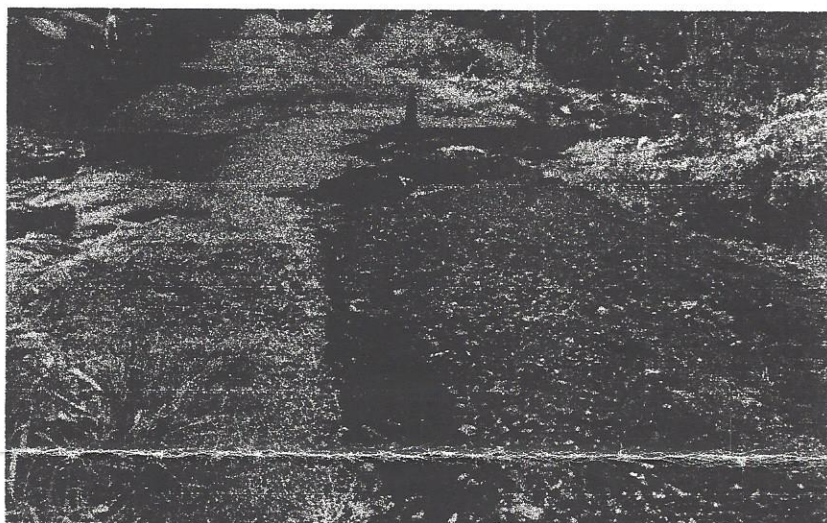
Thanks to the hard workers from Lotus Sangha, the Lotus Buddhist Monastery located on Maunakea Road adjacent to Aloha Estates, who spent many hours during and after the rain storm cleaning and repairing Maunakea Rd.

Reverend Choi and members of her monastery are responsible for building this fine road and Aloha Estates lot owners, now having paved access to their property, owe a debt of gratitude to Lotus Sangha and the Maunakea Road Association.

*Thank You*



Road 2 during storm



Road 2 after storm



Mauna Loa Road after storm



# Invoice



## 2001 Road Maintenance Fees now due, please remit no later than Feb. 28, 2001

Road fees are now \$40.00 per year per lot (original lot as shown on subdivision plan). Asphalt, made from petroleum, has increased dramatically in price. Sorry about the increase in road maintenance fees, it's still a good deal compared with any other subdivision.

Please send your check by Feb. 28, 2001. We will be paving in early March and would like to use all the funds available. Money received after paving sits in the bank for a year.

We are willing to accept money paid in advance, feel free to pay several years in advance.

Please write your lot number(s) on your check.

BESIDES YOUR MONEY, we would like your input. Should there be a road program for roads 7 thru 12? Would you like a newsletter more than once a year? What would you like us to include in the newsletter? What do you want to happen in Aloha Estates?

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There seems to be a misunderstanding regarding the obligation to pay road maintenance fees in Aloha Estates. It **is** mandatory and Aloha Estates Association **does have** authority to collect and administer the fees collected. This has been decided by Greg K. Nakamura, Judge, Circuit Court of the Third Circuit.

Some property owners are arguing that a consolidation of two or more lots into one tax map key somehow reduces their obligation to pay into the road maintenance fund. A consolidation is done for any number of reasons and is done at the Hawaii County Planning Department and the information is passed on to the Hawaii County Tax Department. This does **not** reduce property taxes, it merely combines the consolidated property tax due into one bill. The consolidation process has **nothing** to do with roads in our subdivision, the County Planning Department has **nothing** to do with roads in Aloha Estates, the property taxes are **not** spent on roads in the subdivision

The road fee is based on the original subdivision map and each **original** lot is assessed a road fee.