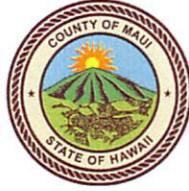


ALAN M. ARAKAWA
Mayor



RECEIVED
DANILO F. AGSALOG
Director
2017 SEP 22 PM 2:40
MARK R. WALKER
Deputy Director
OFFICE OF THE MAYOR

COUNTY OF MAUI
DEPARTMENT OF FINANCE
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793

September 22, 2017

RECEIVED
2017 SEP 25 PM 2:30
OFFICE OF THE
COUNTY CLERK

Honorable Alan Arakawa
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

For Transmittal to:

Honorable Michael White, Chair
And Members of the Maui County Council
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL
Alan Arakawa 9/25/17
Mayor Date

Dear Chair White and Maui County Council Members:

**SUBJECT: MAHALANI STREET EXTENSION SUBDIVISION
ROADWAY LOT 11-D-3-A, SUBDIVISION FILE NO. 3.1802
TMK: (2) 3-8-007:146**

Pursuant to Section 3.44.015 H. of the Maui County Code, this letter shall serve as notice that the County of Maui has accepted a Warranty Deed for a Roadway Lot by the Department of Public Works – Subdivision Section. The parcel is identified by the subject Tax Map Key Number.

Please refer to enclosed Exhibit A for the Legal Description of Roadway and Exhibit B for the location of the Roadway.

In addition, the Department of Public Works has provided additional information pursuant to Section 3.44.015, F.4 of the Maui County Code.

- 1) **County Funds:** No County Funds were used.

COUNTY COMMUNICATION NO. 17-384


Warranty Deed
Roadway Lot 11-D-3-A
TMK: (2) 3-8-007:146
September 22, 2017
Page 2

- 2) **Purpose:** The roadway lot was constructed to service the surrounding area for general access purposes.
- 3) **Standards:** The roadway lot was constructed to county standards and provides the necessary right-of-way width.

Thank you for your attention in this matter. Should you have any questions, please feel free to contact me at Ext. 7844.

Sincerely,



 **DANILO F. AGSALOG**
Director of Finance

Enclosures

Cc: David Goode, Director of Public Works

DFA/gmh

**Mahalani Street Extension Subdivision
Description of Lot 11-D-3-A
(Mahalani Street Extension)**

Land situated on the southerly side of Mahalani Street at Wailuku, Maui, Hawaii

Being portions of R.P. 4475, L.C. Aw. 7713 Apana 23 to V. Kamamalu and Grant 3343 to Claus Spreckels

Beginning at a point on the northwesterly corner of this lot, being also the southwesterly corner of Lot C of Maui Memorial Park, Section "A", Roselani Garden (File Plan 916), the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 83.35 feet North and 855.11 feet West and running by azimuths measured clockwise from True South:

- | | | | |
|----|--------------|-------------|--|
| 1. | 310' 44' | 144.99 feet | along Lot C of Maui Memorial Park, Section "A" Roselani Garden (File Plan 916) and Lot 35 of Kaunaoa Garden - Unit II (File Plan 1857) to a point; |
| 2. | 300' 32' | 315.61 feet | along Lot 35 of Kaunaoa Garden - Unit II (File Plan 1857) and Lot "D" of Maui Memorial Park, Section "F" Kaunaoa Garden (File Plan 941) to a point; |
| 3. | 277' 34' | 481.41 feet | along Lot "D" of Maui Memorial Park, Section "F" Kaunaoa Garden (File Plan 941), Lot "A" of Maui Memorial Park, Section "E" Mokiha Garden (File Plan 940), and Lot "E" of Maui Memorial Park, Section "D" Lehua Garden (File Plan 939) to a point; |
| 4. | 269' 13' 30" | 139.58 feet | along Lot "E" of Maui Memorial Park, Section "D" Lehua Garden (File Plan 939) and along Lot 6 of Maui Lani Subdivision, being also along the remainder of Grant 3343 to Claus Spreckels to a point; |
| 5. | 253' 48' | 67.50 feet | along Lot 6 of Maui Lani Subdivision and Lot 3-A of Orchards Hawaii Subdivision, being also along the remainder of Grant 3343 to Claus Spreckels to a point; |

