

**DEPARTMENT OF WATER
COUNTY OF KAUAI**

“Water has no Substitute – Conserve It!”

FEBRUARY 2003

TO: ALL APPLICANTS

RE: CANCELLATION AND RELEASE OF NON-DEVELOPMENT AGREEMENT – RECORDATION INSTRUCTIONS

Please complete, sign and notarize the attached Cancellation & Release Agreement. This Agreement must be recorded at the Bureau of Conveyances prior to receiving the Department of Water’s approval.

1. Please use black ink to sign and notarize the Agreement documents. If you are signing as an individual or on behalf of a corporation, partnership, etc., **please have your situation stated exactly and matching throughout the body of the document, the signature section and the notary section. If there is more than one name on the document, please be sure to have all signatures and matching notary sections.**
2. An individual notary section is included in the document. If that does not fit your situation (for example: a partnership or corporation, etc. notary section). Please stamp your corporate seal, if applicable. **The Bureau will accept only 8 ½” x 11” paper**, nothing smaller or larger, nor small sections of paper stapled onto any page of your document.
3. After notarization, please submit the Cancellation & Release Agreement to the Department of Water for further processing (the Department’s Manager & Chief Engineer, Board Chairperson, as well as the County attorney’s signature will be obtained by the Department). Upon completion, the document will be returned to you for recordation at the Bureau of Conveyances.
4. ***To expedite the return of your recorded Agreement from the Bureau of Conveyances submit the original and one (1) copy of the Agreement.*** The Bureau will retain the original Agreement to microfilm it, which may take a few months before it is returned. However, the Bureau will send back your copy of the recorded Agreement in approximately a week. **Please submit that copy of the recorded Cancellation & Release Agreement to the Department.** The original recorded Cancellation & Release will be your file copy.
5. Please mail, along with you original and one (1) copy of your Agreement, a **\$25.00** fee to the Bureau of Conveyances. **Please do not send cash.** Make your check or money order payable to the Bureau of Conveyances, State of Hawaii. Also include a self-addressed, stamped envelope with your submittal. The Agreement, fee and SASE should be sent to the following address:

Bureau of Conveyances
Department of Land & Natural Resources
PO Box 2867
Honolulu, Hawaii 96803

If you have further questions, call the Bureau of Conveyances in Honolulu at (808) 587-0147, or the Department of Water at (808) 245-5419 or you may visit our website at: www.kauaiwater.org

LAND COURT SYSTEM

REGULAR SYSTEM

After Recordation Return By: **MAIL [XX]** Pickup []
TO:

_____ (Type/print name & address)

CANCELLATION & RELEASE OF NON-DEVELOPMENT AGREEMENT

This instrument is made this _____ day of _____, _____.

For ONE DOLLAR and other valuable consideration, receipt whereof is hereby acknowledged, the **DEPARTMENT OF WATER**, whose mailing address is P.O. Box 1706 Lihue, Hawaii 96766, does hereby cancel and release the DECLARATION AND AGREEMENT OF CONDITIONS OF NON-DEVELOPMENT dated, executed by _____

_____ and the **Department of Water, County of Kauai**, recorded in the Bureau of Conveyances of the State of Hawaii in Document No. [_____].

IN WITNESS WHEREOF, the parties have executed this instrument the day and year first above written.

APPROVED AS TO FORM
AND LEGALITY:

County Attorney

ACCEPTED:

BOARD OF WATER SUPPLY
COUNTY OF KAUAI

By Its Chairperson

APPROVED:

Manager & Chief Engineer
Department of Water

DEVELOPER (S):

By: *(Type Name under Signature)*

STATE OF HAWAII)
) ss.
COUNTY OF KAUAI)

On this _____ day of _____, _____, before me personally appeared _____,

_____ who is personally known to me
_____ whose identity I proved on the basis of _____
_____ whose identity I proved on the oath/affirmation of _____
_____, a credible witness:

who being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable in the capacity shown, having been duly authorized to execute such instrument in such capacity.

Notary Public, State of Hawaii

Name of Notary: _____
My Commission expires: _____

STATE OF HAWAII)
) ss.
COUNTY OF KAUAI)

On this _____ day of _____, _____, before me appeared _____
_____, to me personally known, who, being by me duly sworn, did say that he/she is the
Chairperson of the Board of Water Supply, of the **BOARD OF WATER SUPPLY, COUNTY OF KAUAI**,
and that the foregoing instrument was signed on behalf of said Board by authority of said Board, and said officer
acknowledged said instrument to be the free act and deed of said Board, and that said Board has no corporate
seal.

Notary Public, State of Hawaii

Name of Notary: _____
My Commission expires: _____