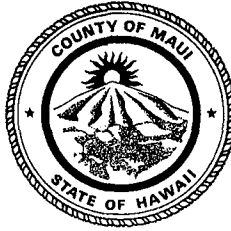


ALAN M. ARAKAWA  
Mayor



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Tel. No. (808) 270-7535  
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DEPARTMENT OF THE CORPORATION COUNSEL  
COUNTY OF MAUI  
200 SOUTH HIGH STREET, 3<sup>RD</sup> FLOOR  
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TELEPHONE: (808) 270-7740  
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RECEIVED  
2018 SEP 20 AM 11:00  
OFFICE OF THE  
COUNTY COUNCIL

MEMO TO: Yuki Lei K. Sugimura, Chair  
Policy, Economic Development, and Agriculture Committee

FROM: Jerrie L. Sheppard *JL Sheppard*  
Deputy Corporation Counsel

DATE: September 19, 2018

SUBJECT: APPROVING THE ACQUISITION OF APPROXIMATELY 262  
ACRES IN PULEHUNUI AND OMAOPIO (MAKAWAO) (PEA-71)

Attached please find the correct proposed resolution as requested entitled "Approving the Acquisition of Real Property, Approximately 262 Acres, Located in Pulehunui and Omaopio, Makawao, Maui, Hawaii." (This correction changed "Exhibit "E" to Exhibit "D".)

If you have any questions, please do not hesitate to contact me.

2017-0098  
2018-0133  
PEA-71 2018-09-18 Memo to Chair (Acquisition of 262 Acres)

# Resolution

No. \_\_\_\_\_

APPROVING THE ACQUISITION OF REAL PROPERTY, APPROXIMATELY  
262 ACRES, LOCATED IN PULEHUNUI AND OMAOPIO, MAKAWAO,  
MAUI, HAWAII

WHEREAS, ALEXANDER & BALDWIN, LLC, a Delaware limited liability company, is the fee owner of the real property identified for real property tax purposes as tax map key number (2) 2-5-001:002, consisting of approximately 262 acres of land (“the Property”);

WHEREAS, ALEXANDER & BALDWIN, LLC, has agreed to sell the Property to the County of Maui for FIVE MILLION NINE HUNDRED TWENTY-NINE THOUSAND DOLLARS (\$5,929,000.00); and

WHEREAS, the Real Property Purchase and Sale Agreement is attached hereto as Exhibit “1”; and

WHEREAS, the Property is more particularly described in Exhibits “A” through “E” of Exhibit “1”; and

WHEREAS, in accordance with Section 3.44.015(B), Maui County Code, the Director of Finance contracted for an appraisal by a disinterested appraiser, and said appraisal is attached as Exhibit “D” to Exhibit “1”; and

WHEREAS, Section 3.44.015(C), Maui County Code, provides that, in the case of real property with a purchase price that exceeds TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00), authorization by the Council of the County of Maui by passage of a resolution is required; and

WHEREAS, the Council finds that the acquisition of the Property is in the public interest; now, therefore,

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


**Resolution No. \_\_\_\_\_**

1. That pursuant to Section 3.44.015(C), Maui County Code, the Council hereby approves the acquisition of the Property in the public interest for the purchase price of FIVE MILLION NINE HUNDRED TWENTY-NINE THOUSAND DOLLARS (\$5,929,000.00) under the terms set forth in the Real Property Purchase and Sale Agreement attached hereto as Exhibit "1"; and

2. That it does hereby authorize the Mayor of the County of Maui, or the Mayor's duly authorized representative, to execute all necessary documents in connection with the acquisition of the Property; and

3. That certified copies of this Resolution be transmitted to the Mayor; the Director of Finance; the Director, Office of Economic Development; and Alexander & Baldwin, LLC.

APPROVED AS TO FORM  
AND LEGALITY:

  
\_\_\_\_\_  
JERRIE L. SHEPPARD  
Deputy Corporation Counsel  
County of Maui

2018-0133  
2017-0098  
PEA-71 Resolution Approving Acquisition 262 Acres