6. 173' 36' 23.57 feet along Lot 3-A of Orchards Hawaii Subdivision, being also along the remainder of Grant 3343 to Claus Spreckels to a point;
7. Thence along Lot 11-D-2-A-1-A of Mahalani Street Extension Subdivision, being also along the remainder of Grant 3343 to Claus Spreckels on a curve to the left with the point of curvature azimuth from the radial point being: 338' 13' 06", and the point of tangency azimuth from the radial point being: 297' 45', having a radius of 470.00 feet, the chord azimuth and distance being: 227' 59' 03" 325.11 feet to a point;
8. 207' 45' 291.04 feet along Lot 11-D-2-A-1-A of Mahalani Street Extension Subdivision, being also along the remainders of Grant 3343 to Claus Spreckels and R.P. 4475, L.C. Aw. 7713 Apana 23 to V. Kamamalu to a point;
9. Thence along Lots 11-D-A-1-A and 11-E-5-A-1 of Mahalani Street Extension Subdivision, being also along the remainder of R.P. 4475, L.C. Aw. 7713 Apana 23 to V. Kamamalu, on a curve to the right having a radius of 330.00 feet, the chord azimuth and distance being: 256' 52' 30" 499.05 feet to a point;
10. 306' 00' 6.37 feet along Lot 11-E-5-A-1 of Mahalani Street Extension Subdivision, being also along the remainder of R.P. 4475, L.C. Aw. 7713 Apana 23 to V. Kamamalu to a point;
11. Thence along same on a curve to the left having a radius of 30.00 feet, the chord azimuth and distance being: 261' 00' 42.43 feet to a point;

12. 36° 00' 8.82 feet along Lot 11-D-2-C of Maui Lani Parkway Road Lot Subdivision II, being also along the remainder of R.P. 4475, L.C. Aw. 7713 Apana 23 to V. Kamamalu to a point;
13. 306° 00' 10.00 feet along same to a point;
14. 216° 00' 333.08 feet along same to a point;
15. Thence along same on a curve to the right having a radius of 1,007.41 feet, the chord azimuth and distance being: 221° 50' 30" 205.07 feet to a point;
16. 227° 41' 153.88 feet along same to a point;
17. 357° 39' 30" 91.34 feet along Lot B-1-B-3 of Hale O Mana'o Lana Hou Subdivision, being also along the remainder of R.P. 4475, L.C. Aw. 7713 Apana 23 to V. Kamamalu to a point;
18. 47° 41' 117.17 feet along Lot 11-E-3-A of Maui Lani (Large-Lot) Subdivision, being also along the remainder of R.P. 4475, L.C. Aw. 7713 Apana 23 to V. Kamamalu to a point;
19. Thence along same on a curve to the right with the point of curvature azimuth from the radial point being: 298° 53' 11", and the point of tangency azimuth from the radial point being: 306° 00', having a radius of 653.11 feet, the chord azimuth and distance being: 32° 26' 35.5" 81.04 feet to a point;
20. 36° 00' 581.69 feet along Lots 11-E-3-A and 11-B-1 of Maui Lani (Large-Lot) Subdivision, being also along the remainders of R.P. 4475, L.C. Aw. 7713 Apana 23 to V. Kamamalu and Grant 3343 to Claus Spreckels to a point;

EXHIBIT "A"

