

# REQUEST FOR LEGAL SERVICES

**Date:** August 2, 2016  
**From:** Riki Hokama, Chair  
Budget and Finance Committee

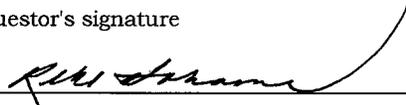
TRANSMITTAL

**Memo to:** DEPARTMENT OF THE CORPORATION COUNSEL  
Attention: Pat Wong, Esq.

**Subject:** Acquisition of Four Parcels at Kuiaha, Hamakualoa, Maui (BF-91)

**Background Data:** Revise resolution to clarify property description consistent with budget ordinance language and to make nonsubstantive revisions.

**Work Requested:**  FOR APPROVAL AS TO FORM AND LEGALITY  
 OTHER: Revise resolution as noted on the attached marked-up copy.

Requestor's signature  Riki Hokama	Contact Person Traci Fujita (Telephone Extension: 7687)
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ROUTINE (WITHIN 15 WORKING DAYS)       RUSH (WITHIN 5 WORKING DAYS)  
 PRIORITY (WITHIN 10 WORKING DAYS)       URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): August 8, 2016  
REASON: Posting agenda on August 10, 2016

## FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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TO REQUESTOR:  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 \_\_\_\_\_

By \_\_\_\_\_

(Rev. 7/03)

bf:ltr:091acc01

Attachment



# Resolution

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

APPROVING THE ACQUISITION OF ~~4 LOTS~~ <sup>FOUR PARCELS TOTALING APPROXIMATELY 267.7 ACRES</sup> IN THE ~~HAIKU SUGAR EAST SUBDIVISION AT HAIKU, MAUI, HAWAII~~ <sup>KUIAHA, HAMAKUALOA,</sup>

WHEREAS, ALEXANDER & BALDWIN, LLC, a Hawaii limited liability company ("A&B") is the fee owner of the lots identified as Tax Map Key Numbers (2) 2-7-007:079, 081, 082, and 083, consisting of approximately 182.44, 33.84, 37.95, and 13.51 acres, respectively ("Property"); and <sup>for real property tax purposes</sup>

WHEREAS, A&B has agreed to sell the Property to the County of Maui for NINE MILLION FOUR HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$9,495,000); and <sup>collectively the</sup>

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, B, C, and D to Exhibit "1"; and

<sup>WHEREAS, the Property is located in the Haiku Sugar East Subdivision at</sup>  
WHEREAS, in accordance with Section 3.44.015(B), MCC, the <sup>Kuiaha,</sup> Director of Finance contracted for an appraisal by a disinterest appraiser, <sup>Hamakualoa,</sup> said appraisal is attached hereto as Exhibit "2" and <sup>Maui, Hawaii;</sup>

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), authorization by the Council of the County of Maui by passage of a resolution is required; and <sup>and</sup>

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

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

1. That pursuant to Section 3.44.015(C), Maui County Code, the Council hereby approves the acquisition of the Property; and

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

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, and Alexander & Baldwin, LLC.

APPROVED AS TO FORM  
AND LEGALITY:

  
\_\_\_\_\_  
JEFFREY UEOKA  
Deputy Corporation Counsel  
County of Maui  
2016-0885