

REQUEST FOR LEGAL SERVICES

Date: October 26, 2021
From: Tamara Paltin, Chair
Planning and Sustainable Land Use Committee

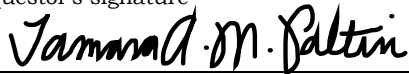
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Stephanie M. Chen, Esq.

Subject: DISTRICT BOUNDARY AMENDMENT, COMMUNITY PLAN AMENDMENT, AND CHANGE IN ZONING FOR DOOR OF FAITH CHURCH (HAIKU) (PSLU-39)

Background Data: Please see attached bills. Please submit your response to pslu.committee@mauicounty.us.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY
 OTHER:

Requestor's signature  Tamara Paltin	Contact Person <u>Wilton Leauanae</u> (Telephone Extension: <u>7761</u>)
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ROUTINE (WITHIN 15 WORKING DAYS) RUSH (WITHIN 5 WORKING DAYS)
 PRIORITY (WITHIN 10 WORKING DAYS) URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): October 28, 2021
REASON: To meet posting deadline for Council meeting on November 5, 2021.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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TO REQUESTOR: APPROVED DISAPPROVED OTHER (SEE COMMENTS BELOW)
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): For the Community Plan ordinance, please confirm that the reference to "Public/Quasi-Public" as opposed to "P-1 Public/Quasi-Public" is sufficient.

DEPARTMENT OF THE CORPORATION COUNSEL

Date _____

By _____

(Rev. 7/03)

pslu:ltr:039acc01:wal

Attachments

ORDINANCE NO. _____

BILL NO. _____ (2021)

A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE
DISTRICT CLASSIFICATION FROM AGRICULTURAL TO RURAL
FOR 0.933 ACRE IN HAIKU, MAUI, HAWAII,
TAX MAP KEY (2) 2-9-007:032

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. In accordance with Chapter 205-3.1, Hawaii Revised Statutes, and Chapter 19.68, Maui County Code, the State Land Use District classification is reclassified from Agricultural to Rural for that certain real property situated at Haiku, Maui, Hawaii, identified for real property tax purposes as tax map key (2) 2-9-007:032, comprising 0.933 acre and more particularly described in and attached as Exhibit "A," and in Land Use District Boundary Amendment Map No. 720, attached as Exhibit "B."

SECTION 2. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

Department of the Corporation Counsel
County of Maui

pslu:misc:039abill01:wal

EXHIBIT "A"

LAND DESCRIPTION

All that certain parcel of land known as a portion of Grant 3214 to Papaiakea.

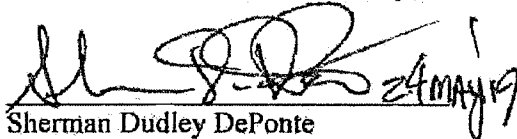
Situate at
Puolua, Hamakualoa, Maui, Hawaii
Tax Map Key:(2)2-9-07:32

Beginning at the Northeasterly corner of this parcel of land, being the Northerly corner of a portion of the Government Land [Tax Map Key:(2)2-9-08:Portion of Parcel 18, being also a point on the Southwesterly right-of-way line of Door of Faith Road, the coordinates of said point of beginning are based on record information and referred to Government Survey Triangulation Station "KAPUAI" being 653.48 feet North and 17,607.03 feet West and running by azimuths measured clockwise from True South; thence,

1. 36° 01' 00" 223.52 feet along the Northwesterly property boundary line of Government Land [Tax Map Key:(2)2-9-08:Portion of Parcel 18] to a point; thence,
2. 99° 36' 00" 110.70 feet along the remainder of Grant 3214 to Papaiakea [Tax Map Key:(2)2-9-07:32] to a point; thence,
3. 133° 51' 00" 66.10 feet along the same, to a point; thence,
4. 225° 17' 00" 348.28 feet along the same, to a point; thence,
5. 356° 05' 00" 30.20 feet along the Southwesterly right-of-way line of the Door of Faith Road, to a point; thence,
6. 343° 38' 00" 43.47 feet along the same, to a point; thence,
7. 334° 59' 00" 62.55 feet along the same, to the point of beginning and containing an area of 0.933 acre.

This work was done by me or
under my direct supervision.

AKAMAI LAND SURVEYING, INC.