21. 126' 00' 100.00 feet along Lot 11-D-1-A of Mahalani Street Extension Subdivision, being also along the remainder of Grant 3343 to Claus Spreckels to a point;
22. 216' 00' 50.00 feet along Lot 11-D-1-B of Mahalani Street Extension Subdivision, being also along the remainders of Grant 3343 to Claus Spreckels and R.P. 4475, L.C. Aw. 7713 Apana 23 to V. Kamamalu to a point;
23. Thence along Lot 11-D-1-B of Mahalani Street Extension Subdivision, being also along the remainder of R.P. 4475, L.C. Aw. 7713 Apana 23 to V. Kamamalu on a curve to the left having a radius of 30.00 feet, the chord azimuth and distance being: 171' 00' 42.43 feet to a point;
24. 126' 00' 6.37 feet along same to a point;
25. Thence along same on a curve to the left having a radius of 270.00 feet, the chord azimuth and distance being: 76' 52' 30" 408.32 feet to a point;
26. 27' 45' 291.04 feet along Lot 11-D-1-B of Mahalani Street Extension Subdivision, being also along the remainders of R.P. 4475, L.C. Aw. 7713 Apana 23 to V. Kamamalu and Grant 3343 to Claus Spreckels to a point;
27. Thence along Lot 11-D-1-B of Mahalani Street Extension Subdivision, being also along the remainder of Grant 3343 to Claus Spreckels on a curve to the right with the point of curvature azimuth from the radial point being: 297' 45', and the point of tangency azimuth from the radial point being: 334' 05' 08", having a radius of 530.00 feet, the chord azimuth and distance being: 45' 55' 04" 330.51 feet to a point;

- | | | | | |
|-----|------|-----|-------------|--|
| 28. | 163' | 48' | 1.41 feet | along Lot 7-E of Maui Lani Subdivision, being also along the remainder of Grant 3343 to Claus Spreckels to a point; |
| 29. | 73' | 48' | 119.29 feet | along same to a point; |
| 30. | 89' | 13' | 30" | 145.83 feet along same to a point; |
| 31. | 97' | 34' | 489.69 feet | along Lots 7-E and 7-D of Maui Lani Subdivision, being also along the remainder of Grant 3343 to Claus Spreckels to a point; |
| 32. | 120' | 32' | 324.39 feet | along Lots 7-D and 7-C of Maui Lani Subdivision, being also along the remainders of Grant 3343 to Claus Spreckels and R.P. 4475, L.C. Aw. 7713 Apana 23 to V. Kamamalu to a point; |
| 33. | 130' | 44' | 129.01 feet | along Lot 7-C Maui Lani Subdivision, being also along the remainder of R.P. 4475, L.C. Aw. 7713 Apana 23 to V. Kamamalu to a point; |
| 34. | 188' | 52' | 35.32 feet | along the easterly side of Waiale Road to the point of beginning and containing an Area of 4.084 acres. |



Reed M. Ariyoshi 12/4/09
 Licensed Professional Land Surveyor
 Certificate No. 6597

Being the premises acquired by the Grantor herein by Deed of MAUI LANI PARTNERS, a Hawaii general partnership, to THE MAUI LANI COMMUNITY ASSOCIATION, a Hawaii non-profit corporation, dated October 3, 2005, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 2005-229412.

SUBJECT, HOWEVER, to the following:

1. The lien of real property taxes assessed for the current fiscal year but not yet due.

2. Reservation in favor of the State of Hawaii of all mineral and metallic mines.

3. Grant of Easement for water pipeline purposes within a 10 foot wide easement, as more particularly described therein, in favor of the County of Maui and Maui County Waterworks Board, dated August 26, 1952, recorded in Liber 2654, Page 177.

4. Grant of Easement for water pipeline purposes within a 10 foot wide easement, as more particularly described therein, in favor of the Board of Water Supply of the County of Maui, dated December 21, 1961, recorded in Liber 4191, Page 263.

5. Grant of Easement for water pipeline purposes within a 15 foot wide easement, as more particularly described therein, together with the right of ingress, egress and regress over the Grantor's adjoining lands, as more fully set forth therein, in favor of the Board of Water Supply of the County of Maui, dated September 20, 1965, recorded in Liber 5194, Page 320.

6. Grant of Easement for utility purposes within Easement 1, being more particularly described therein, in favor of Maui Electric Company, Limited, dated January 31, 1972, recorded in Liber 8274, Page 118.

7. Grant of Easement for water pipeline purposes within Easement 15, as more particularly described therein, in favor of the County of Maui, recorded in Liber 14533, Page 170.

8. The terms and provisions contained in Elevation Agreement dated September 16, 1980, recorded in Liber 15037, Page 310.

9. The terms and provisions contained in Certificate dated June 2, 1983, recorded in Liber 17086, Page 382 (re: reclassification of approximately 680 acres from Agricultural District to Urban District).

