

REQUEST FOR LEGAL SERVICES

Date: May 16, 2018
From: Riki Hokama, Chair
Budget and Finance Committee

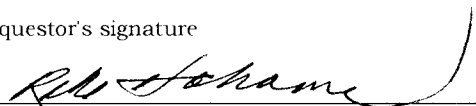
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Jeffrey Ueoka, Esq.

Subject: WAILUKU CIVIC COMPLEX (BF-76)

Background Data: Revise resolution entitled "AUTHORIZING THE ACQUISITION OF THE PARCELS LOCATED AT 2091 WEST VINEYARD STREET," as indicated on the attached marked-up copy. An original hardcopy is requested.

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

Requestor's signature  Riki Hokama	Contact Person Michele Yoshimura (Telephone Extension: 7663)
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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): _____
REASON: _____

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): _____

DEPARTMENT OF THE CORPORATION COUNSEL

Date _____

By _____

(Rev. 7/03)

bf:ltr:076acc02:mmy

Attachment

Resolution

No. _____

AUTHORIZING THE ACQUISITION OF THE PARCELS LOCATED AT 2091 WEST VINEYARD STREET

WHEREAS, the County of Maui is developing the Wailuku Civic Complex; and

WHEREAS, development requires the acquisition of surrounding properties; and

WHEREAS, ARMSTRONG HOMES, LTD. ("Owner"), is the owner of the parcel located at 2091 West Vineyard Street, Wailuku, Hawaii, 96793, identified for real property tax purposes as tax map key numbers (2) 3-4-013-060 and 102 ("Property"), as shown on Exhibit "1"; and
(2) 3-4-013-^

WHEREAS, County has determined that the Property would be beneficial in the development process; and

WHEREAS, County commissioned an appraisal by a disinterested appraiser, and said appraisal is attached hereto as Exhibit "2"; and

WHEREAS, the Director of Finance has determined that acquisition of the Property is in the public interest; and

WHEREAS, the Director of Finance negotiated the purchase of the Property; and

WHEREAS, part of Owner's inducement to agree to the sale was the threat of eminent domain proceedings; and

WHEREAS, County desires to purchase and Owner desires to sell the Property for the amount of EIGHT HUNDRED FIFTY THOUSAND DOLLARS (\$850,000), as shown ; and


WHEREAS, Section 3.44.015(C), Maui County Code, requires that the Council authorize by resolution any acquisition of real property with a purchase price that exceeds TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000); ~~NOW, THEREFORE;~~

Resolution No. _____

BE IT RESOLVED by the Council of the County of Maui:

1. That the Council finds that the acquisition of the Property is in the public interest; and
2. That pursuant to Section 3.44.015(C), Maui County Code, the Council authorizes the acquisition of the Property for an amount not to exceed EIGHT HUNDRED FIFTY THOUSAND DOLLARS (\$850,000), exclusive of closing costs and expenses; and
3. That it does hereby authorize the Mayor or the Mayor's duly authorized representative, to execute all necessary documents in connection with the acquisition of the Property; and
4. That certified copies of this Resolution be transmitted to the Mayor, the Chair of the Maui Redevelopment Agency, the Planning Director, the Director of Finance, and Armstrong Homes, Ltd.

APPROVED AS TO FORM
AND LEGALITY:



JEFFREY DEOKA
Deputy Corporation Counsel
County of Maui
2017-1380
2018-04-17 Resolution Armstrong Homes