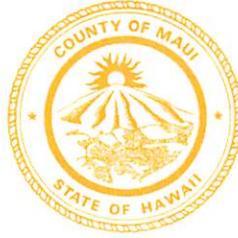


MICHAEL P. VICTORINO  
Mayor  
ERIC A. NAKAGAWA, P.E.  
Director  
SHAYNE R. AGAWA, P.E.  
Deputy Director  
MICHAEL P. RATTE  
Solid Waste Division  
SCOTT R. ROLLINS, P.E.  
Wastewater Reclamation Division  
TAMARA L. FARNSWORTH  
Environmental Protection &  
Sustainability Division



**COUNTY OF MAUI  
DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT**  
2050 MAIN STREET, SUITE 2B  
WAILUKU, MAUI, HAWAII 96793

October 6, 2020

Honorable Michael P. Victorino  
Mayor, County of Maui  
200 S. High Street  
Wailuku, Hawaii 96793

For transmittal to:

Honorable Alice L. Lee, Chair  
and Members of the Maui County Council  
Maui County Council  
200 S. High Street  
Wailuku, Hawaii 96793

**RE: PROPOSED RESOLUTION AUTHORIZING THE PURCHASE OF LOT 2-A-1-A,  
CENTRAL MAUI SANITARY LANDFILL SUBDIVISION, ISLAND AND COUNTY  
OF MAUI PURSUANT TO CHAPTER 3.44, MAUI COUNTY CODE**

Dear Council Chair Lee and Members:

The Department of Environmental Management wishes to submit the attached proposed Resolution entitled:

Authorizing the purchase of lot 2-A-1-A, Central Maui Sanitary Landfill Subdivision,  
Island and County of Maui, Pursuant to Chapter 3.44, Maui County Code

Thank you for your consideration and should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

ERIC A. NAKAGAWA, P.E.  
Director of Environmental Management

RECEIVED  
2020 OCT 20 AM 9:44  
OFFICE OF THE MAYOR

RECEIVED  
2020 OCT 26 AM 9:35  
OFFICE OF THE  
COUNTY CLERK

APPROVED FOR TRANSMITTAL

*Michael P. Victorino* 10/20/20  
Mayor Date

# Resolution

No. \_\_\_\_\_

AUTHORIZING THE PURCHASE OF LOT 2-A-1-A, CENTRAL MAUI  
SANITARY LANDFILL SUBDIVISION, ISLAND AND COUNTY OF MAUI,  
PURSUANT TO CHAPTER 3.44, MAUI COUNTY CODE

WHEREAS, ALEXANDER & BALDWIN, LLC (“A&B”), a Delaware limited liability company, is the fee owner of real property described as Lot 2-A-1-A of the Central Maui Sanitary Landfill Subdivision identified for real property tax purposes as tax map key number (2) 3-8-003:025, and containing an area of approximately 59.307 acres, located at Puunene, Maui, as described in Exhibit A and as shown on a map attached as Exhibit B (the “Subject Property”); and

WHEREAS, the Subject Property has been identified by the County of Maui as a suitable location for expansion of the landfill and ancillary uses such as waste diversion and recycling, and Council has previously funded the acquisition of the Subject Property in the Fiscal Year 2020 Budget Ordinance; and

WHEREAS, A&B has expressed a desire to sell the Subject Property to the County of Maui and the parties intend to enter into a Real Property Purchase and Sale Agreement at the agreed-to price for the Subject Property of \$1,695,000.00, plus customary expenses; and

WHEREAS, the Council finds that the acquisition of the Subject Property is in the public interest; and

WHEREAS, Maui County Code Section 3.44.015.C, provides that, in the case of real property with a purchase price that exceeds \$250,000, the County Council shall authorize the acquisition by passage of a resolution; now therefore,

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

1. That it finds that the acquisition of the Subject Property to be in the public interest; and

**Resolution No. \_\_\_\_\_**

2. That, pursuant to Maui County Code Section 3.44.015.C, the Council hereby approves the acquisition of the approximately 59.307 acres of real property for \$1,695,000.00 plus expenses; and
3. That certified copies of this resolution be transmitted to the Mayor, the Director of Environmental Management, and the Director of Finance.

