

## **MODIFICATIONS**

1. Construction of the Wailuku Apartment Rental Housing Project ("Project") shall commence within two years of the effective date of this resolution. Commencement of construction shall mean the visible start of grading, pursuant to a valid grading permit as needed for the development of the property. Legacy Wailuku LLC shall act in good faith and with its reasonable best efforts to complete construction of the 195 residential workforce housing units, with all related roads and infrastructure, no later than five years after the effective date of this resolution.
2. Project approval shall lapse and become void if by the end of 180 days from the effective date of this resolution, Legacy Wailuku LLC has failed to receive the Maui County Council's approval of a State Land Use District Boundary Amendment from Agricultural to Urban for the property.

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## **EXHIBIT "A"**

RECEIVED AT LA MEETING ON 10/17/2018  
Committee Chair Carroll