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Director of Council Services
David M. Raatz, Jr., Esq.

Deputy Director of Council Services
Richelle K. Kawasaki, Esq.

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

February 12, 2025

Mr. John Stufflebean, Director
Department of Water Supply
County of Maui
Wailuku, Hawaii 96793

Dear Mr. Stufflebean:

SUBJECT: RESOLUTION 25-21, AUTHORIZING THE ACQUISITION OF REAL PROPERTY CONSISTING OF 1.811 ACRES IDENTIFIED AS TAX MAP KEY (2) 2-3-005:004 SITUATED AT OMAOPIO, KULA, MAKAWAO, MAUI, HAWAII, FOR AN AMOUNT NOT TO EXCEED \$451,561 (WAI-2)

Thank you for your letter dated February 3, 2025, transmitting information, appraisals, and the preliminary title report related to the property covered by Resolution 25-21.

May I please request a written response to the following:

- **Appraisal and purchase price confirmation:** Your prior response included two separate appraisals—one for the 1.811-acre portion of tax map key (2) 2-3-005:004 at \$450,000 and another for the waterline and access easements at \$1,561. Please confirm that the total purchase price of \$451,561 includes the 1.811 acres and the two easements.
- **Parcel ownership clarification:** Exhibit “C” to Resolution 25-21 also references a third parcel—tax map key (2) 2-3-004:020, not referenced in your earlier correspondence. Please confirm that the waterline easement traverses that parcel. Further, it is my understanding that ownership of that parcel will revert from the County to Haleakala Ranch Company as part of the Real Property Purchase and Sale Agreement. Please confirm this understanding.

Mr. John Stufflebean
February 12, 2025
Page 2

- **Review of proposed CD1 version of resolution:** The attached proposed CD1 version of the resolution has been approved as to form and legality. Please review this version and inform the Committee of any questions or concerns you may have.

May I further request you transmit your response to wai.committee@mauicounty.us by **February 18, 2025**. To ensure efficient processing, please include WAI-2 in the subject line.

Should you have any questions, please contact me or the Committee staff (Keone J. Hurdle at ext. 7659, or Lori Ann M. Tengan at ext. 7147).

Sincerely,



TOM COOK, Chair
Water and Infrastructure Committee

wai:ltr:002aws01:kjh

Attachment

cc: Mayor Richard T. Bissen, Jr.
James Kimo Landgraf, Deputy Director of Water Supply
Thomas Ochwat, Civil Engineer VI, Department of Water Supply
Caleb Rowe, Deputy Corporation Counsel

Resolution

No. 25-21, CD1

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 2-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

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

Resolution No. _____

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, and President of Haleakala Ranch Company.

APPROVED AS TO FORM AND LEGALITY:



Department of the Corporation Counsel
County of Maui

wai:misc:002areso01

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Alice L. Lee".

ALICE L. LEE

Upon the request of the Mayor.

EXHIBIT "A"- LOT 1B LEGAL DESCRIPTION

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;
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' 20.67 feet;
3. 220° 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;
6. 231° 00' 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.

