



DEPARTMENT OF
HOUSING AND HUMAN CONCERNS
 COUNTY OF MAUI

ALAN M. ARAKAWA
 Mayor

CAROL K. REIMANN
 Director

JAN SHISHIDO
 Deputy Director

RECEIVED

2016 AUG 16 AM 9:42

2200 MAIN STREET • SUITE 546 • WAILUKU, HAWAII 96793 • PHONE (808) 270-7805 • FAX (808) 270-7165
 MAILING ADDRESS: 200 SOUTH HIGH STREET • WAILUKU, HAWAII 96793 • EMAIL: director.hhc@mauicounty.gov

August 15, 2016

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

For Transmittal to:

Honorable Riki Hokama
 Chair, Budget and Finance Committee
 Maui County Council
 200 South High Street
 Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Alan Arakawa 8/16/16
 Signature Date

Dear Chair Hokama:

SUBJECT: 2016 WEST MAUI AFFORDABLE HOUSING FUND ANNUAL PLAN (FISCAL YEAR 2017 (JULY 1, 2016 TO JUNE 30, 2017)) (BF-13 (2))

Thank you for correspondence of August 4, 2016 requesting additional information and documents related to the above subject. The items requested in your letter are listed below in bold and are followed by the Department's responses.

1. **U.S. Housing and Urban Development affordable housing pricing guidelines**
 The single family rates for Maui are attached as Exhibit 1. A complete copy of the HUD affordable housing pricing guidelines is available on the County website.
2. **Notice for Requests for Proposals for projects requesting funding from the Affordable Housing Fund for projects in West Maui with an April 29, 2016 deadline**
 The requested information which was advertised in the Maui News on March 20th and March 27th, 2016 is attached as Exhibit 2.
3. **Evaluation and scoring documents for the Na Hale O Maui Kahoma Project and Habitat for Humanity Maui Kahoma Project (collectively the "Projects")**

The requested information is attached as Exhibit 3.

4. Documentation supporting the housing credit determination for the Kahoma Residential Subdivision Project, including the Residential Workforce Housing Agreement

A copy of the Residential Workforce Housing Agreement between West Maui Land Company, Inc. and the County of Maui is attached as Exhibit 4. The credit information/verification is located on page 9 - item #9 (highlighted).

5. Comparison of affordable housing credits earned for the Kahoma Residential Subdivision with the last five projects entered into Residential Workforce Housing Agreements

The requested information is attached as Exhibit 5.

6. Process and criteria to be used to determine the sale of any market-rate homes in the Kahoma Residential Subdivision

The Kahoma Residential Subdivision is a 100% affordable housing project - there are no market rate homes.

7. Site map plans for the Projects.

The requested information is attached as Exhibit 6.

8. Floor plans for the Projects.

The requested information for Habitat for Humanity Maui Kahoma project is attached as Exhibit 7. Na Hale O Maui is currently in the process of reviewing their floor plans to find a less costly structure and was not able to provide the requested information in time for this transmittal.

Thank you for the opportunity to provide this information. Should you have any questions, please feel free to contact me at Ext. 7805.

Sincerely,



CAROL K. REIMANN
Director of Housing and Human Concerns



Prepared by:
HOUSING DIVISION
 DEPARTMENT OF HOUSING AND HUMAN CONCERNS (DHHC)
 COUNTY OF MAUI

2016
 AFFORDABLE SALES PRICE GUIDELINES
MAUI (EXCEPT HANA)
 SINGLE FAMILY

Effective: **May 1, 2016**

Prevailing Int. Rate	No. of Bedrooms	Percent of Median Income											
		Very Low	Low Income			Below Moderate		Moderate		Above Moderate		Gap Income	
		50% & Below	(51% to 80%)			(81% to 100%)		(101% to 120%)		(121% to 140%)		(141% to 160%)	
		50%	60%	70%	80%	90%	100%	110%	120%	130%	140%	150%	160%
		\$40,750	\$48,900	\$57,050	\$65,200	\$73,350	\$81,500	\$89,650	\$97,800	\$105,950	\$114,100	\$122,250	\$130,400
4.000%	1	\$157,220	\$188,650	\$220,150	\$251,580	\$283,010	\$314,440	\$345,940	\$377,370	\$408,800	\$440,230	\$471,730	\$503,160
	2	\$190,910	\$229,075	\$267,325	\$305,490	\$343,655	\$381,820	\$420,070	\$458,235	\$496,400	\$534,565	\$572,815	\$610,980
	3	\$224,600	\$269,500	\$314,500	\$359,400	\$404,300	\$449,200	\$494,200	\$539,100	\$584,000	\$628,900	\$673,900	\$718,800
	4	\$258,290	\$309,925	\$361,675	\$413,310	\$464,945	\$516,580	\$568,330	\$619,965	\$671,600	\$723,235	\$774,985	\$826,620
4.125%	1	\$154,910	\$185,850	\$216,860	\$247,800	\$278,810	\$309,750	\$340,760	\$371,700	\$402,710	\$433,650	\$464,660	\$495,670
	2	\$188,105	\$225,675	\$263,330	\$300,900	\$338,555	\$376,125	\$413,780	\$451,350	\$489,005	\$526,575	\$564,230	\$601,885
	3	\$221,300	\$265,500	\$309,800	\$354,000	\$398,300	\$442,500	\$486,800	\$531,000	\$575,300	\$619,500	\$663,800	\$708,100
	4	\$254,495	\$305,325	\$356,270	\$407,100	\$458,045	\$508,875	\$559,820	\$610,650	\$661,595	\$712,425	\$763,370	\$814,315
4.250%	1	\$152,600	\$183,120	\$213,640	\$244,160	\$274,680	\$305,200	\$335,720	\$366,240	\$396,760	\$427,280	\$457,800	\$488,320
	2	\$185,300	\$222,360	\$259,420	\$296,480	\$333,540	\$370,600	\$407,660	\$444,720	\$481,780	\$518,840	\$555,900	\$592,960
	3	\$218,000	\$261,600	\$305,200	\$348,800	\$392,400	\$436,000	\$479,600	\$523,200	\$566,800	\$610,400	\$654,000	\$697,600
	4	\$250,700	\$300,840	\$350,980	\$401,120	\$451,260	\$501,400	\$551,540	\$601,680	\$651,820	\$701,960	\$752,100	\$802,240
4.375%	1	\$150,360	\$180,390	\$210,490	\$240,520	\$270,620	\$300,720	\$330,750	\$360,850	\$390,880	\$420,980	\$451,010	\$481,110
	2	\$182,580	\$219,045	\$255,595	\$292,060	\$328,610	\$365,160	\$401,625	\$438,175	\$474,640	\$511,190	\$547,655	\$584,205
	3	\$214,800	\$257,700	\$300,700	\$343,600	\$386,600	\$429,600	\$472,500	\$515,500	\$558,400	\$601,400	\$644,300	\$687,300
	4	\$247,020	\$296,355	\$345,805	\$395,140	\$444,590	\$494,040	\$543,375	\$592,825	\$642,160	\$691,610	\$740,945	\$790,395
4.500%	1	\$148,120	\$177,800	\$207,410	\$237,020	\$266,700	\$296,310	\$325,920	\$355,530	\$385,210	\$414,820	\$444,430	\$474,110
	2	\$179,860	\$215,900	\$251,855	\$287,810	\$323,850	\$359,805	\$395,760	\$431,715	\$467,755	\$503,710	\$539,665	\$575,705
	3	\$211,600	\$254,000	\$296,300	\$338,600	\$381,000	\$423,300	\$465,600	\$507,900	\$550,300	\$592,600	\$634,900	\$677,300
	4	\$243,340	\$292,100	\$340,745	\$389,390	\$438,150	\$486,795	\$535,440	\$584,085	\$632,845	\$681,490	\$730,135	\$778,895
4.625%	1	\$146,020	\$175,210	\$204,400	\$233,590	\$262,780	\$292,040	\$321,230	\$350,420	\$379,610	\$408,800	\$437,990	\$467,180
	2	\$177,310	\$212,755	\$248,200	\$283,645	\$319,090	\$354,620	\$390,065	\$425,510	\$460,955	\$496,400	\$531,845	\$567,290
	3	\$208,600	\$250,300	\$292,000	\$333,700	\$375,400	\$417,200	\$458,900	\$500,600	\$542,300	\$584,000	\$625,700	\$667,400
	4	\$239,890	\$287,845	\$335,800	\$383,755	\$431,710	\$479,780	\$527,735	\$575,690	\$623,645	\$671,600	\$719,555	\$767,510
4.750%	1	\$143,920	\$172,690	\$201,460	\$230,230	\$259,000	\$287,770	\$316,610	\$345,380	\$374,150	\$402,920	\$431,690	\$460,460
	2	\$174,760	\$209,695	\$244,630	\$279,565	\$314,500	\$349,435	\$384,455	\$419,390	\$454,325	\$489,260	\$524,195	\$559,130
	3	\$205,600	\$246,700	\$287,800	\$328,900	\$370,000	\$411,100	\$452,300	\$493,400	\$534,500	\$575,600	\$616,700	\$657,800
	4	\$236,440	\$283,705	\$330,970	\$378,235	\$425,500	\$472,765	\$520,145	\$567,410	\$614,675	\$661,940	\$709,205	\$756,470
4.875%	1	\$141,820	\$170,240	\$198,590	\$226,940	\$255,290	\$283,710	\$312,060	\$340,410	\$368,830	\$397,180	\$425,530	\$453,880
	2	\$172,210	\$206,720	\$241,145	\$275,570	\$309,995	\$344,505	\$378,930	\$413,355	\$447,865	\$482,290	\$516,715	\$551,140
	3	\$202,600	\$243,200	\$283,700	\$324,200	\$364,700	\$405,300	\$445,800	\$486,300	\$526,900	\$567,400	\$607,900	\$648,400
	4	\$232,990	\$279,680	\$326,255	\$372,830	\$419,405	\$466,095	\$512,670	\$559,245	\$605,935	\$652,510	\$699,085	\$745,660
5.000%	1	\$139,860	\$167,790	\$195,790	\$223,720	\$251,720	\$279,650	\$307,650	\$335,580	\$363,580	\$391,510	\$419,510	\$447,440
	2	\$169,830	\$203,745	\$237,745	\$271,660	\$305,660	\$339,575	\$373,575	\$407,490	\$441,490	\$475,405	\$509,405	\$543,320
	3	\$199,800	\$239,700	\$279,700	\$319,600	\$359,600	\$399,500	\$439,500	\$479,400	\$519,400	\$559,300	\$599,300	\$639,200
	4	\$229,770	\$275,655	\$321,655	\$367,540	\$413,540	\$459,425	\$505,425	\$551,310	\$597,310	\$643,195	\$689,195	\$735,080
5.125%	1	\$137,900	\$165,410	\$192,990	\$220,570	\$248,150	\$275,730	\$303,310	\$330,890	\$358,470	\$386,050	\$413,630	\$441,140
	2	\$167,450	\$200,855	\$234,345	\$267,835	\$301,325	\$334,815	\$368,305	\$401,795	\$435,285	\$468,775	\$502,265	\$535,670
	3	\$197,000	\$236,300	\$275,700	\$315,100	\$354,500	\$393,900	\$433,300	\$472,700	\$512,100	\$551,500	\$590,900	\$630,200
	4	\$226,550	\$271,745	\$317,055	\$362,365	\$407,675	\$452,985	\$498,295	\$543,605	\$588,915	\$634,225	\$679,535	\$724,730
5.250%	1	\$135,940	\$163,100	\$190,330	\$217,490	\$244,720	\$271,880	\$299,040	\$326,270	\$353,430	\$380,660	\$407,820	\$434,980
	2	\$165,070	\$198,050	\$231,115	\$264,095	\$297,160	\$330,140	\$363,120	\$396,185	\$429,165	\$462,230	\$495,210	\$528,190
	3	\$194,200	\$233,000	\$271,900	\$310,700	\$349,600	\$388,400	\$427,200	\$466,100	\$504,900	\$543,800	\$582,600	\$621,400
	4	\$223,330	\$267,950	\$312,685	\$357,305	\$402,040	\$446,660	\$491,280	\$536,015	\$580,635	\$625,370	\$669,990	\$714,610

