COUNCIL OF THE COUNTY OF MAUI

WATER AND INFRASTRUCTURE COMMITTEE

March 21, 2025	Committee	
	Report No.	

Honorable Chair and Members of the County Council County of Maui Wailuku, Maui, Hawaii

Chair and Members:

Your Water and Infrastructure Committee, having met on February 25, 2025, makes reference to Resolution 25-21, entitled "AUTHORIZING THE ACQUISITION OF REAL PROPERTY CONSISTING OF 1.811 ACRES IDENTIFIED AS TAX MAP KEY NO. (2) 2-3-005-004 SITUATED AT OMAOPIO, KULA, MAKAWAO, MAUI, HAWAII, FOR AN AMOUNT NOT TO EXCEED \$451,561.00."

Resolution 25-21's purposes are to: 1) authorize the acquisition of real property in 'Ōma'opio, Kula, Makawao, Maui, Hawai'i, comprising 1.811 acres, identified for real property tax purposes as tax map key (2) 2-3-005:004, for \$451,561; and 2) accept the dedication of a waterline easement and an access easement across the property.

Your Committee notes that under Subsection 3.44.015(C), Maui County Code, the Council may authorize by resolution the acquisition of real property with a purchase price that exceeds \$250,000.

By correspondence dated February 3, 2025, the Director of Water Supply transmitted a copy of the property appraisal required by Subsection 3.44.015(B), Maui County Code, and a copy of the preliminary title report.

By correspondence dated February 19, 2025, the Chair of your Committee transmitted a proposed CD1 version of Resolution 25-21, entitled "AUTHORIZING THE ACQUISITION OF 1.811 ACRES OF REAL PROPERTY IDENTIFIED AS A PORTION OF TAX MAP KEY (2) 2-3-005:004; A WATERLINE EASEMENT ACROSS TAX MAP KEYS (2) 2-3-004:016, (2) 2-3-004:020, AND (2) 2-3-005:004; AND AN ACCESS EASEMENT

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ACROSS TAX MAP KEYS (2) 2-3-004:016 AND (2) 2-3-005:004, 'ŌMA'OPIO, KULA, MAKAWAO, MAUI, HAWAI'I, FOR \$451,561."

The proposed CD1 version:

- 1. Amends the resolution's title.
- 2. Clarifies the parcels affected by the waterline and access easements and each easement's size.
- 3. Inserts the appraised value of the easements at \$1,561 and the appraised value of the 1.811 acres at \$450,000.
- 4. Incorporates nonsubstantive revisions.

A representative from the Department of Water Supply said a two-million-gallon water-storage tank was constructed by the County on the 1.811-acre parcel owned by Haleakala Ranch Company. Haleakala Ranch Company has since authorized the County to operate the 'Ōma'opio tank under a right-of-entry agreement.

Your Committee noted the nonexclusive waterline and access easements are needed to tie in and access the 'Ōma'opio tank.

Your Committee expressed support for Resolution 25-21, CD1, which would help to ensure the continued operation of essential water infrastructure.

Your Committee voted 7-0 to recommend adoption of Resolution 25-21, CD1. Committee Chair Cook and members Kama, Lee, Paltin, Rawlins-Fernandez, Sinenci, and U'u-Hodgins voted "aye." Committee Vice-Chair Sugimura and member Johnson were excused.

Your Committee is in receipt of Resolution 25-21, CD1, approved as to form and legality by the Department of the Corporation Counsel,

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incorporating your Committee's recommended revisions and nonsubstantive revisions.

Your Water and Infrastructure Committee RECOMMENDS that Resolution 25-21, CD1, attached, entitled "AUTHORIZING THE ACQUISITION OF 1.811 ACRES OF REAL PROPERTY IDENTIFIED AS A PORTION OF TAX MAP KEY (2) 2-3-005:004; A WATERLINE EASEMENT ACROSS TAX MAP KEYS (2) 2-3-004:016, (2) 2-3-004:020, AND (2) 2-3-005:004; AND AN ACCESS EASEMENT ACROSS TAX MAP KEYS (2) 2-3-004:016 AND (2) 2-3-005:004, 'ŌMA'OPIO, KULA, MAKAWAO, MAUI, HAWAI'I, FOR \$451,561," be ADOPTED.

This report is submitted in accordance with Rule 3 of the Rules of the Council.

