

Resolution

No. 25-107

AUTHORIZING THE ACQUISITION OF REAL PROPERTY CONSISTING OF
4,163 SQUARE FEET IDENTIFIED AS TAX MAP KEY NO. (2) 3-4-017:027
SITUATED AT WAILUKU, MAUI, HAWAII,
FOR AN AMOUNT NOT TO EXCEED \$3,200,000.00

WHEREAS, MENTAL HEALTH KOKUA, a Hawaii nonprofit corporation (hereinafter "Owner"), is the owner in fee simple of a certain real property located at 105 North Market Street, Wailuku, Maui, Hawaii, consisting of approximately 4,163 square feet, identified for real property tax purposes as tax map key number (2) 3-4-017:027 (the "Property"), which Property is more particularly described in Exhibit "A", and depicted on the map attached hereto as Exhibit "B", both of which are incorporated herein by reference; and

WHEREAS, Owner expressed a desire to sell the 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 of THREE MILLION TWO HUNDRED THOUSAND AND NO/100 DOLLARS (\$3,200,000.00) plus customary expenses; and

WHEREAS, the Property is currently leased to the County of Maui Department of Management for Office of Recovery staff;

WHEREAS, the Director of Finance has determined that acquisition of the Property is in the public interest; and

WHEREAS, Section 3.44.015(C), Maui County Code, requires that the Council authorize by resolution any acquisition of real property with a purchase price that exceeds \$250,000.00; and

WHEREAS, pursuant to Section 3.44.015(D), Maui County Code, the County Council may accept any interest in real property by the passage of a resolution approved by a majority of its members, now therefore;

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

1. That the Council finds the acquisition of the Property to be in the public interest; and
2. That pursuant to Section 3.44.015(C), Maui County Code, the Council authorizes the acquisition of the Property for an

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amount not to exceed THREE MILLION TWO HUNDRED THOUSAND AND NO/100 DOLLARS (\$3,200,000.00), exclusive of closing costs and expenses; and

3. That it does hereby authorize the Mayor or the Mayor's duly authorized representative, to execute all necessary documents in connection with the acquisition of the Property and acceptance of said dedication; and
4. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, the Managing Director, and the Owner, Mental Health Kokua.

APPROVED AS TO FORM
AND LEGALITY:



KRISTINA C. TOSHIKYO
Deputy Corporation Counsel
County of Maui

2025-0017

2025-04-22 RESOLUTION 105 North Market Street Acquisition

EXHIBIT "A"
Legal Description

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 1998, Land Commission Award Number 5228, Apana 1, Mahele 2 to Kuihelani) situate, lying and being at Peepee, Wailuku, Island and County of Maui, State of Hawaii, being LOT 1 of the "VINEYARD STREET ROAD WIDENING SUBDIVISION", and thus bounded and described:

Beginning at a cross "+" on sidewalk found at the northeast corner of this parcel of land, on the west side of North Market Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 3,357.39 feet north and 2,175.74 feet west and running by azimuths measured clockwise from true South:

1. 330° 30' 30" 25.46 feet along the west side of North Market Street to a cross ("+") set on concrete;

Thence along Lot 2, Vineyard Street Road Widening Subdivision, said Lot 2 being a portion of Royal Patent 1998, Land Commission Award 5228, Apana 1, Mahele 2, to Kuihelani, on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance to a 1/2" pipe set being:

2. 15° 57' 20" 28.50 feet;
3. 61° 24' 09" 72.71 feet along Lot 2, Vineyard Street Road Widening Subdivision, said Lot 2 being a portion of Royal Patent 1998, Land Commission Award 5228, Apana 1, Mahele 2, to Kuihelani, to a 1/2" pipe set;
4. 151° 56' 00" 46.22 feet along TMK (2) 3-4-017-028, said parcel being a portion of Royal Patent 1998, Land Commission Award 5228, Apana 1, Mahele 2, to Kuihelani, to a 1/2" pipe found;

SCHEDULE C CONTINUED

5. 241° 41' 00" 91.88 feet along TMK (2) 3-4-017-142,
said lot being a portion of Royal
Patent 1998, Land Commission Award
5228, Apana 1, Mahele 2, to
Kuihelani, to the point of
beginning and containing an area of
4,163 square feet, more or less.

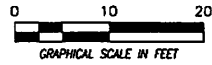
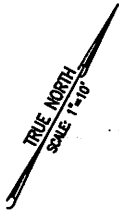
BEING THE PREMISES ACQUIRED BY WARRANTY DEED

GRANTOR : DKK PROPERTIES, LLC, a Hawaii limited liability
company

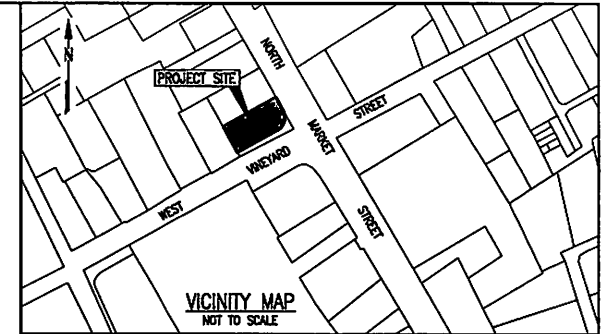
GRANTEE : MENTAL HEALTH KOKUA*, a Hawaii nonprofit
corporation