EXHIBIT 1



Prepared by:
HOUSING DIVISION
 DEPARTMENT OF HOUSING AND HUMAN CONCERNS (DHHC)
 COUNTY OF MAUI

2016
 AFFORDABLE SALES PRICE GUIDELINES
MAUI (EXCEPT HANA)
 SINGLE FAMILY

Effective: **May 1, 2016**

Prevailing Int. Rate	No. of Bedroom	Percent of Median Income											
		Very Low	Low Income			Below Moderate		Moderate		Above Moderate		Gap Income	
		50% & Below	(51% to 80%)			(81% to 100%)		(101% to 120%)		(121% to 140%)		(141% to 160%)	
		50%	60%	70%	80%	90%	100%	110%	120%	130%	140%	150%	160%
		\$40,750	\$48,900	\$57,050	\$65,200	\$73,350	\$81,500	\$89,650	\$97,800	\$105,950	\$114,100	\$122,250	\$130,400
5.375%	1	\$134,050	\$160,860	\$187,670	\$214,480	\$241,290	\$268,100	\$294,910	\$321,720	\$348,530	\$375,340	\$402,150	\$428,960
	2	\$162,775	\$195,330	\$227,885	\$260,440	\$292,995	\$325,550	\$358,105	\$390,660	\$423,215	\$455,770	\$488,325	\$520,880
	3	\$191,500	\$229,800	\$268,100	\$306,400	\$344,700	\$383,000	\$421,300	\$459,600	\$497,900	\$536,200	\$574,500	\$612,800
	4	\$220,225	\$264,270	\$308,315	\$352,360	\$396,405	\$440,450	\$484,495	\$528,540	\$572,585	\$616,630	\$660,675	\$704,720
5.500%	1	\$132,230	\$158,620	\$185,080	\$211,540	\$238,000	\$264,390	\$290,850	\$317,310	\$343,770	\$370,160	\$396,620	\$423,080
	2	\$160,565	\$192,610	\$224,740	\$256,870	\$289,000	\$321,045	\$353,175	\$385,305	\$417,435	\$449,480	\$481,610	\$513,740
	3	\$188,900	\$226,600	\$264,400	\$302,200	\$340,000	\$377,700	\$415,500	\$453,300	\$491,100	\$528,800	\$566,600	\$604,400
	4	\$217,235	\$260,590	\$304,060	\$347,530	\$391,000	\$434,355	\$477,825	\$521,295	\$564,765	\$608,120	\$651,590	\$695,060
5.625%	1	\$130,410	\$156,450	\$182,560	\$208,670	\$234,710	\$260,820	\$286,860	\$312,970	\$339,010	\$365,120	\$391,230	\$417,270
	2	\$158,355	\$189,975	\$221,680	\$253,385	\$285,005	\$316,710	\$348,330	\$380,035	\$411,655	\$443,360	\$475,065	\$506,685
	3	\$186,300	\$223,500	\$260,800	\$298,100	\$335,300	\$372,600	\$409,800	\$447,100	\$484,300	\$521,600	\$558,900	\$596,100
	4	\$214,245	\$257,025	\$299,920	\$342,815	\$385,595	\$428,490	\$471,270	\$514,165	\$556,945	\$599,840	\$642,735	\$685,515
5.750%	1	\$128,660	\$154,350	\$180,110	\$205,800	\$231,560	\$257,250	\$283,010	\$308,700	\$334,460	\$360,150	\$385,910	\$411,600
	2	\$156,230	\$187,425	\$218,705	\$249,900	\$281,180	\$312,375	\$343,655	\$374,850	\$406,130	\$437,325	\$468,605	\$499,800
	3	\$183,800	\$220,500	\$257,300	\$294,000	\$330,800	\$367,500	\$404,300	\$441,000	\$477,800	\$514,500	\$551,300	\$588,000
	4	\$211,370	\$253,575	\$295,895	\$338,100	\$380,420	\$422,625	\$464,945	\$507,150	\$549,470	\$591,675	\$633,995	\$676,200
5.875%	1	\$126,910	\$152,250	\$177,660	\$203,070	\$228,410	\$253,820	\$279,160	\$304,570	\$329,910	\$355,320	\$380,730	\$406,070
	2	\$154,105	\$184,875	\$215,730	\$246,585	\$277,355	\$308,210	\$338,980	\$369,835	\$400,605	\$431,460	\$462,315	\$493,085
	3	\$181,300	\$217,500	\$253,800	\$290,100	\$326,300	\$362,600	\$398,800	\$435,100	\$471,300	\$507,600	\$543,900	\$580,100
	4	\$208,495	\$250,125	\$291,870	\$333,615	\$375,245	\$416,990	\$458,620	\$500,365	\$541,995	\$583,740	\$625,485	\$667,115
6.000%	1	\$125,230	\$150,220	\$175,280	\$200,340	\$225,400	\$250,390	\$275,450	\$300,510	\$325,500	\$350,560	\$375,620	\$400,680
	2	\$152,065	\$182,410	\$212,840	\$243,270	\$273,700	\$304,045	\$334,475	\$364,905	\$395,250	\$425,680	\$456,110	\$486,540
	3	\$178,900	\$214,600	\$250,400	\$286,200	\$322,000	\$357,700	\$393,500	\$429,300	\$465,000	\$500,800	\$536,600	\$572,400
	4	\$205,735	\$246,790	\$287,960	\$329,130	\$370,300	\$411,355	\$452,525	\$493,695	\$534,750	\$575,920	\$617,090	\$658,260
6.125%	1	\$123,550	\$148,260	\$172,970	\$197,680	\$222,390	\$247,100	\$271,810	\$296,520	\$321,230	\$345,940	\$370,650	\$395,360
	2	\$150,025	\$180,030	\$210,035	\$240,040	\$270,045	\$300,050	\$330,055	\$360,060	\$390,065	\$420,070	\$450,075	\$480,080
	3	\$176,500	\$211,800	\$247,100	\$282,400	\$317,700	\$353,000	\$388,300	\$423,600	\$458,900	\$494,200	\$529,500	\$564,800
	4	\$202,975	\$243,570	\$284,165	\$324,760	\$365,355	\$405,950	\$446,545	\$487,140	\$527,735	\$568,330	\$608,925	\$649,520
6.250%	1	\$121,940	\$146,300	\$170,660	\$195,090	\$219,450	\$243,810	\$268,240	\$292,600	\$316,960	\$341,390	\$365,750	\$390,110
	2	\$148,070	\$177,650	\$207,230	\$236,895	\$266,475	\$296,055	\$325,720	\$355,300	\$384,880	\$414,545	\$444,125	\$473,705
	3	\$174,200	\$209,000	\$243,800	\$278,700	\$313,500	\$348,300	\$383,200	\$418,000	\$452,800	\$487,700	\$522,500	\$557,300
	4	\$200,330	\$240,350	\$280,370	\$320,505	\$360,525	\$400,545	\$440,680	\$480,700	\$520,720	\$560,855	\$600,875	\$640,895
6.375%	1	\$120,330	\$144,410	\$168,420	\$192,500	\$216,580	\$240,660	\$264,740	\$288,750	\$312,830	\$336,910	\$360,990	\$385,000
	2	\$146,115	\$175,355	\$204,510	\$233,750	\$262,990	\$292,230	\$321,470	\$350,625	\$379,865	\$409,105	\$438,345	\$467,500
	3	\$171,900	\$206,300	\$240,600	\$275,000	\$309,400	\$343,800	\$378,200	\$412,500	\$446,900	\$481,300	\$515,700	\$550,000
	4	\$197,685	\$237,245	\$276,690	\$316,250	\$355,810	\$395,370	\$434,930	\$474,375	\$513,935	\$553,495	\$593,055	\$632,500
6.500%	1	\$118,790	\$142,520	\$166,250	\$190,050	\$213,780	\$237,510	\$261,310	\$285,040	\$308,770	\$332,500	\$356,300	\$380,030
	2	\$144,245	\$173,060	\$201,875	\$230,775	\$259,590	\$288,405	\$317,305	\$346,120	\$374,935	\$403,750	\$432,650	\$461,465
	3	\$169,700	\$203,600	\$237,500	\$271,500	\$305,400	\$339,300	\$373,300	\$407,200	\$441,100	\$475,000	\$509,000	\$542,900
	4	\$195,155	\$234,140	\$273,125	\$312,225	\$351,210	\$390,195	\$429,295	\$468,280	\$507,265	\$546,250	\$585,350	\$624,335
6.625%	1	\$117,250	\$140,700	\$164,150	\$187,600	\$211,050	\$234,500	\$257,880	\$281,330	\$304,780	\$328,230	\$351,680	\$375,130
	2	\$142,375	\$170,850	\$199,325	\$227,800	\$256,275	\$284,750	\$313,140	\$341,615	\$370,090	\$398,565	\$427,040	\$455,515
	3	\$167,500	\$201,000	\$234,500	\$268,000	\$301,500	\$335,000	\$368,400	\$401,900	\$435,400	\$468,900	\$502,400	\$535,900
	4	\$192,625	\$231,150	\$269,675	\$308,200	\$346,725	\$385,250	\$423,660	\$462,185	\$500,710	\$539,235	\$577,760	\$616,285



Prepared by:
HOUSING DIVISION
 DEPARTMENT OF HOUSING AND HUMAN CONCERNS (DHHC)
 COUNTY OF MAUI

Effective: **May 1, 2016**

2016
 AFFORDABLE SALES PRICE GUIDELINES
MAUI (EXCEPT HANA)
SINGLE FAMILY

Prevailing Int. Rate	No. of Bedroom	Percent of Median Income											
		Very Low	Low Income			Below Moderate		Moderate		Above Moderate		Gap Income	
		50% & Below	51% to 80%			81% to 100%		101% to 120%		121% to 140%		141% to 160%	
		50%	60%	70%	80%	90%	100%	110%	120%	130%	140%	150%	160%
		\$40,750	\$48,900	\$57,050	\$65,200	\$73,350	\$81,500	\$89,650	\$97,800	\$105,950	\$114,100	\$122,250	\$130,400
6.750%	1	\$115,710	\$138,880	\$162,050	\$185,150	\$208,320	\$231,490	\$254,590	\$277,760	\$300,930	\$324,030	\$347,200	\$370,370
	2	\$140,505	\$168,640	\$196,775	\$224,825	\$252,960	\$281,095	\$309,145	\$337,280	\$365,415	\$393,465	\$421,600	\$449,735
	3	\$165,300	\$198,400	\$231,500	\$264,500	\$297,600	\$330,700	\$363,700	\$396,800	\$429,900	\$462,900	\$496,000	\$529,100
	4	\$190,095	\$228,160	\$266,225	\$304,175	\$342,240	\$380,305	\$418,255	\$456,320	\$494,385	\$532,335	\$570,400	\$608,465
6.875%	1	\$114,240	\$137,130	\$159,950	\$182,840	\$205,660	\$228,550	\$251,370	\$274,260	\$297,080	\$319,970	\$342,790	\$365,680
	2	\$138,720	\$166,515	\$194,225	\$222,020	\$249,730	\$277,525	\$305,235	\$333,030	\$360,740	\$388,535	\$416,245	\$444,040
	3	\$163,200	\$195,900	\$228,500	\$261,200	\$293,800	\$326,500	\$359,100	\$391,800	\$424,400	\$457,100	\$489,700	\$522,400
	4	\$187,680	\$225,285	\$262,775	\$300,380	\$337,870	\$375,475	\$412,965	\$450,570	\$488,060	\$525,665	\$563,155	\$600,760
7.000%	1	\$112,840	\$135,380	\$157,990	\$180,530	\$203,070	\$225,680	\$248,220	\$270,760	\$293,370	\$315,910	\$338,520	\$361,060
	2	\$137,020	\$164,390	\$191,845	\$219,215	\$246,585	\$274,040	\$301,410	\$328,780	\$356,235	\$383,605	\$411,060	\$438,430
	3	\$161,200	\$193,400	\$225,700	\$257,900	\$290,100	\$322,400	\$354,600	\$386,800	\$419,100	\$451,300	\$483,600	\$515,800
	4	\$185,380	\$222,410	\$259,555	\$296,585	\$333,615	\$370,760	\$407,790	\$444,820	\$481,965	\$518,995	\$556,140	\$593,170
7.125%	1	\$111,440	\$133,700	\$155,960	\$178,290	\$200,550	\$222,810	\$245,140	\$267,400	\$289,660	\$311,990	\$334,250	\$356,510
	2	\$135,320	\$162,350	\$189,380	\$216,495	\$243,525	\$270,555	\$297,670	\$324,700	\$351,730	\$378,845	\$405,875	\$432,905
	3	\$159,200	\$191,000	\$222,800	\$254,700	\$286,500	\$318,300	\$350,200	\$382,000	\$413,800	\$445,700	\$477,500	\$509,300
	4	\$183,080	\$219,650	\$256,220	\$292,905	\$329,475	\$366,045	\$402,730	\$439,300	\$475,870	\$512,555	\$549,125	\$585,695
7.250%	1	\$110,040	\$132,020	\$154,070	\$176,050	\$198,100	\$220,080	\$242,060	\$264,110	\$286,090	\$308,140	\$330,120	\$352,100
	2	\$133,620	\$160,310	\$187,085	\$213,775	\$240,550	\$267,240	\$293,930	\$320,705	\$347,395	\$374,170	\$400,860	\$427,550
	3	\$157,200	\$188,600	\$220,100	\$251,500	\$283,000	\$314,400	\$345,800	\$377,300	\$408,700	\$440,200	\$471,600	\$503,000
	4	\$180,780	\$216,890	\$253,115	\$289,225	\$325,450	\$361,560	\$397,670	\$433,895	\$470,005	\$506,230	\$542,340	\$578,450
7.375%	1	\$108,710	\$130,410	\$152,180	\$173,880	\$195,650	\$217,350	\$239,120	\$260,820	\$282,590	\$304,290	\$326,060	\$347,760
	2	\$132,005	\$158,355	\$184,790	\$211,140	\$237,575	\$263,925	\$290,360	\$316,710	\$343,145	\$369,495	\$395,930	\$422,280
	3	\$155,300	\$186,300	\$217,400	\$248,400	\$279,500	\$310,500	\$341,600	\$372,600	\$403,700	\$434,700	\$465,800	\$496,800
	4	\$178,595	\$214,245	\$250,010	\$285,660	\$321,425	\$357,075	\$392,840	\$428,490	\$464,255	\$499,905	\$535,670	\$571,320
7.500%	1	\$107,380	\$128,800	\$150,290	\$171,780	\$193,270	\$214,690	\$236,180	\$257,670	\$279,160	\$300,580	\$322,070	\$343,560
	2	\$130,390	\$156,400	\$182,495	\$208,590	\$234,685	\$260,695	\$286,790	\$312,885	\$338,980	\$364,990	\$391,085	\$417,180
	3	\$153,400	\$184,000	\$214,700	\$245,400	\$276,100	\$306,700	\$337,400	\$368,100	\$398,800	\$429,400	\$460,100	\$490,800
	4	\$176,410	\$211,600	\$246,905	\$282,210	\$317,515	\$352,705	\$388,010	\$423,315	\$458,620	\$493,810	\$529,115	\$564,420
7.625%	1	\$106,050	\$127,260	\$148,470	\$169,680	\$190,890	\$212,100	\$233,310	\$254,520	\$275,730	\$296,940	\$318,150	\$339,360
	2	\$128,775	\$154,530	\$180,285	\$206,040	\$231,795	\$257,550	\$283,305	\$309,060	\$334,815	\$360,570	\$386,325	\$412,080
	3	\$151,500	\$181,800	\$212,100	\$242,400	\$272,700	\$303,000	\$333,300	\$363,600	\$393,900	\$424,200	\$454,500	\$484,800
	4	\$174,225	\$209,070	\$243,915	\$278,760	\$313,605	\$348,450	\$383,295	\$418,140	\$452,985	\$487,830	\$522,675	\$557,520
7.750%	1	\$104,790	\$125,720	\$146,720	\$167,650	\$188,580	\$209,580	\$230,510	\$251,440	\$272,440	\$293,370	\$314,370	\$335,300
	2	\$127,245	\$152,660	\$178,160	\$203,575	\$228,990	\$254,490	\$279,905	\$305,320	\$330,820	\$356,235	\$381,735	\$407,150
	3	\$149,700	\$179,600	\$209,600	\$239,500	\$269,400	\$299,400	\$329,300	\$359,200	\$389,200	\$419,100	\$449,100	\$479,000
	4	\$172,155	\$206,540	\$241,040	\$275,425	\$309,810	\$344,310	\$378,695	\$413,080	\$447,580	\$481,965	\$516,465	\$550,850
7.875%	1	\$103,530	\$124,250	\$144,970	\$165,620	\$186,340	\$207,060	\$227,780	\$248,500	\$269,150	\$289,870	\$310,590	\$331,310
	2	\$125,715	\$150,875	\$176,035	\$201,110	\$226,270	\$251,430	\$276,590	\$301,750	\$326,825	\$351,985	\$377,145	\$402,305
	3	\$147,900	\$177,500	\$207,100	\$236,600	\$266,200	\$295,800	\$325,400	\$355,000	\$384,500	\$414,100	\$443,700	\$473,300
	4	\$170,085	\$204,125	\$238,165	\$272,090	\$306,130	\$340,170	\$374,210	\$408,250	\$442,175	\$476,215	\$510,255	\$544,295
8.000%	1	\$102,270	\$122,780	\$143,220	\$163,660	\$184,170	\$204,610	\$225,050	\$245,560	\$266,000	\$286,440	\$306,880	\$327,390
	2	\$124,185	\$149,090	\$173,910	\$198,730	\$223,635	\$248,455	\$273,275	\$298,180	\$323,000	\$347,820	\$372,640	\$397,545
	3	\$146,100	\$175,400	\$204,600	\$233,800	\$263,100	\$292,300	\$321,500	\$350,800	\$380,000	\$409,200	\$438,400	\$467,700
	4	\$168,015	\$201,710	\$235,290	\$268,870	\$302,565	\$336,145	\$369,725	\$403,420	\$437,000	\$470,580	\$504,160	\$537,855