TOM COOK, Chair

/ hum M. Coh

wai:cr:25002aa:kjh

Resolution

No. <u>25-21, CD1</u>

AUTHORIZING THE ACQUISITION OF 1.811
ACRES OF REAL PROPERTY IDENTIFIED AS A
PORTION OF TAX MAP KEY (2) 2-3-005:004; A
WATERLINE EASEMENT ACROSS TAX MAP
KEYS (2) 2-3-004:016, (2) 2-3-004:020,
AND (2) 2-3-005:004; AND AN ACCESS
EASEMENT ACROSS TAX MAP KEYS
(2) 2-3-004:016 AND (2) 2-3-005:004,
'ŌMA'OPIO, KULA, MAKAWAO, MAUI, HAWAI'I,
FOR \$451,561

WHEREAS, Haleakala Ranch Company, a Hawai'i corporation, is the owner in fee simple interest of Lot 1B of the Kahakapao Reservoir Subdivision, 'Ōma'opio, Kula, Makawao, Maui, Hawai'i, comprising 1.811 acres, identified for real property tax purposes as a portion of tax map key (2) 2-3-005:004, described in the attached Exhibit "A" and depicted in the attached Exhibit "B"; and

WHEREAS, a two-million-gallon concrete water storage tank, known as the 'Ōma'opio tank, is sited on the 1.811 acres; and

WHEREAS, Haleakala Ranch Company expressed a desire to sell the 1.811 acres to the County of Maui; and

WHEREAS, the appraised value for the 1.811 acres is \$450,000; and

WHEREAS, a nonexclusive waterline easement and a nonexclusive access easement are needed to properly tie in and access the 'Ōma'opio tank on the 1.811 acres; and

WHEREAS, the waterline easement comprises 0.225 acre and traverses tax map keys (2) 2-3-004:016, (2) 2-3-004:020, and (2) 2-3-005:004, described in the attached Exhibit "C" and depicted in the attached Exhibit "E"; and

WHEREAS, tax map key (2) 2-3-004:020 is owned by the County, but its ownership will revert to Haleakala Ranch Company as part of the Real Property Purchase and Sale Agreement contemplated by this Resolution; and

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WHEREAS, the access easement comprises 0.770 acre and traverses tax map keys (2) 2-3-004:016 and (2) 2-3-005:004, as described in Exhibit "D" and depicted in Exhibit "F"; and

WHEREAS, the waterline easement and access easement have an appraised value of \$1,561; and

WHEREAS, the parties intend to enter into a Real Property Purchase and Sale Agreement for the 1.811 acres and the waterline and access easements at the agreed-upon price of \$451,561, exclusive of closing costs and expenses; and

WHEREAS, the Director of Finance has determined that acquisition of the 1.811 acres and the waterline and access easements is in the public interest; and

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

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

- 1. That in accordance with Subsection 3.44.015(B), Maui County Code, the Council finds the acquisition of the 1.811 acres and the waterline and access easements to be in the public interest;
- 2. That in accordance with Subsection 3.44.015(C), Maui County Code, the Council authorizes the acquisition of the 1.811 acres and the waterline and access easements for \$451,561, exclusive of closing costs and expenses;
- 3. That it authorizes the Mayor to execute all necessary documents in connection with the acquisition of the 1.811 acres and the waterline and access easements; and
- 4. That certified copies of this Resolution be transmitted to the Mayor, Director of Finance, Director of Public Works, Director of Water Supply, and President of Haleakala Ranch Company.

Resolution No. 25-21, CD1

APPROVED AS TO FORM AND LEGALITY:

Department of the Corporation Counsel County of Maui

wai:misc:002areso02:jpp

INTRODUCED BY:

ALICE L. LEE Upon the request of the Mayor.

