

REQUEST FOR LEGAL SERVICES

Date: September 30, 2025
From: Tom Cook, Chair
Water and Infrastructure Committee

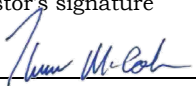
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Caleb P. Rowe, Esq.

Subject: RESOLUTION 25-177, AUTHORIZING ACCEPTANCE OF STATE'S INTEREST IN ALULIKE-KAONOULU STREET REMNANT LOT AND ABANDONMENT OF THE LOT AS A COUNTY PUBLIC HIGHWAY (KĪHEI) (WAI-15)

Background Data: Please see proposed CD1 version of Resolution 25-177. Please submit your response to wai.committee@mauicounty.us with a reference to WAI-15.

Work Requested: ☒ [X] FOR APPROVAL AS TO FORM AND LEGALITY
☐ [] OTHER:

Requestor's signature  Tom Cook, Chair	Contact Person <u>Keone J. Hurdle or Carla M. Nakata</u> (Telephone Extension: <u>7659 or 5519, respectively</u>)
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☐ [] ROUTINE (WITHIN 15 WORKING DAYS) ☐ [] RUSH (WITHIN 5 WORKING DAYS)
☐ [] PRIORITY (WITHIN 10 WORKING DAYS) ☐ [] URGENT (WITHIN 3 WORKING DAYS)

☒ [X] SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): October 3, 2025, by 12:00 noon
REASON: For consideration at the upcoming WAI meeting on October 6, 2025.

FOR CORPORATION COUNSEL'S RESPONSE

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

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

DEPARTMENT OF THE CORPORATION COUNSEL

Date 10/1/25

By 

(Rev. 7/03)

wai:ltr:015acc01:kjh

Attachment

RECEIVED AT WAI MEETING ON 10/06/2025

Resolution

No. 25-177, CD1

AUTHORIZING THE ACCEPTANCE OF THE STATE OF HAWAII'S INTEREST, IF ANY, IN THE PARCEL REFERENCED AS THE ALULIKE-KAONOULU STREET REMNANT LOT, LOCATED IN KĪHEI, HAWAII, BY QUITCLAIM DEED, UNDER SUBSECTION 3.44.015(D), MAUI COUNTY CODE, AND ABANDONMENT OF THE REMNANT LOT UNDER SUBSECTION 264-1(e), HAWAII REVISED STATUTES

WHEREAS, on July 11, 2025, the Board of Land and Natural Resources, State of Hawai'i, approved a quitclaim of the State of Hawai'i's interest, if any, in a parcel consisting of 11,567 square feet, referenced as the Alulike-Kaonoulu Street Remnant Lot, described in Exhibit "A" and depicted in Exhibit "B"; and

WHEREAS, the County desires to accept the State of Hawai'i's interest, if any, in the remnant lot, which is a parcel formerly, but no longer used as a public road; and

WHEREAS, Subsection 3.44.015(D), Maui County Code, authorizes the Council to accept gifts or donations of real property or any interest in real property by the adoption of a resolution approved by a majority of its members; and

WHEREAS, Subsection 264-1(e), Hawai'i Revised Statutes, states that "[a]ll county public highways and trails once established shall continue until vacated, closed, abandoned, or discontinued by a resolution of the legislative body of the county wherein the county highway or trail lies"; and

WHEREAS, because the remnant lot is no longer in use as a roadway, the County wishes to abandon the roadway; now, therefore,

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

1. That it authorizes the acceptance of the State of Hawai'i's interest, if any, in the parcel located in Kīhei, Hawai'i, referenced as the Alulike-Kaonoulu Street Remnant Lot, and described and depicted in Exhibits "A" and "B" by quitclaim deed under Subsection 3.44.015(D), Maui County Code;

Resolution No. 25-177, CD1

2. That, under Subsection 264-1(e), Hawai'i Revised Statutes, the roadway described and depicted in Exhibits "A" and "B" is declared vacated, closed, abandoned, or discontinued as a County public highway; and
3. That certified copies of this Resolution be transmitted to the Mayor; Director of Finance; Director of Public Works; and Dawn N. S. Chang, Chairperson, Board of Land and Natural Resources, State of Hawai'i.

APPROVED AS TO FORM AND LEGALITY:

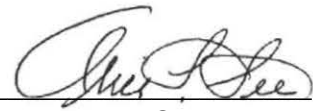


CALEB P. ROWE

Department of the Corporation Counsel
County of Maui

wai:misc:015areso01:kjh

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Alice L. Lee", is positioned above a horizontal line.

ALICE L. LEE

Upon the request of the Mayor.

EXHIBIT "A"

DESCRIPTION

Alulike-Kaonoulu Street Remnant Lot

Being a portion of Royal Patent 7447, Land Commission Award 3237, Part 2 to H. Hewahewa, situated at Kaonoulu (Kihei), Wailuku, Island and County of Maui, State of Hawaii and more particularly described as follows:

Beginning at the Easterly corner of this parcel, being also the Northerly corner of Lot 109 of Kaonoulu Estates Subdivision (File Plan 2075), being also along the Westerly side of Alulike Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Puu-o-Kali" being:

13,054.95 feet North

23,522.52 feet West

and running by azimuths measured clockwise from True South:

1. Thence along Lot 109 of Kaonoulu Estates Subdivision (File Plan 2075), being also the remainder of Royal Patent 7447, Land Commission Award 3237, Part 2 to H. Hewahewa (Certificate of Boundaries No. 56) on a curve to the right with a radius of 379.27 feet, the radial azimuth from the radial point to the beginning of the curve being:
283° 47' 10";
the radial azimuth from the radial point to the end of the curve being: 318° 03' 30";
and the chord azimuth and distance being:
30° 55' 20" 223.50 feet;
2. 48° 03' 30" 9.39 feet along same;
3. Thence along the Northerly side of Kaonoulu Street on a curve to the right with a radius of 734.02 feet, the radial azimuth from the radial point to the beginning of curve being: 351° 56' 14";
the radial azimuth from the radial point to the end of the curve being: 357° 11' 13";
and the chord azimuth and distance being:
84° 33' 43.5" 67.23 feet;
4. 228° 03' 30" 63.43 feet along Lot A-1 of Maui Bay Villas – Road Lot Subdivision (Subdivision File No. 3.2336), being also the remainder of Royal Patent 7447, Land Commission Award 3237, Part 2 to H. Hewahewa (Certificate of Boundaries No. 56);

5. Thence along same on a curve to the left with a radius of 339.27 feet, the radial azimuth from the radial point to the beginning of the curve being: 318° 03' 30";
the radial azimuth from the radial point to the end of the curve being: 269° 13' 12";
and the chord azimuth and distance being: 203° 38' 21" 280.51 feet;
6. Thence along the Westerly side of Alulike Street on a curve to the left with a radius of 1,203.00 feet, the radial azimuth from the radial point to the beginning of the curve being: 75° 19' 54";
the radial azimuth from the radial point to the end of the curve being: 70° 35' 54";
and the chord azimuth and distance being: 342° 57' 54" 99.35 feet to the point of beginning and containing an area of 11,567 square feet.

This work was prepared by me
or under my supervision.



FUKUMOTO ENGINEERING, INC.

A handwritten signature of Michael E. Silva in black ink, written over a horizontal line.

Michael E. Silva
Licensed Professional Land Surveyor
Certificate Number 12960
License expires: April 30, 2026

1721 Wili Pa Loop, Suite 203
Wailuku, Hawaii 96793
July 16, 2025

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