Sherman Dudley DePonte
Licensed Professional Land Surveyor
State of Hawaii Certificate No. 6960
Expires: April 30, 2020
219138 (5/13/19 WN)

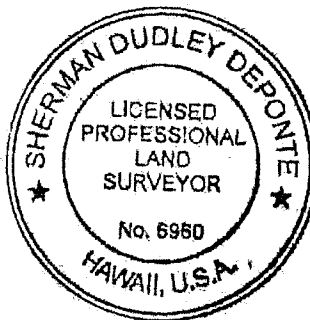
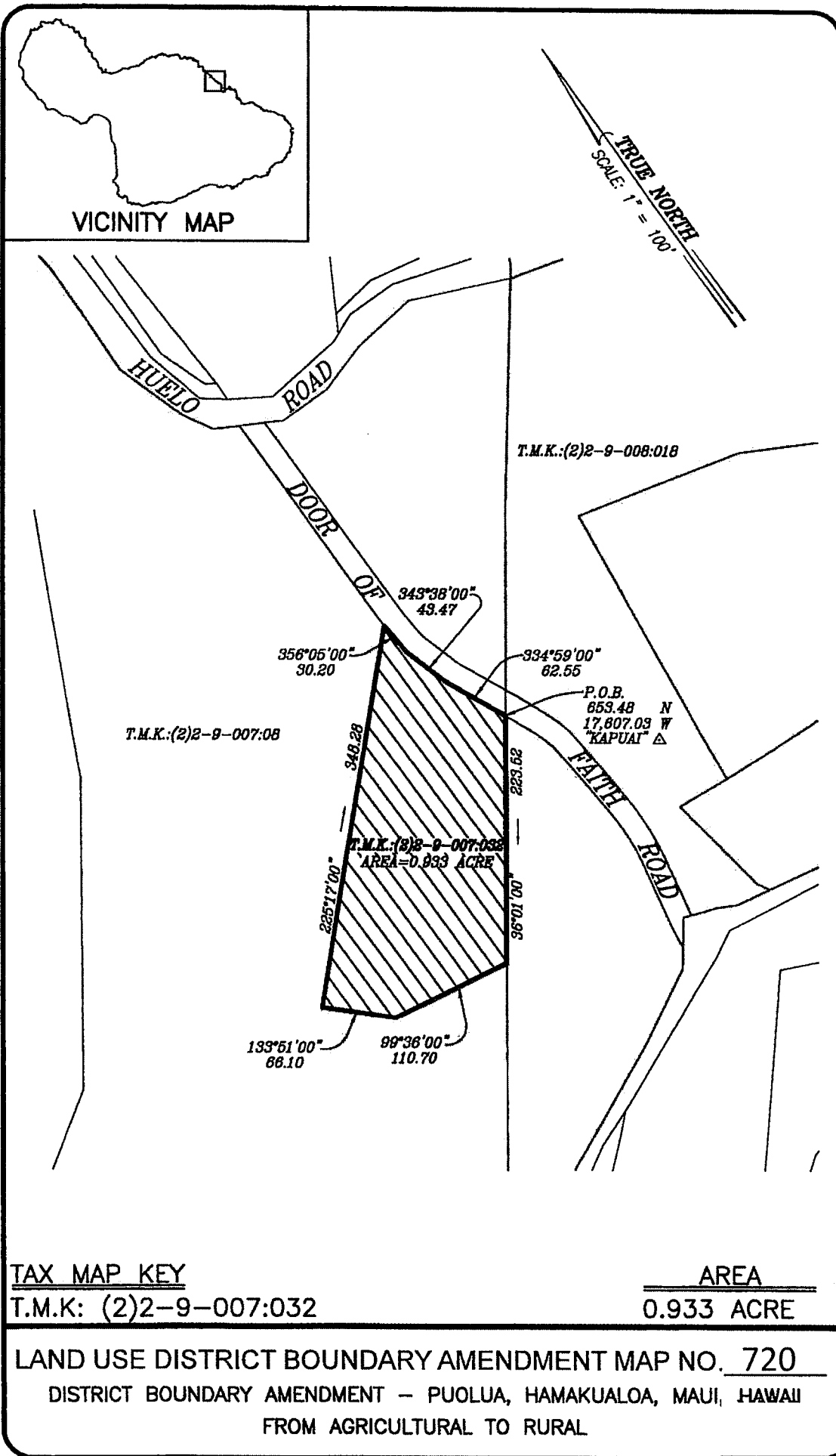


EXHIBIT "B"



ORDINANCE NO. _____

BILL NO. _____ (2021)

A BILL FOR AN ORDINANCE TO AMEND THE PAIA-HAIKU COMMUNITY PLAN
AND LAND USE MAP FROM AGRICULTURE TO PUBLIC/QUASI-PUBLIC
FOR 0.933 ACRE IN HAIKU, MAUI, HAWAII,
TAX MAP KEY (2) 2-9-007:032

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. In accordance with Chapter 2.80B, Maui County Code, the Paia-Haiku Community Plan and Land Use Map is amended from Agriculture to Public/Quasi-Public for that certain real property situated at Haiku, Maui, Hawaii, identified for real property tax purposes as tax map key (2) 2-9-007:032, comprising 0.933 acre and more particularly described in and attached as Exhibit "A," and in Community Plan Map No. 719, attached as Exhibit "B."

