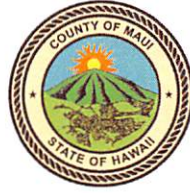


ALAN M. ARAKAWA  
Mayor



RECEIVED  
2018 JUN -6 PM 2: 54  
OFFICE OF THE MAYOR  
MARK R. WALKER  
Director

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

June 5, 2018

RECEIVED  
OFFICE OF THE  
COUNTY CLERK

2018 JUN 12 AM 9: 37

RECEIVED

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  
*Alan Arakawa* 6/8/18  
Mayor Date

Dear Chair White and Maui County Council Members:

**SUBJECT: NORTH BEACH SUBDIVISION II  
LOT D-1-B  
SUBDIVISION FILE NO. 4.923  
TMK: (2) 4-4-014:018**

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 Warranty Deed for a Five (5) to Ten (10) Feet Wide Road Widening Lot, Lot D-1-B by the Department of Public Works – Subdivision Division. The parcel is identified by the subject Tax Map Key Number.

Please refer to enclosed Exhibit A for the Legal Description and Exhibit B for the Subdivision Map for each Lot.

In addition, the Department of Public Works has provided additional information pursuant to Section 3.44.015, F.4 of the Maui County Code.

- 1) **County Funds:** No County funds were used for the acquisition of this property.

COUNTY COMMUNICATION NO. 18-239

Warranty Deed  
Roadway Widening, Lot D-1-B  
TMK: (2) 4-4-014-018  
June 5, 2018  
Page 2

- 2) **Purpose:** Lower Honoapiilani Road, Roadway Widening Lot D-1-B
- 3) **Standards:** The roadway lot was constructed to county standards and provides the necessary right-of-way width.

Thank you for your attention in this matter. Should you have any questions, please feel free to contact me at Ext. 7474.

Sincerely,



MARK R. WALKER  
Director of Finance

Enclosures

Cc: David Goode, Director of Public Works

MRW/gmh

NORTH BEACH SUBDIVISION II  
 LOT D-1-B

Being a portion of Lot D-1 of the North Beach Subdivision II, being also portions of Royal Patent 6297, Land Commission Award 6601 to Piimoku, Royal Patent 3023, Land Commission Award 3987, Apana 1 to Holona, Royal Patent 7995, Land Commission Award 3689, Apana 2 to Maui, Royal Patent 4594, Land Commission Award 4241, Apana 3 to Kaluakini, Royal Patent 1684, Land Commission Award 5005, Apana 2 to Keoni (John White), and Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd. Situate at Honokowai, Lahaina (Kaanapali), Maui, Hawaii.

Beginning at the Southwest corner of this parcel of land, being along the North side of Honoapiilani Highway (F.A.S.P. S-0300(1)), being also an East corner of Lot D-1-A of the North Beach Subdivision II, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MANINI", being 6,501.79 feet North and 13,394.44 feet West and running by azimuths measured clockwise from true South:

Along Lot D-1-A of North Beach Subdivision II, being also along the remainders of Royal Patent 1684, Land Commission Award 5005, Apana 2 to Keoni (John White), Royal Patent 4594, Land Commission Award 4241, Apana 3 to Kaluakini, Royal Patent 7995, Land Commission Award 3689, Apana 2 to Maui, and Royal Patent 3023, Land Commission Award 3987, Apana 1 to Holona, on a curve to the right with the radial azimuth to the point of curve being  $64^{\circ}58'24''$ , the radial azimuth to the point of compound curve being  $95^{\circ}35'$ , having a radius of 535.00 feet, the chord azimuth and distance being:

1.  $170^{\circ} 16' 42''$  282.43 feet;

Thence along Lot D-1-A of North Beach Subdivision II, being also along the remainders of Royal Patent 3023, Land Commission Award 3987, Apana 1 to Holona and Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd., on a curve to the right with the radial azimuth to the point of curve being  $95^{\circ}35'$ , the radial



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

azimuth to the point of tangent being 108°34'24", having a radius of 738.56 feet, the chord azimuth and distance being:

2. 192° 04' 42" 167.09 feet;

3. 198° 34' 24" 203.57 feet along Lot D-1-A of North Beach Subdivision II, being also along the remainders of Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd. and Royal Patent 6297, Land Commission Award 6601 to Piimoku;

Thence along Lot D-1-A of North Beach Subdivision II, being also along the remainder of Royal Patent 6297, Land Commission Award 6601 to Piimoku, on a curve to the left with the radial azimuth to the point of curve being 288°34'24", the radial azimuth to the point of tangent being 184°25', having a radius of 30.00 feet, the chord azimuth and distance being:

4. 146° 29' 42" 47.33 feet;

5. 274° 25' 22.13 feet along Roadway Lot 11 (Kaanapali Place) (Map 4) of Land Court Application 485;

Thence along Lot 12 of North Beach Subdivision, being also along the remainder of Royal Patent 6297, Land Commission Award 6601 to Piimoku, on a curve to the right with the radial azimuth to the point of curve being 184°25', the radial azimuth to the point of tangent being 288°34'24", having a radius of 20.00 feet, the chord azimuth and distance being:

6. 326° 29' 42" 31.55 feet;

7. 18° 34' 24" 249.91 feet along Lot 12 of North Beach Subdivision, being also along the remainders of Royal Patent 6297, Land Commission Award 6601 to



Piimoku and Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd.;

8. 15° 58' 24" 38.61 feet along Lot 12 of North Beach Subdivision, being also along the remainders of Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd. and Royal Patent 3023, Land Commission Award 3987, Apana 1 to Holona;

Thence along Lot 12 of North Beach Subdivision, being also along the remainders of Royal Patent 3023, Land Commission Award 3987, Apana 1 to Holona, Royal Patent 7995, Land Commission Award 3689, Apana 2 to Maui, Royal Patent 4594, Land Commission Award 4241, Apana 3 to Kaluakini, and Royal Patent 1684, Land Commission Award 5005, Apana 2 to Keoni (John White), on a curve to the left with the radial azimuth to the point of curve being 105°58'24", the radial azimuth to the point of tangent being 64°58'24", having a radius of 530.00 feet, the chord azimuth and distance being:

9. 355° 28' 24" 371.22 feet;

10. 64° 58' 24" 5.00 feet along Honoapiilani Highway (F.A.S.P. S-0300(1)) to the point of beginning and containing an area of 0.114 of an acre.

Description Prepared By:

AUSTIN, TSUTSUMI & ASSOCIATES, INC.



*Erik S. Kaneshiro* EXP 04/18

ERIK S. KANESHIRO

Licensed Professional Land Surveyor  
Certificate No. 9826

Honolulu, Hawaii

July 3, 2017

TMK: (2) 4-4-14: Por. 006 & 008



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

CIVIL ENGINEERS • SURVEYORS

501 SUMNER STREET, SUITE 521  
HONOLULU, HAWAII 96817-5031

1871 WILI PA LOOP, SUITE A  
WAILUKU, MAUI, HAWAII 96793

100 PAUHAHI STREET, SUITE 213  
HILO, HAWAII 96720

SUBJECT, HOWEVER, to the following:

1. Mineral and water rights of any nature.

2. The terms and provisions contained in the following:

INSTRUMENT : LAND PATENT GRANT NUMBER S-15,081

DATED : January 16, 1973

3. The terms and provisions contained in the following:

INSTRUMENT : SUBDIVISION AGREEMENT (LARGE LOTS)

DATED : August 6, 1990

FILED : Land Court Document No. 1756822

RECORDED : Document No. 90-127827

PARTIES : AMFAC PROPERTY INVESTMENT CORP., a Hawaii corporation, and TOBISHIMA PACIFIC, INC., a Hawaii corporation, and the COUNTY OF MAUI

4. DESIGNATION OF EASEMENT "D-2"

PURPOSE : future park

SHOWN : on Subdivision Map prepared by Masumi Fukushima, Licensed Professional Land Surveyor, with Austin, Tsutsumi & Associates, Inc., dated May 21, 1999

5. The terms and provisions contained in the following:

INSTRUMENT : UNILATERAL DECLARATION OF RESTRICTIONS;  
JOINDER AGREEMENT (North Beach Unit Count  
and Drainage)

DATED : February 15, 2001  
FILED : Land Court Document No. 2683897  
RECORDED : Document No. 2001-022448

6. The terms and provisions contained in the following:

INSTRUMENT : UNILATERAL AGREEMENT

DATED : June 13, 2005  
RECORDED : Document No. 2005-170923  
PARTIES : MAUI BEACH RESORT LIMITED PARTNERSHIP, a  
Delaware limited partnership authorized to  
do business in the State of Hawaii,  
"Declarant", and the County of Maui,  
"County"

7. Waterline Easement in favor of the Department of Water  
Supply, County of Maui, dated July 31, 2007, recorded as  
Document No. 2007-193842; granting an easement for  
waterline purposes over Easement "W-2", more particularly  
described therein.