Prepared by:
HOUSING DIVISION
DEPARTMENT OF HOUSING AND HUMAN CONCERNS (DHHC)
COUNTY OF MAUI

Effective: **May 1, 2016**

2016
 AFFORDABLE SALES PRICE GUIDELINES
MAUI (EXCEPT HANA)
SINGLE FAMILY

Prevailing Int. Rate	No. of Bedroom	Percent of Median Income											
		Very Low	Low Income			Below Moderate		Moderate		Above Moderate		Gap Income	
		50% & Below	(51% to 80%)			(81% to 100%)		(101% to 120%)		(121% to 140%)		(141% to 160%)	
		50%	60%	70%	80%	90%	100%	110%	120%	130%	140%	150%	160%
		\$40,750	\$48,900	\$57,050	\$65,200	\$73,350	\$81,500	\$89,650	\$97,800	\$105,950	\$114,100	\$122,250	\$130,400
8.125%	1	\$101,080	\$121,310	\$141,540	\$161,770	\$182,000	\$202,230	\$222,390	\$242,620	\$262,850	\$283,080	\$303,310	\$323,540
	2	\$122,740	\$147,305	\$171,870	\$196,435	\$221,000	\$245,565	\$270,045	\$294,610	\$319,175	\$343,740	\$368,305	\$392,870
	3	\$144,400	\$173,300	\$202,200	\$231,100	\$260,000	\$288,900	\$317,700	\$346,600	\$375,500	\$404,400	\$433,300	\$462,200
	4	\$166,060	\$199,295	\$232,530	\$265,765	\$299,000	\$332,235	\$365,355	\$398,590	\$431,825	\$465,060	\$498,295	\$531,530
8.250%	1	\$99,890	\$119,910	\$139,860	\$159,880	\$179,830	\$199,850	\$219,800	\$239,820	\$259,770	\$279,790	\$299,740	\$319,760
	2	\$121,295	\$145,605	\$169,830	\$194,140	\$218,365	\$242,675	\$266,900	\$291,210	\$315,435	\$339,745	\$363,970	\$388,280
	3	\$142,700	\$171,300	\$199,800	\$228,400	\$256,900	\$285,500	\$314,000	\$342,600	\$371,100	\$399,700	\$428,200	\$456,800
	4	\$164,105	\$196,995	\$229,770	\$262,660	\$295,435	\$328,325	\$361,100	\$393,990	\$426,765	\$459,655	\$492,430	\$525,320
8.375%	1	\$98,770	\$118,510	\$138,250	\$157,990	\$177,800	\$197,540	\$217,280	\$237,020	\$256,760	\$276,500	\$296,310	\$316,050
	2	\$119,935	\$143,905	\$167,875	\$191,845	\$215,900	\$239,870	\$263,840	\$287,810	\$311,780	\$335,750	\$359,805	\$383,775
	3	\$141,100	\$169,300	\$197,500	\$225,700	\$254,000	\$282,200	\$310,400	\$338,600	\$366,800	\$395,000	\$423,300	\$451,500
	4	\$162,265	\$194,695	\$227,125	\$259,555	\$292,100	\$324,530	\$356,960	\$389,390	\$421,820	\$454,250	\$486,795	\$519,225
8.500%	1	\$97,650	\$117,180	\$136,710	\$156,170	\$175,700	\$195,230	\$214,760	\$234,290	\$253,820	\$273,350	\$292,880	\$312,410
	2	\$118,575	\$142,290	\$166,005	\$189,635	\$213,350	\$237,065	\$260,780	\$284,495	\$308,210	\$331,925	\$355,640	\$379,355
	3	\$139,500	\$167,400	\$195,300	\$223,100	\$251,000	\$278,900	\$306,800	\$334,700	\$362,600	\$390,500	\$418,400	\$446,300
	4	\$160,425	\$192,510	\$224,595	\$256,565	\$288,650	\$320,735	\$352,820	\$384,905	\$416,990	\$449,075	\$481,160	\$513,245
8.625%	1	\$96,530	\$115,780	\$135,100	\$154,420	\$173,740	\$192,990	\$212,310	\$231,630	\$250,950	\$270,200	\$289,520	\$308,840
	2	\$117,215	\$140,590	\$164,050	\$187,510	\$210,970	\$234,345	\$257,805	\$281,265	\$304,725	\$328,100	\$351,560	\$375,020
	3	\$137,900	\$165,400	\$193,000	\$220,600	\$248,200	\$275,700	\$303,300	\$330,900	\$358,500	\$386,000	\$413,600	\$441,200
	4	\$158,585	\$190,210	\$221,950	\$253,690	\$285,430	\$317,055	\$348,795	\$380,535	\$412,275	\$443,900	\$475,640	\$507,380
8.750%	1	\$95,410	\$114,520	\$133,560	\$152,670	\$171,780	\$190,820	\$209,930	\$228,970	\$248,080	\$267,190	\$286,230	\$305,340
	2	\$115,855	\$139,060	\$162,180	\$185,385	\$208,590	\$231,710	\$254,915	\$278,035	\$301,240	\$324,445	\$347,565	\$370,770
	3	\$136,300	\$163,600	\$190,800	\$218,100	\$245,400	\$272,600	\$299,900	\$327,100	\$354,400	\$381,700	\$408,900	\$436,200
	4	\$156,745	\$188,140	\$219,420	\$250,815	\$282,210	\$313,490	\$344,885	\$376,165	\$407,560	\$438,955	\$470,235	\$501,630

Maximum affordable sales price is based on the following factors:

\$81,500 Median family income as established by the U.S. Department of Housing and Urban Development (HUD).

30 Number of years for a fixed-rate mortgage loan with no discount points

30% Percentage of gross monthly income for housing expenses (principle and interest payment only)

5% Percentage of the purchase price for downpayment.

**COUNTY OF MAUI
AFFORDABLE HOUSING FUND PROGRAM**

**PROPOSAL APPLICATION FOR DEVELOPMENT
OF AFFORDABLE HOUSING FUND
PROGRAM-ELIGIBLE PROJECTS**

FOR WEST MAUI PROJECTS ONLY

REQUEST FOR PROPOSAL

The Affordable Housing Fund Program was established to be used for the provision and expansion of affordable housing and suitable living environments for residents of very low to moderate income, including the rehabilitation of existing structures, land purchase or other acquisition of land or property entitlements, planning, design and construction. The County of Maui, through the Department of Housing and Human Concerns, is hereby requesting for proposals from any public agency, private non-profit organization, community land trust, or private for-profit entity for the development of Affordable Housing Fund-eligible projects that will assist families earning 140% and below of the County of Maui's median family income as established by HUD. **Projects must be located in West Maui.**

Proposal Application Availability

Proposal applications will be available beginning March 28, 2016 [Monday – Friday (except holidays) (7:45 a.m. to 4:30 p.m.)] at:

Housing Division
35 Lunalilo Street, #102
Wailuku, Hawaii 96793
Phone: (808) 270-7351 Fax: (808) 270-6284

Project Requirements

The project/program must meet all of the provisions of Chapter 3.35, Maui County Code. The project/program must be targeted to families earning 140% or below of the County of Maui's median family income. Project readiness is a critical component of this program. Site control and completion of all applicable Environmental Review (Chapter 343, Hawaii Revised Statute, 24 CFR Part 58, All Appropriate Inquiry and Phase 1 Site Assessment) demonstrates project readiness. In addition, construction of the project needs to commence within 12 months from commitment of Affordable Housing Fund Program funds (execution of agreement) and construction must be completed within 36 months from the commitment of funds. All Affordable Housing Fund Program funds need to be expended within 36 months of commitment. The entity needs to have commitment/reservation letters for all or a portion of its project funding in

place. All funds from the Affordable Housing Fund Program are subject to availability. NOTE: If Affordable Housing Fund Program funds will be used for land acquisition or construction, an Environmental Assessment is required.

Deadline For Submitting Proposal Applications

Hand-delivered proposal applications must be received by the Housing Division no later than 4:00 p.m. (Hawaii Standard Time) on April 29, 2016, and mailed proposals must be postmarked no later than April 29, 2016.

Any or all proposal applications submitted may be rejected if it is determined that a proposal application did not meet the submission deadline, is incomplete or does not meet applicable Affordable Housing Fund Program eligibility requirements or other evaluation criteria.

Submittal Details

- A. Projects must be located in West Maui (as designated by Community Plan)
- B. The County of Maui will NOT pay for or provide reimbursement for the cost of preparing and submitting a proposal application.
- C. Four (4) sets of the proposal application are required. Of the four (4) sets of proposal applications, the original proposal application shall be unbound and the other three (3) sets are to be bound copies. No computer generated transmissions or diskettes will be accepted.
- D. Proposal applications are to be submitted in an unsealed envelope clearly and legibly showing the following information on the outside:

Proposal For Development
of Affordable Housing Fund Program-Eligible Projects

- E. Proposal applications will not be opened publicly.
- F. Proposal applications that are hand delivered must be received by the Housing Division, County of Maui, by 4:00 p.m. (Hawaii Standard Time) on April 29, 2016 at:

35 Lunalilo Street, #102
Wailuku, Hawaii 96793

Note: When hand-delivering, please ensure that the original proposal application is date-stamped by a staff member of the Housing Division.

- G. Proposals that are mailed to the Housing Division must be postmarked no later than April 29, 2016.
- H. Entities submitting a proposal application are responsible for ensuring that all required supporting documents are included in the completed proposal

application.

- I. After all proposal applications have been reviewed by the selection committee, a determination will be made as to whether oral interviews will be conducted with selected entities.
- J. All questions concerning the proposal application should be directed to Buddy Almeida of the Housing Division. Mr. Almeida's telephone number is 270-7355.
- K. Projects that are selected for recommendation to the Maui County Council to receive funding under the Affordable Housing Fund Program to develop Affordable Housing Fund Program-eligible projects will be notified of its selection by May 20, 2016.
- L. Failure to comply with the requirements of this RFP will result in the rejection of the proposal application.

CAROL K. REIMANN, Director
Department of Housing and Human Concerns
County of Maui



(MN: March 20 & 27, 2016)



**SCORING SHEET FOR FY 2016 PROPOSAL APPLICATIONS
FOR THE DEVELOPMENT OF AFFORDABLE HOUSING FUND PROGRAM
ELIGIBLE PROJECTS IN WEST MAUI ONLY.**

SCORER'S NAME: _____ DATE: _____

List of Evaluation Criteria	Entity Name:
	Project Name:
Housing Need Applicant clearly describes a need for type of project / program being developed. (10 points)	
Specialized Experience of the Entity A. Applicant or Developer demonstrates the experience and ability to successfully implement the proposed project / program in a timely and on-going manner. (20 points)	
Specialized Experience of the Entity B. Applicant or Developer has the staff capacity to carry out the development of the proposed project / program. (20 points)	
Specialized Experience of the Entity C. Applicant presents a reasonable development budget, sources and uses statement, and operating pro forma (if applicable). (20 points)	
Project / Program Readiness A. Site Control Applicant has site control or a valid commitment of site control. (20 points)	
Project / Program Readiness B. Environmental Review Federal and State Environmental Assessment or Environmental Impact Statement is completed, <u>or</u> applicant has a program plan that includes a program participation selection plan, verification of participant eligibility plan and all documentation (application, verification of income, rental assistance or mortgage documents, etc). (20 points)	
Project / Program Readiness C. Use of Funds <u>For Projects:</u> Applicant demonstrates that construction will commence within 8 months of commitment of funds (execution of agreement); at least one disbursement of program funds will be made within 12 months of commitment of funds, and construction will be completed within 24 months of commitment of funds. <u>For Programs:</u> Applicant demonstrates that program will start within 90 days of commitment of funds and at least one disbursement of program funds will be made within 12 months of commitment of funds. (20 points)	

<p>Project Readiness D. Development or program schedule demonstrates a reasonable time frame. (10 points)</p>	
<p>Project Readiness E. Has the proper land designation or has approval of zoning change, district boundary amendment, community plan amendment or 201 H Variances. (20 points)</p>	
<p>Leverage A. Applicant has secured commitment of other non-County resources, including private funds, public funds (other than county HOME, County CDBG and in lieu fees from County affordable housing requirements) and recipient contributions. (20 points)</p>	
<p>B. Percentage of County funds (including by not limited to HOME, County CDBG, Affordable Housing Fund and in lieu fees from County affordable housing requirements) to total project funds (Applicant is maximizing use of non-County funds). (20 points)</p>	
<p>Total Points</p>	

Additional comments (if any):

M/M



STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED

October 15, 2015 8:01 AM
Doc No(s) A-57660224



/s/ NICKI ANN THOMPSON
REGISTRAR

1 1/1 OFC
B-32706903

[Handwritten signature]

LAND COURT SYSTEM

REGULAR SYSTEM

Return by Mail () Pickup () To:

MANCINI, WELCH & GEIGER LLP (SSN)
305 E. WAKEA AVENUE, STE. 200
KAHULUI, HAWAII 96732

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.

TG: 474632L

TITLE OF DOCUMENT: _____ Total No. of Pages: 32

AGREEMENT REGARDING RESIDENTIAL WORKFORCE HOUSING REQUIREMENTS

PARTIES TO DOCUMENT:

WML: WEST MAUI LAND COMPANY, INC.
305 E. Wakea Avenue, Suite 100
Kahului, Hawaii 96732

COUNTY: COUNTY OF MAUI
200 South High Street
Wailuku, Hawaii 96793

Tax Key: (2) 4-5-010:005 _____ Total No. of Pages: 32

AGREEMENT REGARDING RESIDENTIAL WORKFORCE HOUSING REQUIREMENTS

THIS AGREEMENT REGARDING RESIDENTIAL WORKFORCE HOUSING REQUIREMENTS ("Agreement") is made and entered into as of October 2, 2015, by WEST MAUI LAND COMPANY, INC., a Hawaii corporation, whose address is 305 E. Wakea Avenue, Suite 100, Kahului, Hawaii 96732 ("WML"), and the COUNTY OF MAUI, a political subdivision of the State of Hawaii, whose address is 200 South High Street, Wailuku, Hawaii 96793, through its Department of Housing and Human Concerns ("County").

RECITALS:

A. On December 2, 2011, the Maui County Council adopted Resolution No. 11-126 (the "Resolution") approving the application of Kahoma Residential, LLC and WML for the development of the property identified as Tax Map Key No. (2) 4-5-010:005 (the "Property") pursuant to HRS § 201H-38. A copy of the Resolution is attached as Exhibit "A." A description of the Property is attached as Exhibit "B."

B. On April 5, 2013, WML and Kahoma Residential, LLC received the approval of the State of Hawaii Land Use Commission to change the State land use classification of the property from agricultural to urban with certain conditions, which conditions are contained in Declaration of Conditions recorded as Document No. A-48740743 in the Bureau of Conveyances of the State of Hawaii on May 6, 2013, and as corrected by that Correction of Conditions recorded as Document A-54300494 in the Bureau of Conveyances of the State of Hawaii on November 13, 2014 (collectively the "LUC Conditions").

C. On December 5, 2013, Kahoma Residential, LLC transferred all of its interest in the Property to WML and WML became the sole owner of the Property.

D. WML intends to develop the Property as sixty-eight (68) single-family, residential workforce housing units (the "Project").

E. The Project is exempt from the provisions of MCC Chapter 2.96 because it is a project developed pursuant to HRS Chapter 201H and because it is an affordable housing project with more than the residential workforce housing units required by Maui County Code ("MCC") § 2.96.040.

F. WML is in the process of subdividing the Property under Subdivision File No. 4.981.

G. Based on the Resolution and the LUC Conditions, WML is required to provide sixty-eight (68) affordable housing units to be distributed as follows: (1) ten (10) units for households having a minimum annual income of eighty percent (80%) or less of the area median income established by the U.S. Department of Housing and Urban Development ("HUD"); (2) eight (8) units for households having an annual income of one hundred percent (100%) or less than the area median income established by HUD; (3) seventeen (17) units for households having an annual income of one hundred twenty percent (120%) or less of the area median income as established by HUD; (4) ten (10) units for households having an annual income of one hundred forty percent (140%) or less of the area median income established by HUD; and, (5) twenty-three (23) units for households having an annual income of one hundred sixty percent (160%) or less of the area median income established by HUD.

