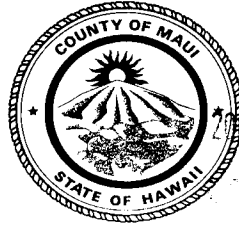


ALAN M. ARAKAWA
Mayor

DAVID C. GOODE
Director

ROWENA M. DAGDAG-ANDAYA
Deputy Director



GLEN A. UENO, P.E., P.L.S
Development Services Administration

CARY YAMASHITA, P.E.
Engineering Division

JOHN R. SMITH, P.E., ACTING
Highways Division

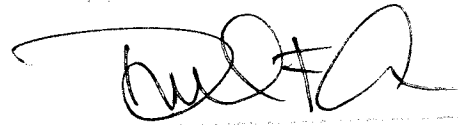
RECEIVED

2017 MAY 10 AM 11:16

COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS
DEVELOPMENT SERVICES ADMINISTRATION
250 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793

May 2, 2017

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

APPROVED

Acting Mayor
Date 5.10.2017
FOR

For Transmittal to:

Honorable Elle Cochran, Chair
Infrastructure and Environmental Management Committee
Maui County Council
200 South High Street
Wailuku, Hawaii 96793

Dear Chair Cochran:

SUBJECT: KILOHANA DRIVE ROAD ACQUISITION (IEM-002)

This is in response to your letter dated April 10, 2017, in which you request information related to the acquisition of roadway lots. In response to your letter, we offer the following:

Question: Provide an overview/summary identifying size, length, square footage/acreage of lot dedication. (This information may be on the attached map, but to prevent misinterpreting the data as a summary would be helpful.)

Response: Lot 1-A-2 of Land Court Application 1804 (Map 41):

- Size: 50 feet wide
- Length: 2,800 lineal feet
- Area: 3.868 acres

RECEIVED
OFFICE OF THE
COUNTY CLERK
MAY 10 2017

Honorable Alan Arakawa
For Transmittal to:
Honorable Elle Cochran
May 2, 2017
Page 2

Lot B-3 of Kamaole Homesteads:

- Size: 5-29 feet wide
- Length: 1,950 lineal feet
- Area: 0.764 acres

Question: Identify the rationale, specific subdivision or County condition, if any, that is requiring acquisition of the road lot dedication.

Response: Lot 1-A-2 is road lot created from Land Court Application 1804 and Lot B-3 is a road lot created from the Kamaole Homesteads Subdivision. Both of these road lots are constructed to county standards.

Question: Specify details of the subdivision or related development the dedication will serve.

Response: These roadway lots service the surrounding developments for general access purposes.

Question: If County revenue was utilized for the acquisition, please indicate the amount.

Response: No county funds used.

Question: Outline details of how the dedication will enhance road conditions and vehicle traffic in the area.

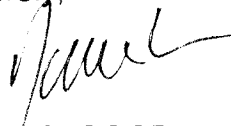
Response: Lot 1-A-2 and Lot B-3 are road lots that connect South Kihei Road to Piilani Highway. This will provide another east/west access between the two roadways.

Question: Provide any documents that were executed for the road lot dedication.

Response: Warranty Deed attached.

If you have any questions, please feel free to contact me at Ext. 7845.

Sincerely,



DAVID C. GOODE
Director of Public Works

Attachments

ch

S:\DSA\Engr\CH\Subdivisions\ROAD DEDICATIONS\Council Inquiries\Kilohana Drive road acquisition - response.doc



STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED

December 27, 2016 8:01 AM

Doc No(s) A-62050382



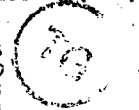
1 4/4 OFC
B-32921353

/s/ LESLIE T. KOBATA
REGISTRAR

Conveyance Tax: \$0.00

LAND COURT *mf/cy* REGULAR SYSTEM
AFTER RECORDATION, RETURN BY: MAIL (XX) PICKUP ()
COUNTY OF MAUI
Department of Finance
200 South High Street
Wailuku, Hawaii 96793

TITLE GUARANTY OF HAWAII HAS
FILED THIS DOCUMENT FOR RECORD
AS AN ACCOMMODATION ONLY. THIS
DOCUMENT HAS NOT BEEN
REVIEWED OR IN ANY WAY EXAMINED
AS TO ITS EFFECT ON REAL PROPERTY.