10. The terms and provisions contained in Subdivision Agreement (Large Lots) dated February 14, 1989, recorded in Liber 23036,

Page 373, by and between Alexander & Baldwin, Inc., a Hawaii corporation, and the County of Maui.

11. The terms and provisions contained in Agreement to Defer Subdivision Requirements (Orchards Hawaii Subdivision) dated March 21, 1989, recorded in Liber 23382, Page 491.

12. The terms and provisions contained in Agreement to Defer Subdivision Requirements dated September 27, 1989, recorded in Liber 23854, Page 9.

13. The terms and provisions contained in Subdivision Agreement (Agricultural Use) dated August 29, 1989, recorded in Liber 23899, Page 679, by and between Alexander & Baldwin, Inc., a Hawaii corporation, and the County of Maui.

14. The terms and provisions contained in Subdivision Agreement (Large Lots) dated August 29, 1989, recorded in Liber 23899, Page 689, by and between Alexander & Baldwin, Inc., a Hawaii corporation, and the County of Maui.

15. The terms and provisions contained in Unilateral Agreement and Declaration for Conditional Use, dated November 28, 1989, recorded in Liber 23963, Page 712, made by Maui Lani Partners, a Hawaii general partnership.

16. The terms and provisions contained in Subdivision Agreement (Large Lots) dated March 22, 1991, recorded as Document No. 91-051286, by and between Alexander & Baldwin, Inc., a Hawaii corporation, Maui Lani Partners, a Hawaii general partnership, and the County of Maui.

17. The terms and provisions contained in Subdivision Agreement (Large Lots) dated June 19, 1991, recorded as Document No. 91-085079, by and between Maui Lani Partners, a Hawaii general partnership, and the County of Maui.

18. The terms and provisions contained in Acknowledgment dated May 29, 1991, by Maui Lani Partners, a Hawaii general partnership (re: sewage system capacity), recorded as Document No. 91-085080.

19. Grant of Easement for utility purposes within that certain 25-foot wide easement, as shown on the map attached thereto, recorded March 18, 1994, as Document No. 94-048037, between Maui Lani Partners, a Hawaii general partnership, and Maui Electric Company, Limited, a Hawaii corporation, as amended by instrument dated April 8, 1996, recorded as Document No. 96-051846.

20. The terms and provisions contained in Agreement dated July 17, 1995, by and among Maui Lani Partners and HRT, Ltd. and the County of Maui, recorded as Document No. 95-094052.

21. The terms and provisions contained in Hold Harmless Agreement dated July 17, 1995, by and among Maui Lani Partners and HRT, Ltd. and the County of Maui, recorded as Document No. 95-094053.

22. The terms and provisions contained in Subdivision Agreement (Large Lots) dated July 11, 1995, recorded as Document No. 95-094143, by and among Maui Lani Partners and HRT, Ltd. and the County of Maui.

23. Deferral of Subdivision Requirements Agreement dated July 3, 1995, by and between Maui Lani Partners, a Hawaii general partnership, and the Department of Water Supply of the County of Maui, recorded as Document No. 95-097157.

24. The terms and provisions contained in Subdivision Agreement (Large Lot), dated November 12, 2001, recorded as Document No. 2001-195819.

