

# **Resolution**

**No. 23-233**

**AUTHORIZING THE ACQUISITION OF APPROXIMATELY 705 SQUARE  
FEET IDENTIFIED AS TAX MAP KEY NO. (2) 4-3-006-004-0030  
SITUATED AT LAHAINA, MAUI, HAWAII,  
FOR AN AMOUNT NOT TO EXCEED \$525,000.00**

WHEREAS, Curtis Robb and Julie Robb, husband and wife, ("Owner"), are the owners in fee simple of that certain real property located at 3740 Lower Honoapiilani Road, Unit B202, Lahaina, Maui, Hawaii, consisting of approximately 705 square feet, and identified for real property tax purposes as tax map key number (2) 4-3-006-004-0030, ("Property"), which Property is more particularly described in Exhibit "A," and depicted in Exhibit "B" attached hereto, both of which are incorporated herein by reference; and

WHEREAS, the Property consists of two (2) bedrooms and one (1) bathroom and is located on the second floor of the Maui Lani Terraces condominium complex; and

WHEREAS, the Property has been identified as a suitable location for affordable rental housing for kupuna displaced by the August 2023 Maui Wildfires; and

WHEREAS, Curtis Robb and Julie Robb expressed a desire to sell the Property to the County of Maui and the parties intend to enter into a Real Property Purchase and Sale Agreement at the agreed to price of FIVE HUNDRED TWENTY-FIVE THOUSAND DOLLARS AND NO/100 DOLLARS (\$525,000.00) plus customary expenses; and

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

WHEREAS, Section 3.44.015(C), Maui County Code, requires that the Council authorize by resolution any acquisition of real property with a purchase price that exceeds \$250,000.00; and

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

1. That the Council finds the acquisition of the Property to be in the public interest; and

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2. That pursuant to Section 3.44.015(C), Maui County Code, the Council authorizes the acquisition of the Properties for an amount not to exceed FIVE HUNDRED TWENTY-FIVE THOUSAND DOLLARS AND NO/100 DOLLARS (\$525,000.00), exclusive of closing costs and expenses; and

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

4. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, and Curtis Robb and Julie Robb.

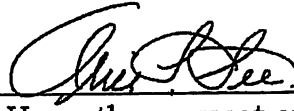
APPROVED AS TO FORM  
AND LEGALITY:



KRISTINA G. TOSHIYOSHI  
Deputy Corporation Counsel  
County of Maui

2023-1742  
2023-11-09 Reso 3740 L. Honoapiilani Rd B202

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Chris Lee", is written over a horizontal line.

Upon the request of the Mayor.

-FIRST:-

Apartment No. B-202 of that certain Condominium Project known as "MAUI LANI TERRACES", as established by Declaration of Condominium Property Regime dated October 31, 1990, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 90-179073, and shown on Condominium Map No. 1408 and any amendments thereto.

Together with appurtenant easements as follows:

- (A) An exclusive easement to use the parking space(s) assigned to the Apartment by the Declaration as now or hereafter amended, and as shown in the Declaration, as amended.
- (B) Non-exclusive easements in the common elements designed for such purposes as ingress and egress, and the transmission of utility services for the Apartment, in the other common elements for use according to their respective purposes.
- (C) All other easements, rights and privileges described in the Declaration as being appurtenant to the Apartment.

-SECOND:-

An undivided 0.8969% interest in all common elements of the Project as established for the Apartment by the Declaration, as amended, as tenant in common with the other owners and tenants thereof.

The land upon which said Condominium Project "MAUI LANI TERRACES" is located is described as follows:

All of that certain parcel of land (being a portion of the land(s) described in and covered by Royal Patent Number 415, Land Commission Award Number 75 to Charles Cockett) situate, lying and being on the easterly side of Lower Honoapiilani Road, at Mahinahina 4, (Kaanapali), Lahaina, Island and County of Maui, State of Hawaii, being LOT 1-A of the "POINCIANA PLACE SUBDIVISION", and containing an area of 179,350 square feet or 4.117 acres, more or less.