S:\ENG\ALL\lrm\SampleForms\WARRANTY DEED 2016 - DSA

R/S
④

TMK No. (2) 2-1-008-044 Total No. of Pages: 14 /

Subdivision File No. _____

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That A&B Wailea LLC, a Hawaii limited liability company,
whose address is 822 Bishop Street, Honolulu, Hawaii 96813,
(hereinafter the "Grantor"), pursuant to Section 3.44.015 F.4 of
the Maui County Code, does hereby convey to the COUNTY OF MAUI, a
political subdivision of the State of Hawaii, whose principal
office and mailing address is 200 South High Street, Wailuku,
Hawaii 96793, (hereinafter "Grantee"), that certain property
situate at Kihei, Maui, Hawaii, more particularly described and shown
in Exhibit "A", attached hereto and incorporated herein by reference,

unto the Grantee, as Tenant in Severalty, its legal successors and assigns, forever, including the reversions, remainders, rents, issues and profits thereof and all of the estate, right, title and interests of Grantor, both at law and in equity, therein and thereto.

TO HAVE AND TO HOLD the same, together with all buildings, improvements, tenements, rights, easements, hereditaments, privileges and appurtenances thereto belonging or appertaining, or held and enjoyed in connection therewith unto the Grantee according to the tenancy hereinabove set forth, absolutely and in fee simple, forever.

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized in fee simple of the described real and personal property and that the Grantor has good right to convey the same as aforesaid; that the property is free and clear of all encumbrances, except as may be described in Exhibit "A"; and the Grantor will WARRANT AND DEFEND the same unto Grantee, forever, against the lawful claims and demands of all persons.

It is understood and agreed that the term "property" shall be deemed to mean and include the property specifically described in Exhibit "A", all buildings and improvements thereon (including any personal property described in Exhibit "A") and all rights, easements, privileges and appurtenances in connection therewith, that the terms "Grantor" and "Grantee", as and when used herein, or any pronouns used in place thereof, shall mean and include the masculine and/or feminine, the singular or plural number, individuals, firms or corporations, that the rights and

obligations of the Grantor and Grantee shall be binding upon and inure to the benefit of their respective estates, heirs, personal representatives, successors in trust and assigns and that where there is more than one Grantor or Grantee, any covenants of the respective party shall be and for all purposes deemed to be joint and several.

IN WITNESS WHEREOF, the undersigned have executed this instrument on this 7th day of December, 2016.

GRANTOR:

A&B WAILEA LLC
By A&B Properties, Inc.
Its Manager

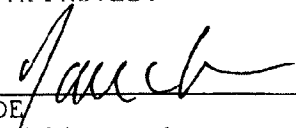
By 
name: **LANCE K. PARKER**
Its **PRESIDENT**

By 
name: **CHARLES W. LOOMIS**
Its **ASST. SECRETARY**

By _____
name:
Its

By _____
name:
Its

REVIEWED AND APPROVED:

By 

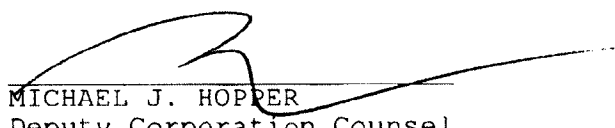
DAVID C. GOODE
Director of Public Works

ACCEPTED:

By 

DANILO F. AGSALOG
Director of Finance

APPROVED AS TO FORM
AND LEGALITY:



MICHAEL J. HOPPER
Deputy Corporation Counsel
County of Maui

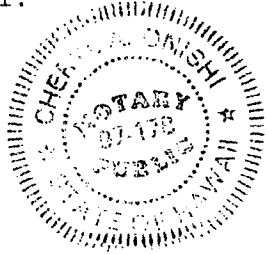
STATE OF HAWAII)
) SS.
CITY AND COUNTY OF HONOLULU)

copying

On this 27th day of May, 2016, before me personally appeared LANCE K. PARKER, to me personally known, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable in the capacities shown, having been duly authorized to execute such instrument in such capacities.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

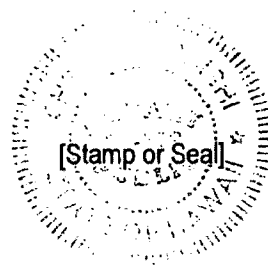
[Stamp or Seal]



Cheryl A. Onishi

NOTARY PUBLIC, State of Hawaii
Print Name CHERYL A. ONISHI
My commission expires: APR 17 2017

