

Resolution

No. 25-145

AUTHORIZING THE ACQUISITION OF 0.0873 ACRES IDENTIFIED FOR REAL PROPERTY TAX PURPOSES AS TAX MAP KEY (2) 3-4-033:093, SITUATED AT WAILUKU, MAUI, HAWAII, FOR UP TO \$497,500, EXCLUSIVE OF CLOSING COSTS AND EXPENSES, UNDER SUBSECTIONS 2.96.060(B)(2) AND 3.44.015(C), MAUI COUNTY CODE

WHEREAS, the First Amendment to the Residential Workforce Housing Agreement for the Lokahi Pacific Mokuahau Subdivision, dated January 8, 2019, and recorded with the State of Hawaii Bureau of Conveyances on January 9, 2018, requires that for a period of 10 years after purchase, if an owner desires to sell the parcel, the County shall have the first option to purchase the parcel; and

WHEREAS, the owner in fee simple of that certain real property parcel, including a 1,160 square foot house, located at 114 Loi Pohaku Place, Wailuku, Maui, Hawaii, comprising of 0.0873 acres, identified for Real Property Tax purposes as Tax Map Key (2) 3-4-033:093 as described in the attached Exhibit "A," and depicted as Lot 13 in the attached Exhibit "B," desires to sell the parcel; and

WHEREAS, Section 6 of the First Amendment to the Residential Workforce Housing Agreement for the Lokahi Pacific Mokuahau Subdivision sets the formula used to determine the County's purchase price; and

WHEREAS, the County's purchase price for the parcel is \$497,500, in accordance to the repurchase price computation attached as Exhibit "C"; and

WHEREAS, the Director of Housing notified the owner by letter dated March 25, 2025, of the County's intention to exercise its option to purchase the parcel from the owner; and

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

WHEREAS, the Department of Housing intends to donate the property to Housing and Land Enterprise of Maui, doing business as Na Hale O Maui, for inclusion in the Na Hale O Maui Community Land Trust; and

WHEREAS, Subsection 3.44.015(C), Maui County Code, requires that an acquisition of real property with a purchase price that exceeds \$250,000 be authorized by the Council by resolution; now, therefore,

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

1. That it authorizes the acquisition of 0.0873 acres identified for Real Property Tax Purposes as Tax Map Key (2) 3-4-033:093, situated at Wailuku, Maui, Hawaii, for up to \$497,000, exclusive of closing costs and expenses, under Subsections 2.96.060(B)(2) and 3.44.015(C), Maui County Code;
2. That it finds the acquisition of the parcel to be in the public interest;
3. That it authorizes the Mayor to execute all necessary documents in connection with the parcel; and
4. That certified copies of this Resolution be transmitted to the Mayor, Director of Finance; and Director of Housing.

APPROVED AS TO FORM
AND LEGALITY:



KRISTINA C. TOSHIKIYO
Deputy Corporation Counsel
County of Maui
2025-0351
2025-06-05 Reso 114 Loi Pohaku

EXHIBIT "A"
LEGAL DESCRIPTION

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Poalima Number 66 out of Royal Patent Grant Number 3343 to Claus Spreckels, and Royal Patent Grant Number 1997, Land Commission Award Number 453, Apana 1 to Kuihelani) situate, lying and being at Keahupio, Wailuku, Maui, State of Hawaii, being LOT 13 May 7, 2017 of the "LOKAHI PACIFIC MOKUHAU SUBDIVISION", as shown on corrected map dated October 10, 2014, last revised March 20, 2017, approved by the Department of Public Works and Waste Management, County of Maui, on January 24, 2017, and March 28, 2017 (Subdivision File No. 3.2315), and thus bounded and described as per survey dated :

Beginning at the northwest corner of this Lot 13, being also the northeast corner of Lot 12, on the southeast side of Lot B, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 4,582.90 feet north and 3,181.83 feet west and running by azimuths measured clockwise from true South:

1. 236° 53' 00" 42.23 feet along Lot B, being a portion of Poalima 66 of Grant 3343 to Claus Spreckels;
2. 305° 11' 00" 56.34 feet along Lot 14;

Thence along the northwest side of Lot 18 on a curve to the left having a radius of 46.00 feet, the azimuth and distance of the chord being:

3. 347° 02' 47" 20.56 feet;
4. 48° 31' 00" 48.59 feet along Lot 12;
5. 141° 09' 00" 79.11 feet along Lot 12 to the point of beginning and containing an area of 3,803 square feet, more or less.