H. By this Agreement, WML and the County desire to set forth their understanding regarding the Project.

AGREEMENT: In consideration of the Resolution, the above Recitals, and other good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, WML and the County hereby agree as follows:

1. This Agreement satisfies the requirement of the Resolution that all units within the Project shall be marketed and sold according to the provisions of a housing agreement executed between the County, through its Department of Housing and Human Concerns ("DHHC"), and WML.

2. The Project shall consist of sixty-eight (68) affordable housing units to be developed and sold as vacant lots or as lots developed with single family homes (each such lot or home and lot package being referred to as a "Unit") at prices (called the "Applicable Prices") established by the U.S. Department of Housing and Urban Development (HUD) as affordable to families earning less than the specified percentage of Maui County's Median Family Income (each such percentage being referred to herein as the "Applicable Income Percentage").

The Applicable Income Percentages for Units in the Project shall be as follows:

- (a) Ten (10) units: 80% or less;
- (b) Eight (8) units: 100% or less;
- (c) Seventeen (17) units: 120% or less;
- (d) Ten (10) units: 140% or less; and
- (e) Twenty-three (23) units: 160% or less.

3. WML shall satisfy the requirements of Subsection 2(a) above by selling ten (10) lots to Habitat for Humanity, Maui, Inc. for the following prices: four (4) of said lots for not more than \$60,000.00 per lot; and six (6) of said lots for not more than \$120,000.00 per lot. The sale of such lots to Habitat for Humanity, Maui, Inc. shall be conditioned on Habitat for Humanity, Maui, Inc.'s commitment to develop homes on each of those ten (10) lots and to market and sell each of those Units for Applicable Prices in the 80% (or less) Applicable Income Percentage. If through no fault of WML said sale to Habitat for Humanity, Maui, Inc. shall fail to occur, WML may sell said ten (10) lots to another, comparable organization, approved by the DHHC, on the same terms as the terms for the sale to Habitat for Humanity Maui, Inc., or, alternatively may develop and sell said lots as Units in accordance with Applicable Prices and Applicable Income Percentages stated in Subsection 2(a), above. In either case, as a condition to the sale of the ten (10) lots to Habitat for Humanity, Maui, Inc. or another, comparable organization approved by the DHHC, the buyer of the lots shall be required to enter into a separate agreement with DHHC regarding the development and sale of such lots as the units being sold for the HUD Applicable Income Percentage of eighty percent (80 %) or less of the Maui County area Median Family Income.

WML, if it desires to not develop and resale one or more lots in the Project, may also sell lots to one or more organizations approved by DHHC for development and resale of such lots, provided such organization or organizations comply with the Applicable Income Percentages of Section 2 above, and the marketing and sale requirements of Section 6 below, unless released from compliance with such requirements by DHHC. In addition, as a condition to the sale, the organization or organizations shall be required to enter into separate agreements with the DHHC regarding the development and sale of such lots.

4. The restrictions on Unit sale prices under Subsections 2(b) through 2(e) above shall apply to all Units sold by WML. Additionally, WML shall sell no more than seventeen (17) of the fifty-eight (58) units as a lot only sale.

5. The Deed by which each Unit in the Project is transferred by WML to the initial purchaser, other than to organizations subject to the provisions of Section 3 above, shall include the following covenants:

a) The Unit must be owner-occupied for a period of ten (10) years after the closing of the initial sale of the Unit. If the Unit owner cannot occupy the Unit for the ten (10) year period due to special circumstances including, but not limited to, assignment to active duty military or short-term contracts for off-island employment, the Unit owner may appeal to the DHHC for a waiver of this occupancy deed restriction;

b) The Unit must be appraised before occupancy by the Unit owner using the services of a licensed real estate appraiser, which appraisal must be provided to the DHHC before the Unit owner begins occupying the Unit;

c) The Unit owner must notify the DHHC upon a decision to sell the Unit if made within ten (10) years after the closing of the initial sale of the Unit. At the time the Unit owner notifies the DHHC of the decision to sell, the Unit owner must provide a current appraisal of the Unit to the DHHC.

d) Within one hundred twenty (120) calendar days of DHHC's receipt of Unit owner's written notice of a decision to sell the Unit, the County shall determine whether it will exercise its option to purchase the Unit at Owner's Cost, as calculated in subsection e, below and inform Unit owner of its decision. If County does not exercise its option within this time period, the DHHC shall determine the amount that is equal to twenty-five percent (25 %) of the increase in appraised value of the Unit. The DHHC shall then notify the Unit owner that the maximum sales price the Unit owner may receive for the Unit is the Unit owner's purchase price plus the amount that is equal to the twenty-five percent (25 %) of the increase in appraised value of the Unit;

e) If the County exercises its option to purchase the Unit, the Owner's Cost is determined as the Unit owner's actual cost to purchase the Unit, plus the cost of any capital improvements made by such owner, but not including repairs to

and maintenance of the Unit such as painting, re-roofing and the like, plus simple interest on the Unit owner's cash equity in the Unit calculated at the rate of one percent (1%) per year. The County shall close the purchase from the Unit owner within one hundred twenty (120) days after providing notice of its intent to exercise its option to purchase from the Unit owner. The County's option to purchase the Unit shall not apply to sales by reason of foreclosure;

6. Initial purchasers of Units sold by WML shall be determined in the following manner:

a) Notice of Establishing Qualified Applicant List. WML shall publish in at least five (5) issues of a newspaper of general circulation in Maui County a notice that informs the public that WML is establishing a list of qualified applicants for the Project, that selection of a qualified applicant for purchase shall be by lottery administered by WML and overseen by DHHC, that an applicant must complete a four step qualification program to be included in the list, that a qualified applicant must notify WML in writing of any changes in mailing address, telephone number and/or email address after being placed on the qualified applicant list, that an applicant will be removed from the qualified applicant list if WML is unable to contact the applicant at the mailing address, telephone number and email address provided by applicant, that an applicant must submit an ownership application with documentation supporting eligibility, and that an applicant must meet the following eligibility criteria:

- 1) The applicant must be a citizen of the United States or a permanent resident alien who is a resident of Maui County, Hawaii;
- 2) The applicant must be eighteen years of age or older;
- 3) The applicant must have a gross annual family income, not including the income of minors, which does not exceed one hundred sixty percent (160%) of the Maui County area median income as established by HUD;
- 4) The applicant must have assets that do not exceed one hundred sixty percent (160%) of the Maui County area median income as established by HUD;
- 5) The applicant shall not have had an ownership interest of fifty percent (50%) or more in real property in fee or leasehold in the United States for the three (3) years before submittal of the ownership application;

- 6) The applicant shall attend a WML approved homebuyer seminar;
- 7) The applicant shall attend a HUD approved financial workshop;
- 8) The applicant shall be pre-approved for a loan with the applicant's choice of lender; and,
- 9) The applicant shall meet with WML representatives to review the applicant's ownership application and supporting documentation.

b) Preparation of Qualified Applicant List. WML shall prepare a list of qualified applicants who meet the eligibility criteria and shall update the list as necessary.

c) Sorting of Applicants. WML shall sort the qualified applicants by those who are residents of Maui County and those who are nonresidents of Maui County. A resident of Maui County shall be a person who meets one of the following criteria:

- 1) Is a person who works in the County of Maui;
- 2) Is a retired person who worked in the County of Maui immediately before retirement;
- 3) Is a full time student who resides in the County of Maui;
- 4) Is a disabled person who worked in the County of Maui immediately before becoming disabled;
- 5) Is the parent or guardian of a disabled person who resides in the County of Maui;
- 6) Is the spouse of a person meeting the criteria of subsections 6.c.1 to 6.c.5 above; or,
- 7) Is the spouse or dependent of a deceased person who met the criteria of subsections 6.c.1 to 6.c.5 above on the date of death.

WML further shall sort the resident and nonresident applicants by gross annual family income, not including the income of minors, into the following groups:

- 1) Group 1 - Applicants that have a gross annual family income of less than eighty percent (80%) of the area median income established by HUD;
- 2) Group 2 - Applicants that have a gross annual family income of less than one hundred percent (100%) but more than eighty point one percent (80.1%) of the area median income established by HUD;
- 3) Group 3 - Applicants that have a gross annual family income of less than one hundred twenty percent (120%) but more than one hundred point

one percent (100.1%) of the area median income established by HUD;

- 4) Group 4 - Applicants that have a gross annual family income of less than one hundred forty percent (140%) but more than one hundred twenty point one percent (120.1%) of the area median income established by HUD; and,
- 5) Group 5 - Applicants that have a gross annual family income of less than one hundred sixty percent (160%) but more than one hundred forty point one percent (140.1%) of the area median income established by HUD.

Finally WML shall sort each of the resident applicant groups by applicants that reside or work in West Maui and applicants that do not reside or work in West Maui. A West Maui Resident shall be a person who resides or works within the Lahaina Judicial District, which also is the area subject to the provisions of the West Maui Community Plan (1996).

d. Selection of Applicants. After WML completes the sorting of the qualified applicants, WML shall select applicants by a lottery of West Maui Residents, residents and finally non-residents in each of Groups 1 through 5. WML shall prepare a list of the qualified applicants in the order selected for each of Groups 1 through 5 listing first the West Maui Residents, then residents and finally nonresidents. WML shall provide the list and applications for those qualified applicants in Group 1 and Group 2 to Habitat for Humanity Maui, Inc. or another, comparable organization approved by DHHC, for sale of the eighteen (18) residential workforce housing units to be sold to those with a gross annual family income in Group 1 and Group 2.

e. Sale of Units. After WML completes the selection of qualified applicants and prepares the lists of qualified applicants for each income group, WML shall send a purchase contract for a Unit to the first person on the income grouping list for which that income grouping list would be eligible to purchase, together with written notice that the selected applicant has a period of thirty (30) days from the date of the purchase contract in which to return to WML the signed purchase contract, an updated pre-approved notice from a lender selected by the applicant confirming the applicant's ability to obtain financing for the purchase, and copies of signed federal and state income tax returns for the most recent year to verify applicant's gross annual family income and place of residence and employment. If the applicant informs WML that he or she is no longer interested in a Unit, or if the applicant does not

return the signed purchase contract and other documents within the thirty (30) day period, WML shall offer the Unit to the next person on the income grouping list using the same procedure until the sale of the Unit closes or there are no further names on the income grouping list which would be eligible to purchase the Unit. If the Unit remains available for sale and there are persons who are on the next highest income grouping list, WML shall follow the same procedure for the next higher income grouping list and continue until the Unit is sold or there are no persons left on any income grouping list. If there are no persons left on any income grouping list and the Unit still is available for sale, WML may offer the Unit for sale to persons whose income exceeds one hundred sixty point one percent (160.1%) of the area median income established by HUD without deed restrictions at the maximum sales price for the Unit contained in the List of Sales Prices attached as Exhibit "C."

7. The Covenants, Conditions and Restrictions for the Project shall allow for the construction of an ohana unit for all lots within the Property which are 7,500 square feet or more in size provided that such construction is permissible under the Maui County Code and the main dwelling on the lot is owner-occupied.

8. WML shall report annually to DHHC beginning one (1) year after the first closing of a Unit in the Project informing DHHC of the number of Units sold by WML at each applicable income percentage. In the event of a sale to an organization under Section 3 above, WML shall report the sale in the next annual report following the closing of the sale.

9. The County confirms that WML, upon the timely initiation and completion of subdivision improvements, shall have ten (10) residential workforce housing project credits which it can use for other subdivisions in West Maui. WML initiated construction of the subdivision improvements before December 2, 2014 and must complete construction of the subdivision improvements before December 2, 2018.

10. The maximum sales price for the Unit shall be as contained in the List of Sale Prices attached as Exhibit "C."

11. In all respects, the parties shall perform and comply with all of the terms and conditions of the Resolution, all of which are hereby incorporated by reference herein, including but not limited to provisions governing affordable housing credits, the value of certain exemptions, Project time

requirements, impact fees and vehicle weights. To the extent that any term or condition of the Resolution conflicts with HRS Chapter 201H, or to the extent that any term of condition of this Agreement conflicts with HRS Chapter 201H, the provisions of HRS Chapter 201H shall control over the terms and conditions of the Resolution or over the terms and conditions of this Agreement.

12. WML indemnifies and agrees to defend and hold harmless County and DHHC from and against all claims, fines, penalties, losses and liabilities, including for any property damage, personal injury or violation of Federal or State laws which may occur, or which may be asserted against County and DHHC with respect to this Agreement, so long as the same shall not have been caused by the actionable negligence or intentional act of County or DHHC.

13. The terms, agreements, covenants and conditions set forth in this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors, successors in title, and assigns.

14. In the event of any dispute arising from or relating to this Agreement, the parties shall bear their own costs and expenses resulting therefrom, including attorney's fees and litigation costs.

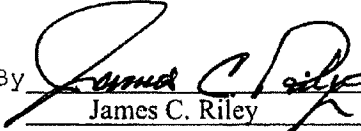
15. This Agreement may be executed in one or more counterparts. It shall be fully executed when each party whose signature is required has signed at least one counterpart even no one counterpart contains the signature of all parties. Each executed counterpart shall be deemed an original, but all of which together shall constitute one and the same agreement.

16. If any term, provision, covenant or condition of this Agreement should be held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of this Agreement shall continue in full force and effect and shall in no way be affected, impaired or invalidated hereby.

[Remainder of page intentionally left blank]

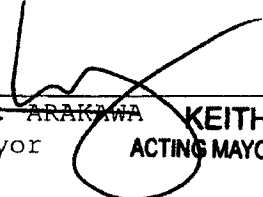
The parties have executed this Agreement as of the date first referenced above.

WEST MAUI LAND COMPANY, INC.


By 
James C. Riley
Its President

"WML"

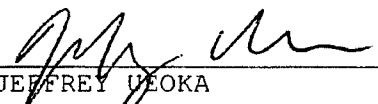
COUNTY OF MAUI

By 
~~ALAN M. ARAKAWA~~ KEITH A. REGAN
Its Mayor ACTING MAYOR, COUNTY OF MAUI
"County"

APPROVAL RECOMMENDED:

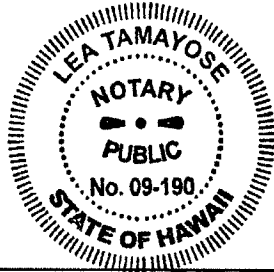

Carol K. Reimann, Director
Department of Housing and
Human Concerns

APPROVED AS TO FORM AND
LEGALITY:


JEFFREY UEOKA
Deputy Corporation Counsel
County of Maui

STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

On this 17th day of September, 2015, before me personally appeared James C. Riley, 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.

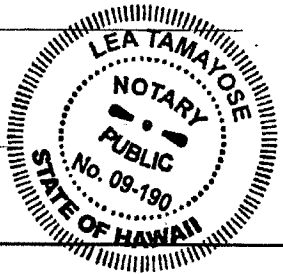


A handwritten signature in black ink, appearing to read "Lea Tamayose".

Print Name: Lea Tamayose
Notary Public, State of Hawaii.