NOTARY PUBLIC CERTIFICATION			
Doc. Date:	<u>Undated</u>	# Pages:	<u>14</u>
Notary Name:	<u>CHERYL A. ONISHI</u>	Judicial Circuit:	<u>FIRST</u>
Doc. Description:	<u>Warranty deed</u>		
Notary Signature:	<i>Cheryl A. Onishi</i>		
Date:	<u>5/27/16</u>		



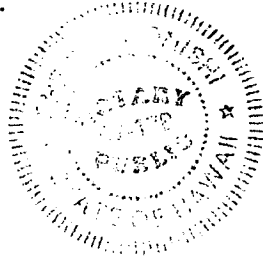
STATE OF HAWAII)
) SS.
CITY AND COUNTY OF HONOLULU)

copy

On this 27th day of May, 2016, before me personally appeared CHARLES W. LOOMIS, to me personally known, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable in the capacities shown, having been duly authorized to execute such instrument in such capacities.

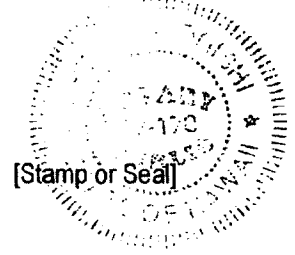
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

[Stamp or Seal]



Cheryl A. Onishi
NOTARY PUBLIC, State of Hawaii
Print Name CHERYL A. ONISHI
My commission expires: APR 17 2017

NOTARY PUBLIC CERTIFICATION			
Doc. Date:	<u>Undated</u>	# Pages:	<u>14</u>
Notary Name:	<u>CHERYL A. ONISHI</u>	Judicial Circuit:	<u>First</u>
Doc. Description:	<u>Warranty Deed</u>		
Notary Signature:	<u>Cheryl A. Onishi</u>		
Date:	<u>5/27/16</u>		



[Stamp or Seal]

STATE OF HAWAII)
) SS.
COUNTY OF _____)

On this _____ day of _____, 20____, before me personally appeared _____, to me personally known, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable in the capacities shown, having been duly authorized to execute such instrument in such capacities.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

[Stamp or Seal]

NOTARY PUBLIC, State of Hawaii
Print Name _____
My commission expires: _____

NOTARY PUBLIC CERTIFICATION	
Doc. Date: _____	# Pages: _____
Notary Name: _____	Judicial Circuit: _____
Doc. Description: _____ _____ _____ _____	
Notary Signature: _____	[Stamp or Seal]
Date: _____	

STATE OF HAWAII)
) SS.
COUNTY OF _____)

On this _____ day of _____, 20____, before me personally appeared _____, to me personally known, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable in the capacities shown, having been duly authorized to execute such instrument in such capacities.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

[Stamp or Seal]

NOTARY PUBLIC, State of Hawaii
Print Name _____
My commission expires: _____

NOTARY PUBLIC CERTIFICATION	
Doc. Date: _____	# Pages: _____
Notary Name: _____	Judicial Circuit: _____
Doc. Description: _____	

Notary Signature: _____	[Stamp or Seal]
Date: _____	

EXHIBIT "A"

Parcel First:

All of that certain parcel of land situate at Honuaula, Island and County of Maui, State of Hawaii, being the land(s) described in deregistered Transfer Certificate of Title No. 667,220 recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A-46260841, described as follows:

LOT 1-A-2, area 3.868 acres, more or less, as shown on Map 41, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1804 of Matson Navigation Company, which lot has been deregistered from the Land Court System pursuant to Hawaii Revised Statutes Section 501-261.

Parcel Second:

KAMAOLE HOMESTEADS
LOT B-3

Being a portion of Grant 548 to J. Y. Kanehoa situated at Kamaole, Kula, Island and County of Maui, State of Hawaii.

Beginning at the Southeastern corner of this lot, being also the North side of Lot 1-A-2 as shown on Map 41 of Land Court Application 1804 (Kilohana Drive), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAMAOLE" being:

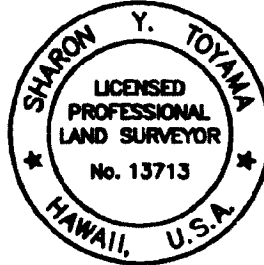
7,537.60 feet South
2,898.78 feet East

and running by azimuths measured clockwise from True South:

- | | | | |
|----|-------------|----------|--|
| 1. | 65° 09' 56" | 1,953.29 | feet along Lot 1-A-2 as shown on Map 41 of Land Court Application 1804 (Kilohana Drive); |
| 2. | 164° 42' | 29.37 | feet along South Kihei Road; |
| 3. | 245° 52' | 1,950.39 | feet along Lot 1 of Kamaole Beach Lots, Grant S-15,636 to Seibu Hawaii, Inc., Lot 10-B of the Sakihara Tract No. 2, Lots 12, 13, 14 15, 34 (Waikai Street), 17, 18,19,20, 21, 22, 23, 24, 33 (Lawakua Street), 27, 28, and 29 of Kilohana Hema Subdivision (Subdivision File No. 3.1994), being also along Grant 5008 to Henry Waterhouse Trust Co., Ltd.; |
| 4. | 354° 52' | 5.41 | feet along Lot 1 of Hale Kilohana Subdivision II, Part A (File Plan 1763), being also a remainder of Grant 548 to J. Y. Kanehoa to the point of beginning |

and containing an area of 0.764 Acre.

This work was prepared by me
or under my supervision.



FUKUMOTO ENGINEERING, INC.

A handwritten signature in cursive script that reads "Sharon Y. Toyama".

Sharon Y. Toyama
Licensed Professional Land Surveyor
Certificate Number 13713
License Expires: 4/30/18

1721 Wili Pa Loop, Suite 203
Wailuku, Hawaii 96793
March 28, 2016

Being the same premises conveyed to Grantor herein by Limited Warranty Deed dated October 1, 2003, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Land Court Document No. 3003664 and recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 2003-213292.

SUBJECT, HOWEVER, to the following:

1. Mineral and water rights of any nature in favor of the State of Hawaii.
2. As to Parcel First:
 - (a) Designation of Easement "B"
Purpose: waterline
Shown: on Map 2, as set forth by Land Court Order No. 26473,
filed November 22, 1968
 - (b) Grant
To: County of Maui
Dated: March 27, 1967
Filed: Land Court Document No. 416102
Granting: an easement over said Easement "B"
 - (c) Designation of Easement "D"
Purpose: waterline

- Shown: on Map 3, as set forth by Land Court Order No. 29241,
filed November 22, 1968
- (d) Designation of Easement "E"
Purpose: waterline
Shown: on Map 3, as set forth by Land Court Order No. 29241,
filed November 22, 1968
- (e) Grant
To: Board of Water Supply, County of Maui
Dated: December 9, 1969
Filed: Land Court Document No. 494258
Granting: an easement for waterlines over said Easement "D" and
"E", appurtenant to Lot 1-B-1
- (f) Grant of access right appurtenant to Lot 1-B-1, as granted by instrument
dated December 9, 1969, filed as Land Court Document No. 494258.
- (g) Designation of Easement "188"
Purpose: waterline
Shown: on Map 30, as set forth by Land Court Order No. 58392,
filed November 26, 1980
- (h) Grant
To: Maui Electric Company, Limited and GTE Hawaiian
Telephone Company Incorporated, now known as
Hawaiian Telecom, Inc.
Dated: July 2, 1981
Filed: Land Court Document No. 1081243
Granting: a right and easement for utility purposes
- (i) The terms and provisions contained in the following:
Instrument: Wailea Community Association Amended and Restated
Declaration of Covenants and Restrictions
Dated: July 13, 1998
Filed: Land Court Document No. 2479882
The foregoing Declaration restates the original Declaration dated December
19, 1986, filed as Land Court Document No. 1427923, and amended by
instrument dated April 6, 2004, filed as Land Court Document No.
3114057.
- (j) Grant
To: GST Telecom Hawaii, Inc., a Hawaii corporation
Dated: October 29, 1997
Filed: Land Court Document No. 2548041
Granting: a nonexclusive right and easement for remote circuit

facilities and/or underground communications lines and other appliances and equipment as may be necessary

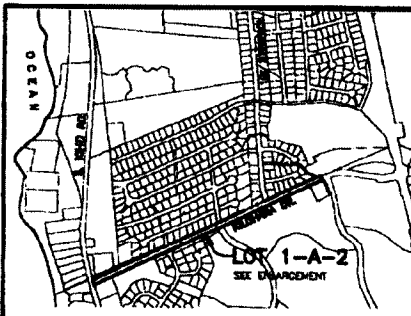
3. As to Parcel Second:

- (a) Grant
To: Maui Electric Company, Limited and GTE Hawaiian Telephone Company Incorporated, now known as Hawaiian Telcom, Inc.
Dated: July 2, 1981
Recorded: Liber 15762 Page 645
Granting: a right and easement for utility purposes
- (b) The effects, if any, of the following:
Grant of Easement dated May 21, 2003, recorded as Document No. 2003-118168.
- (c) The terms and provisions contained in the following:
Instrument: Free Flowage Agreement
Dated: May 10, 2002
Filed: Land Court Document No. 2849788
Recorded: Document No. 2002-181980
Parties: Kihei Partners, LLC, a Nevada limited liability company, and Kihei Pool Partners, LLC, a Nevada limited liability company, and Wailea Resort Company, Ltd., a Hawaii corporation

- 4. Grant
To: Kilohana Development, LLC, a Hawaii limited liability company
Dated: June 26, 2003
Filed: Land Court Document No. 2950997
Recorded: Document No. 2003-133720
Granting: an easement for access purposes

- 5. Grant
To: Kilohana Waena Corp., a Hawaii corporation
Dated: August 30, 2005
Filed: Land Court Document No. 3321530
Recorded: Document No. 2005-176192
Granting: a non-exclusive easement for roadway access purposes

- 6. Grant
To: CKW Maui, LLC, a Hawaii limited liability company
Dated: October 25, 2012
Recorded: Document No. A-46860447
Granting: a nonexclusive easement



LOT 1-A-2 AS SHOWN ON MAP 41 OF LAND COURT APPLICATION 1804

HONUAULA, MAUI, HAWAII

SCALE: 1 IN. = 1,500 FT.

DATE: AUGUST 24, 2015

OWNER:

A&B WAILEA LLC
822 BISHOP STREET
HONOLULU, HAWAII 96813

PREPARED BY:

FUKUMOTO ENGINEERING, INC.
1721 WAI PA LOOP, SUITE 203
WAILUKU, HAWAII 96783



NOTES:

1. ALL AZIMUTHS AND RECORD COORDINATES REFER TO GOVERNMENT SURVEY TRIANGULATION STATION "PUU 10" AS SHOWN ON MAP 1.
2. OWNERS OF ADJOINING PARCELS ARE FROM RECORDS IN THE TAX MAPS BRANCH.
3. LOT 1-A-2 (3.888 AC.) AS SHOWN ON MAP 41 WILL BE DEDICATED TO THE COUNTY OF MAUI AS A ROAD LOT.

LISTING OF ADJACENT OWNER(S)

LOT#	TAX (2)	OWNER(S)
1	3-8-038-001	ASSIS, CESAR S. & MICHELLE M.
2	3-8-038-003	STEVENS, CURT L. & SERVATO, KARL R.
3	3-8-038-004	BRADY-DYKOR, HELEN A.
4	3-8-038-006	STADLMAN, RUTH M. & JANE D.
5	3-8-038-006	PROUTY, DENNIS C. & DEBORAH K.
6	3-8-038-007	JOHANNES, COLAD & LINDA
7	3-8-038-008	EWING, GARY M. & BRENEDIC, VIVI K.

LISTING OF ADJACENT OWNER(S)

