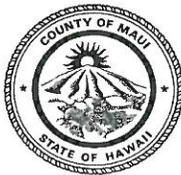


ALAN M. ARAKAWA  
Mayor



DAVID TAYLOR, P.E.  
Director

RECEIVED

2017 JUN 28 PM 4: 21

GLADYS C. BAISA  
Deputy Director

OFFICE OF THE MAYOR

**DEPARTMENT OF WATER SUPPLY**  
COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793-2155  
www.mauiwater.org

June 28, 2017

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

For Transmittal to:

Honorable Alika Atay  
Chair, Water Resources Committee  
Maui County Council  
200 South High Street  
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL  
  
Mayor 6/30/17  
Date

Dear Chair Atay:

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

Thank you for your June 23, 2017 letter regarding the above-referenced subject. The Department of Water Supply ("Department") is transmitting for your review and offers the following responses to your requests:

*Question:*

1. *Did you approve the conveyance?*

**Answer: Yes, the Director of Water Supply approved the easement.**

*Question:*

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.*

**Answer: The easement is not part of a capital improvement project by the Department. The easement is for an existing 8-inch waterline within a proposed subdivision.**

*"By Water All Things Find Life"*

Honorable Alika Atay  
Chair, Water Resources Committee  
June 28, 2017  
Page 2

Question:

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.*

**Answer:** A metes and bounds description of the property was not provided upon review of the proposed easement. During construction, the contractor will be excavating test pits in areas, where the waterline is approximately known to exist, to determine a more precise location of the waterline. Following construction, a waterline easement will be granted with a metes and bounds description and the existing waterline easement will be canceled.

We hope you find this information useful. Should further clarification be necessary, please feel free to contact me at Ext. 7816.

Sincerely,



DAVID TAYLOR, P.E.  
Director of Water Supply

Attachments

xc: Gladys C. Baisa, Deputy Director  
DT:WT:atn  
P:\DOCS\Council\063017\_Atay(WR-10).doc

*"By Water All Things Find Life"*

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](http://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,

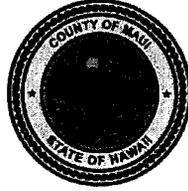


ALIKA ATAY, Chair  
Water Resources Committee

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

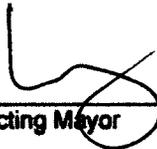
RECEIVED  
2017 MAY 15 AM 9:33  
OFFICE OF THE  
COUNTY CLERK

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)

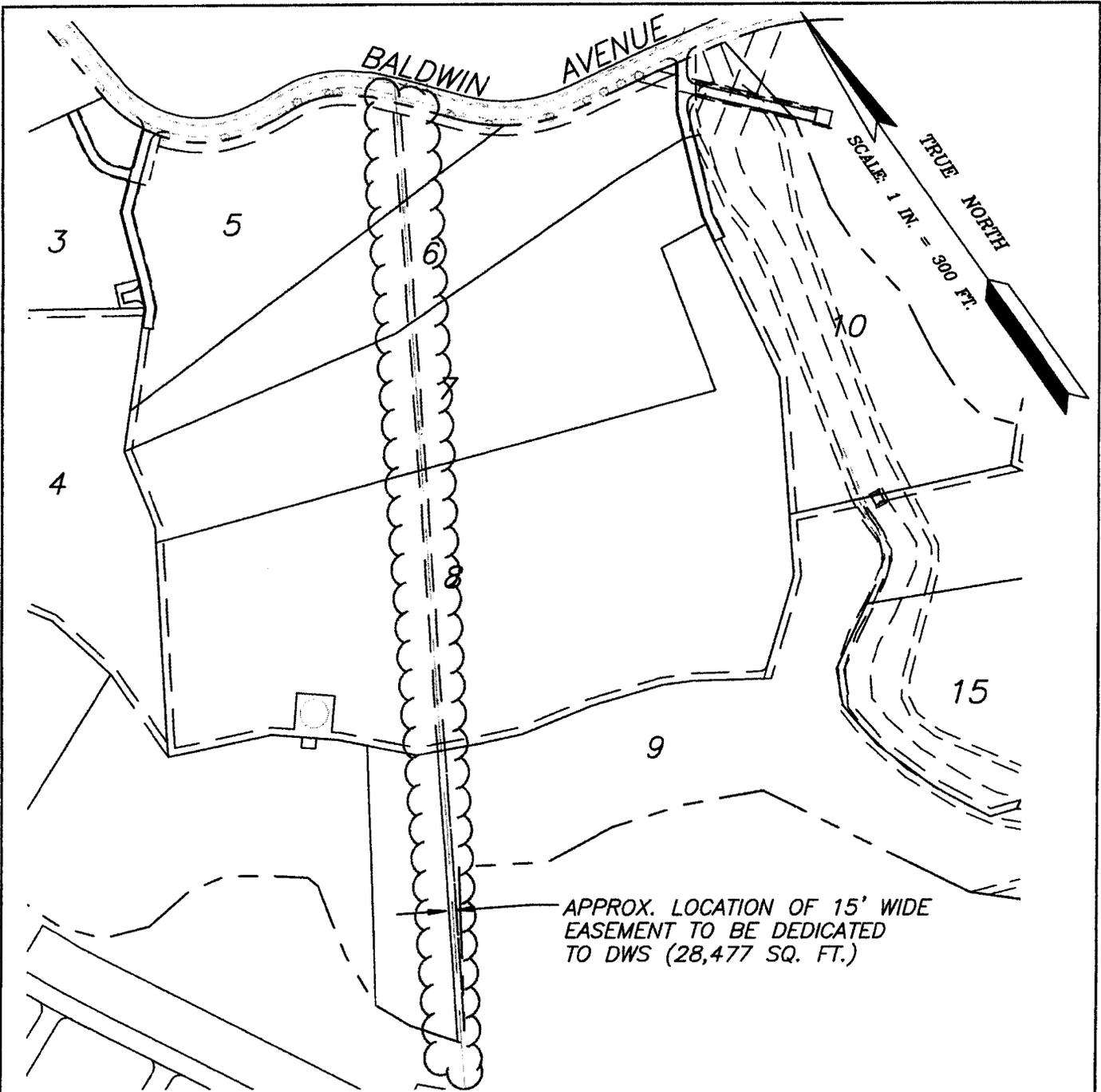
Thank you for your attention in this matter. Should you have any questions, please feel free to contact me at Ext. 7475.

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 "**