APPROVED AS TO FORM AND  
LEGALITY:

 2020.10.05  
18:06:20 -10'00'

---

RICHELLE M. THOMSON  
Department of the Corporation Counsel  
County of Maui  
LF2020-0819

EXHIBIT "A"

LAND DESCRIPTION

LOT 2-A-1-A

CENTRAL MAUI SANITARY LANDFILL SUBDIVISION

All that certain parcel of land, being Lot 2-A-1-A of the Central Maui Sanitary Landfill Subdivision, being also a portion of the land described in and covered by Grant 3343 to Claus Spreckels. Situated at Puunene, Wailuku, Maui, Hawaii and being more particularly described as follows:

**BEGINNING** at the Southwest corner of this parcel of land at a point on the Northeast side of Pulehu Road (40.00 feet wide), being also the Northwest corner of Lot 1-A-1 of the Central Maui Sanitary Landfill Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Puu Nene 2", being:

12,589.51 feet South  
11,607.21 feet West

and running by azimuths measured clockwise from True South:

1. 134° 12' 50" 165.60 feet along the Northeasterly side of Pulehu Road (40 feet wide);
2. 133° 44' 30" 280.00 feet along same;
3. 132° 18' 40" 222.54 feet along same;
4. 199° 09' 290.73 feet along remainder of Grant 3343 to Claus Spreckels;
5. thence along same on a curve to the right having a radius of 163.00 feet and a central angle of 62°54', the chord azimuth and distance being:  
230° 36' 170.09 feet;
6. 262° 03' 305.17 feet along same;
7. 306° 22' 20.00 feet along same;
8. 266° 04' 13.02 feet along same;
9. 217° 06' 20.51 feet along same;
10. 268° 04' 28.04 feet along same;

11. thence along same on a curve to the right having a radius of 260.50 feet and a central angle of 28°24', the chord azimuth and distance being:  
282° 16' 127.81 feet;
12. 296° 28' 628.42 feet along same;
13. thence along same on a curve to the right having a radius of 185.00 feet and a central angle of 38°47', the chord azimuth and distance being:  
315° 51' 30" 122.85 feet;
14. 335° 15' 161.32 feet along same;
15. thence along same on a curve to the left having a radius of 368.50 feet and a central angle of 75°42', the chord azimuth and distance being:  
297° 24' 452.22 feet;
16. 259° 33' 446.71 feet along same;
17. 304° 28' 8.70 feet along same;
18. 259° 33' 14.01 feet along same;
19. 214° 28' 8.68 feet along same;
20. 259° 33' 323.39 feet along same;
21. thence along same on a curve to the right having a radius of 182.00 feet and a central angle of 41°58', the chord azimuth and distance being:  
280° 32' 130.35 feet;
22. 301° 31' 241.19 feet along same;
23. thence along same on a curve to the left having a radius of 154.00 feet and a central angle of 58°04', the chord azimuth and distance being:  
272° 29' 149.48 feet;
24. 243° 27' 392.61 feet more or less, along same to the centerline of Kalialinui Stream;

Thence along the centerline of Kalialinui Stream for the next two (2) courses, the direct azimuths and distances being:

- |     |      |         |             |  |
|-----|------|---------|-------------|--|
| 25. | 356° | 43'     | 155.38 feet | more or less, along Lot 1-A as shown on the Central Maui Sanitary Landfill Subdivision, Amended January 2000 (Subdivision File No. 3.1762) and approved by the Director of Public Works, dated January 20, 2000, along remainder of Grant 3343 to Claus Spreckels; |
| 26. | 7°   | 05'     | 245.16 feet | along same;  |
| 27. | 74°  | 12' 30" | 211.87 feet | along same;  |
| 28. | 46°  | 20' 30" | 42.62 feet  | along same;  |
| 29. | 46°  | 28' 30" | 736.33 feet | along Lot 1-A-1 of the Central Maui Sanitary Landfill Subdivision;   |
| 30. | 5°   | 05'     | 342.02 feet | along same;  |
| 31. | 13°  | 15'     | 73.63 feet  | along same;  |
| 32. | 117° | 04'     | 534.73 feet | along same;  |
| 33. | 123° | 45'     | 505.19 feet | along same;  |
| 34. | 143° | 01'     | 656.69 feet | along same;  |
| 35. | 95°  | 54'     | 816.49 feet | along same;  |
| 36. | 45°  | 44'     | 44.62 feet  | along same to the <b>POINT OF BEGINNING</b> and containing an area of 59.307 Acres, more or less.  |

SUBJECT, HOWEVER to the following:

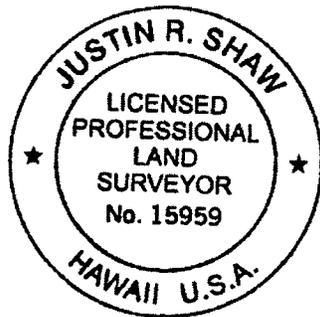
- a. Mineral and water rights of any nature.
- b. Easement 7 for electrical transmission line purposes per final order of condemnation in favor of Maui Electric Company, Limited, recorded as Document No. 96-170196, dated November 26, 1996.
- c. Grant of Easement for ingress and egress and utility purposes in favor of Maui Electric Company, Limited and Hawaiian Telcom, Inc., recorded in Liber 23097, Page 74, dated March 8, 1989.

- d. Claims arising out of customary and traditional rights and practices, including without limitation, those exercised for subsistence, cultural, religious, access or gathering purposes, as provided for in the Hawaii Constitution or the Hawaii Revised Statutes

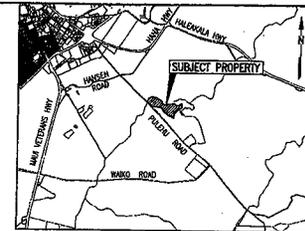
PREPARED BY:  
A&B Properties Hawaii, LLC

Date: July 16, 2020

This work was prepared by me or under my direct supervision



  
Justin R. Shaw                      7/16/2020  
Date  
Licensed Professional Land Surveyor  
Certificate No. LS-15959  
Expiration Date: April 30, 2022

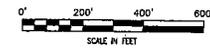


VICINITY MAP  
NO SCALE

# BOUNDARY MAP LOT 2-A-1-A CENTRAL MAUI SANITARY LANDFILL SUBDIVISION

Being a Portion of Grant 3343 to Claus Spreckels

SITUATE  
PUUNENE, WAILUKU, MAUI, HAWAII



OWNER:  
ALEXANDER & BALDWIN, LLC



THE WORK WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION  
*William R. Stein*  
DATE: 7/16/2020  
LICENSED PROFESSIONAL LAND SURVEYOR  
LICENSE NUMBER: LS-10599  
EXPIRATION DATE: 4/30/2022

**NOTES:**

1. ADMITTES AND COORDINATES REFERRED TO GOVERNMENT SURVEY TRIANGULATION STATION "PUU HEHE 2".
2. OWNERS OF ADJOINING LAND TAKEN FROM RECORDS OF THE REAL PROPERTY MAPPING BRANCH.
3. SET 3" PINE AT ALL FEASIBLE LOT CORNER UNLESS NOTED OTHERWISE.
4. RIGHT-OF-WAY FOR PULEHU ROAD IS BASED ON THE FIELD LOCATION OF THE EXISTING PAVEMENT CENTERLINE AND SHALL BE USED FOR THE PURPOSE OF THIS SURVEY ONLY.