My commission expires: 17 May 17

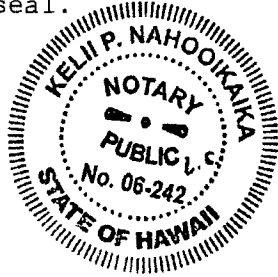
Date of Doc: <u>undated</u>	# Pages: <u>32</u>
Name: <u>Lea Tamayose</u>	Second Circuit
Doc. Description: <u>Agreement Regarding Residential Workforce Housing Requirements</u> <u>TMK (2) 4-5-010:005</u>	
 Notary Signature	
NOTARY CERTIFICATION	



STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

On this 2nd day of October, 2015,
before me appeared ~~ALAN M. ARAKAWA~~, to me personally known, who
being by me duly sworn, ^{Keith Regan} did say that he is the ^{acting} Mayor of the
County of Maui, a political subdivision of the State of Hawaii,
and that the seal affixed to the foregoing instrument is the
lawful seal of the said County of Maui, and that the said
instrument was signed and sealed on behalf of said County of
Maui by authority of its Charter, and the said ~~ALAN M. ARAKAWA~~
acknowledged the said instrument to be the free act and deed of ^{Keith Regan}
said County of Maui.

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



Keli P. Nahookaika
Notary Public, State of Hawaii
Print Name: KELI P. NAHOOKAIKA
My commission expires: 4/30/18

Date of Doc: <u>10-2-15</u>	# Pages: <u>32</u>
Name: <u>KELI P. NAHOOKAIKA</u>	Second Circuit
Doc. Description: <u>residential workforce housing agreement</u> <u>for Kahana residential subdivision</u>	
<u>Keli P. Nahookaika</u> Notary Signature	
NOTARY CERTIFICATION	

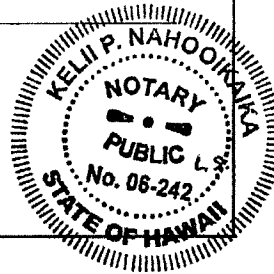


EXHIBIT "A"

Resolution No. 11-126

Resolution

No. 11-126

APPROVING WITH MODIFICATION THE KAHOMA RESIDENTIAL
SUBDIVISION PURSUANT TO SECTION 201H-38,
HAWAII REVISED STATUTES

WHEREAS, West Maui Land Company, Inc., a Hawaii corporation, proposes the development of the Kahoma Residential Subdivision and related improvements (the "Project") for qualified residents; and

WHEREAS, the proposed Project will provide a total of sixty-eight (68) single family, affordable housing units to families earning less than one hundred sixty percent (160%) of Maui County's median family income as defined in Section 2.96.020, Maui County Code. Specifically, ten (10) units will be sold to those earning less than eighty percent (80%) of Maui County's median family income, eight (8) units will be sold to those earning less than one hundred percent (100%) of Maui County's median family income, seventeen (17) units will be sold to those earning less than one hundred twenty percent (120%) of Maui County's median family income, ten (10) units will be sold to those earning less than one hundred forty percent (140%) of Maui County's median family income, twenty-three (23) units will be sold to those earning less than one hundred sixty percent (160%) of Maui County's median family income. Vacant lots will be sold at fifty percent (50%) of the price of a three bedroom home within the median income range; and

WHEREAS, the proposed Project will provide ten (10) lots to Habitat for Humanity, Maui, Inc. at below market price as follows: four (4) lots at approximately \$60,000 per lot and six (6) lots at approximately \$120,000 per lot; and

WHEREAS, the Project will provide needed affordable housing to meet the current and growing demand for affordable housing; and

WHEREAS, on October 24, 2011, the Department of Housing and Human Concerns submitted the preliminary plans and specifications to the Council of the County of Maui ("Council") recommending approval of the Project pursuant to Section 201H-38, Hawaii Revised Statutes (HRS); and

Resolution No. 11-126

WHEREAS, pursuant to Section 201H-38, HRS, the Council shall approve, approve with modification, or disapprove the Project by resolution within forty-five (45) days after the Department of Housing and Human Concerns has submitted the preliminary plans and specifications for the Project to the Council, which submittal occurred on October 24, 2011; and

WHEREAS, the units within this Project will be marketed and sold according to the provisions of a housing agreement executed between the County of Maui, Department of Housing and Human Concerns, and West Maui Land Company, Inc.; and

WHEREAS, pursuant to Section 4-1 of the Revised Charter of the County of Maui (1983), as amended, the Council is authorized to act by resolution; now, therefore,

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

1. That, based upon the transmittals and the representations of the Department of Housing and Human Concerns and West Maui Land Company, Inc., the Council approves the Project with the modifications specified in Exhibit "1", including the Project's preliminary plans and specifications, as submitted to the Council on October 24, 2011, pursuant to Section 201H-38, HRS; provided that West Maui Land Company, Inc. shall comply with all statutes, ordinances, charter provisions, and rules of governmental agencies relating to planning, zoning and construction standards for subdivisions, development and improvement of land, and the construction of units thereon, except for the exemptions specified in Exhibit "2", attached hereto and made a part hereof; and

2. That the final plans and specifications for the Project shall be deemed approved by the Council if the final plans and specifications do not substantially deviate, as determined by the Director of Housing and Human Concerns, from the preliminary plans and specifications submitted to the Council. Any substantial deviation from the preliminary plans and specifications shall be submitted to the Council for prior approval. The final plans and specifications shall constitute the zoning, building, construction, and subdivision standards for the Project; and

Resolution No. 11-126

3. That certified copies of this resolution be transmitted to the Director of Public Works, the Planning Director, the Director of Housing and Human Concerns, and West Maui Land Company, Inc.

APPROVED AS TO FORM
AND LEGALITY:



JAMES A. GIROUX
Deputy Corporation Counsel
County of Maui

S:\ALL\JAG\Reso\201H\Kahoma Residential Subdivision\KahomaModification.wpd

MODIFICATIONS

1. That West Maui Land Company, Inc. shall be awarded ten (10) affordable housing credits subject to the following restrictions:
 - a. The credits must be used in the West Maui Community Plan area.
 - b. The credits may be applied toward a single-family or multi-family unit.
 - c. The credits must be used for those households whose gross annual family income is more than eighty percent, but not more than one hundred percent, of the area median income as established by the United States Department of Housing and Urban Development.
 - d. The credits shall be given for a future development only after timely initiation and completion of subdivision improvements.
 - e. The credits shall be used by West Maui Land Company, Inc. or its affiliates, and shall not be sold or transferred.
2. That the initial marketing period for the homes or lots shall be a minimum of ten years at the sales prices established in the second paragraph of this resolution. The affordable-marketing period shall commence on the date of final subdivision approval.
3. That for any unit sold initially at market rates, the Director of Housing and Human Concerns shall assess that unit's pro-rata portion of the total value of the exemptions listed in Exhibit "2". For purposes of this modification, "market rates" shall mean sales prices established for those households whose gross annual family income is more than one hundred sixty percent of the area median income as established by the United States Department of Housing and Urban Development as determined for 2011 or at the date of sale, whichever is lower. Any portion of pro-rata fees collected for an exemption from park dedication and assessment requirements shall be paid to the Department of Parks and Recreation. All other pro-rata fees collected shall be placed in the affordable housing fund.
4. That subdivision improvements, as defined in Section 18.04.210, Maui County Code, shall begin within three years and be completed within seven years of the adoption of this resolution. A time extension to the subdivision improvement initiation date may be considered by the Council upon timely receipt of a request for time extension at least 90 days prior to the expiration of the initial subdivision improvement start

EXHIBIT " 1 "

date. If West Maui Land Company, Inc. is unable to comply with the deadlines established by this modification, or if a time extension is requested, West Maui Land Company, Inc. shall forfeit the ten affordable housing credits.

5. That West Maui Land Company, Inc. shall pay the Department of Education the appropriate school impact fee for each of the market-rate units in the Kahoma Residential Subdivision. Such fees shall benefit the West Maui District.
6. That all dwelling units shall be built and physically occupied within 36 months of the close of escrow for the respective lot. All ten Habitat for Humanity lots shall be exempt from this modification.
7. If the Lahaina Wastewater Reclamation Facility (LWWRF) does not have the capacity or cannot be expanded to service the Kahoma Residential Subdivision, West Maui Land Company, Inc. shall pay a fair-share contribution, as determined by the County, to fund improvements at the LWWRF necessary to accommodate the additional flow, and construct wastewater transmission facilities leading to the LWWRF. The fair-share contribution shall be paid prior to the issuance of the first building permit requiring a connection to the LWWRF for the Kahoma Residential Subdivision.
8. During the construction phase, West Maui Land Company, Inc., or its agent, shall ensure that vehicles under their control with a gross vehicle weight rating of 10,000 pounds or higher shall not travel along Kalena Street or Lui Street.

Proposed Section 201H-38, HRS, Exemptions

- A. Exemption from Title 2, MCC, Administration and Personnel**
 - 1. An exemption from Chapter 2.80B, MCC, General Plan and Community Plans, shall be granted to permit the project to proceed without obtaining a community plan amendment.

- B. Exemption from Title 12, MCC, Streets, Sidewalks, and Public Places**
 - 1. An exemption from Chapter 12.08, MCC, Driveways, shall be granted to exempt the project from payment of driveway permit and inspection fees.

- C. Exemption from Title 14, MCC, Public Services**
 - 1. An exemption from Section 14.62.070, MCC, West Maui Traffic Impact Fees, shall be granted to exempt the project from payment of traffic impact fees.

- D. Exemptions from Title 16, MCC, Buildings and Construction**
 - 1. Exemptions from MCC Chapters 16.04B, Fire Code, 16.18B, Electrical Code, 16.20A, Plumbing Code, and 16.26, Building Code, shall be granted to exempt the project from payment of fire, electrical, plumbing, and building permit fees, as well as inspection fees.

- E. Exemptions from Title 18 MCC, Subdivisions**
 - 1. Exemptions from Section 18.04.030, MCC, Administration, and Section 18.16.020, MCC, Compliance, shall be granted to exempt the project from obtaining a community plan amendment and change in zoning.
 - 2. Exemptions from Section 18.16.320, MCC, Parks and Playgrounds, shall be granted to exempt the project from payment of park and playground fees and exempt the project from the provision of a comfort station and parking.

- F. Exemption from Title 19, MCC, Zoning**
 - 1. An exemption from Chapter 19.30A, MCC, Agricultural District, shall be granted to permit the development and use of the parcel for single-family residential purposes. Further, this exemption shall allow the subdivision of the property in the conceptual plat configuration shown in Attachment "A", which may be amended by the Director of Public Works.

EXHIBIT " 2 "

The following zoning standards shall apply to the proposed lots:

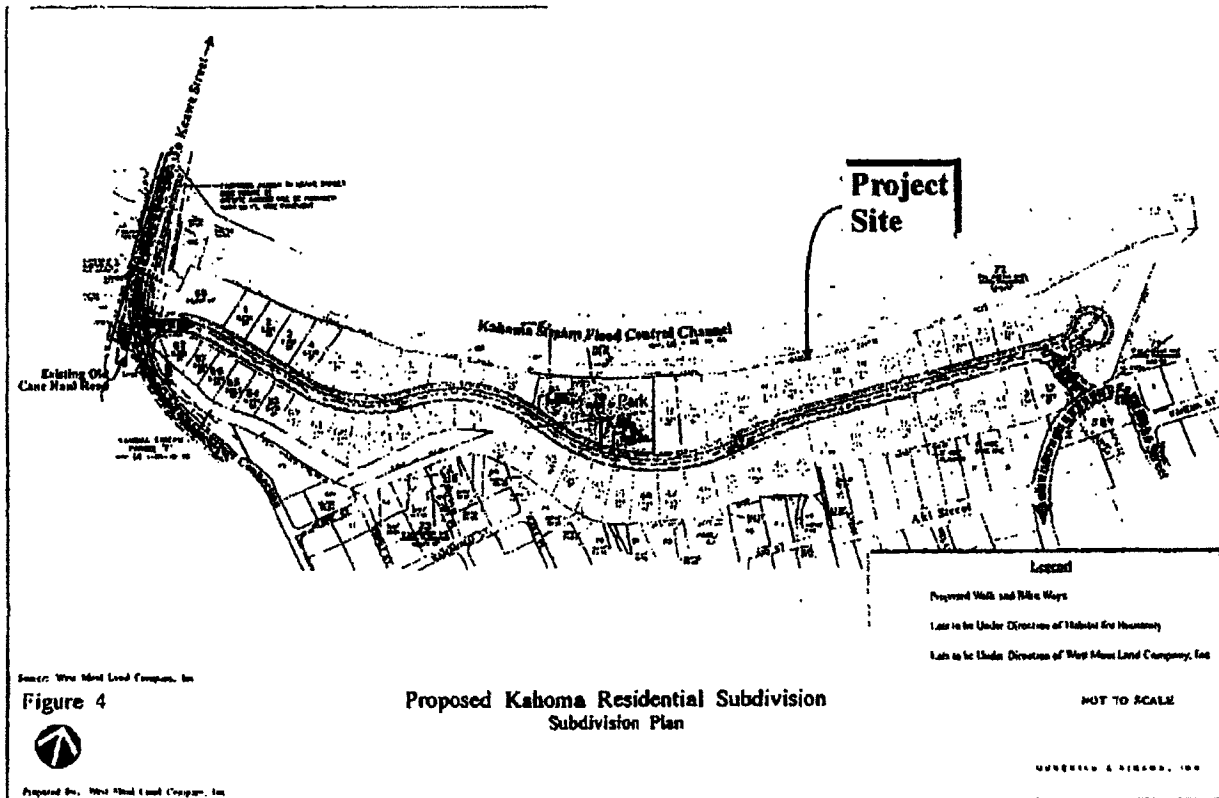
Minimum lot size: 5,000 square feet
Height: No building shall exceed two (2) stories or thirty (30) feet in height
Lot width: Minimum of 35 feet

SETBACK

Front yard Minimum of 15 feet (Dwelling)
Minimum of 20 feet (Garage)
One-story homes Minimum of 8 feet
side and rear
Two-story homes Minimum of 10 feet
side and rear
Rear (Lots 32 Minimum of 20 feet
through 54)

G. Exemption from Title 20, MCC, Environmental Protection

1. An exemption from Section 20.08.090, MCC, Grubbing and Grading Permit Fees, shall be granted to exempt the project from payment of grading, grubbing, and excavation permit fees, as well as inspection fees.