SECTION 2. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

Department of the Corporation Counsel
County of Maui

pslu:misc:039abill02:wal

EXHIBIT "A"

LAND DESCRIPTION

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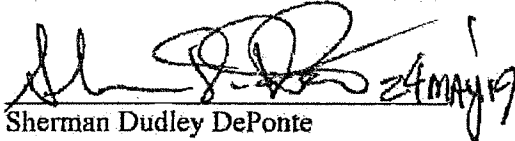
Situate at
Puolua, Hamakualoa, Maui, Hawaii
Tax Map Key:(2)2-9-07:32

Beginning at the Northeasterly corner of this parcel of land, being the Northerly corner of a portion of the Government Land [Tax Map Key:(2)2-9-08:Portion of Parcel 18, being also a point on the Southwesterly right-of-way line of Door of Faith Road, the coordinates of said point of beginning are based on record information and referred to Government Survey Triangulation Station "KAPUAI" being 653.48 feet North and 17,607.03 feet West and running by azimuths measured clockwise from True South; thence,

1. 36° 01' 00" 223.52 feet along the Northwesterly property boundary line of Government Land [Tax Map Key:(2)2-9-08:Portion of Parcel 18] to a point; thence,
2. 99° 36' 00" 110.70 feet along the remainder of Grant 3214 to Papaiakea [Tax Map Key:(2)2-9-07:32] to a point; thence,
3. 133° 51' 00" 66.10 feet along the same, to a point; thence,
4. 225° 17' 00" 348.28 feet along the same, to a point; thence,
5. 356° 05' 00" 30.20 feet along the Southwesterly right-of-way line of the Door of Faith Road, to a point; thence,
6. 343° 38' 00" 43.47 feet along the same, to a point; thence,
7. 334° 59' 00" 62.55 feet along the same, to the point of beginning and containing an area of 0.933 acre.

This work was done by me or
under my direct supervision.

AKAMAI LAND SURVEYING, INC.


Sherman Dudley DePonte
Licensed Professional Land Surveyor
State of Hawaii Certificate No. 6960
Expires: April 30, 2020
219138 (5/13/19 WN)

