

Resolution

No. 22-117

AMENDING RESOLUTION 18-210 AND AUTHORIZING THE DISPOSITION OF APPROXIMATELY 33.373 ACRES OF COUNTY REAL PROPERTY LOCATED IN LAUNIUPOKO, MAUI, HAWAII, TO THE DEPARTMENT OF TRANSPORTATION, STATE OF HAWAII, FOR THE HONOAPIILANI HIGHWAY REALIGNMENT, PHASE 1B-2

WHEREAS, the COUNTY OF MAUI (hereinafter the “County”) is the owner of real property identified for real property tax purposes as tax map key number (2) 4-7-001:030 (por.) (the “Property”), as described in Exhibit “A-1” and as shown on Exhibit “A-2”, attached hereto and incorporated by reference herein; and

WHEREAS, by way of Resolution 18-210, the Council authorized the disposition of the Property to the State of Hawaii, Department of Transportation (“DOT”), for the purpose of the Honoapiilani Highway Realignment, Phase 1B-2 (the “Lahaina Bypass”); and

WHEREAS, Resolution 18-210 attached an incorrect Exhibit “1”; and

WHEREAS, the Property was acquired by the County pursuant to Resolution No. 13-151, which included an appraisal reflecting a negotiated price adjustment in consideration of the future transfer to the DOT of the right of way for the Lahaina Bypass project; and

WHEREAS, the State of Hawaii has agreed to pay the County the sum of \$1,251,798 for additional acreage used by the DOT to construct the Lahaina Bypass; and

WHEREAS, Section 13-14 of the Charter provides for cooperation with the State of Hawaii; and

WHEREAS, pursuant to Sections 3.44.020, 3.44.030, 3.44.050, and 3.44.070, Maui County Code, the Council may authorize the disposition of County real property in fee simple by resolution upon finding that it is in

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the public interest to do so, and may waive public auction, public hearing, and appraisal, provided that such resolution is approved by two-thirds of its members; now, therefore,

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

1. That the Council hereby finds that it is in the public interest to grant the Property to the State of Hawaii, Department of Transportation, and waives public hearing, public auction, and an appraisal of the Property; and

2. That pursuant to Section 3.44.020, Maui County Code, the Council hereby amends Resolution 18-210 and approves the disposition of the Property as described in and shown on Exhibits "A-1" and "A-2"; conditioned upon the County's receipt of payment by the State of Hawaii in the amount of \$1,251,798 for the additional area used for the Lahaina Bypass; and

3. That the proceeds shall be deposited to the Open Space, Natural Resources, Cultural Resources, and Scenic Views Preservation Fund; and

4. 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 disposition of the Property; and

5. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, the Director of Public Works, the Director of Parks and Recreation, the Corporation Counsel, and the State of Hawaii, Department of Transportation.

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APPROVED AS TO FORM
AND LEGALITY:

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RICHELLE M. THOMSON
First Deputy Corporation Counsel
County of Maui
LF 2018-0229

EXHIBIT " A-1 "

HONOAPIILANI HIGHWAY REALIGNMENT, PHASE 1B-2 Hokiokio Place to Vicinity of Olowalu Federal Aid Project No. NH-030-1(051)

PARCEL 1 (Revision 2)

Being a portion of Royal Patent 1358, Land Commission Award 82 to Thomas Phillips

Being also a portion of Lot 7 of the Launiupoko (Large-Lot) Subdivision No. 2 (LUCA File No. 4.837).