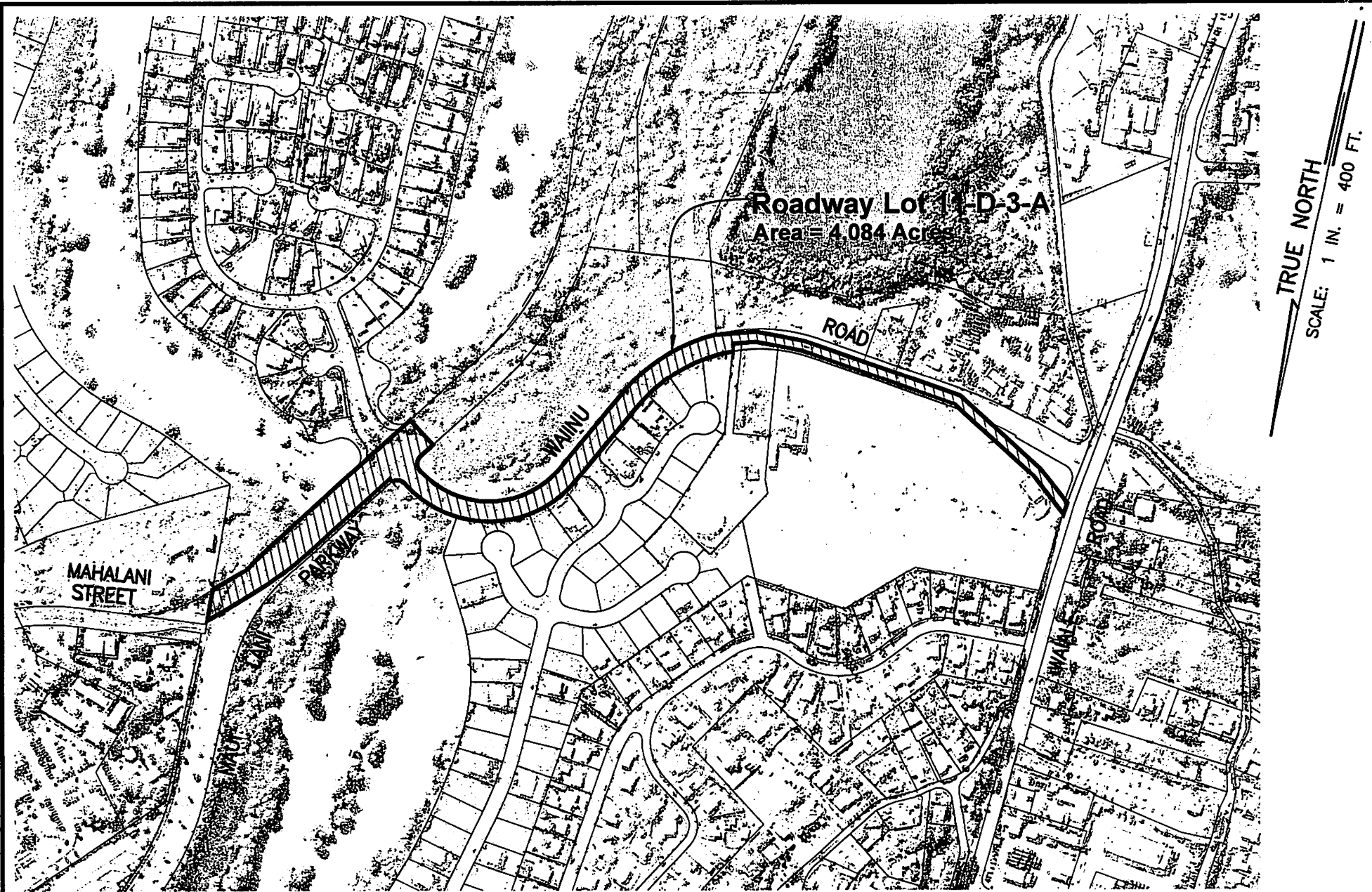
25. Portion of Easement 10-R for golf cart underpass and irrigation purposes, as more particularly described in Grant of Easement recorded as Document No. A-45480906.

26. Grant of Easement in favor of Maui Lani Golf Investors, LLC, within Easement 10-R, as more particularly described therein, recorded on June 14, 2012 as Document Nos. A-45480906, as amended by Amendment to Grant of Easement, dated November 19, 2012, recorded as Document Nos. A-47081698.

27. Grant of Non-Exclusive Easement for Private Waterline Purposes, dated March 15, 2016, and recorded on August 5, 2016 as Document No. A-60610675.

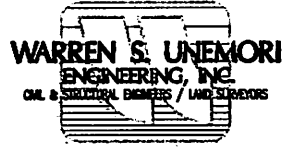
END OF EXHIBIT "A"

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TRUE NORTH
SCALE: 1 IN. = 400 FT.

Map of Roadway Lot 11-D-3-A at TMK 3-8-007: 146
Wailuku, Maui, Hawaii



August 16, 2016