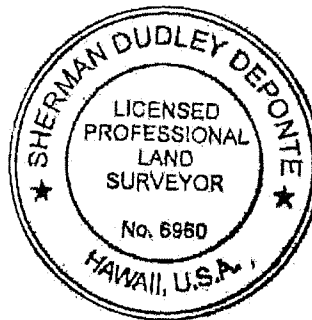
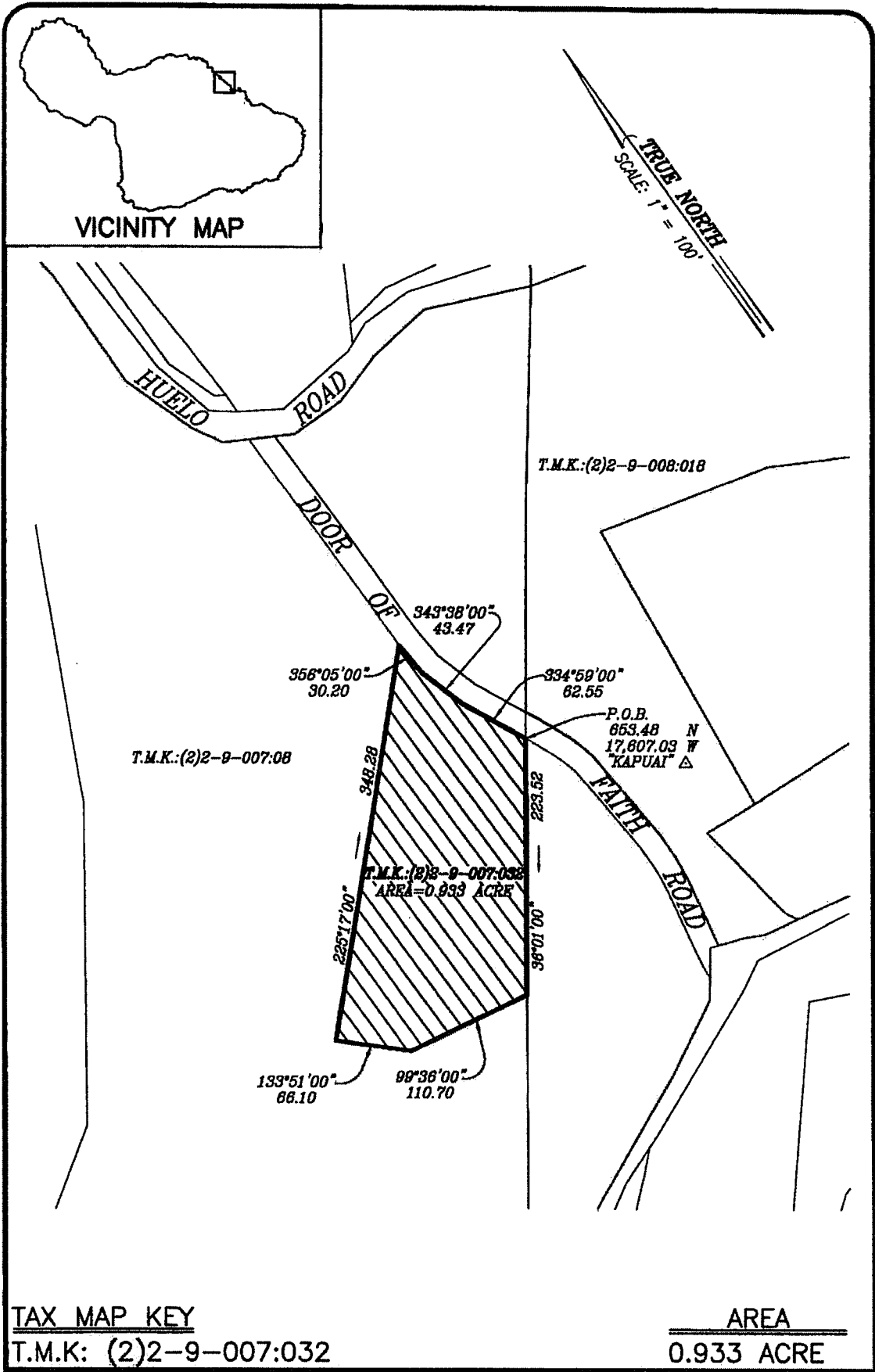


EXHIBIT "B"



TAX MAP KEY

T.M.K.: (2)2-9-007:032

AREA

0.933 ACRE

COMMUNITY PLAN MAP NO. 719

COMMUNITY PLAN AMENDMENT - PUOLUA, HAMAKUALOA, MAUI, HAWAII
FROM AGRICULTURAL TO PUBLIC/QUASI-PUBLIC

ORDINANCE NO. _____

BILL NO. _____ (2021)

A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM
AGRICULTURAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT
FOR 0.933 ACRE IN HAIKU, MAUI, HAWAII,
TAX MAP KEY (2) 2-9-007:032

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. In accordance with Chapters 19.31 and 19.510, Maui County Code, a Change in Zoning from Agricultural District to P-1 Public/Quasi-Public District is granted for that certain real property situated at Haiku, Maui, Hawaii, identified for real property tax purposes as tax map key (2) 2-9-007:032, comprising 0.933 acre and more particularly described in and attached as Exhibit "A," and in Land Zoning Map No. L-2523, attached as Exhibit "B."

SECTION 2. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

Department of the Corporation Counsel
County of Maui

pslu:misc:039abill03:wal

EXHIBIT "A"

LAND DESCRIPTION

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Situate at
Puolua, Hamakualoa, Maui, Hawaii
Tax Map Key:(2)2-9-07:32

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3. 133° 51' 00" 66.10 feet along the same, to a point; thence,
4. 225° 17' 00" 348.28 feet along the same, to a point; thence,
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AKAMAII LAND SURVEYING, INC.