KAHAKAPAO RESERVOIR SUBDIVISION

LOT 1B

Being a portion of R. P. Grant 3515 to Haleakala Ranch Company

Situated at Omaopio, Kula, Makawao, Maui, Hawaii

Beginning at the Southwest corner of this piece of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PANE" being 10,227.57 feet South and 7,490.43 feet East and running by azimuths measured clockwise from true South:

1. Along Lot 1A of Kahakapao Reservoir Subdivision, on a curve to the right with a radius of 10.00 feet, the chord azimuth and distance being:

175° 30' 30" 17.90 feet;

20.67 feet;

2. Thence along same, on a curve to the left with a radius of 65.00 feet, the chord azimuth and distance being:

229° 52'

220° 3. 43' 38.00 feet along Lot 1A of Kahakapao Reservoir Subdivision; 4. 130° 43' 15.00 feet along same: 5. 190° 00' 198.00 feet along same; 231° 00' 6. 147.10 feet along same;

7. 303° 30' 189.06 feet along same; 8. 0° 00' 88.00 feet along same;

9. 46° 15' 182.00 feet along same;

10. 54° 00' 38.40 feet along same;

11. 44° 15' 44.00 feet along same;

12. Thence along same, on a curve to the right with a radius of 45.00 feet, the chord azimuth and distance being:

76° 52' 30" 48.52 feet;

- 13. 22° 00' 11.00 feet along Lot 1A of Kahakapao Reservoir Subdivision;
- 14. 112° 00' 96.60 feet along same to the point of beginning and containing an area of 1.811 acres.



August 6, 2019 Honolulu, Hawaii Tax Map Key: (2) 2-3-5: 4 Chad T. Kodama

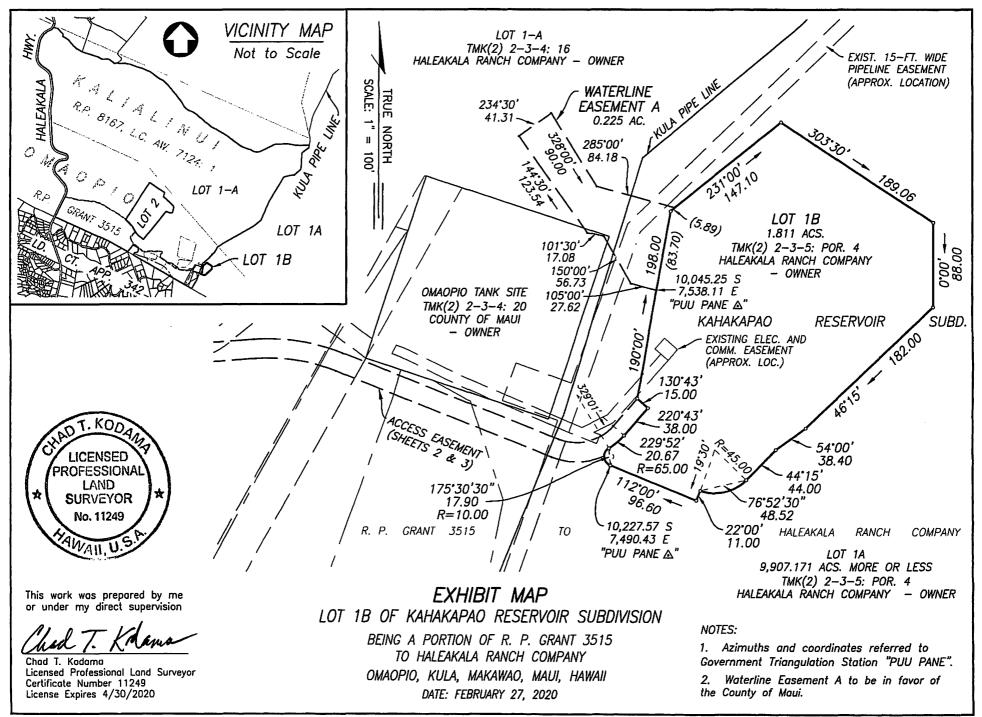
Licensed Professional Land Surveyor

lead T. Kodana

Certificate Number 11249

License Expires April 30, 2020

EXHIBIT "B" - LOT 1B MAP



KAHAKAPAO RESERVOIR SUBDIVISION

Waterline Easement A

Affecting Lot 1A of Kahakapao Reservoir Subdivision, Lot 1-A of Haleakala Ranch - II Large Lot Subdivision, and Parcel 20 of T.M.K. (2) 2-3-4 (Omaopio Tank Site)

Being a portion of R. P. Grant 3515 to Haleakala Ranch Company

Situated at Omaopio, Kula, Makawao, Maui, Hawaii

Beginning at the Southeast corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PANE" being 10,045.25 feet South and 7,538.11 feet East and running by azimuths measured clockwise from true South:

