

The Garden Island

8-27-99

8-27-99

Dispute over Moloa'a road goes to court

By LESTER CHANG
Staff Writer

LHUE — Moloa'a Bay Ranch owners have filed a lawsuit seeking to prohibit neighboring property owners from interfering with the company's use of an easement leading to the ranch.

The lawsuit will go to trial Monday in the Fifth Circuit Court.

Named as defendants are Deborah Forester, Robert Layer and Heide Brodie. Forester said the outcome of the trial could determine whether large developers will be allowed to forge a larger foothold on the North Shore.

"Many of us don't have the money to buy the legal help, and the legal advice and the backing to fight the big money that is coming in," she said Thursday.

Moloa'a Bay Ranch owns more than 160 acres by the road and has sued Forester to gain full use of the road.

The Ranch has a 10-foot easement on a 15-foot wide dirt road that runs past Forester's property to

the ranch. Ranch owners charge in the lawsuit that Forester has refused to acknowledge the ranch's right to use the easement.

As a result, the suit alleges, the company's plans for the improvement of their property have been delayed.

The easement, which follows the alignment of most of the road, is tied to a portion of the ranch lands that were once owned by Olaf Thronas, the lawsuit said.

Forester, a teacher at Kawai Arts and Science Academy in Kilauea, said she and others want the ranch to cease use of the easement.

She said she was part of a hui that bought 23 acres from the Mary Lucas Estate in 1996. The parcel is located near the ranch.

She claims Moloa'a Bay wants to expand the width of the road in front of her 4.3-acre parcel from 10 to 20 feet.

The wider road, she said, will only encourage more development



CITATION 14

DEBORAH FORESTER is one of several Moloa'a property owners being sued by Moloa'a Bay Ranch in a dispute over an easement.

(Photo by Lester Chang)