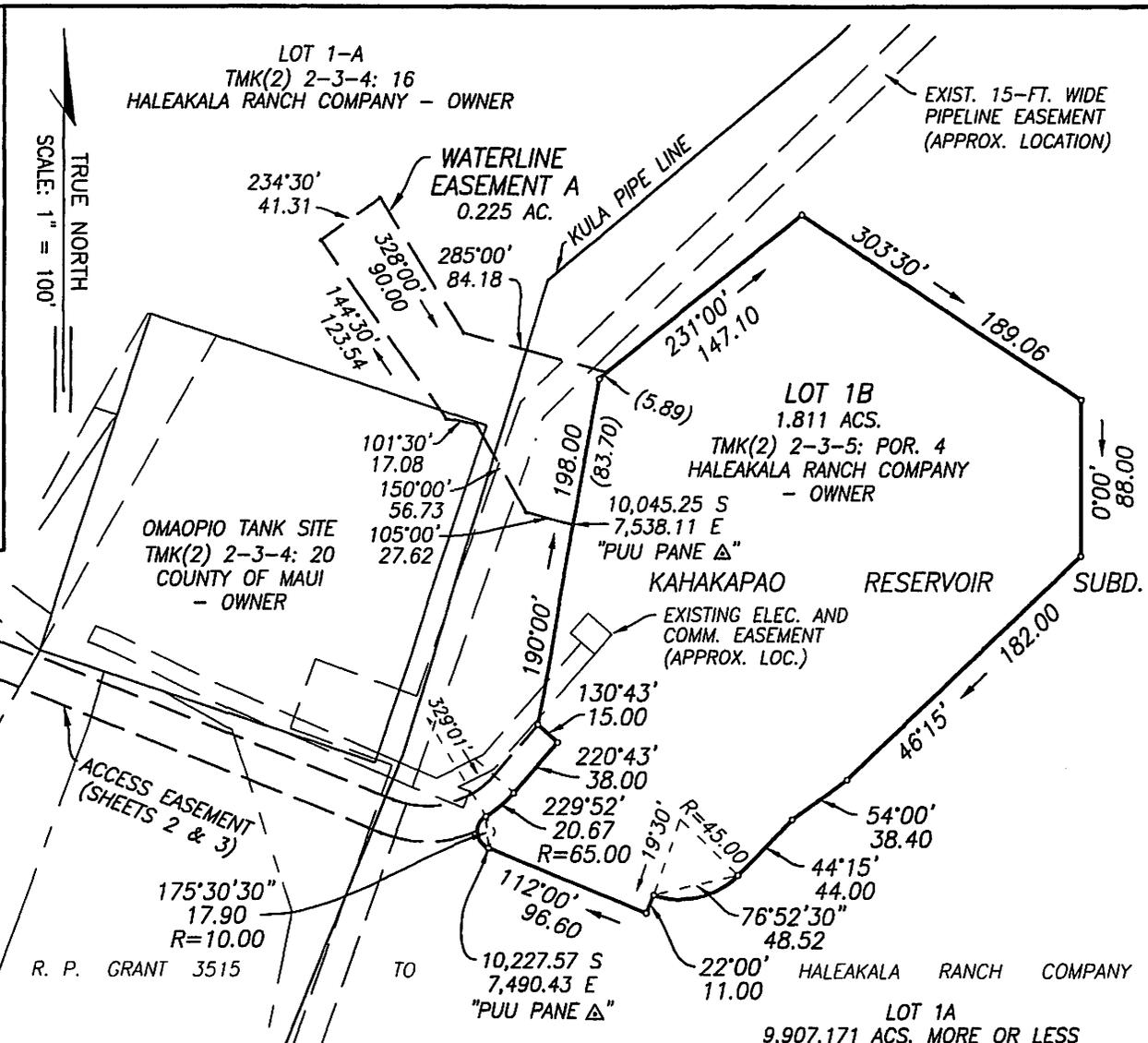
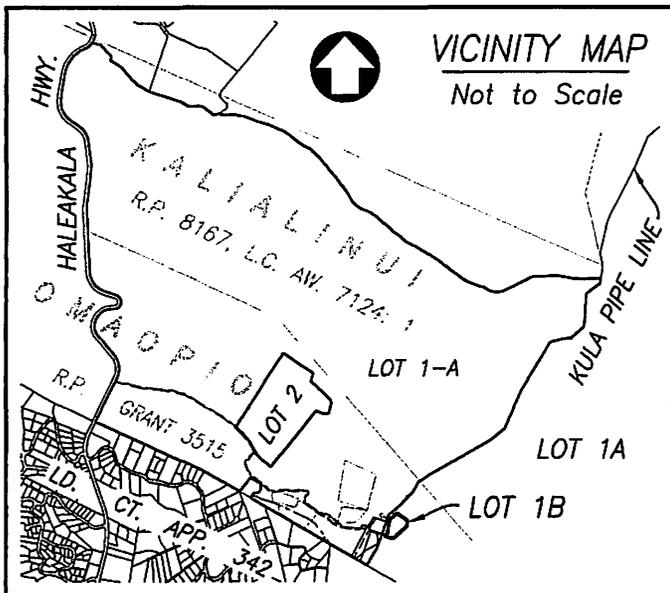


August 6, 2019
Honolulu, Hawaii
Tax Map Key: (2) 2-3-5: 4

A handwritten signature in cursive script that reads "Chad T. Kodama".

