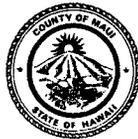


Council Chair
Mike White

Vice-Chair
Robert Carroll

Presiding Officer Pro Tempore
Stacy Crivello

Councilmembers
Alika Atay
Elle Cochran
Don S. Guzman
Riki Hokama
Kelly T. King
Yuki Lei K. Sugimura



Director of Council Services
Sandy K. Baz

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

June 23, 2017

Mr. David Taylor, Director
Department of Water Supply
County of Maui
Wailuku, Hawaii 96793

Dear Mr. Taylor:

**SUBJECT: ACCEPTANCE OF A WATERLINE EASEMENT
(HALIIMAILE) (WR-10)**

At its meeting of June 2, 2017, the Maui County Council referred the attached County Communication 17-225, from the Director of Finance, to the Water Resources Committee.

At the meeting, the Council made the following observations: (1) there is no stamp or signature certifying the document attached as Exhibit "B," nor is there any indication as to who prepared the exhibit; and (2) the exhibit merely depicts the approximate location of an easement the County has accepted.

In his transmittal, the Director of Finance states he is notifying the Council of the acquisition of Easement WL-1 pursuant to Section 3.44.015(H), Maui County Code ("MCC"), which provides:

The director shall notify the council in writing of any acquisition or conveyance made pursuant to this section that does not require council approval. The notice shall include a map of the real property or easement acquired or conveyed, and shall be submitted no later than five days after the date the acquisition or conveyance is completed.

Section 3.44.015(F), MCC, provides four bases upon which the Director of Finance may accept the conveyance of an easement to the County without Council approval. Subsection 3.44.015(F)(2), MCC, states the Director may accept the conveyance if "[t]he conveyance is approved by the director of water supply, and is part of a capital improvement project by the department of water supply or is necessary for improvement to a public water system, as defined in section 14.01.040."

Mr. David Taylor
June 23, 2017
Page 2

In addition, Section 3.44.015(G), MCC, states the Director of Finance shall not acquire an easement pursuant to this section unless:

1. The corporation counsel reviews and approves as to form and legality the conveyance documents.
2. The director of public works reviews and approves the metes and bounds description of the real property or easement being acquired or conveyed.

May I please request the following:

1. Did you approve the conveyance?
2. Is the easement part of a capital improvement project by your Department or is it necessary for improvement to a public water system, as defined in Section 14.01.040, MCC? Please explain.
3. When you reviewed the proposed easement, was a metes and bounds description of the property provided? Are you satisfied with an "approximate location" of an easement for purposes of installing and maintaining a water line on property? Did you review any document other than the document labeled Easement "WL-1" and stamped Exhibit "B"? Please explain.

I would appreciate receiving your response by **Friday, June 30, 2017**. To ensure efficient processing, please include the relevant Committee item number in the subject line of your response.

Should you have any questions, please contact me or the Committee staff (Carla Nakata at ext. 7659, or Pauline Martins at ext. 8039).

Sincerely,

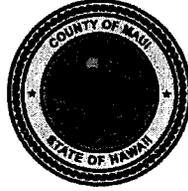


ALIKA ATAY, Chair
Water Resources Committee

wr:ltr:010aws01:cmn
Attachment

cc: Mayor Alan M. Arakawa
Danilo Aagsalog, Director of Finance

ALAN M. ARAKAWA
Mayor



RECEIVED
2017 MAY 10 AM 10:37
OFFICE OF THE MAYOR
DANILO F. AGSALOG
Director
MARK R. WALKER
Deputy Director

COUNTY OF MAUI
DEPARTMENT OF FINANCE
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793

May 9, 2017

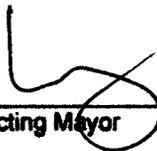
RECEIVED
2017 MAY 15 AM 9:33
OFFICE OF THE
COUNTY CLERK

Honorable Alan Arakawa
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

For Transmittal to:

Honorable Michael White, Chair
And Members of the Maui County Council
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL



Acting Mayor
Date 5/11/17

Dear Chair White:

**SUBJECT: HALIIMAILE RESIDENTIAL LARGE LOT SUBDIVISION, LOT 3
WATERLINE EASEMENT, 15 FOOT-WIDE EASEMENT "WL-1"
TMK: (2) 2-5-003-030**

Pursuant to Section 3.44.015 H. of the Maui County Code, this letter shall serve as notice that the County of Maui has accepted a 15-Foot Wide Waterline Easement, WL-1, for access to water meter and for waterline purposes, by the Department of Water Supply – Engineering Division. The parcel is identified by the subject Tax Map Key Number and as shown in the enclosed map for Easement "WL-1" (15-Ft Wide Waterline Easement)