Sherman Dudley DePonte
Licensed Professional Land Surveyor
State of Hawaii Certificate No. 6960
Expires: April 30, 2020
219138 (5/13/19 WN)

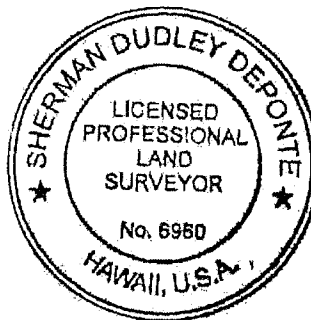
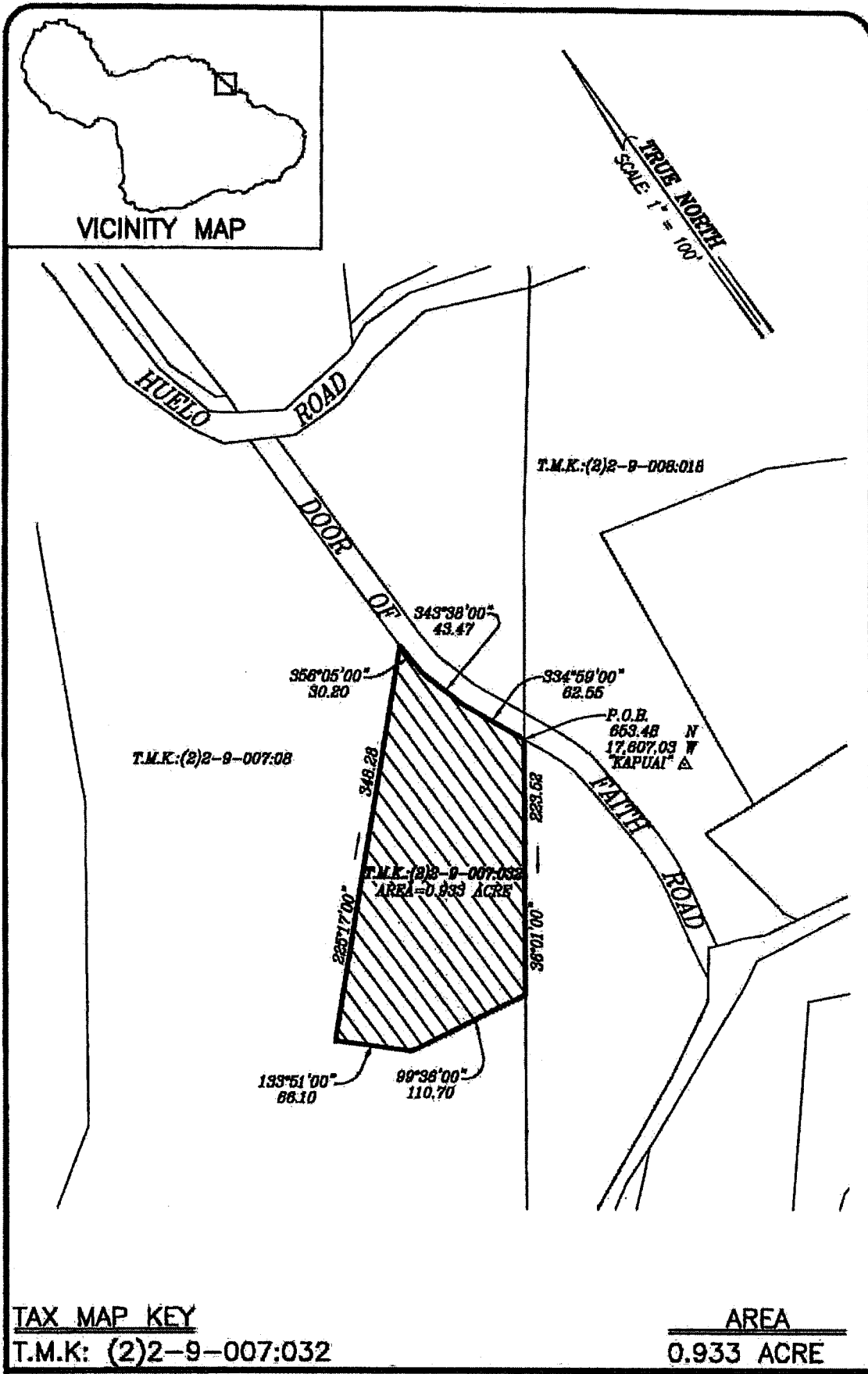


EXHIBIT "B"



TAX MAP KEY

T.M.K.: (2)2-9-007:032

AREA

0.933 ACRE

LAND ZONING MAP NO. L-2523

CHANGE IN ZONING — PUOLUA, HAMAKUALOA, MAUI, HAWAII
FROM AGRICULTURAL TO P-1 PUBLIC/QUASI-PUBLIC