Chad T. Kodama
Licensed Professional Land Surveyor
Certificate Number 11249
License Expires April 30, 2020

EXHIBIT "B" - LOT 1B MAP



This work was prepared by me or under my direct supervision

Chad T. Kodama

Chad T. Kodama
Licensed Professional Land Surveyor
Certificate Number 11249
License Expires 4/30/2020

EXHIBIT MAP LOT 1B OF KAHAKAPAO RESERVOIR SUBDIVISION

BEING A PORTION OF R. P. GRANT 3515
TO HALEAKALA RANCH COMPANY

OMAPIO, KULA, MAKAWAO, MAUI, HAWAII

DATE: FEBRUARY 27, 2020

NOTES:

1. Azimuths and coordinates referred to Government Triangulation Station "PUU PANE".
2. Waterline Easement A to be in favor of the County of Maui.



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 - II 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.



Chad T. Kodama

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
Certificate Number 11249
License Expires April 30, 2020

8. 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 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° 40' 49.50 feet along the remainder of Lot 1-A of Haleakala Ranch - II 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 - II 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 – II 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;

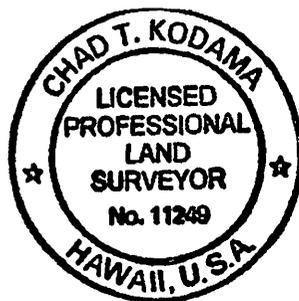
27. 296° 40' 49.50 feet along the remainder of Lot 1-A of Haleakala Ranch - II Large Lot Subdivision;
28. Thence along the remainder of Lot 1-A of Haleakala Ranch – II Large Lot Subdivision, on a curve to the right with a radius of 480.00 feet, the chord azimuth and distance being:
304° 20' 128.07 feet;
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;
31. 287° 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'

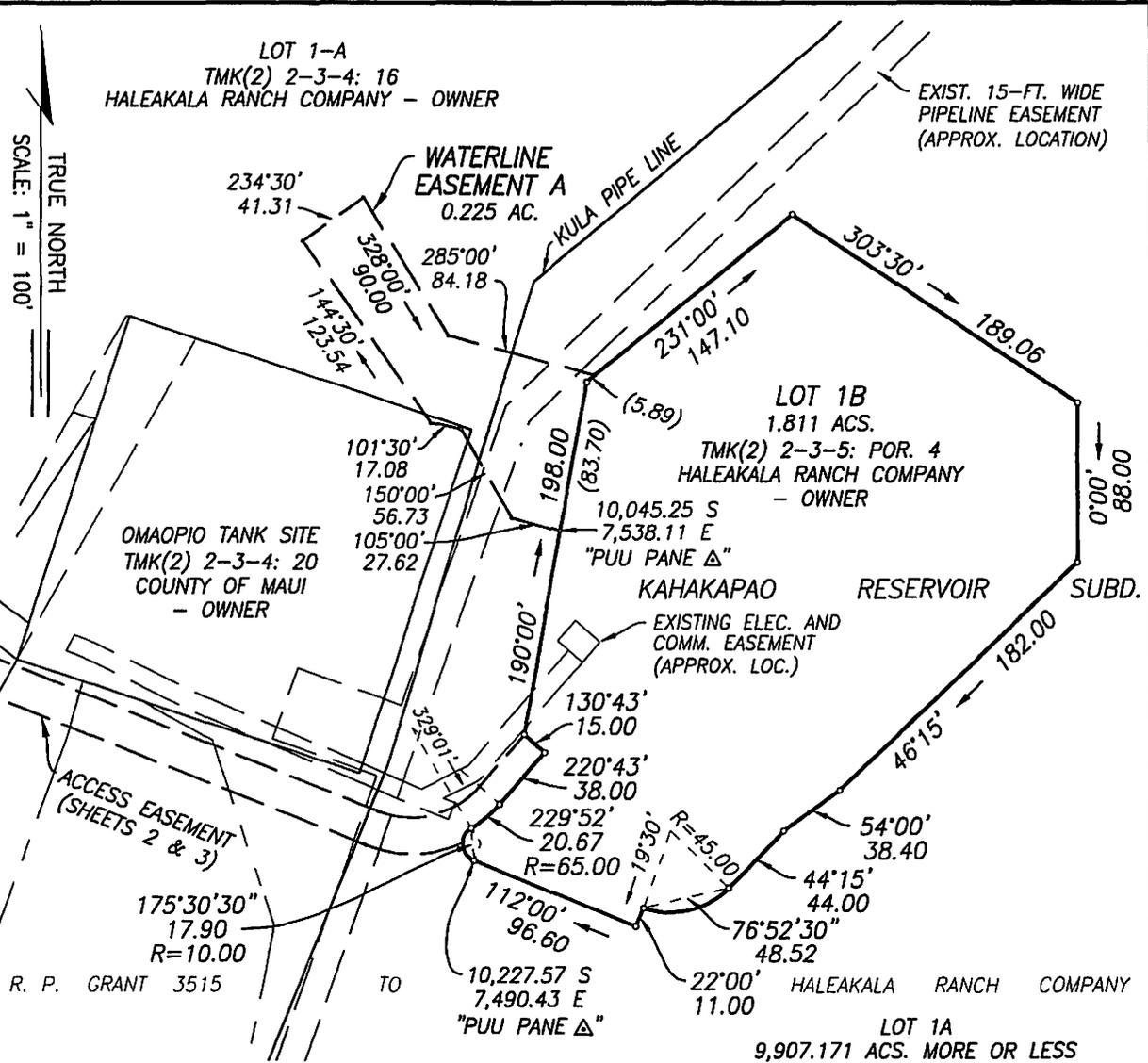
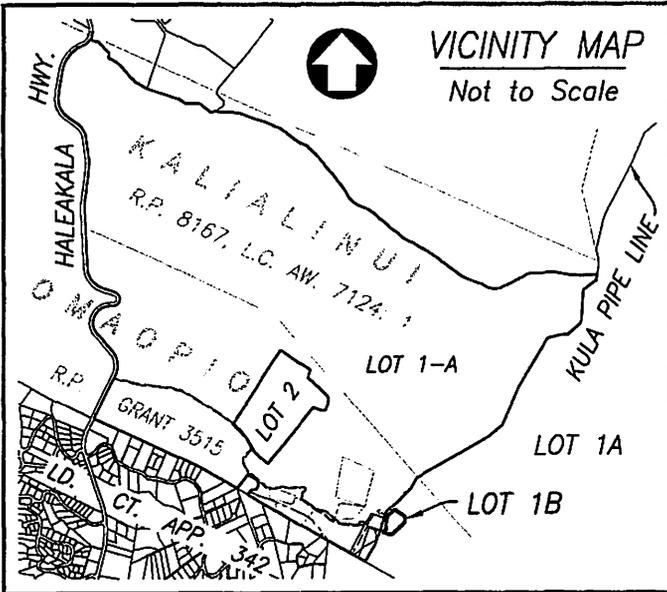
15.00 feet along Lot 1B of Kahakapao Reservoir Subdivision to the point of beginning and containing an area of 0.770 acres.