8. The terms and provisions contained in the following:

INSTRUMENT : UNILATERAL AGREEMENT AND DECLARATION FOR  
CONDITIONAL ZONING

DATED : July 28, 2008

RECORDED : Document No. 2008-129576

PARTIES : MAUI BEACH RESORT LIMITED PARTNERSHIP, a  
Delaware limited partnership, "MBRLP", and  
CHARLES JAMES NUNES, JR., Trustee under  
that certain revocable trust of Charles  
James Nunes, Jr., dated March 12, 1989 and  
ANGELA MARIE NUNES, Trustee under that  
certain unrecorded revocable trust of  
Angela Marie Nunes dated March 12, 1989,  
"Nunes", collectively referred to as  
"Declarant"

9. The terms and provisions contained in the following:

INSTRUMENT : UNILATERAL AGREEMENT

DATED : May 25, 2010

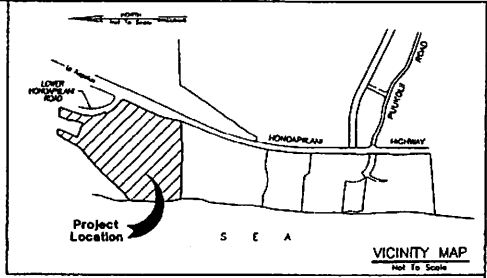
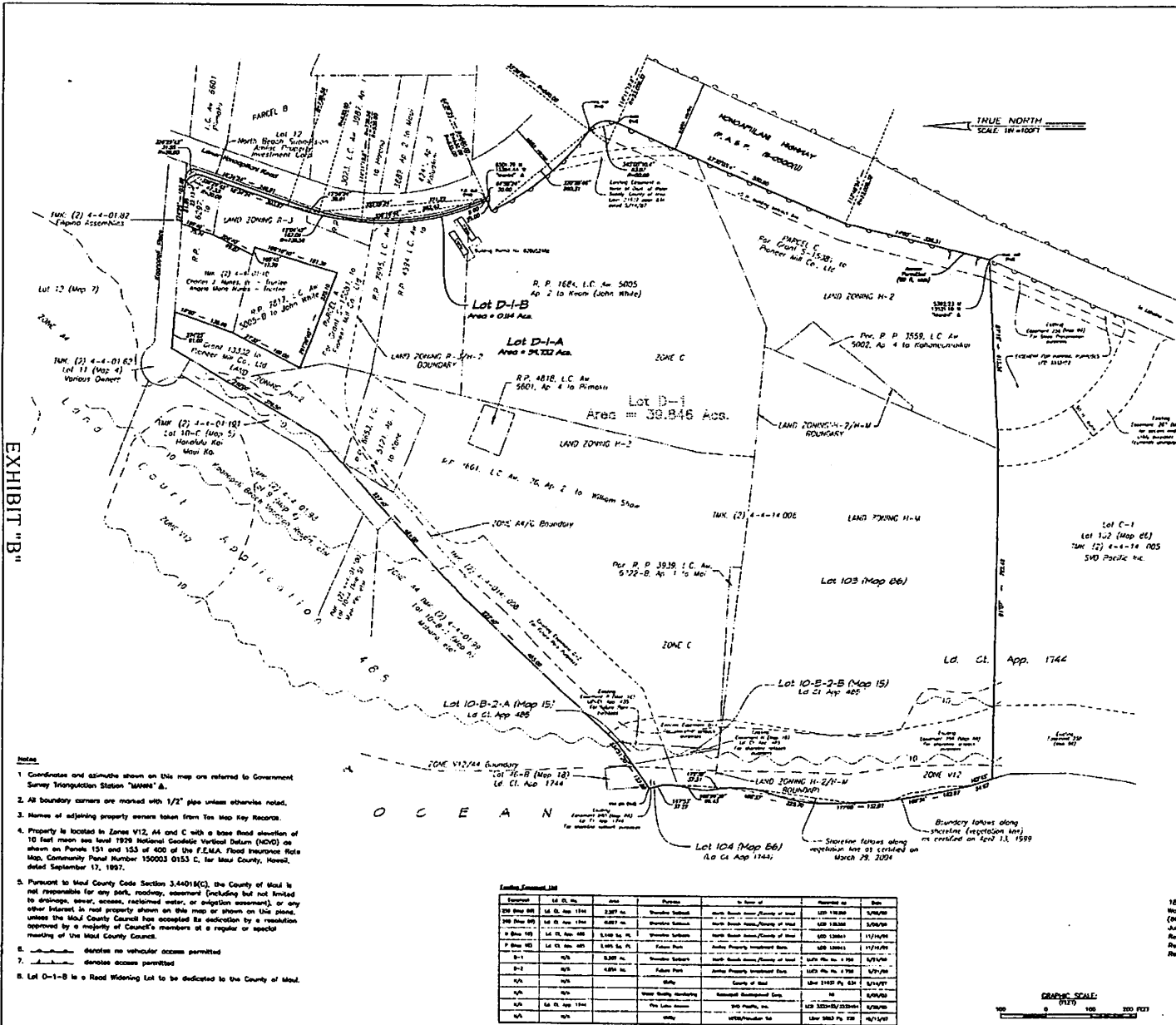
RECORDED : Document No. 2010-198720