Land Situated at Launiupoko, Lahaina, Maui, Hawaii

Beginning at the Northeast corner of this piece of land, on the Northeast side of Honoapiilani Highway Realignment, Phase 1B-2, Hokiokio Place to Vicinity of Olowalu, Federal Aid Project No. NH-030-1(051) and on the South side of Kai Hele Ku Street (Lot B-2) Mahanalua Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Laina" being 19,281.19 feet South and 6,703.63 feet East, thence running by azimuths measured clockwise from true South:

1. Along the Northeast side of Honoapiilani Highway Realignment, Phase 1B-2, Project No. NH-030-1(051), along Lot 10-C of the Makila Nui Subdivision on a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:
207° 29' 46" 42.80 feet;
2. 341° 59' 16" 385.86 feet along the Northeast side of Honoapiilani Highway Realignment, Phase 1B-2, Project No. NH-030-1(051), along Lot 10-C of the Makila Nui Subdivision;
3. Thence along same on a curve to the left with a radius of 2,784.79 feet, the chord azimuth and distance being:
338° 04' 19" 380.35 feet;

HONOAPIILANI HIGHWAY REALIGNMENT, PHASE 1B-2
Federal Aid Project No. NH-030-1(051)
Parcel 1

4. Thence along the Northeast side of Honoapiilani Highway Realignment, Phase 1B-2, Project No. HN-030-1(051), along the remainder of Lot 7 of the Launiupoko (Large-Lot) Subdivision No. 2 on a curve to the left with a radius of 2,864.67 feet, the chord azimuth and distance being:

317° 13' 23.5" 2,059.24 feet;
5. 296° 09' 31" 679.32 feet along the Northeast side of Honoapiilani Highway Realignment, Phase 1B-2, Project No. NH-030-1(051), along the remainder of Lot 7 of the Launiupoko (Large-Lot) Subdivision No. 2;
6. Thence along same on a curve to the right with a radius of 1,805.00 feet, the chord azimuth and distance being:

315° 04' 14.5" 1,170.06 feet;
7. 333° 58' 58" 410.36 feet along the Northeast side of Honoapiilani Highway Realignment, Phase 1B-2, Project No. NH-030-1(051), along the remainder of Lot 7 of the Launiupoko (Large-Lot) Subdivision No. 2;
8. 243° 58' 58" 75.00 feet along same;
9. 330° 35' 13" 728.99 feet along same;
10. 42° 41' 30" 55.00 feet along same;
11. 312° 41' 30" 166.21 feet along same;
12. 42° 41' 30" 15.00 feet along same;
13. 132° 41' 30" 90.90 feet along the Northeast side of Lahaina-Wailuku Road, F.A.P. No. 30-A;

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Federal Aid Project No. NH-030-1(051)
Parcel 1

14. 42° 41' 30" 10.00 feet along same;
15. 132° 41' 30" 716.47 feet along same;
16. Thence along same on a curve to the left with a radius of
2,183.59 feet, the chord azimuth
and distance being:
129° 35' 15" 236.49 feet;
17. 216° 29' 00" 5.00 feet along the Northeast side of
Lahaina-Wailuku Road,
F.A.P. No. 30-A;
18. 243° 58' 58" 72.42 feet along the Southwest side of
Honoapiilani Highway Realignment,
Phase 1B-2, Project No.
NH-030-1(051), along the remainder
of Lot 7 of the Launiupoko
(Large-Lot) Subdivision No. 2;
19. 153° 58' 58" 191.69 feet along same;
20. 63° 58' 58" 30.00 feet along same;
21. 153° 58' 58" 160.34 feet along same;
22. Thence along same on a curve to the left with a radius of
1,565.00 feet, the chord azimuth
and distance being:
135° 04' 14.5" 1,014.49 feet;
23. 116° 19' 31" 48.54 feet along the Southwest side of
Honoapiilani Highway Realignment,
Phase 1B-2, Project No.
NH-030-1(051), along the remainder
of Lot 7 of the Launiupoko
(Large-Lot) Subdivision No. 2;
24. 26° 09' 31" 188.44 feet along the East side of South
Connector Road, along the remainder
of Lot 7 of the Launiupoko
(Large-Lot) Subdivision No. 2;