1.	105°	00'	27.62 feet	along the remainder of Lot 1A of Kahakapao Reservoir Subdivision;
2.	150°	00'	56.73 feet	along same, along the remainder of Lot 1-A of Haleakala Ranch - II Large Lot Subdivision, along the remainder of Parcel 20 of T.M.K. (2) 2-3-4 (Omaopio Tank Site);
3.	101°	30'	17.08 feet	along the remainder of Parcel 20 of T.M.K. (2) 2-3-4 (Omaopio Tank Site);
4.	144°	30'	123.54 feet	along same, along the remainder of Lot 1-A of Haleakala Ranch - II Large Lot Subdivision;
5.	234°	30'	41.31 feet	along the remainder of Lot 1-A of Haleakala Ranch - Il Large Lot Subdivision;
6.	328°	00'	90.00 feet	along same;
7.	285°	00'	84.18 feet	along same, along the remainder of Lot 1A of Kahakapao Reservoir Subdivision;

8.	51°	00'
••	• .	

5.89 feet along Lot 1B of Kahakapao Reservoir Subdivision;

9. 10° 00'

83.70 feet along same to the point of beginning and containing an area of 0.225 acres or 9,810 sq. ft.



August 6, 2019 Honolulu, Hawaii

Tax Map Key: (2) 2-3-4: 16 & 20, 2-3-5: 4

Chad T. Kodama

Licensed Professional Land Surveyor

Chal T. Kodana

Certificate Number 11249

License Expires April 30, 2020

KAHAKAPAO RESERVOIR SUBDIVISION

Access Easement

Affecting Lot 1A of Kahakapao Reservoir Subdivision and Lot 1-A of Haleakala Ranch - II Large Lot Subdivision

Being a portion of R. P. Grant 3515 to Haleakala Ranch Company

Situated at Omaopio, Kula, Makawao, Maui, Hawaii

Beginning at the East corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PANE" being 10,167.60 feet South and 7,529.62 feet East and running by azimuths measured clockwise from true South:

1. 40° 43' 38.00 feet along Lot 1B of Kahakapao Reservoir Subdivision;

2. Thence along same, on a curve to the right with a radius of 65.00 feet, the chord azimuth and distance being:

49° 52' 20.67 feet;

3. Thence along same, on a curve to the left with a radius of 10.00 feet, the chord azimuth and distance being:

30° 42' 30" 9.48 feet:

4. Thence along the remainder of Lot 1A of Kahakapao Reservoir Subdivision, on a curve to the right with a radius of 70.00 feet, the chord azimuth and distance being:

88° 46' 05" 54.47 feet:

5. 111° 40' 242.00 feet along the remainder of Lot 1A of Kahakapao Reservoir Subdivision, along the remainder of Lot 1-A of Haleakala Ranch - II Large Lot Subdivision;

6. Thence along the remainder of Lot 1-A of Haleakala Ranch - II Large Lot Subdivision, on a curve to the left with a radius of 190.00 feet, the chord azimuth and distance being:

98° 55' 83.87 feet;

7. 86° 10' 121.50 feet along the remainder of Lot 1-A of Haleakala Ranch - II Large Lot Subdivision;

Thence along the remainder of Lot 1-A of Haleakala Ranch - II Large Lot Subdivision, on a 8. curve to the right with a radius of 350.00 feet, the chord azimuth and distance being: 96° 35' 126.56 feet; 9. 107° 00' 167.00 feet along the remainder of Lot 1-A of Haleakala Ranch - II Large Lot Subdivision: 10. Thence along the remainder of Lot 1-A of Haleakala Ranch - II Large Lot Subdivision, on a curve to the right with a radius of 210.00 feet, the chord azimuth and distance being: 119° 30' 90.91 feet: 11. 132° 00' 42.00 feet along the remainder of Lot 1-A of Haleakala Ranch - II Large Lot Subdivision; 12. Thence along the remainder of Lot 1-A of Haleakala Ranch – II Large Lot Subdivision, on a curve to the left with a radius of 460.00 feet, the chord azimuth and distance being: 124° 20' 122.74 feet: 13. 116° 49.50 feet along the remainder of Lot 1-A of Haleakala Ranch - II 40' Large Lot Subdivision; 14. Thence along the remainder of Lot 1-A of Haleakala Ranch – II Large Lot Subdivision, on a curve to the right with a radius of 210.00 feet, the chord azimuth and distance being: 120° 50' 30.52 feet: 15. 125° 00' 250.00 feet along the remainder of Lot 1-A of Haleakala Ranch - II Large Lot Subdivision; 16. Thence along the remainder of Lot 1-A of Haleakala Ranch – II Large Lot Subdivision, on a curve to the right with a radius of 90.00 feet, the chord azimuth and distance being: 175° 49' 139.52 feet; 17. 226° 38' 45.50 feet along the remainder of Lot 1-A of Haleakala Ranch - II Large Lot Subdivision;