PARTIES : MAUI BEACH RESORT LIMITED PARTNERSHIP, a  
Delaware limited partnership authorized to  
do business in the State of Hawaii,  
"Declarant"

10. AGREEMENT FOR A PRIVATE WATER SYSTEM AND PUBLIC FIRE  
PROTECTION WITHIN THE SERVICE AREA OF THE PUBLIC WATER  
SYSTEM dated January 16, 2015, recorded as Document No.  
A-56030847.



11. FIRE HYDRANT EASEMENT dated December 1, 2015, recorded as Document No. A-59050572, by MAUI BEACH RESORT LIMITED PARTNERSHIP, a Delaware limited partnership, "Grantor", by the COUNTY OF MAUI, "Grantee".
  
12. GRANT to MAUI ELECTRIC COMPANY, LIMITED, a Hawaii corporation, dated February 6, 2017, filed as Land Court Document No. T-9928163, recorded as Document No. A-62760737; granting a right and easement for utility purposes over, across, through and under the land more particularly described therein.



**NORTH BEACH SUBDIVISION II**  
 Subdivision of Lot D-1  
 into Lots D-1-A and D-1-B

Being all of the following:  
 R.P. 7661, L.C. Am. 76, Ap. 2 to William Shaw,  
 R.P. 6653, L.C. Am. 5121, Ap. 1 to Kane,  
 R.P. 4818, L.C. Am. 6601, Ap. 4 to Filmku,  
 Grant 13332 to Pioneer Mill Co., Ltd.  
 Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd.,

Being a portion of the following:  
 R.P. 6297, L.C. Am. 6601 to Filmku,  
 R.P. 3023, L.C. Am. 3987, Ap. 1 to Holona,  
 R.P. 7995, L.C. Am. 3689, Ap. 2 to Maui,  
 R.P. 4594, L.C. Am. 4241, Ap. 3 to Kaluakini,  
 R.P. 1684, L.C. Am. 5005, Ap. 2 to Keoni (John White),  
 R.P. 3559, L.C. Am. 5002, Ap. 4 to Kahanaukaiki,  
 R.P. 3439, L.C. Am. 6722-B, Ap. 1 to Mal,  
 Parcel C of Grant S-15081 to Pioneer Mill Co., Ltd.,  
 at Honokawai, Kaanapali, Lahaina, Maui, Hawaii

TMK: (2) 4-4-014: 006 and 00B

Owner: Maui Beach Resort Limited Partnership  
 Site Address: 150 Kai Malina Parkway  
 Lahaina, HI 96761

- Notes**
- Coordinates and azimuths shown on this map are referred to Government Survey Triangulation Station "Mauka" A.
  - All boundary corners are marked with 1/2" pipe unless otherwise noted.
  - Names of adjoining property owners taken from Tax Map Key Records.
  - Property is located in Zones V12, H4 and C with a base flood elevation of 10 feet mean sea level 1929 National Coastal Vertical Datum (NCVD) as shown on Panels 151 and 153 of 408 of the F.E.M.A. Flood Insurance Rate Map, Community Panel Number 150003 0153 C, for Maui County, Hawaii, dated September 17, 1997.
  - Pursuant to Maui County Code Section 3.4401(K), the County of Maui is not responsible for any part, roadway, easement (including but not limited to drainage, sewer, access, reclaimed water, or adoption easements), or any other interest in real property shown on this map or shown on the plans, unless the Maui County Council has accepted its dedication by a resolution approved by a majority of Council's members at a regular or special meeting of the Maui County Council.
  - \_\_\_\_\_ denotes no vehicular access permitted
  - \_\_\_\_\_ denotes access permitted
  - Lot C-1-B is a Road Widening Lot to be dedicated to the County of Maui.