Together with a non-exclusive access easement over and across all of that certain parcel of land (being portion(s) of the land(s) described in and covered by Poalima Number 66 out of Royal Patent Grant Number 3343 to Claus Spreckels, and Royal Patent Grant Number 1997, Land Commission Award Number 453, Apana 1 to Kuihelani) situate, lying and being at Keahupio, Wailuku, Maui, State of Hawaii, being LOT 18 of the "LOKAHI PACIFIC MOKUHAU SUBDIVISION", as shown on corrected map dated October 10, 2014, last revised March 20, 2017, approved by the Department of Public Works and Waste Management, County of Maui, on January 24, 2017, and March 28, 2017 (Subdivision File No. 3.2315), and thus bounded and described as per survey dated May 7, 2017,

however, in the event said Lot 18 or a portion or portions thereof shall be conveyed to or acquired by any governmental authority a public highways, then all private easement rights in said Lot 18 or portion or portions thereof, so conveyed or so acquired shall automatically terminate:

Beginning at the northwestern corner of this Lot 18, being also the north corner of Lot B, on the southeast side of Mokuhau Road Right-of-Way, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 4,727.62 feet north and 3,202.29 feet west and running by azimuths measured clockwise from true South:

1. 233° 40' 00" 62.65 feet along the southeast side of Mokuhau Road Right-of-Way;
2. 240° 15' 00" 137.76 feet along the southeast side of Mokuhau Road Right-of-Way;
3. 333° 07' 00" 5.01 feet along Lot 2 of "Kimura Subdivision";
4. 60° 15' 00" 79.00 feet along Lot 1;

Thence along Lot 1 on a curve to the left having a radius of 10.00 feet, the azimuth and distance being:

5. 15° 15' 00" 14.14 feet;
6. 330° 15' 00" 118.53 feet along Lot 1, Lot 2, and Lot 3;

Thence along Lot 3, Lot 4, and Lot 5 on a curve to the right having a radius of 300.00 feet, the azimuth and distance of the chord being:

7. 338° 00' 00" 80.91 feet;
8. 345° 45' 00" 13.42 feet along Lot 5;

Thence along Lot 5, Lot 6, Lot 7, Lot 8, and Lot 9 on a curve to the right having a radius of 46.00 feet, the azimuth and distance of the chord being:

9. 33° 31' 39" 68.14 feet;

Thence along Lot 17, Lot 12, Lot 13, and Lot 14 on a curve to the right having a radius of 46.00 feet, the azimuth and distance of the chord being:

10. 156° 47' 06" 89.06 feet;

Thence along Lot 14 on a curve to the left having a radius of 20.00 feet, the azimuth and distance of the chord being:

11. 191° 15' 15" 26.24 feet;

12. 150° 15' 00" 132.79 feet along Lot 14, Lot 15, and Lot 16.

Thence along Lot 16 on a curve to the left having a radius of 10.00 feet, the azimuth and distance of the chord being:

13. 101° 57' 30" 14.93 feet;

14. 53° 40' 00" 52.40 feet along Lot 16;

15. 155° 21' 00" 5.11 feet along Lot B, being a Portion of Poalima 66 of Grant 3343 to Claus Spreckels to the point of beginning and containing an area of 16,372 square feet, more or less.

