

EXHIBIT "C"

CONDITIONS OF ZONING

1. MVI, LLC and any future owner or lessee must not operate Short-Term Rental Homes, Bed and Breakfast Homes, or any other transient accommodations on the property.
2. MVI, LLC and any future owner or lessee must construct and maintain firebreaks on all perimeter property boundaries as approved by the Maui Fire Department.
3. MVI, LLC and any future owner or lessee must provide vehicular access from Honoapiilani Highway to the Lahaina Pali Trail as shown on the survey map provided by the Applicant at the September 11, 2018 Maui Planning Commission meeting and attached as Exhibit "I," or as otherwise approved by the Department of Land and Natural Resources and Na Ala Hele. The access must be provided via separate lot or recorded perpetual easement; be open at least from sunrise to sunset every day; and provide ample parking.
4. MVI, LLC and any future owner or lessee must coordinate with the State Department of Transportation and Maui Department of Planning to ensure that a multimodal transportation corridor is provided along the project's Honoapiilani Highway frontage and approved by the Department of Planning. MVI, LLC and any future owner or lessee must dedicate any additional land that may be required for the corridor at no cost to the State of Hawaii or the County of Maui.
5. MVI, LLC and any future owner or lessee must leave the areas described in Exhibit "II" and Exhibit "III" in undeveloped open space because of drainage concerns and to provide a buffer for cultural sites in the area.
6. MVI, LLC, and any future owner or lessee must not pursue approvals under Chapter 201H, Hawaii Revised Statutes or similar regulation. MVI, LLC and any future owner or lessee is informed that Council's approval of the Change in Zoning to Agricultural District is based on their commitment to not pursue such approval.
7. The County of Maui will have the first right of refusal to purchase for transportation purposes a 40-acre parcel resulting from the subdivision of the property.

RECEIVED AT PSLU MEETING ON 10/2/19
(COMMITTEE CHAIR PALTIK)

LAND DESCRIPTION

Open Zone 1

All that certain parcel of land known as Open Zone 1 of a portion of Lot 21 of the Maalaea Plantation Subdivision (Subdivision File No. 3.2385) being portion(s) of Grant S-13975 to Wailuku Sugar Company and Grant 3152 to Henry Cornwell.

Situate at
Ukumehame, Wailuku, Maui, Hawaii

Beginning at the Northwestern corner of this parcel of land, being a point on the Southwesterly property boundary line of Lot 21 of the Maalaea Plantation Subdivision (Subdivision File No. 3.2385) and the Southeasterly property boundary line of a portion of Government Land of Ukumehame [T.M.K.: (2)3-6-01:14] the coordinates of said point of beginning are based on record information and referred to Government Survey Triangulation Station "LUKE" being 31,733.18 feet South and 6,194.89 feet West and running by azimuths measured clockwise from True South; thence,

1. 228° 49' 30" 393.12 feet along the remainder of Lot 21 of the Maalaea Plantation Subdivision (Subdivision File No. 3.2385) to a point; thence,
2. Following along the same, along the arc of a curve concave to the right, having a radius of 200.00 feet, the chord azimuth and distance being 254° 07' 30" for 170.94 feet, to a point; thence,
3. 279° 25' 30" 88.56 feet along the remainder of Lot 21 of the Maalaea Plantation Subdivision (Subdivision File No. 3.2385) to a ½" pipe (set); thence,
4. 301° 05' 41" 15.00 feet along the Northwestern right-of-way line of Honoapiilani Highway (N.R.11, 13-C) and Lot 1-A of the Maalaea Triangle-Honoapiilani Highway Widening Subdivision (Subdivision File No. 3.1976) to a ½" pipe (set); thence,
5. 31° 05' 41" 286.00 feet along the same, to a ½" pipe (set); thence,
6. Following along the same, along the arc of a curve concave to the left, the azimuth of a radial line passing through the point of curvature from the radius point being 121° 05' 41", and the point of tangency from the radius point being 118° 20' 52.6", having a radius of 11,539.55 feet, the chord azimuth and distance being 29° 43' 16.8" for 553.16 feet, to a ½" pipe (set); thence,
7. 153° 40' 17" 209.46 feet along the Southeasterly property boundary line of a portion of Government Land of Ukumehame [T.M.K.: (2)3-6-01:14] to a ½" pipe (set); thence,
8. 169° 48' 47" 258.31 feet along the same, to the point of beginning and containing an area of 4.250 acres.

EXHIBIT "II"

This work was done by me or
under my direct supervision.

AKAMAI LAND SURVEYING, INC.

 03 May 19

Sherman Dudley DePonte
Licensed Professional Land Surveyor
State of Hawaii Certificate No. 6960
Expires: April 30, 2020
218245(5/03/19)



LAND DESCRIPTION

Open Zone 2

All that certain parcel of land known as Open Zone 2 of a portion of Lot 21 of the Maalaea Plantation Subdivision (Subdivision File No. 3.2385) being portion(s) of Grant S-13975 to Wailuku Sugar Company, Grant 11067 to Wailuku Sugar Company, Grant 10962 to Wailuku Sugar Company and Grant 3152 to Henry Cornwell.