ATTACHMENT "A"

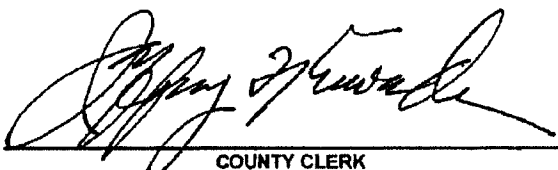
COUNCIL OF THE COUNTY OF MAUI

WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that RESOLUTION NO. 11-126 was adopted by the Council of the County of Maui, State of Hawaii, on the 2nd day of December, 2011, by the following vote:

MEMBERS	Dennis A. MATEO Chair	Joseph PONTANILLA Vice-Chair	Gladys C. BAISA	Robert CARROLL	Eleanora COCHRAN	Donald G. COUCH, JR.	G. Riki HOKAMA	Michael P. VICTORINO	Michael B. WHITE
ROLL CALL	Aye	Aye	Aye	Aye	No	Aye	No	Aye	Aye



COUNTY CLERK

End of Exhibit "A"

EXHIBIT "B"

PARCEL 5

TAX MAP KEY: (2) 4-5-010-005

SITUATED AT LAHAINA, MAUI, HAWAII

BEING PORTIONS OF R. P. 1840, L. C. AW. 424, AP. 1 AND 2
TO KANEHOEWAA; R. P. 5666, L. C. AW. 4760, AP. 1 TO LELEHU;
R. P. 2651, L. C. AW. 11150, AP. 4 TO KEONE;
R. P. 1839, L. C. AW. 3702, AP. 2 TO D. MALO; R. P. 2650,
L. C. AW. 312, AP. 1 TO KEAWEIWI; R. P. 4388, L. C. AW. 8452,
AP. 4 TO A. KEOHOKALOLE; GRANT 1891, AP. 7 TO D. BALDWIN;
GRANT 11073 TO PIONEER MILL COMPANY, LTD. AND
GRANT 2993 TO W. AP. JONES
BEING ALSO A PORTION OF PARCEL 5-A,
KAHOMA STREAM FLOOD CONTROL PROJECT

Beginning at the Northwest corner of this Parcel of
Land, being also the Southwest corner of Right-of-Way Parcel 7,
Kahoma Stream Flood Control Project, the coordinates of said
point of beginning referred to Government Survey Triangulation
Station "LAINA" being 4,773.03 feet South and 3,757.12 feet West
and running by azimuths measured clockwise from True South:

1. 282° 18' 124.42 feet along Right-of-Way Parcel
7, Kahoma Stream Flood Control
Project;
2. 192° 18' 70.00 feet along Right-of-Way Parcel
7, Kahoma Stream Flood Control
Project;
3. 276° 30' 50.89 feet along Right-of-Way Parcel
7, Kahoma Stream Flood Control
Project;
4. 279° 40' 206.30 feet along Right-of-Way Parcel
7, Kahoma Stream Flood Control
Project;
5. 274° 06' 309.16 feet along Right-of-Way Parcel
7, Kahoma Stream Flood Control
Project;

- | | | | | |
|-----|------|-----|-----|---|
| 6. | 265° | 19' | | 309.17 feet along Right-of-Way Parcel 7, Kahoma Stream Flood Control Project; |
| 7. | 260° | 08' | 40" | 103.18 feet along Right-of-Way Parcel 7, Kahoma Stream Flood Control Project; |
| 8. | 257° | 32' | | 103.18 feet along Right-of-Way Parcel 7, Kahoma Stream Flood Control Project; |
| 9. | 252° | 48' | | 257.66 feet along Right-of-Way Parcel 7, Kahoma Stream Flood Control Project; |
| 10. | 245° | 31' | | 257.82 feet along Right-of-Way Parcel 7, Kahoma Stream Flood Control Project; |
| 11. | 241° | 16' | | 154.21 feet along Right-of-Way Parcel 7, Kahoma Stream Flood Control Project; |
| 12. | 238° | 30' | | 411.99 feet along Right-of-Way Parcel 7, Kahoma Stream Flood Control Project; |
| 13. | 227° | 05' | | 150.33 feet along Right-of-Way Parcel 7, Kahoma Stream Flood Control Project; |
| 14. | 230° | 54' | | 150.00 feet along Right-of-Way Parcel 7, Kahoma Stream Flood Control Project; |
| 15. | 242° | 12' | 40" | 101.98 feet along Right-of-Way Parcel 7, Kahoma Stream Flood Control Project; |
| 16. | 230° | 54' | | 5.05 feet along Right-of-Way Parcel 7, Kahoma Stream Flood Control Project; |
| 17. | 34° | 00' | | 136.99 feet along L. P. 8352, L. C. Aw. 327 to Z. Kaauwai; |

18. 6° 00' 300.00 feet along L. P. 8352, L. C. Aw. 327 to Z. Kaauwai and R. P. 4475, L. C. Aw. 7713, Ap. 27 to V. Kamamalu;
19. 52° 36' 38.95 feet along Lui Street;
20. Thence, along Lui Street on a curve to the left with a radius of 230.00 feet, the chord azimuth and distance being:
- 40° 33' 52" 95.92 feet;
21. 52° 36' 85.45 feet along Lot A, Kelawea Subdivision (File Plan 621);
22. 63° 10' 546.02 feet along Lots A, B, 8, 7, 6, 5, 4, 3, 2, 1, Kelawea Subdivision (File Plan 621);
23. 333° 10' 59.34 feet along Lot 1, Kelawea Subdivision (File Plan 621);
24. 54° 30' 39.01 feet along Lot 44, Kuhua Tract No. 1 (File Plan 508);
25. 147° 40' 6.42 feet along Lot 44, Kuhua Tract No. 1 (File Plan 508);
26. 71° 26' 23.91 feet along Lot 44, Kuhua Tract No. 1 (File Plan 508);
27. 74° 59' 85.40 feet along Lots 44 and 45, Kuhua Tract No. 1 (File Plan 508);
28. 60° 00' 88.07 feet along Lot 46, Kuhua Tract No. 1 (File Plan 508);
29. 332° 55' 31.09 feet along Lot 46, Kuhua Tract No. 1 (File Plan 508);
30. 69° 05' 113.50 feet along R. P. 2650, L. C. Aw. 312, Ap. 3 to R. Keaweiiwi;

31. 154° 55' 12.09 feet along Lot 82, Kuhua Tract No. 3 (File Plan 516);
32. 66° 57' 101.44 feet along Lot 82, Kuhua Tract No. 3 (File Plan 516);
33. 77° 14' 80.83 feet along Lots 81 and 80, Kuhua Tract No. 3 (File Plan 516);
34. 84° 14' 23.78 feet along Lot 79, Kuhua Tract No. 3 (File Plan 516);
35. 93° 04' 25.93 feet along Lot 79, Kuhua Tract No. 3 (File Plan 516);
36. 103° 15' 60.30 feet along Lots 79 and 78, Kuhua Tract No. 3 (File Plan 516);
37. 112° 42' 143.40 feet along Lots 78 and 69, Kuhua Tract No. 3 (File Plan 516);
38. 100° 43' 80.10 feet along Lot 69, Kuhua Tract No. 3 (File Plan 516);
39. 90° 56' 24.98 feet along Lot 69, Kuhua Tract No. 3 (File Plan 516);
40. 70° 15' 24.11 feet along Lot 69, Kuhua Tract No. 3 (File Plan 516);
41. 63° 25' 63.88 feet along Lots 69 and 68, Kuhua Tract No. 3 (File Plan 516);
42. 51° 27' 144.18 feet along Lots 68, 55, 54, Kuhua Tract No. 3 (File Plan 516);
43. 51° 14' 80.01 feet along Lot 54, Kuhua Tract No. 3 (File Plan 516) and along Kopili Street;
44. 107° 01' 36.54 feet along Kopili Street;

45. 233° 50' 384.00 feet along Kahoma Stream Parcel
6 (C.S.F. 21,571);
46. Thence, along the North side of Old Kahoma Stream, the
direct azimuth and distance
being:
- 91° 14' 17" 962.09 feet;
47. 181° 44' 136.11 feet along Parcel 1-B-1, Kahoma
Stream Flood Control Project to
the point of beginning and
containing an area of 16.683
acres, more or less.

Being all the property described in Warranty Deed recorded on December 5, 2013 in the Bureau of Conveyances of the State of Hawaii as Document No. A-50870283, from Kahoma Residential LLC, a Hawaii limited liability company, as Grantor, to West Maui Land Company, Inc., a Hawaii corporation, as Grantee.

SUBJECT, HOWEVER, to the following:

1. Title to all minerals, and metallic mines reserved to the State of Hawaii.
2. Free flowage of Kahoma Stream, as shown on tax maps.
3. Location of the boundary of the Kahoma Stream and the effect, if any, upon the area of the land described herein.
4. Ditch as shown on tax maps.
5. Lease in favor of Maui Electric Company, Limited and GTE Hawaiian Telephone Company Incorporated, dated October 13, 1967, recorded in the said Bureau of Conveyances in Liber 5893 on Page 226; leasing and demising rights-of-way, each twenty-five (25) feet in width, over, across and under all lands owned and held by Pioneer Mill Company, Limited situate in the District of Lahaina on the Island of Maui in the State of Hawaii, for a term of 35 years from October 13, 1967, and thereafter from year to year until terminated.
6. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as

provided in Grant to Maui Electric Company, Limited for a perpetual right and easement to build, construct, rebuild, reconstruct, maintain, operate and repair pole and wire lines, etc., for the transmission and distribution of electricity, along, across, over, through and upon Easement "17", area 1.287 acres, dated July 1, 1975, recorded in the said Bureau of Conveyances in Liber 10784 on Page 530.

Amendment thereof by instrument recorded on September 8, 1988 in Liber 22333 on Page 178.

7. Terms and provisions as contained in Memorandum of Contract Rights Regarding Access Easement executed by Pioneer Mill Company, Limited, a Hawaii corporation, dated August 28, 2000, recorded August 28, 2000 in the said Bureau of Conveyances as Document No. 2000-118780.

8. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in Grant to Pioneer Mill Company, Limited, a Hawaii corporation, for perpetual and irrevocable easement rights and a right-of-way, in gross, for access, roadway and utility purposes, dated August 28, 2000, recorded in the said Bureau of Conveyances as Document No. 2000-118781, over, under, through and across a sixty-foot wide portion of the premises described herein, being Easement "1".

9. Covenants, conditions, restrictions, reservations, agreements, obligations, easements and other provisions set forth in Deed and Reservation of Rights and Easements dated August 28, 2000, recorded August 28, 2000 in the said Bureau of Conveyances as Document No. 2000-118776, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or natural origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c) or Section 515-6, HRS.

10. Matters relating to the exercise of Native Hawaiian customary and traditional rights and practices, including without limitation those exercised for subsistence, cultural or religious purposes, and access, water gathering rights, as reserved, existing or established under the Constitution, law and usage of the State of Hawaii.

11. Notice of Imposition of Conditions by the Land Use Commission dated April 8, 2013, recorded April 11, 2013 in the said Bureau of Conveyances as Document No. A-48490364.

12. Covenants, Conditions and Restrictions, but omitting any covenants or restrictions if any, based upon race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Title 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons, as provided in the Declaration of Conditions dated April 30, 2013, recorded May 6, 2013 in the said Bureau of Conveyances as Document No. A-48740743.

13. Action between Michele Lincoln, as Plaintiff, and Land Use Commission, West Maui Land Company, Inc., Kahoma Residential LLC, et al., as Defendants, filed in the Second Circuit Court, State of Hawaii, as Civil No. 13-1-000528, on May 1, 2013, for the purpose of agency appeal.

14. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.

15. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.

16. Any encroachment, encumbrance, violation, variation, question of location, boundary and/or area, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.

17. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.

END OF EXHIBIT "B"

Tax Key: (2) 4-5-010-005

EXHIBIT "C"

List of Sale Prices

Exhibit 'C'

List of Sales Prices

Kahoma Residential: Unit Counts & Maximum Sales Prices¹

No. of Units	Percentage of Project	HUD Income Range	Annual Household Income ²	1 Bedroom House & Lot	2 Bedroom House & Lot	3 Bedroom House & Lot	4 Bedroom House & Lot	Lot Only ³
10	15%	< 80%	\$ 60,080	\$ 231,840	\$ 281,520	\$ 331,200	\$ 380,880	\$ 165,600
12	12%	< 100%	\$ 75,100	\$ 289,800	\$ 351,900	\$ 414,000	\$ 476,100	\$ 207,000
13	25%	<120%	\$ 90,120	\$ 347,760	\$ 422,280	\$ 496,800	\$ 571,320	\$ 248,400
10	15%	< 140%	\$ 105,140	\$ 405,650	\$ 492,575	\$ 579,500	\$ 666,425	\$ 289,750
23	33%	< 160%	\$ 120,160	\$ 463,610	\$ 562,955	\$ 662,300	\$ 761,645	\$ 331,150

- 1) Based on 2015 Affordable Sales Price Guidelines prepared by Housing Division, Dept. of Housing and Human Concerns, County of Maui, Effective May 1, 2015 with an assumed interest rate of 4%.
- 2) Annual Household Income is based on a family of four and in accordance with the 2015 Affordable Sales Price Guidelines prepared by Housing Division, Dept. of Housing and Human Concerns, County of Maui, Effective May 1, 2015.
- 3) Lot only prices are based on 50% of the sales price of a 3 bedroom house & lot.

End of Exhibit "C"



STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED

April 15, 2016 8:01 AM

Doc No(s) A-59490189



/s/ NICKI ANN THOMPSON
REGISTRAR

1 1/1 ICL
8-32792350

LAND COURT SYSTEM

REGULAR SYSTEM

Return by Mail (X) Pickup () To:

MANCINI, WELCH & GEIGER LLP
305 E. WAKEA AVENUE, STE. 200
KAHULUI, HAWAII 96732

(joint)

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.

TG: 478983L

TITLE OF DOCUMENT:

**CORRECTED AGREEMENT REGARDING
RESIDENTIAL WORKFORCE HOUSING
REQUIREMENTS**

Total Number of Pages: 6

PARTIES TO DOCUMENT:

WML: WEST MAUI LAND COMPANY, INC.
305 E. Wakea Avenue, Suite 100
Kahului, Hawaii 96732

COUNTY: COUNTY OF MAUI
200 South High Street
Wailuku, Hawaii 96793

Tax Map Key No. (II) 4-5-010:005

CORRECTED AGREEMENT REGARDING
RESIDENTIAL WORKFORCE HOUSING REQUIREMENTS

On October 15, 2015, WEST MAUI LAND COMPANY, INC., a Hawaii
corporation, and COUNTY OF MAUI, a political subdivision of the State of Hawaii, recorded an

Agreement Regarding Residential Workforce Housing Requirements for the Kahoma Residential Subdivision (the "Agreement") as Document No. A-57660224 in the Bureau of Conveyances of the State of Hawaii (the "Bureau").

In the Agreement, reference was made to a List of Sales Prices that was attached as Exhibit "C" to the Agreement.

The Exhibit "C" attached to the Agreement recorded in the Bureau mistakenly listed the number of units available within the HUD Income Range of < 100 % and within the HUD Income Range of < 120 %.

WML and County wish to correct the Agreement by recordation of a corrected Exhibit "C" that contains the correct number of units available within those HUD Income Ranges.

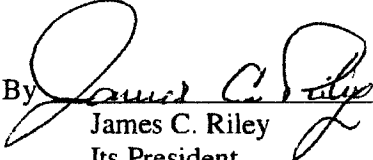
Attached as Corrected Exhibit "C" is the document which has the correct number of units available within those HUD Income Ranges.

In paragraphs 5 (d) and 5(e) of the Agreement, the parties stated that the COUNTY had a period of up to one hundred twenty (120) days in which to exercise an option to purchase and in which to complete the purchase. This period exceeds the time allowed by the Federal Housing Administration for FHA backed loans. Accordingly, WML and COUNTY are correcting paragraphs 5(d) and 5(e) of the Agreement to delete the reference to one hundred twenty (120) days and inserting in its place ninety (90) days.

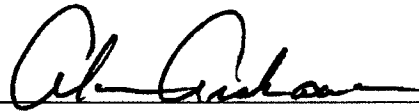
WML and COUNTY are correcting the instrument recorded previously to provide the Corrected Exhibit "C" and to change the reference of one hundred twenty (120) days to ninety (90) days in paragraphs 5(d) and 5(e).

Dated: ^{W.P.} ~~March~~ ^{April} ~~16~~ ¹⁷th, 2016. Wailuku, Hawaii,

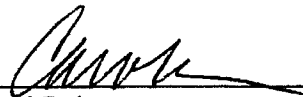
WEST MAUI LAND COMPANY, INC.