BEING THE PREMISES ACQUIRED BY WARRANTY DEED

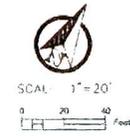
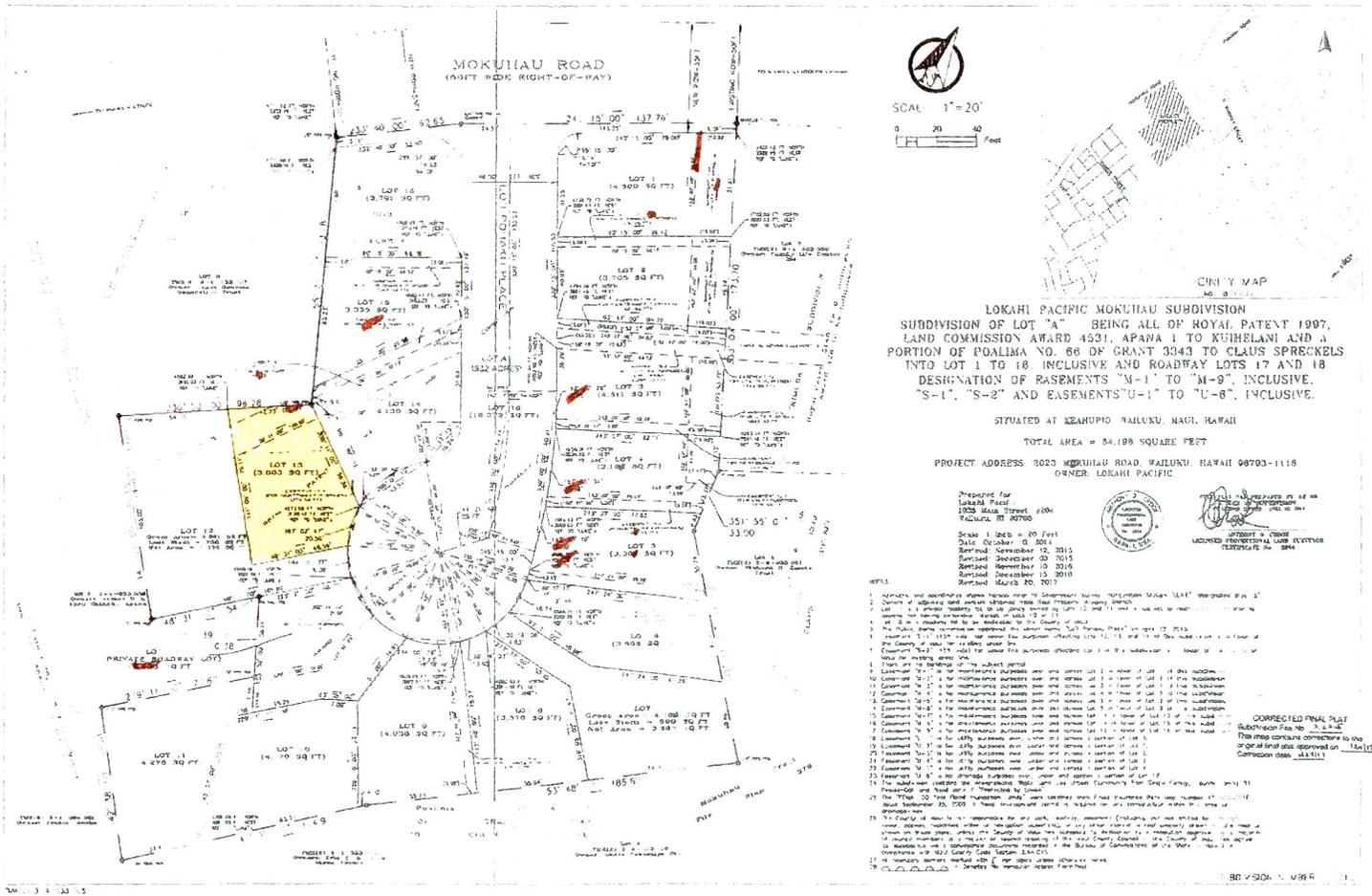
GRANTOR : LOKAHI PACIFIC, a Hawaii nonprofit corporation

GRANTEE : JUSTIN JOSEPH CHRISTOPHER PIEPER and KAYLEEN ELEN
PIEPER, husband and wife, as Tenants by the
Entirety

DATED : March 13, 2018

RECORDED : Document No. A-66490985A thru A-66490985B

EXHIBIT "B"



CITY MAP

LOKAHI PACIFIC MOKUAHU SUBDIVISION
 SUBDIVISION OF LOT "A" BEING ALL OF ROYAL PATENT 1907,
 LAND COMMISSION AWARD 4531, APAWA 1 TO KIBELANI AND A
 PORTION OF POALIMA NO. 66 OF GRANT 3343 TO CLAUDS SPRECKELS
 INTO LOT 1 TO 18 INCLUSIVE AND ROADWAY LOTS 17 AND 18
 DESIGNATION OF EASEMENTS "M-1" TO "M-8", INCLUSIVE,
 "S-1", "S-2" AND EASEMENTS "U-1" TO "U-8", INCLUSIVE.

SITUATED AT KEAHUPO WAIUKU NAU, HAWAII
 TOTAL AREA = 54,189 SQUARE FEET
 PROJECT ADDRESS 3025 MOKUAHU ROAD, WAIUKU, HAWAII 96793-1118
 OWNER: LOKAHI PACIFIC

Prepared for
 Loka Pacific
 1925 Main Street #204
 Waiuku, HI 96793

Scale: 1 inch = 20 feet
 Date: October 8, 2014
 Surveyed: November 12, 2014
 Revised: December 10, 2014
 Resurveyed: December 15, 2014
 Resurveyed: March 20, 2015



1. All easements and encroachments shown hereon are in accordance with the Surveyed and Resurveyed Maps.
2. Owners of adjoining and nearby adjacent lands are hereby notified that the proposed subdivision is subject to the provisions of the Hawaii Land Commission Act, Chapter 211, Hawaii Revised Statutes, and the rules and regulations of the Hawaii Land Commission.
3. The proposed subdivision is subject to the provisions of the Hawaii Land Commission Act, Chapter 211, Hawaii Revised Statutes, and the rules and regulations of the Hawaii Land Commission.
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CORRECTED FINAL PLAN
 Subdivision No. 10000
 This map contains corrections to the
 original final plan approved on 11/11/14
 Commission Case #11111

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Mrs. Lee", is written above a horizontal line.

Upon the request of the Mayor.