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

A handwritten signature in cursive script that reads "Chad T. Kodama".

Chad T. Kodama
Licensed Professional Land Surveyor
Certificate Number 11249
License Expires April 30, 2020



This work was prepared by me or under my direct supervision

Chad T. Kodama
Chad T. Kodama
Licensed Professional Land Surveyor
Certificate Number 11249
License Expires 4/30/2020

EXHIBIT MAP
LOT 1B OF KAHAKAPAO RESERVOIR SUBDIVISION
BEING A PORTION OF R. P. GRANT 3515
TO HALEAKALA RANCH COMPANY
OMAPIO, KULA, MAKAWAO, MAUI, HAWAII
DATE: FEBRUARY 27, 2020

- NOTES:
1. Azimuths and coordinates referred to Government Triangulation Station "PUU PANE".
 2. Waterline Easement A to be in favor of the County of Maui.

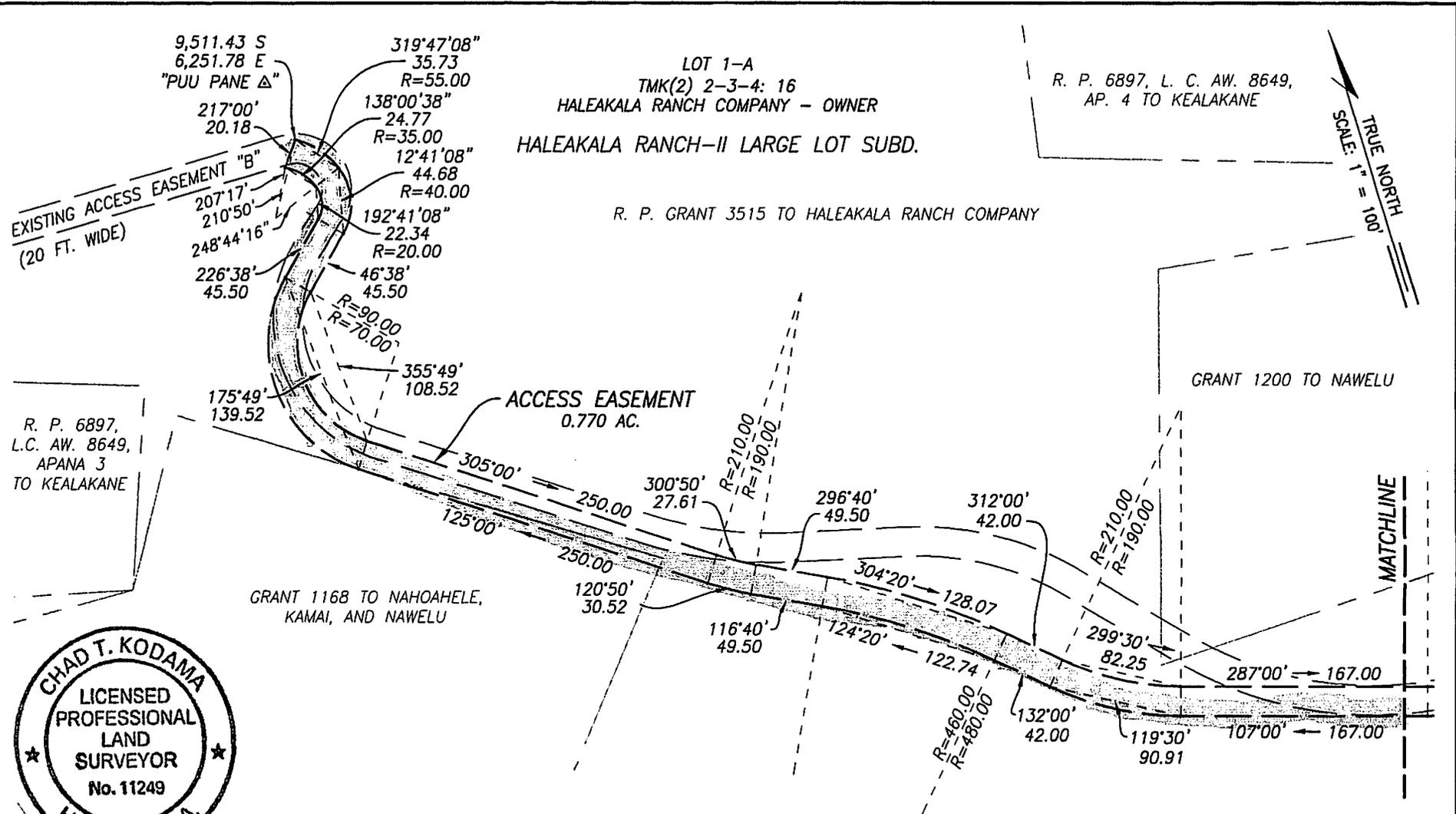


EXHIBIT MAP
ACCESS EASEMENT

AFFECTING LOT 1A OF KAHAKAPAO RESERVOIR SUBDIVISION AND LOT 1-A OF HALEAKALA RANCH-II LARGE LOT SUBDIVISION

BEING PORTIONS OF R. P. GRANT 3515 TO HALEAKALA RANCH COMPANY AND GRANT 1168 TO NAHOAHELE, KAMAI, AND NAWELU