By 
James C. Riley
Its President

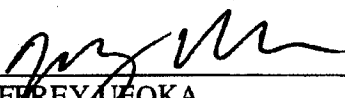
COUNTY OF MAUI

By 
ALAN M. ARAKAWA
Its Mayor

APPROVAL RECOMMENDED:

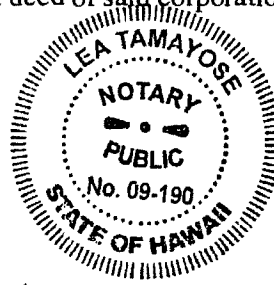

Carol Reimann
Director, Department of Housing and Human Concerns

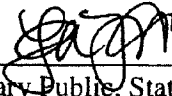
APPROVED AS TO FORM AND LEGALITY:

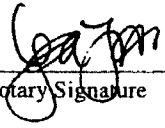

JEFFREY UEOKA
Deputy Corporation Counsel
County of Maui

STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

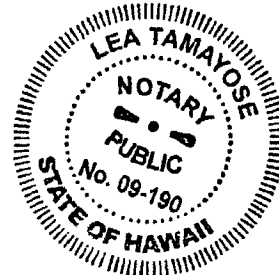
On this 17th day of March, 2016, before me personally appeared JAMES C. RILEY, to me known, who, being by me duly sworn, did say that he is the President of WEST MAUI LAND COMPANY, INC., and that said instrument was signed on behalf of said corporation by authority of its Board of Directors, and said officer acknowledged said instrument to be the free act and deed of said corporation.




Notary Public, State of Hawaii
Printed Name: Lea Tamayose
My Commission Expires: 17 May 17

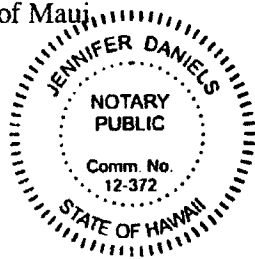
Doc. Date: <u>undated</u>	Pages: <u>1</u>
Name: <u>Lea Tamayose</u>	Second Circuit
Doc. Description: <u>Corrected Agreement Regarding Residential Workforce Housing Requirements</u>	
 Notary Signature	<u>17 March</u> Date

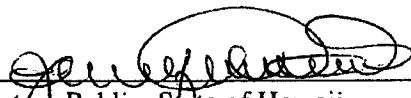
NOTARY CERTIFICATION

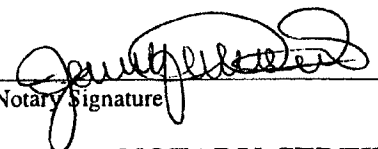


STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

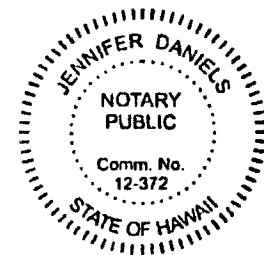
On this 6th day of April, 2016, before me personally appeared ALAN M. ARAKAWA, to me personally known, who, being by me duly sworn, did say that he is the Mayor of the County of Maui, a political subdivision of the State of Hawaii, and that the seal affixed to the foregoing instrument is the lawful seal of the said County of Maui, and that the said instrument was signed and sealed on behalf of said County of Maui by authority of its Charter, and the said ALAN M. ARAKAWA, acknowledged the said instrument to be the free act and deed of said County of Maui.




Notary Public, State of Hawaii
Printed Name: JENNIFER DANIELS
My Commission Expires: 11/1/2016

Doc. Date: <u>4/6/2016</u>	Pages: <u>6</u>
Name: <u>JENNIFER DANIELS</u>	Second Circuit
Doc. Description: <u>Corrected Agreement Regarding Residential Workforce Housing Requirements between West Maui Land Co, Inc and County of Maui</u>	
 Notary Signature	<u>4/6/2016</u> Date

NOTARY CERTIFICATION



Corrected Exhibit 'C'

List of Sales Prices

Kahoma Residential: Unit Counts & Maximum Sales Prices¹

No. of Units	Percentage of Project	HUD Income Range	Annual Household Income ²	1 Bedroom House & Lot	2 Bedroom House & Lot	3 Bedroom House & Lot	4 Bedroom House & Lot	Lot Only ³
10	15%	< 80%	\$ 60,080	\$ 231,840	\$ 281,520	\$ 331,200	\$ 380,880	\$ 165,600
8	12%	< 100%	\$ 75,100	\$ 289,800	\$ 351,900	\$ 414,000	\$ 476,100	\$ 207,000
17	25%	<120%	\$ 90,120	\$ 347,760	\$ 422,280	\$ 496,800	\$ 571,320	\$ 248,400
10	15%	< 140%	\$ 105,140	\$ 405,650	\$ 492,575	\$ 579,500	\$ 666,425	\$ 289,750
23	33%	< 160%	\$ 120,160	\$ 463,610	\$ 562,955	\$ 662,300	\$ 761,645	\$ 331,150

- 1) Based on 2015 Affordable Sales Price Guidelines prepared by Housing Division, Dept. of Housing and Human Concerns, County of Maui, Effective May 1, 2015 with an assumed interest rate of 4%.
- 2) Annual Household Income is based on a family of four and in accordance with the 2015 Affordable Sales Price Guidelines prepared by Housing Division, Dept. of Housing and Human Concerns, County of Maui, Effective May 1, 2015.
- 3) Lot only prices are based on 50% of the sales price of a 3 bedroom house & lot.

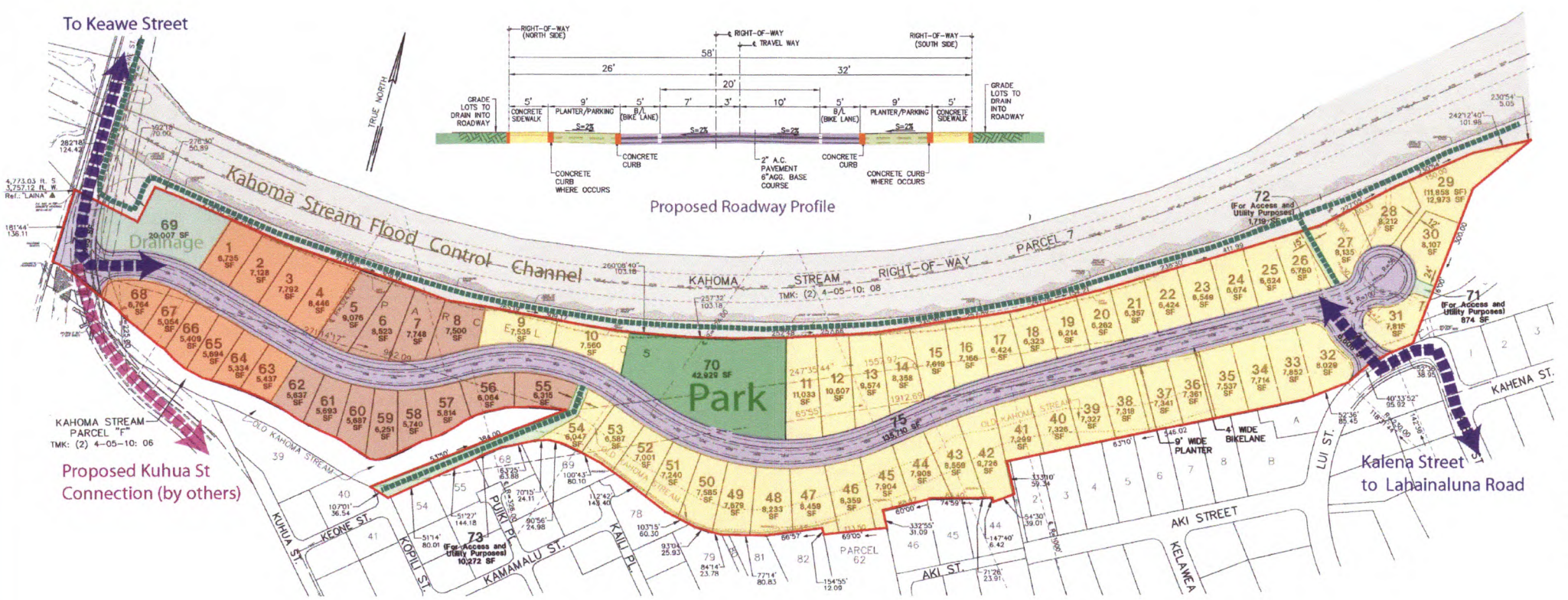
Most Recent Signed and Recorded Residential Workforce Housing Agreements

Date Signed	Project	Location	Developer	Total Units	Afford. Units	Housing	Housing Credits	Approval
4/15/2015	Kalama Kai	Kihei	Armstrong Kalama, LTD.	40	40	SF	40	2.96
5/11/2015	Kaiaulu	Lahaina	Aina Pacific, LLC	33	33	SF	24	2.96
6/4/2015	Waikapu Gardens II	Wailuku	JES Corp (Spencer)	56	56	SF	27	201H
6/23/2015	Kamalani	Kihei	Kamalani Ventures, LLC	633	173	Mixed	0	2.96
11/4/2015	Kamaole Point	Kihei	Kamaole Point Dev, LP	129	129	Mixed	96	2.96
3/9/2016	Keala O Wailea	Kihei	Keala O Wailea, LLC	70	18	MF	0	2.96
Compared to:								
10/15/2015	Kahoma Residential	Lahaina	West Maui Land	68	68	SF	10	201H
							(Max possible = 33)	

SF = Single Family

MF = Multi-Family

Mixed = combination of SF & MF



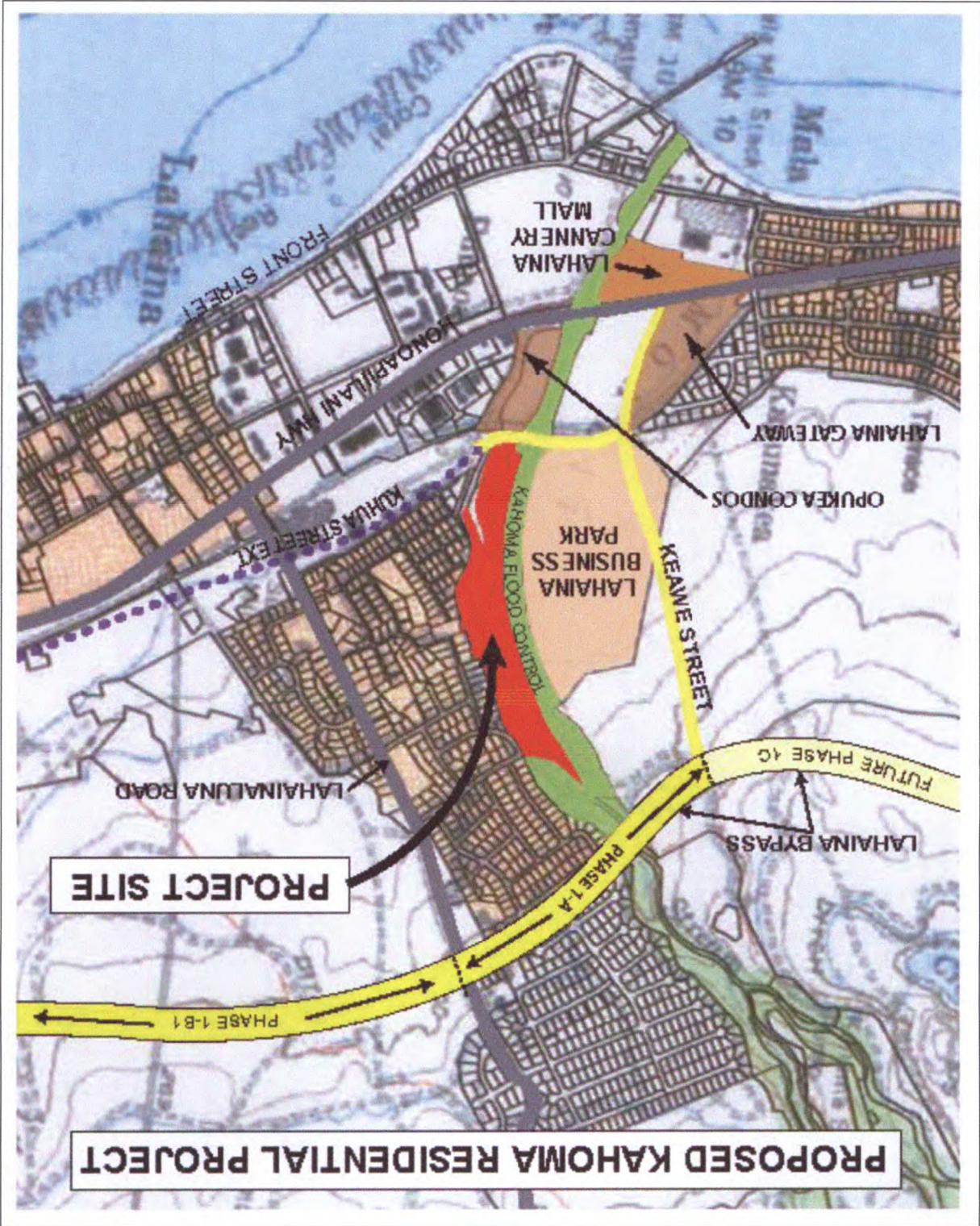
Kahoma Residential Subdivision

68 House/Lots for Maui's Workforce
partnership between
 Habitat for Humanity, Na Hale O Maui & West Maui Land Company

- Proposed Trails *
- Habitat for Humanity
- Hale Hale O Maui
- West Maui Land Company, Inc.