DATED : December 21, 2015

RECORDED : Document No. A-58400118



TAX: (2)3-4-017:142
BRENER, MICHAEL TRUST (Owner)



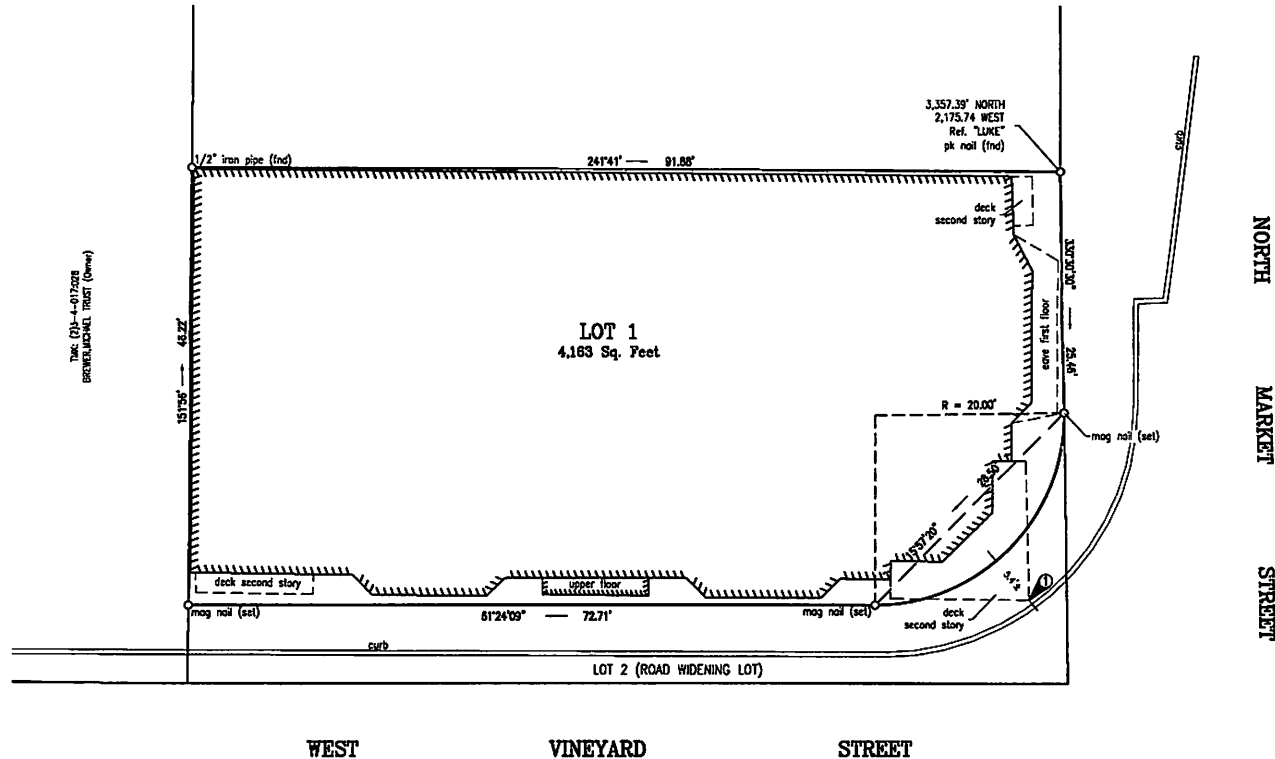
TAX: (2)3-4-017:027
BRENER, MICHAEL TRUST (Owner)

FIELD OBSERVATIONS:

- ① SECOND STORY DECK INTO LOT 2 UP TO 5.4'±.

NOTES:

1. ALL AZIMUTHS AND RECORD COORDINATES, REFER TO GOVERNMENT SURVEY TRIANGULATION STATION "LUKE".
2. OWNERS OF ADJOINING LAND TAKEN FROM RECORDS OF THE REAL PROPERTY MAPPING DIVISION.
3. THIS MAP IS BASED ON AN ACTUAL FIELD SURVEY PERFORMED ON MARCH 5, 2023.



BOUNDARY SURVEY OF LOT 1
VINEYARD STREET ROAD WIDENING SUBDIVISION
(LUCA File No. 3.1973)
Being a portion of Royal Patent 1998, Land Commission Award
5228, Apana 1, Mahele 2 to Kūihelani
situated at Peepoo, Wailuku, Maui, Hawaii

THE WORK WAS PREPARED BY ME OR UNDER MY
DIRECT SUPERVISION

Justin D. Leisy
JUSTIN D. LEISY
LICENSED PROFESSIONAL LAND SURVEYOR
CERTIFICATE NUMBER LS-20314
EXPIRATION DATE: 4/30/2028



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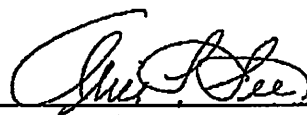
TAX MAP KEY: (2)3-4-017:027

JOB NUMBER: 23-014

DATE: 3/14/2025

15" x 21"

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "John A. Lee", is written over a horizontal line.

Upon the request of the Mayor.