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25. Thence along same on a curve to the right with a radius of 713.05 feet, the chord azimuth and distance being:
27° 49' 31" 41.48 feet;
26. 119° 29' 31" 35.00 feet along same;
27. Thence along the East side of South Connector Road on a curve to the right with a radius of 678.05 feet, the chord azimuth and distance being:
31° 40' 25.5" 51.63 feet;
28. Thence along same on a curve to the right with a radius of 678.05 feet, the chord azimuth and distance being:
35° 16' 05" 33.43 feet;
29. Thence along same on a curve to the right with a radius of 678.05 feet, the chord azimuth and distance being:
53° 40' 01.5" 396.18 feet;
30. 340° 39' 13" 62.88 feet along the East side of South Connector Road, along the remainder of Lot 7 of the Launiupoko (Large-Lot) Subdivision No. 2;
31. 105° 29' 00" 176.50 feet along the North side of Lahaina-Wailuku Road, F.A.P. No. 30-A;
32. Thence along same on a curve to the right with a radius of 2,609.42 feet, the chord azimuth and distance being:
108° 59' 48.5" 319.83 feet;
33. 202° 30' 37" 15.00 feet along the West side of South Connector Road, along the remainder of Lot 7 of the Launiupoko (Large-Lot) Subdivision No. 2;

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Federal Aid Project No. NH-030-1(051)
Parcel 1

34. Thence along same on a curve to the left with a radius of 578.05 feet, the chord azimuth and distance being:

257° 15' 09" 667.37 feet;

35. Thence along same on a curve to the left with a radius of 578.05 feet, the chord azimuth and distance being:

220° 15' 25" 35.06 feet;

36. Thence along same on a curve to the left with a radius of 578.05 feet, the chord azimuth and distance being:

212° 20' 20" 124.46 feet;

37. 206° 09' 31" 188.44 feet along the West side of South Connector Road, along the remainder of Lot 7 of the Launiupoko (Large-Lot) Subdivision No. 2;

38. 116° 09' 31" 134.75 feet along the Southwest side of Honoapiilani Highway Realignment, Phase 1B-2, Project No. NH-030-1(051), along the remainder of Lot 7 of the Launiupoko (Large-Lot) Subdivision No. 2;

39. 206° 09' 31" 30.00 feet along same;

40. 116° 09' 31" 361.03 feet along same;

41. Thence along same on a curve to the right with a radius of 3,074.67 feet, the chord azimuth and distance being:

138° 21' 28.5" 2,323.40 feet;

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42. 106° 48' 15" 135.15 feet along the Southwest side of
Honoapiilani Highway Realignment,
Phase 1B-2, Project No.
NH-030-1(051), along the remainder
of Lot 7 of the Launiupoko
(Large-Lot) Subdivision No. 2;
43. 161° 59' 16" 549.39 feet along same;
44. 226° 59' 16" 143.44 feet along same;
45. 161° 59' 16" 9.14 feet along same;
46. Thence along the South side of Kai Hele Ku Street (Lot B-2)
Mahanalua Subdivision on a curve to
the left with a radius of 530.00
feet, the chord azimuth and
distance being:

257° 08' 53.75" 76.60 feet;
47. 253° 00' 16" 8.71 feet along same;
48. 253° 00' 16" 115.55 feet along same, to the point of
beginning and containing an area of
1,453,712 square feet or 33.373
acres.

Together with any and all abutter's rights of vehicle access
appurtenant to the reminder of the land of which Parcel 1 is a
part, into and from Honoapiilani Highway Realignment, Phase 1B-2,
Federal Aid Project No. NH-030-1(051), Hokiokio Place to Vicinity
of Olowalu, over and across Courses 4-12 (inclusive), 18 to 27
(inclusive), 29, 30, 33, 34, 36 to 45 (inclusive) of the above
described Parcel 1.

