

REQUEST FOR LEGAL SERVICES

Date: October 10, 2025
From: Yuki Lei K. Sugimura, Chair
Budget, Finance, and Economic Development Committee

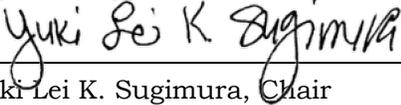
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Kristina C. Toshikiyo, Esq.

Subject: BILL 138 (2025), BILL 139 (2025), BILL 140 (2025), AND RESOLUTION 25-186, RELATING TO WEST MAUI LAND ACQUISITIONS (WEST MAUI COMMUNITY PLAN AREA)
(BFED-7)

Background Data: Please see Resolution 25-186, CD1 (2025). Please submit your response to bfed.committee@mauicounty.us with a reference to BFED-7.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY
 OTHER:

Requestor's signature  Yuki Lei K. Sugimura, Chair	Contact Person <u>Kirsten Szabo or Peter Hanano</u> (Telephone Extension: <u>7662 or 8007, respectively</u>)
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ROUTINE (WITHIN 15 WORKING DAYS) RUSH (WITHIN 5 WORKING DAYS)
 PRIORITY (WITHIN 10 WORKING DAYS) URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): October 15, 2025
REASON: For posting on the October 24, 2025, Council meeting agenda.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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TO REQUESTOR: APPROVED DISAPPROVED OTHER (SEE COMMENTS BELOW)
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): _____

DEPARTMENT OF THE CORPORATION COUNSEL

Date _____

By _____

(Rev. 7/03)

bfed:ltr:007acc03:kes

Attachment

Resolution

No. 25-186, CD1

AUTHORIZING THE ACQUISITION OF 120 PARCELS CONSISTING OF 7,059,694 SQUARE FEET, OR 162.07 ACRES, IDENTIFIED FOR REAL PROPERTY TAX PURPOSES AS TAX MAP KEYS (2) 4-6-011:000; (2) 4-6-013:001, 002, AND 016 THROUGH 046; (2) 4-6-014:001, 004, 007 THROUGH 014 AND 018; (2) 4-6-015:001 AND 005 THROUGH 007; (2) 4-6-016:002, 004, 040, AND 043 THROUGH 085; AND (2) 4-6-034:044 THROUGH 068, SITUATED AT LAHAINA, HAWAI'I, FOR UP TO \$20,000,000, EXCLUSIVE OF CLOSING COSTS AND EXPENSES, UNDER SUBSECTION 3.44.015(C), MAUI COUNTY CODE

WHEREAS, Hope Builders, Inc., is the owner in fee simple of 43 real property parcels located in Lahaina, Hawai'i, comprising 1,452,173 square feet, and the parcels are identified for Real Property Tax purposes with their respective square footage in Exhibit "A"; and

WHEREAS, Wainee Land & Homes, LLC, is the owner in fee simple of 74 real property parcels located in Lahaina, Hawai'i, comprising 2,763,428 square feet, and the parcels are identified for Real Property Tax purposes with their respective square footage in Exhibit "B"; and

WHEREAS, Hope Builders, Inc. and Wainee Land & Homes, LLC are the owners in fee simple of three real property parcels, located in Lahaina, Hawai'i, comprising 2,844,093 square feet, and the parcels are identified for Real Property Tax purposes with their respective square footage in Exhibit "C"; and

WHEREAS, the parcels of Hope Builders, Inc. and Wainee Land & Homes, LLC are referenced collectively as the "Parcels"; and

WHEREAS, the Parcels are depicted in Exhibit "D" and are referenced collectively as SLD 71 and SLD 73; and

WHEREAS, updated preliminary title reports are in progress and will be submitted to the Council before October 7, 2025; and

WHEREAS, updated property descriptions are in progress and will be submitted to the Council before October 24, 2025; and

WHEREAS, the appraisal for the Parcels is in Exhibit "E"; and

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WHEREAS, Hope Builders, Inc. is a Hawai'i domestic profit corporation whose President is Peter K. Martin, and Wainee Land & Homes, LLC is a Hawai'i domestic limited liability company, whose manager is Peter Klint Martin, Trustee of the Peter Klint Martin Revocable Trust Dated April 11, 1995; and

WHEREAS, Hope Builders, Inc. and Wainee Land & Homes, LLC expressed a desire to sell the Parcels to the County and the parties intend to enter into a Real Property Purchase and Sale Agreement at the agreed upon price of \$20 million, exclusive of closing costs and expenses; and

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

WHEREAS, the intended uses of the Parcels are for public projects including Lahaina flood control, Kuhua Street extension, Mill Street improvements, park expansions, and for community projects such as the Salvation Army relocation for Moku'ula, Ka Hale A Ke Ola expansion, and other community needs; and

WHEREAS, Subsection 3.44.015(C), Maui County Code, requires that an acquisition of real property with a purchase price that exceeds \$250,000 be authorized by the Council by resolution; now, therefore,

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

1. That it authorizes the acquisition of 120 parcels consisting of 7,059,694 square feet, or 162.07 acres, identified for Real Property Tax Purposes as Tax Map Keys (2) 4-6-011:000; (2) 4-6-013:001, 002, and 016 through 046; (2) 4-6-014:001, 004, 007 through 014, and 018; (2) 4-6-015:001 and 005 through 007; (2) 4-6-016:002, 004, 040, and 043 through 085; and, (2) 4-6-034:044 through 068, situated at Lahaina, Hawai'i, for up to \$20,000,000, exclusive of closing costs and expenses, under Subsection 3.44.015(C), Maui County Code;
2. That it finds the acquisition of the Parcels to be in the public interest;

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3. That it authorizes the Mayor to execute all necessary documents in connection with the acquisition of the Parcels; and
4. That certified copies of this Resolution be transmitted to the Mayor; Director of Finance; Director of Public Works; and Peter K. Martin, President, Hope Builders Inc., and Manager of Wainee Land & Homes, LLC.

APPROVED AS TO FORM AND LEGALITY:

KRISTINA C. TOSHIKIYO
Deputy Corporation Counsel
County of Maui

bfed:misc:007areso01

INTRODUCED BY:

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

ALICE L. LEE

Upon the request of the Mayor.

BFED Committee

From: BFED Committee
Sent: Tuesday, October 14, 2025 10:35 PM
To: 'CorpCounselRFLS@co.maui.hi.us'
Cc: 'Kristina.C.Toshikiyo@co.maui.hi.us'
Subject: BILL 138 (2025), BILL 139 (2025), BILL 140 (2025), AND RESOLUTION 25-186, RELATING TO WEST MAUI LAND ACQUISITIONS (WEST MAUI COMMUNITY PLAN AREA) (BFED-7)
Attachments: Correspondence to Corporation Counsel 10-10-2025 Reso 25-186.pdf
Importance: High