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Director of Council Services
Maria E. Zielinski

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

August 31, 2018

MEMO TO: Patrick K. Wong
Corporation Counsel

F R O M: Robert Carroll, Chair
Land Use Committee

A handwritten signature in dark ink, appearing to read "me fwl", is written over the "F R O M:" line.

SUBJECT: **COMMUNITY PLAN AMENDMENT AND CHANGE IN ZONING FOR
THE KAHANA SUNSET CONDOMINIUM AT 4909 LOWER
HONOAPIILANI ROAD (LAHAINA)** (LU-19)

The Land Use Committee is in receipt of the attached correspondence dated August 30, 2018, from The Ing Law Firm, attorneys for the Association of Apartment Owners of Kahana Sunset ("AOAO"), transmitting a corporate resolution dated August 17, 2018.

May I please request you review the attached and advise whether this will meet your Department's needs in identifying representatives authorized to execute a Unilateral Agreement and Declaration for Conditional Zoning on behalf of the AOAO, should the Committee recommend conditions of zoning be imposed.

Because I intend to schedule this matter on September 5, 2018, I would appreciate receiving a response by that date, if feasible. To ensure efficient processing, please include the relevant Committee item number in the subject line of your response.

Should you have any questions, please contact me or the Committee staff (Carla Nakata at ext. 7659, James Krueger at ext. 7761, or Rayna Yap at ext. 8007).

lu:ltr:019acc02:cmn

Attachment

cc: David Galazin, Deputy Corporation Counsel
Lawrence N. C. Ing, The Ing Law Firm
Raymond Cabebe, Chris Hart & Partners, Inc.

LAWRENCE N. C. ING
BRADFORD R. ING

2145 WELLS STREET, SUITE 204
WELLS STREET PROFESSIONAL CENTER
WAILUKU, MAUI, HI 96793-2225
(808) 242-4555 • FAX (808) 244-6964
office@theinglawfirm.com

44-19

THE ING LAW FIRM

LETTER OF TRANSMITTAL

August 30, 2018

TO: ROBERT CARROLL CHAIR
LAND USE COMMITTEE

RE: AOA Kahana Sunset Rezoning Application

ENCLOSED ARE THE FOLLOWING:

Corporate Resolution dated August 17, 2018

RECEIVED
2018 AUG 30 AM 10:35
OFFICE OF THE
COUNTY CLERK

THESE ARE TRANSMITTED as checked below:

- | | |
|---|---|
| <input type="checkbox"/> For your information & file | <input type="checkbox"/> For your use |
| <input checked="" type="checkbox"/> As requested | <input type="checkbox"/> Returned |
| <input type="checkbox"/> For your review - call/write us with your comments | <input type="checkbox"/> Sign where indicated |
| <input type="checkbox"/> For your review & action | & return to us for |
| <input type="checkbox"/> Signature in <u>black ink</u> where indicated before a | further processing |
| notary public & <u>return</u> to us for further processing | |
| <input type="checkbox"/> Other: | |

IF ENCLOSURES ARE NOT AS NOTED, NOTIFY US IMMEDIATELY.

REMARKS:

THE ING LAW FIRM
LAWRENCE N. C. ING

By

Michelle N. H. Eldridge

- | | | | |
|-----------------------------------|---|--|-------------------------------------|
| <input type="checkbox"/> Via Mail | <input checked="" type="checkbox"/> Via Hand Delivery | <input type="checkbox"/> For Pickup | <input type="checkbox"/> Via E-Mail |
| <input type="checkbox"/> Via Fax | <input type="checkbox"/> Via Court Jacket | <input type="checkbox"/> Confirmation of faxed copy sent | |

CORPORATE RESOLUTION

I, Craig Peterson, President of
ASSOCIATION OF APARTMENT OWNERS OF KAHANA SUNSET, a Hawaii
nonprofit corporation, do hereby certify that the following is a full, true and correct copy
of a resolution duly adopted by the members/owners and Board of Directors of said
Corporation, at its meeting duly called and held at the office of the Corporation, Lahaina,
Maui, Hawaii, on May 3, 2018, at which time a quorum was present and
acting throughout; and that said resolution has not been modified, amended or
rescinded and continues in full force and effect.

RESOLVED, that the corporation apply for the change in zoning from
Residential District to H-M Hotel District for its parcel located at Lahaina, Maui,
Hawaii, T.M.K. (2) 4-3-003:015, that any two (2) officers being the President,
Vice President, Secretary or Treasurer, be, and each of them hereby is,
authorized to execute on behalf of the Corporation all documents necessary for
the change in zoning, including the Unilateral Agreement And Declaration For
Conditional Zoning.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate
seal of said Corporation, on August 17, 2018.

By Craig Peterson
(Signature)

Craig Peterson
(Print Name)

Its President
(Title)

OFFICE

President

Vice President

Secretary

Treasurer

NAME

2 Craig Peterson

3 Nick Yushmanov

4 Jeffrey Lochner

5 Jeffrey Lochner