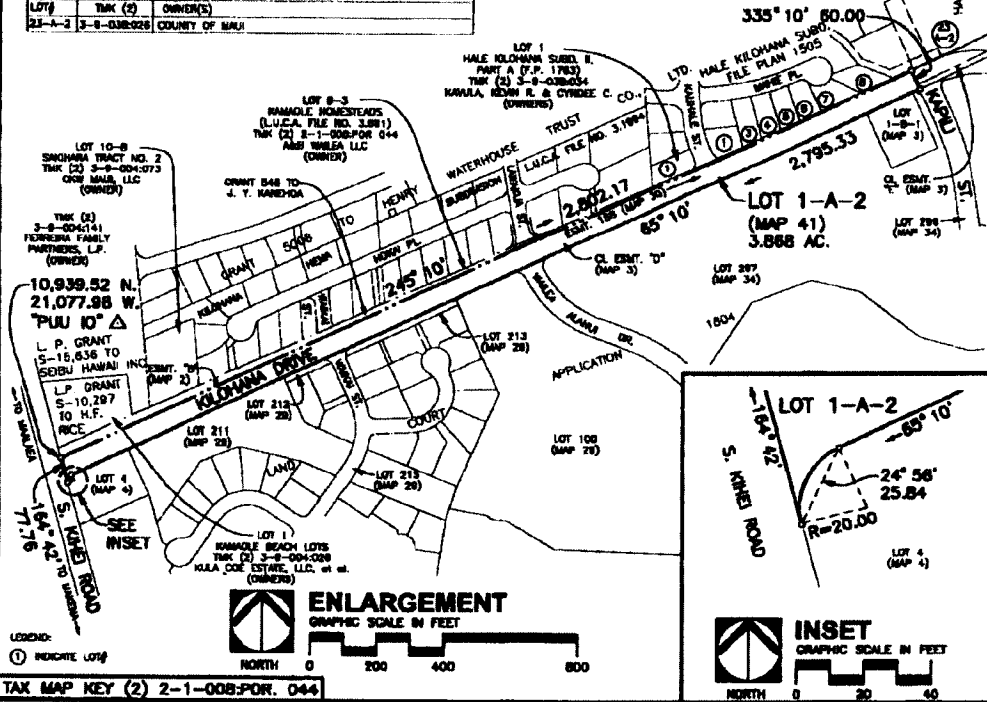
LOT#	MAP#	TAX (2)	OWNER(S)
4	4	2-1-021-001	COUNTY OF MAUI
100	20	2-1-008-084	PAPALI WAILEA CONDO, et al.
211	28	2-1-021-108	WAILEA KM HOMEITES ASSOCIATION
212	28	2-1-021-107	WAILEA KM HOMEITES ASSOCIATION
213	28	2-1-021-108	WAILEA KM HOMEITES ASSOCIATION
215	28	2-1-021-113	WAILEA KM HOMEITES ASSOCIATION (WAIPI ST.)
287	34	2-1-008-087	COUNTY OF MAUI
294	34	2-1-008-147	A & B WAILEA LLC (WAIPI ST.)
1-8-1	3	2-1-008-035	COUNTY OF MAUI

HALE KILOHAMA SUBDIVISION (FILE PLAN NO. 1303, COUNTY SUBD. FILE NO. 3.1842)

LOT#	TAX (2)	OWNER(S)
21-A-2	3-8-038-028	COUNTY OF MAUI

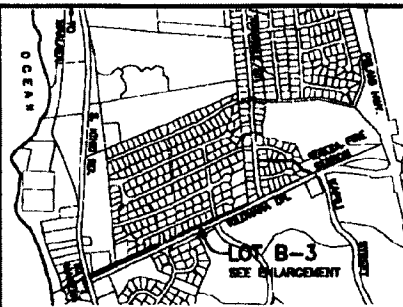
LAND COURT APPLICATION 1804

LOT#	MAP#	TAX (2)	OWNER(S)
4	4	2-1-021-001	COUNTY OF MAUI
100	20	2-1-008-084	PAPALI WAILEA CONDO, et al.
211	28	2-1-021-108	WAILEA KM HOMEITES ASSOCIATION
212	28	2-1-021-107	WAILEA KM HOMEITES ASSOCIATION
213	28	2-1-021-108	WAILEA KM HOMEITES ASSOCIATION
215	28	2-1-021-113	WAILEA KM HOMEITES ASSOCIATION (WAIPI ST.)
287	34	2-1-008-087	COUNTY OF MAUI
294	34	2-1-008-147	A & B WAILEA LLC (WAIPI ST.)
1-8-1	3	2-1-008-035	COUNTY OF MAUI



LEGEND:
① INDICATE LOT#

TAX MAP KEY (2) 2-1-008-POR. 044



LOT B-3 OF KAMAOLE HOMESTEADS

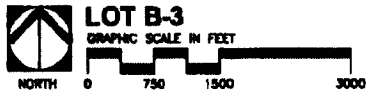
BEING A PORTION OF GRANT 548 TO J.Y. KANEHOA
 KAMAOLE, KULA, MAUI, HAWAII

SCALE: 1 IN.=1,500 FT.