OMAOPIO, KULA, MAKAWAO, MAUI, HAWAII

DATE: FEBRUARY 27, 2020

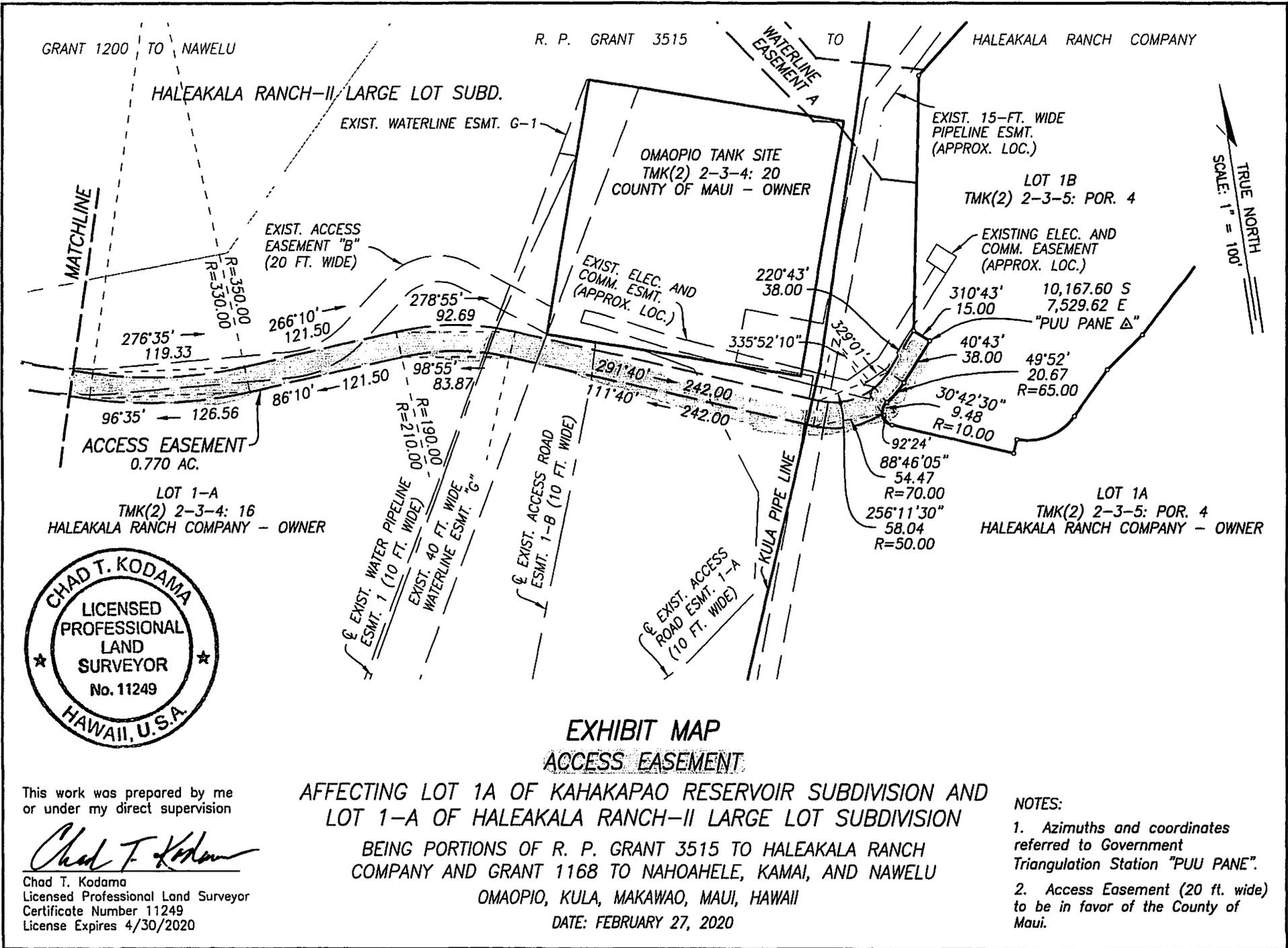
- NOTES:
1. Azimuths and coordinates referred to Government Triangulation Station "PUU PANE".
 2. Access Easement (20 ft. wide) to be in favor of the County of Maui.

This work was prepared by me or under my direct supervision

Chad T. Kodama

Chad T. Kodama
Licensed Professional Land Surveyor
Certificate Number 11249
License Expires 4/30/2020





WAI Committee

From: WAI Committee
Sent: Wednesday, February 12, 2025 4:24 PM
To: John Stufflebean
Cc: james.landgraf@co.maui.hi.us; 'Linda Kimura'; 'Michelle Santos'; 'Zeke Kalua'; Thomas Ochwat; Caleb Rowe
Subject: RESOLUTION 25-21, AUTHORIZING THE ACQUISITION OF REAL PROPERTY CONSISTING OF 1.811 ACRES IDENTIFIED AS TAX MAP KEY (2) 2-3-005:004 SITUATED AT OMAOPIO, KULA, MAKAWAO, MAUI, HAWAII, FOR AN AMOUNT NOT TO EXCEED \$451,561
Attachments: Correspondence to Water Supply 02-12-2025.pdf