* in addition to sidewalks & bikeways along roadway

Kahoma Residential Subdivision Project Location





Lahaina, HI 96761

Traffic, Bicycling

Imagery ©2015 Google, Map data ©2015 Google 500 ft



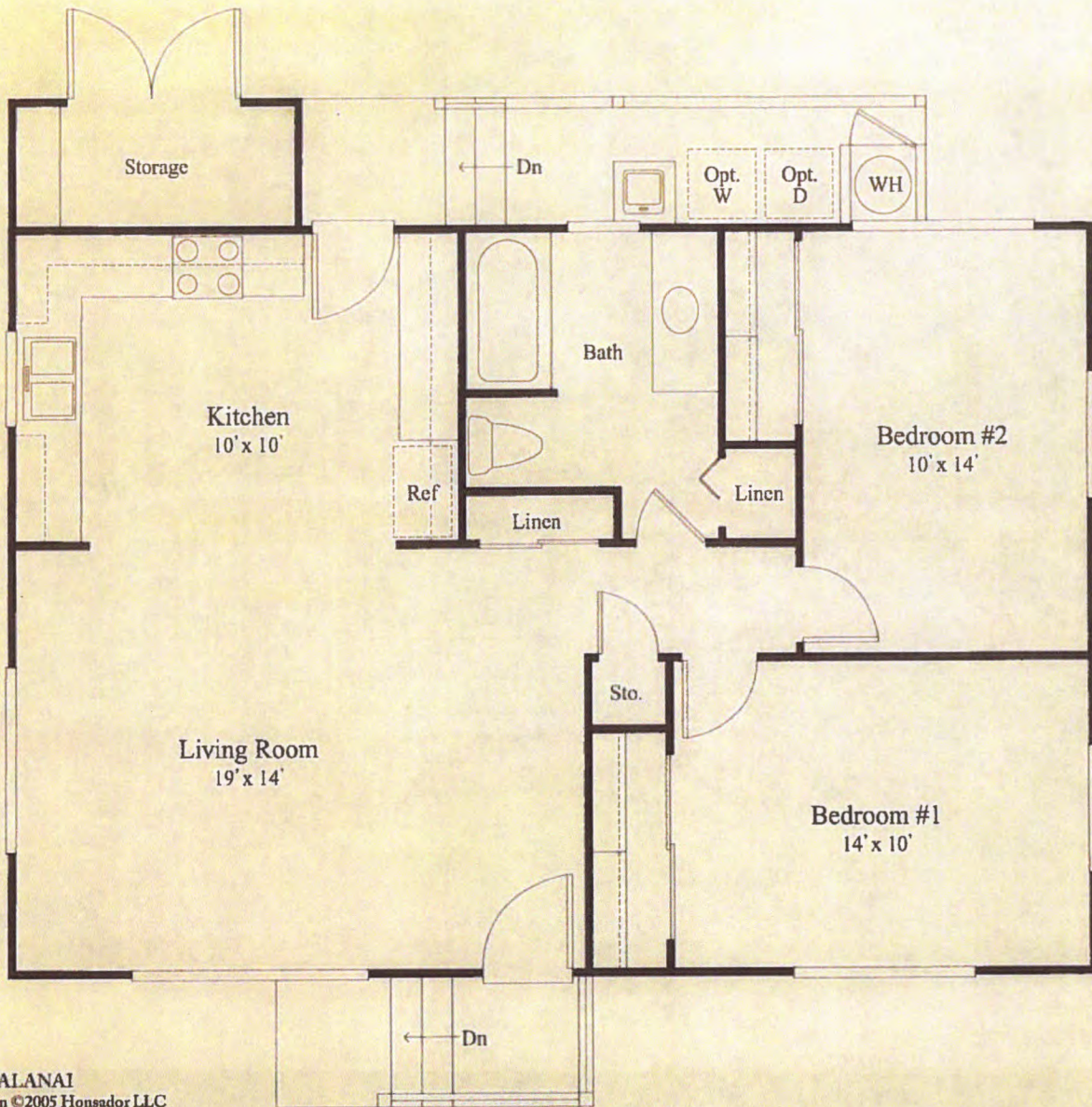
THE MALANAI
Illustration ©2005 Honsador LLC

MODEL 864

MALANAI

"Gentle Breezes"

Island Homes
Collection
HONSADOR



THE MALANAI
Illustration ©2005 Honsador LLC

2 BEDROOM, 1 BATH, 864 SQFT.

Feel the "Gentle Breezes" from any room in this affordable model. Efficient use of floor space easily accommodates all of your present needs or those of a growing family. Large Kitchen and Bath areas make for easy living in cool cross ventilated spaces. The Malanai offers excellent value today and expandable options should the need arise.

MODEL 864

MALANAI
"Gentle Breezes"

To view more models visit us at www.honsador.com



THE 'OHANA
Illustration ©2008 Honsador LLC

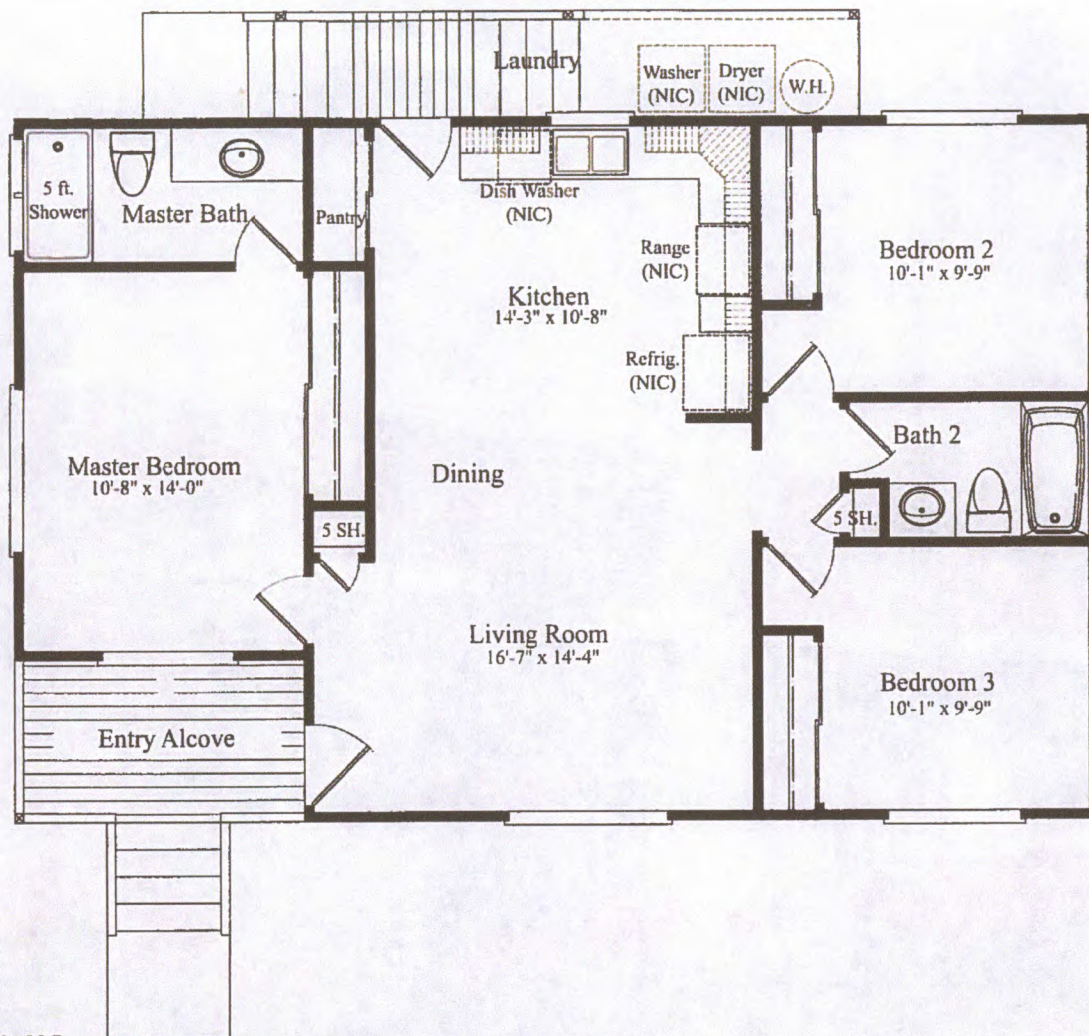
MODEL 1000

'OHANA

"The Family"

*Island Homes
Collection*

HONSADOR



THE 'OHANA
Illustration ©2008 Honsador LLC

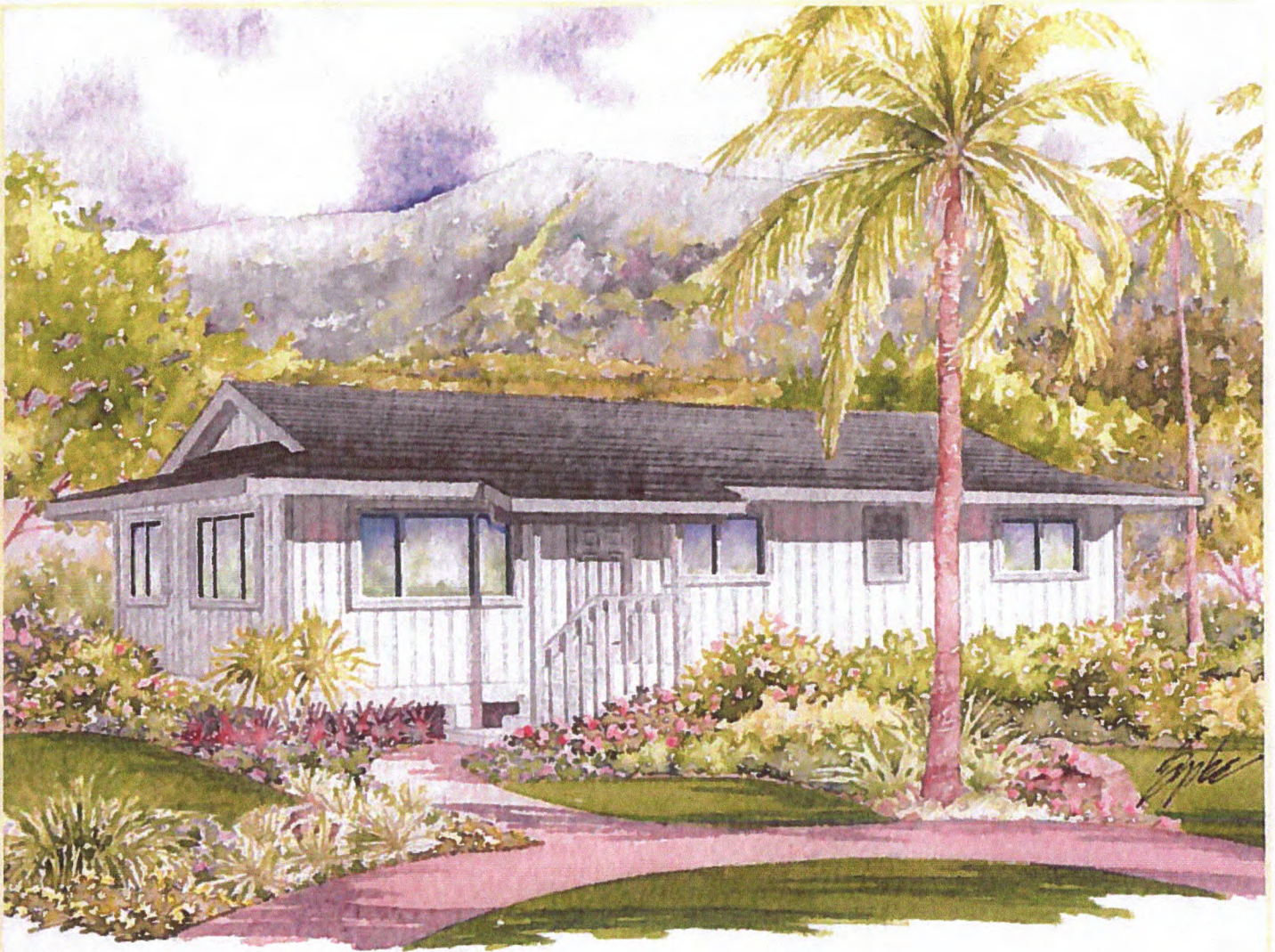
3 BEDROOM, 2 BATH, APPROX. 1,000 SQFT.

From the moment you step into this home you feel the 'Ohana spirit. The floor plan offers excellent interaction between family members as the Kitchen, Dining and Living Room areas are all within close proximity. This model has its own Master Bedroom and Bath suite which provides for quiet time away from a growing family. The remaining bedrooms are sized right and share a convenient bathroom. This model offers excellent opportunity for expansion into more bedrooms or living area. This home is about "Family".

MODEL 1000

'OHANA
"The Family"

To view more models visit us at www.honsador.com



THE MALIA
Illustration ©2005 Honsador LLC

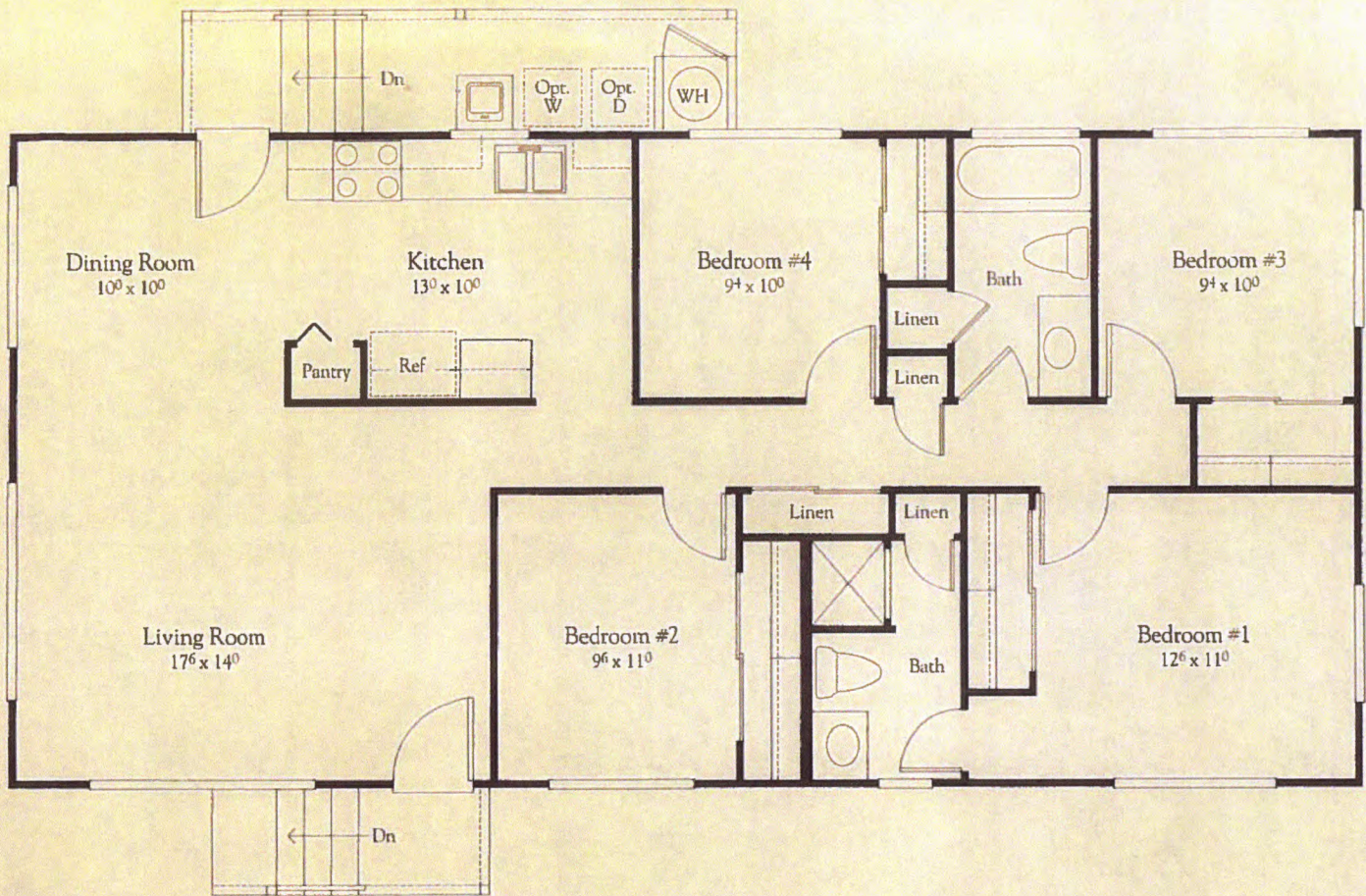
MODEL 1200

MALIA

"Peaceful"

Island Homes
Collection

HONSADOR



THE MALIA
Illustration ©2005 Honsador LLC

4 BEDROOM, 2 BATH, 1200 SQFT.

All the charm of a traditional country home wrapped up in this efficient and economical ranch-style design. With four well sized Bedrooms, the whole family will be comfortable in their respective living spaces. Separate Baths and generous Bedroom and Closet spaces keep the mood "Malia".

MODEL 1200

MALIA

"Peaceful"

To view more models visit us at www.honsador.com