OWNER:
 A&B WAILEA LLC
 822 BISHOP STREET
 HONOLULU, HAWAII 96813

DATE: AUGUST 24, 2015

PREPARED BY:
 FUKUNOTO ENGINEERING, INC.
 1721 WLI PA LOOP, SUITE 203
 HAILUHU, HAWAII 96783

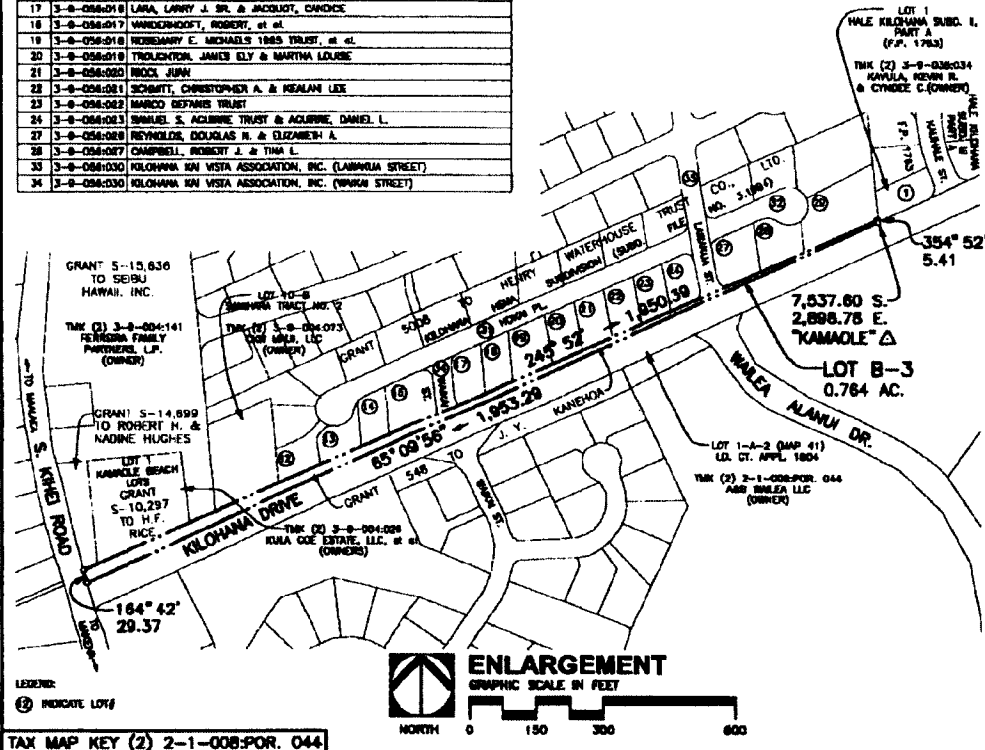


- NOTES:
1. ALL AZIMUTHS AND RECORD COORDINATES REFER TO GOVERNMENT SURVEY TRIANGULATION STATION "KAMAOLE".
 2. OWNERS OF ADJOINING PARCELS ARE FROM RECORDS IN THE TAX MAPS BRANCH.
 3. LOT B-3 (0.764 AC.) OF KAMAOLE HOMESTEADS (L.L.C.A. FILE NO. 3.861) WILL BE DEDICATED TO THE COUNTY OF MAUI AS A ROAD LOT.

TABLE OF ADJACENT OWNER(S)

KOLOHANA MEHA SUBDIVISION (SUBDIVISION FILE NO. 3.1884)

LOT #	TNR (2)	OWNERS
12	3-8-028-012	WINNEY 2014 PROPERTY TRUST
13	3-8-028-013	MURPHY, WILLIAM W. & BRUNSEN D.
14	3-8-028-014	MILES, JOHN & CASSANDRA
15	3-8-028-015	SCOTT N. HONERS TRUST & OWEN T.L. HONERS TRUST
16	3-8-028-016	LARA, LARRY J. SR. & JACQUOT, CANDICE
17	3-8-028-017	WANDERHOFF, ROBERT, et al.
18	3-8-028-018	ROSEMARY E. MICHAELS 1985 TRUST, et al.
19	3-8-028-019	TROUGHTON, JAMES ELY & MARTHA LOUISE
20	3-8-028-020	ROCK JUNG
21	3-8-028-021	SCAMIT, CHRISTOPHER A. & KEALANI LEE
22	3-8-028-022	MARCO BEPARI TRUST
23	3-8-028-023	EMUEL S. AQUIRRE TRUST & AQUIRRE, DANIEL L.
24	3-8-028-024	REYNOLDS, DOUGLAS H. & ELIZABETH A.
25	3-8-028-025	CHAMPLIN, ROBERT J. & TINA L.
26	3-8-028-026	KOLOHANA KAI VISTA ASSOCIATION, INC. (LAHAINA STREET)
27	3-8-028-027	KOLOHANA KAI VISTA ASSOCIATION, INC. (WAIKAI STREET)



TAX MAP KEY (2) 2-1-008-POR. 044