Situate at
Ukumehame, Wailuku, Maui, Hawaii

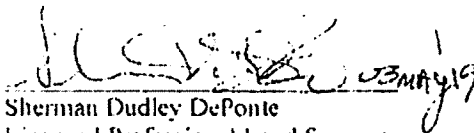
Beginning at a Westerly corner of this parcel of land and Lot 21 of the Maalaea Plantation Subdivision (Subdivision File No. 3.2385) being a point on the Southeasterly property boundary line of a portion of Government Land of Ukumehame [T.M.K.: (2)3-6-01:14] the coordinates of said point of beginning are based on record information and referred to Government Survey Triangulation Station "LUKE" being 31,005.12 feet South and 6,423.34 feet West and running by azimuths measured clockwise from True South: thence,

1. 184° 08' 47" 310.59 feet along the Southeasterly property boundary line of a portion of Government Land of Ukumehame [T.M.K.: (2)3-6-01:14] to a point; thence.
2. 176° 24' 47" 504.60 feet along the same, to a point; thence,
3. 266° 24' 47" 82.22 feet along the remainder of Lot 21 of the Maalaea Plantation Subdivision (Subdivision File No. 3.2385) to a point; thence.
4. Following along the same, along the arc of a curve concave to the right, having a radius of 40.00 feet, the chord azimuth and distance being 299° 34' 53.5" for 43.77 feet, to a point; thence.
5. 332° 45' 00" 123.21 feet along the remainder of Lot 21 of the Maalaea Plantation Subdivision (Subdivision File No. 3.2385) to a point; thence.
6. Following along the same, along the arc of a curve concave to the right, having a radius of 400.00 feet, the chord azimuth and distance being 345° 36' 00" for 177.92 feet, to a point; thence,
7. 358° 27' 00" 315.91 feet along the remainder of Lot 21 of the Maalaea Plantation Subdivision (Subdivision File No. 3.2385) to a point; thence,
8. Following along the same, along the arc of a curve concave to the left, having a radius of 100.00 feet, the chord azimuth and distance being 331° 47' 30" for 89.73 feet, to a point; thence.
9. 305° 08' 00" 744.33 feet along the remainder of Lot 21 of the Maalaea Plantation Subdivision (Subdivision File No. 3.2385) to a point; thence,
10. 31° 05' 41" 84.50 feet along the Southwesterly right-of-way line of Honoapiilani Highway (N.R.H. 13-C) Lot 1-A of the Maalaea Triangle-Honoapiilani Highway Widening Subdivision (Subdivision File No. 3.1976) to a 1/2" pipe (set); thence.

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| 11. | 121° 05' 41" | 15.00 | feet along the same, to a ½" pipe (set); thence, |
| 12. | 31° 05' 41" | 21.20 | feet along the same, to a point; thence, |
| 13. | 99° 25' 30" | 108.43 | feet along the remainder of Lot 21 of the Maalaea Plantation Subdivision (Subdivision File No. 3.2385) to a point; thence, |
| 14. | Following along the same, along the arc of a curve concave to the left, having a radius of 250.00 feet, the chord azimuth and distance being 74° 07' 30" for 213.68 feet, to a point; thence, | | |
| 15. | 48° 49' 30" | 363.09 | feet along the remainder of Lot 21 of the Maalaea Plantation Subdivision (Subdivision File No. 3.2385) to a point; thence, |
| 16. | 184° 08' 47" | 59.81 | feet along the Southeasterly property boundary line of a portion of Government Land of Ukumehame [T.M.K.: (2)3-6-01:14] to a ½" pipe (set); thence, |
| 17. | 165° 07' 47" | 112.44 | feet along the same, to a ½" pipe (set); thence, |
| 18. | 167° 31' 47" | 394.87 | feet along the same, to a ½" pipe (set); thence, |
| 19. | 105° 51' 47" | 58.03 | feet along the same, to a point; thence, |
| 20. | Following along the remainder of Lot 21 of the Maalaea Plantation Subdivision (Subdivision File No. 3.2385) along the arc of a curve concave to the left, the azimuth of a radial line passing through the point of curvature from the radius point being 266° 44' 51", and the point of tangency from the radius point being 232° 39' 52", having a radius of 185.00 feet, the chord azimuth and distance being 159° 42' 21.5" for 108.43 feet, to the point of beginning and containing an area of 10.488 acres. | | |

This work was done by me or under my direct supervision.

AKAMA LAND SURVEYING, INC.


 Sherman Dudley DePonte
 Licensed Professional Land Surveyor
 State of Hawaii Certificate No. 6960
 Expires: April 30, 2020
 218245(5/3/19)