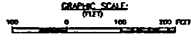
Assessment	Lot No.	Area	Process	In Name of	Assessed to	Date
354 (Map 06)	Lot 10-A (Map 15)	2,287 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-A (Map 15)	5/19/2007
354 (Map 06)	Lot 10-B (Map 15)	6,687 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-B (Map 15)	5/19/2007
354 (Map 06)	Lot 10-C (Map 15)	1,149 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-C (Map 15)	5/19/2007
354 (Map 06)	Lot 10-D (Map 15)	1,495 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-D (Map 15)	5/19/2007
354 (Map 06)	Lot 10-E (Map 15)	2,287 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-E (Map 15)	5/19/2007
354 (Map 06)	Lot 10-F (Map 15)	6,687 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-F (Map 15)	5/19/2007
354 (Map 06)	Lot 10-G (Map 15)	1,149 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-G (Map 15)	5/19/2007
354 (Map 06)	Lot 10-H (Map 15)	1,495 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-H (Map 15)	5/19/2007
354 (Map 06)	Lot 10-I (Map 15)	2,287 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-I (Map 15)	5/19/2007
354 (Map 06)	Lot 10-J (Map 15)	6,687 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-J (Map 15)	5/19/2007
354 (Map 06)	Lot 10-K (Map 15)	1,149 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-K (Map 15)	5/19/2007
354 (Map 06)	Lot 10-L (Map 15)	1,495 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-L (Map 15)	5/19/2007
354 (Map 06)	Lot 10-M (Map 15)	2,287 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-M (Map 15)	5/19/2007
354 (Map 06)	Lot 10-N (Map 15)	6,687 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-N (Map 15)	5/19/2007
354 (Map 06)	Lot 10-O (Map 15)	1,149 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-O (Map 15)	5/19/2007
354 (Map 06)	Lot 10-P (Map 15)	1,495 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-P (Map 15)	5/19/2007
354 (Map 06)	Lot 10-Q (Map 15)	2,287 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-Q (Map 15)	5/19/2007
354 (Map 06)	Lot 10-R (Map 15)	6,687 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-R (Map 15)	5/19/2007
354 (Map 06)	Lot 10-S (Map 15)	1,149 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-S (Map 15)	5/19/2007
354 (Map 06)	Lot 10-T (Map 15)	1,495 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-T (Map 15)	5/19/2007
354 (Map 06)	Lot 10-U (Map 15)	2,287 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-U (Map 15)	5/19/2007
354 (Map 06)	Lot 10-V (Map 15)	6,687 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-V (Map 15)	5/19/2007
354 (Map 06)	Lot 10-W (Map 15)	1,149 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-W (Map 15)	5/19/2007
354 (Map 06)	Lot 10-X (Map 15)	1,495 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-X (Map 15)	5/19/2007
354 (Map 06)	Lot 10-Y (Map 15)	2,287 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-Y (Map 15)	5/19/2007
354 (Map 06)	Lot 10-Z (Map 15)	6,687 sq. ft.	Standard Subdiv.	North Beach Resort, Limited Partnership	Lot 10-Z (Map 15)	5/19/2007

1871 Hie Pe Loop, Suite A  
 Wahiawa, Maui, Hawaii 96783  
 (808) 244-8044  
 July 7, 2008  
 Revised: Dec. 6, 2006  
 Revised: Jan. 9, 2007  
 Revised: June 3, 2007



AUSTIN, TSUTSUMI & ASSOCIATES, INC.  
 By: *[Signature]*  
 F.W.S. Kawanishi  
 Licensed Professional Land Surveyor  
 Certificate Number 9876

FINAL SUBDIVISION APPROVAL  
 APPROVAL BASED ON PLAN SECTION  
 147-006-C-14263  
 Subdivision File Number: 147-006-C-14263  
 Approved by Registrar with this Plan Section  
 Commission and Department of Land and  
 Natural Resources  
*[Signature]* 5/16/07  
 Director of Public Works



TMK: (2) 4-4-014: 006 and 00B  
 147-006-C-14263-3127 (North Beach Subdivision II - PD) 147-006-C-14263-3127  
 500 Hie Pe Loop, Suite A - Wahiawa, Maui, Hawaii 96783