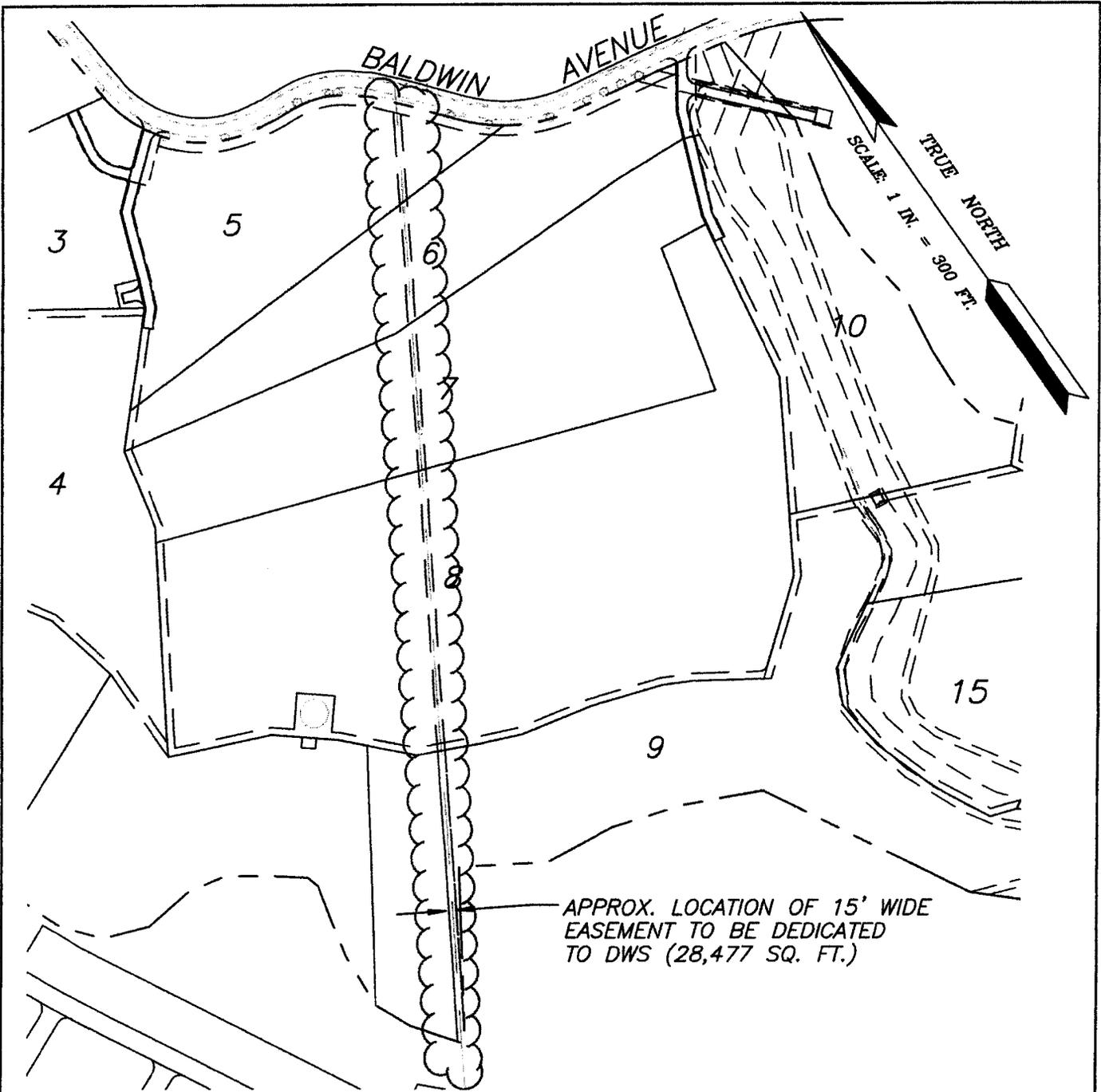
Thank you for your attention in this matter. Should you have any questions, please feel free to contact me at Ext. 7475.

Sincerely,

DANILO F. AGSALOG
Director of Finance

Enclosure

COUNTY COMMUNICATION NO. 17-225



EASEMENT "WL-1"

(15-FT. WIDE WATERLINE EASEMENT)

Being Parcel 030 of Tax Map Key: (2) 2-5-003
SITUATED AT HALIIMAILE, MAKAWAO, MAUI, HAWAII

PREPARED FOR:
LOT 3 LLC
P.O. BOX 790267
PAIA, HAWAII 96779

PREPARED BY:

SIGNATURE _____ DATE _____
THIS PLAT WAS PREPARED BY ME OR UNDER
MY DIRECT SUPERVISION.

T.M.K.: (2) 2-5-003: 030

SCALE: 1 IN. = 300 FT.

DATE: SEPTEMBER 23, 2016

EXHIBIT " B "