**EASEMENTS AND SERVITUDES:**

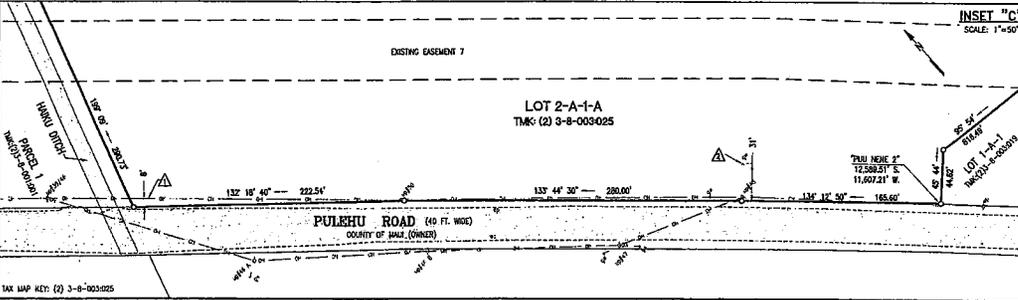
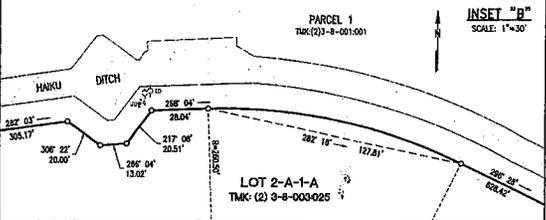
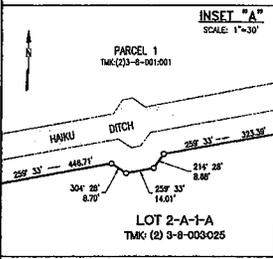
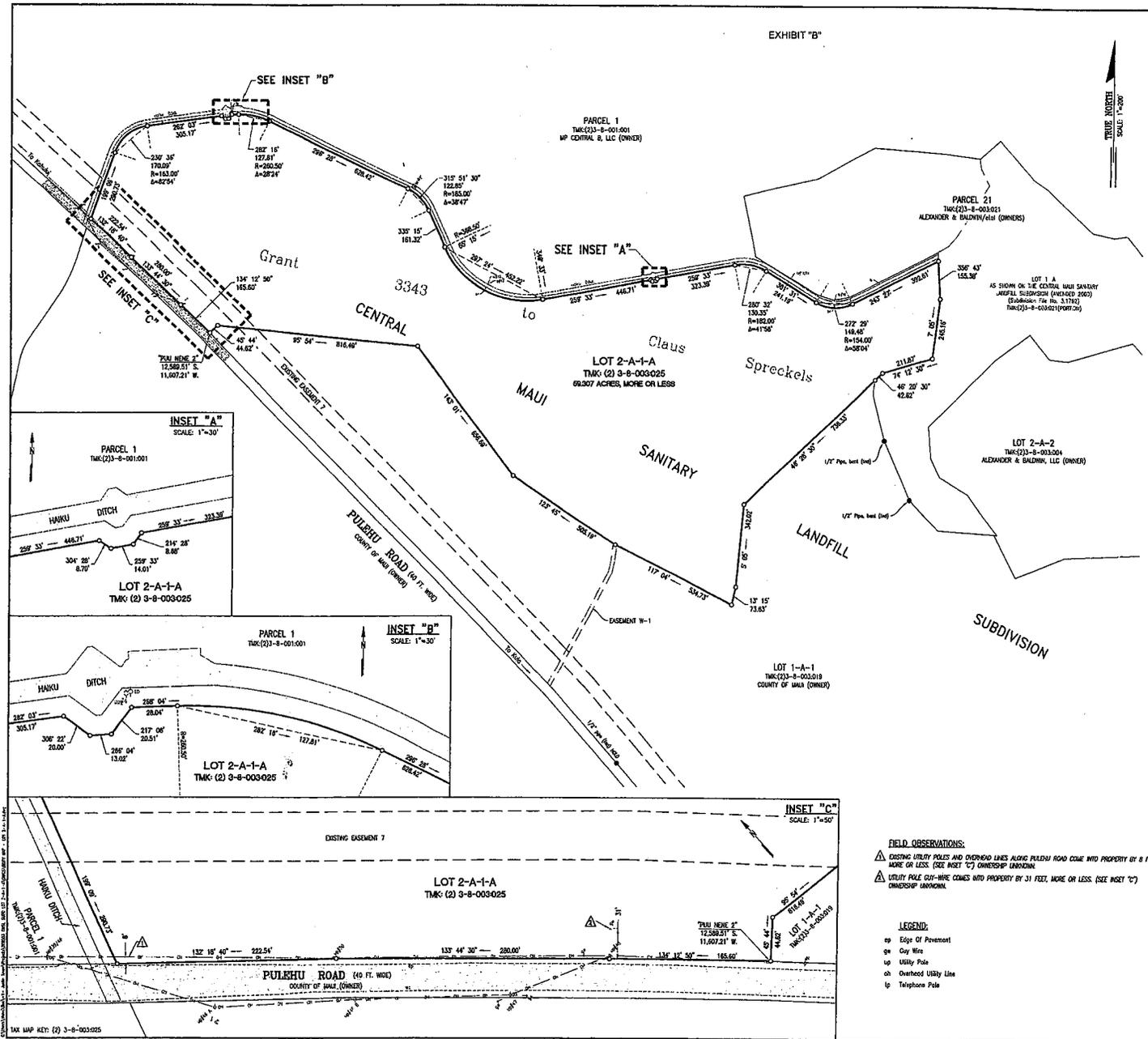
- A. SUBJECT TO MINERAL AND WATER RIGHTS OF ANY NATURE.
- B. EXISTING EASEMENT 7 FOR ELECTRICAL TRANSMISSION LINE PURSUANT TO FINAL ORDER OF CONDEMNATION IN FAVOR OF MAUI ELECTRIC COMPANY, LIMITED, RECORDED AS DOCUMENT NO. 85-170186, DATED NOVEMBER 26, 1955.
- C. GRANT OF EASEMENT FOR INGRESS AND EGRESS AND UTILITY PURPOSES IN FAVOR OF MAUI ELECTRIC COMPANY, LIMITED AND HAWAIIAN TELECOM, INC., RECORDED IN LIBER 23097 PAGE 74, DATED MARCH 8, 1989, (SEE SAID DOCUMENT FOR EASEMENT LOCATION).