18. Thence along the remainder of Lot 1-A of Haleakala Ranch – II Large Lot Subdivision, on a curve to the left with a radius of 20.00 feet, the chord azimuth and distance being:

192° 41' 08" 22.34 feet;

19. Thence along same, on a curve to the left with a radius of 35.00 feet, the chord azimuth and distance being:

138° 00' 38" 24.77 feet;

20. 217° 00' 20.18 feet along the remainder of Lot 1-A of Haleakala Ranch - Il Large Lot Subdivision;

21. Thence along the remainder of Lot 1-A of Haleakala Ranch – II Large Lot Subdivision, on a curve to the right with a radius of 55.00 feet, the chord azimuth and distance being:

319° 47' 08" 35.73 feet:

22. Thence along same, on a curve to the right with a radius of 40.00 feet, the chord azimuth and distance being:

12° 41' 08" 44.68 feet;

- 23. 46° 38' 45.50 feet along the remainder of Lot 1-A of Haleakala Ranch II Large Lot Subdivision;
- 24. Thence along the remainder of Lot 1-A of Haleakala Ranch II Large Lot Subdivision, on a curve to the left with a radius of 70.00 feet, the chord azimuth and distance being:

355° 49' 108.52 feet:

- 25. 305° 00' 250.00 feet along the remainder of Lot 1-A of Haleakala Ranch II Large Lot Subdivision;
- 26. Thence along the remainder of Lot 1-A of Haleakala Ranch Il Large Lot Subdivision, on a curve to the left with a radius of 190.00 feet, the chord azimuth and distance being:

300° 50'

27.61 feet;

27. 296° 40' 49.50 feet along the remainder of Lot 1-A of Haleakala Ranch - II Large Lot Subdivision; 28. Thence along the remainder of Lot 1-A of Haleakala Ranch – II Large Lot Subdivision, on a curve to the right with a radius of 480.00 feet, the chord azimuth and distance being: 304° 20' 128.07 feet; 29. 312° 00' 42.00 feet along the remainder of Lot 1-A of Haleakala Ranch - II Large Lot Subdivision: 30. Thence along the remainder of Lot 1-A of Haleakala Ranch – II Large Lot Subdivision, on a curve to the left with a radius of 190.00 feet. the chord azimuth and distance being: 299° 30' 82.25 feet: 287° 31. 00' 167.00 feet along the remainder of Lot 1-A of Haleakala Ranch - II Large Lot Subdivision: 32. Thence along the remainder of Lot 1-A of Haleakala Ranch – II Large Lot Subdivision, on a curve to the left with a radius of 330.00 feet, the chord azimuth and distance being: 276° 35' 119.33 feet; 33. 266° 10' 121.50 feet along the remainder of Lot 1-A of Haleakala Ranch - II Large Lot Subdivision; 34. Thence along the remainder of Lot 1-A of Haleakala Ranch - II Large Lot Subdivision, on a curve to the right with a radius of 210.00 feet, the chord azimuth and distance being: 278° 55' 92.69 feet: 35. 291° 40' 242.00 feet along the remainder of Lot 1-A of Haleakala Ranch - II Large Lot Subdivision, along the remainder of Lot 1A of Kahakapao Reservoir Subdivision; 36. Thence along the remainder of Lot 1A of Kahakapao Reservoir Subdivision, on a curve to the left with a radius of 50.00 feet, the chord azimuth and distance being: 256° 11' 30" 58.04 feet:

37.	220°	43'	38.00 feet the remainder of Lot 1A of Kahakapao Reservoir Subdivision;
38.	310°	43'	15.00 feet along Lot 1B of Kahakapao Reservoir Subdivision to the point of beginning and containing an area of 0.770 acres.



August 6, 2019 Honolulu, Hawaii Tax Map Key: (2) 2-3-4: 16 & 2-3-5: 4 Chad T. Kodama
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