Together with an easement (10.00 feet wide) for drainage purposes over and across Lot 1, Hale Royale Apartments Subdivision (TMK: 4-3-06:5), as set forth in Grant dated November 4, 1980, recorded in Liber 15212

EXHIBIT "A"

at Page 658, and containing an area of 3,267 square feet, more or less.

Together also with an irrevocable, non-exclusive easement over, across and through Easement "A" (24 feet wide, area 3,836 square feet) for roadway and utility purposes, Easement "C" (area 26 square feet) for drainage purposes, and Easement "D" (area 752 square feet) for utility purposes, as described in instrument dated October 17, 1988, recorded in Liber 22496 at Page 728.

Said parcels of land being more particularly described in Declaration of Condominium Property Regime dated October 31, 1990, recorded in said Bureau of Conveyances as Document No. 90-179073, as amended.

# Maui Lani Terraces

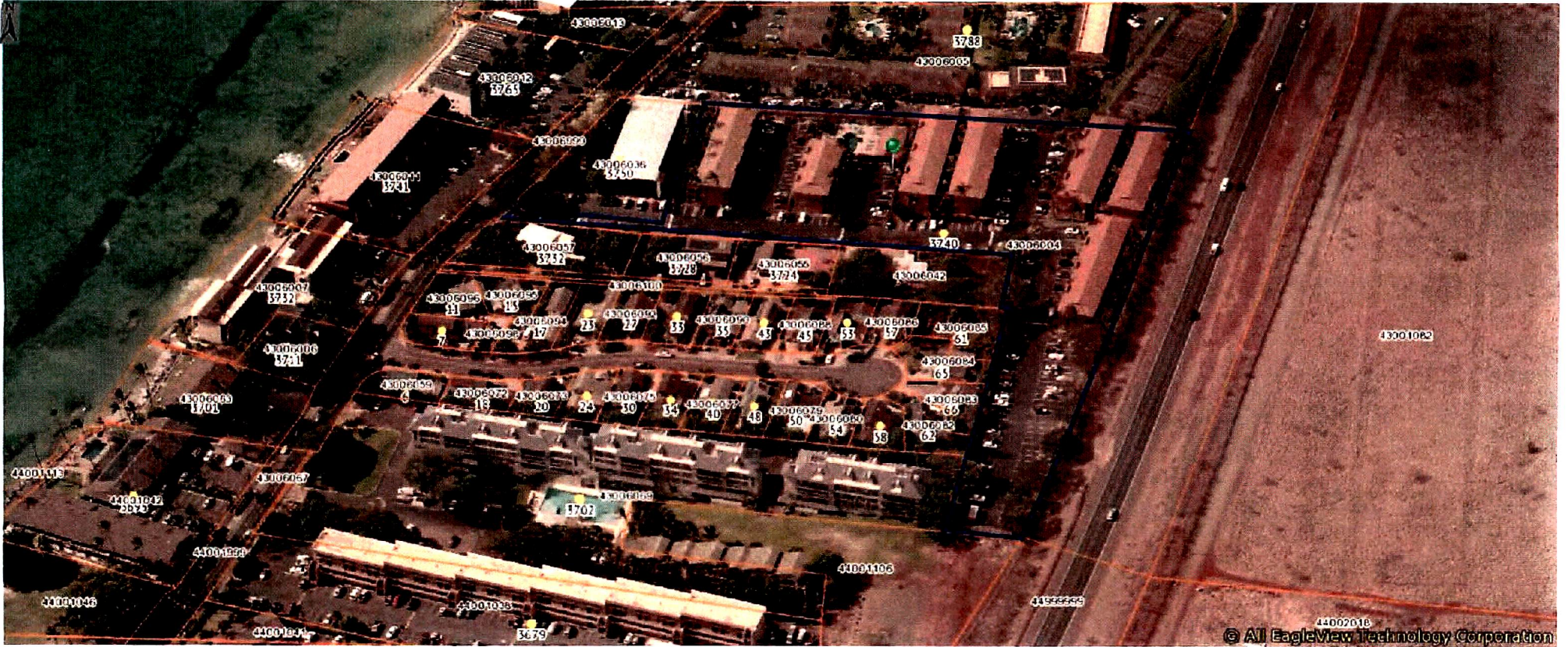


EXHIBIT "B"