- D. CLAIMS ARISING OUT OF CUSTOMARY AND TRADITIONAL RIGHTS AND PRACTICES, INCLUDING WITHOUT LIMITATION, THOSE EXPRESSED FOR SUBSISTENCE, CULTURAL, RELIGIOUS, ACCESS OR OTHERWISE PURPOSES, AS PROVIDED FOR IN THE HAWAII CONSTITUTION OR THE HAWAII REVISED STATUTES.

**FIELD OBSERVATIONS:**

- EXISTING UTILITY POLES AND OVERHEAD LINES ALONG PULEHU ROAD COME INTO PROPERTY BY 8 FEET, MORE OR LESS. (SEE INSET "C") OWNERSHIP UNKNOWN.
- UTILITY POLE OUT-WIRE COMES INTO PROPERTY BY 31 FEET, MORE OR LESS. (SEE INSET "C") OWNERSHIP UNKNOWN.

**LEGEND:**

- sp Edge of Pavement
- sw Gray Wire
- so Utility Pole
- oh Overhead Utility Line
- lp Telephone Pole



TAX MAP KEY: (2) 3-8-003025  
JOB NUMBER: 200363  
A & B PROPERTIES - HAWAII, LLC  
PROPERTIES - SURVEY DIVISION  
DATE: JULY 16, 2020  
22' x 34'