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
Highways Division

January 30, 2018
Honolulu, Hawaii
Tax Map Key: (2)4-7-01:030

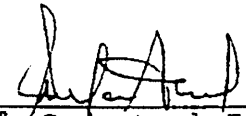
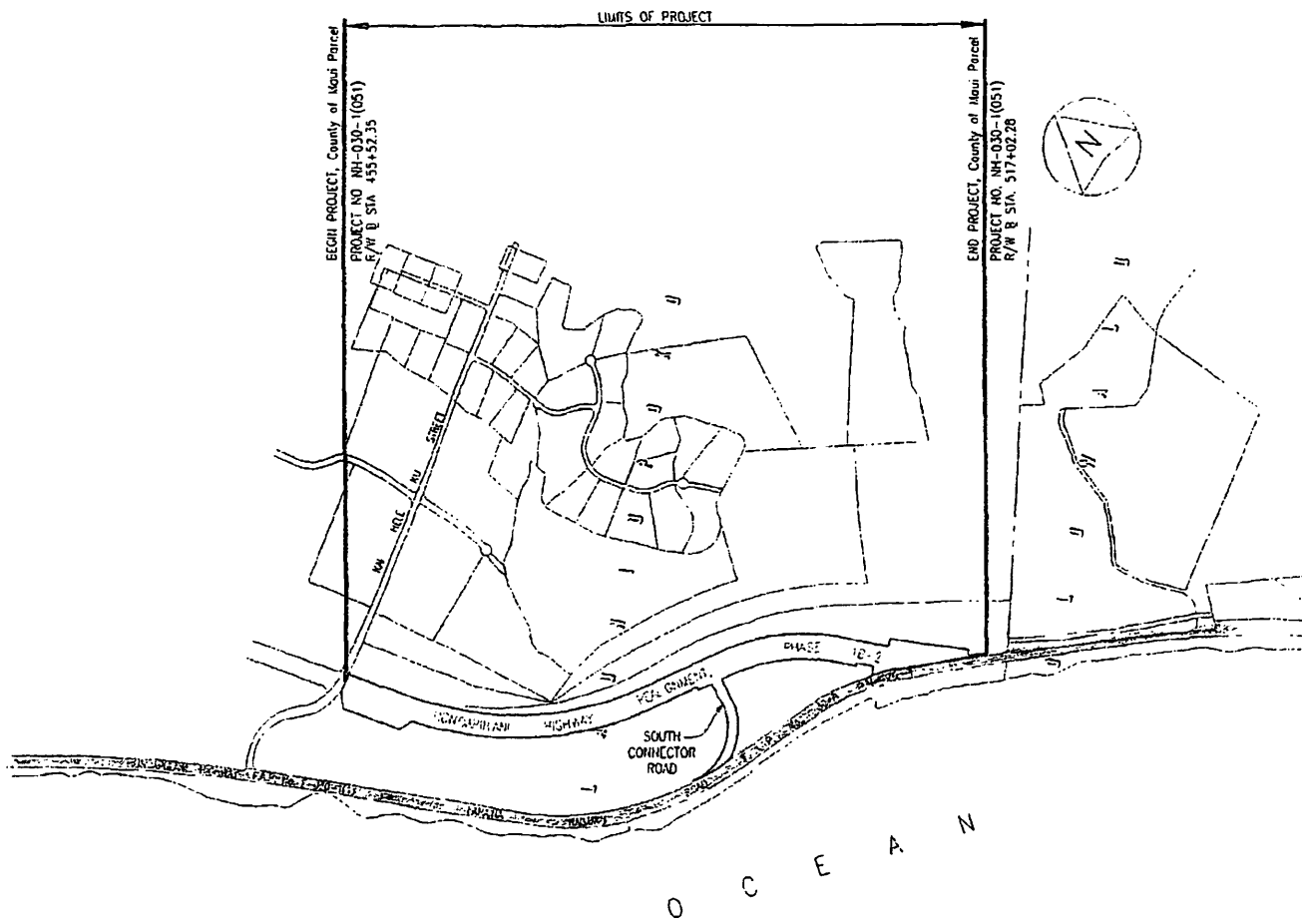
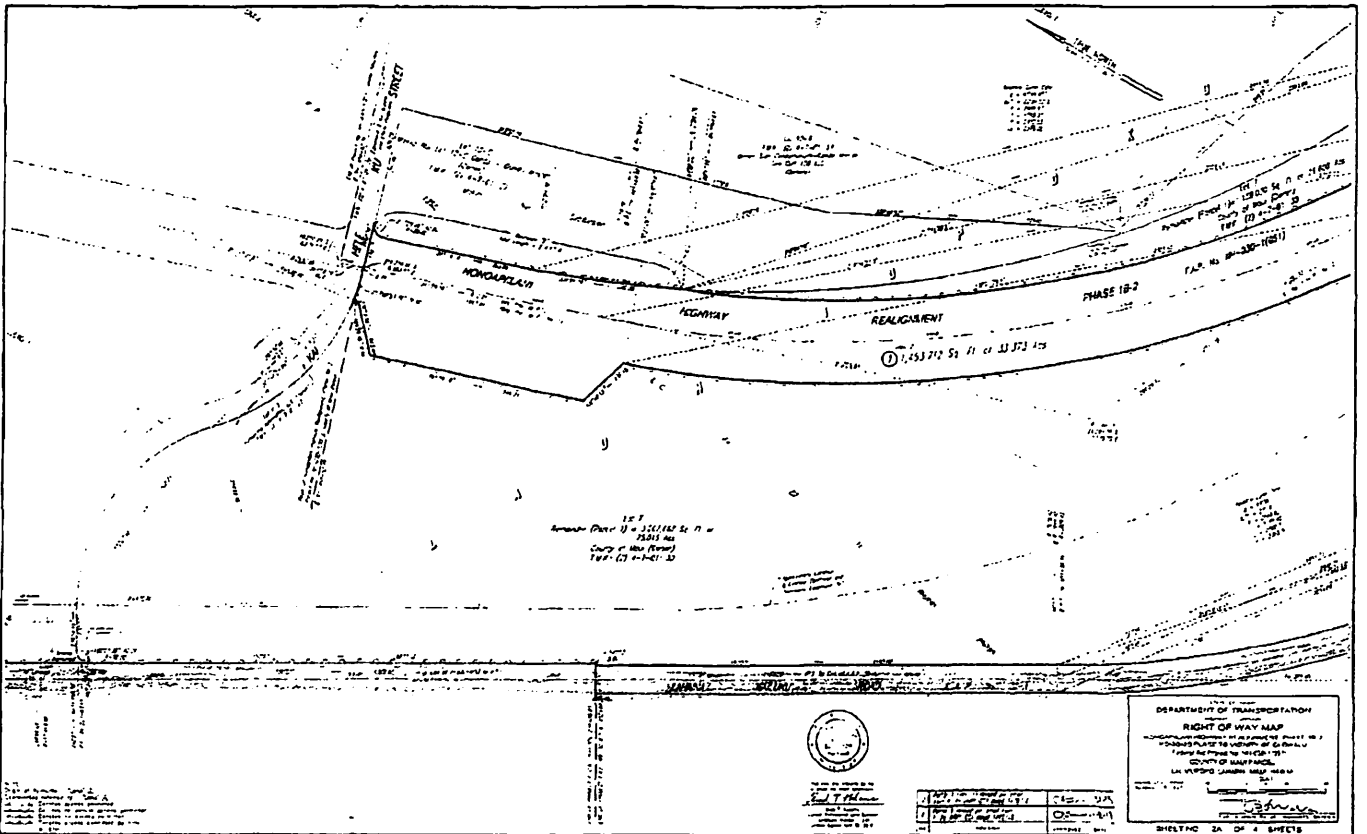
By 
for Cadastral Engineer

EXHIBIT A-2



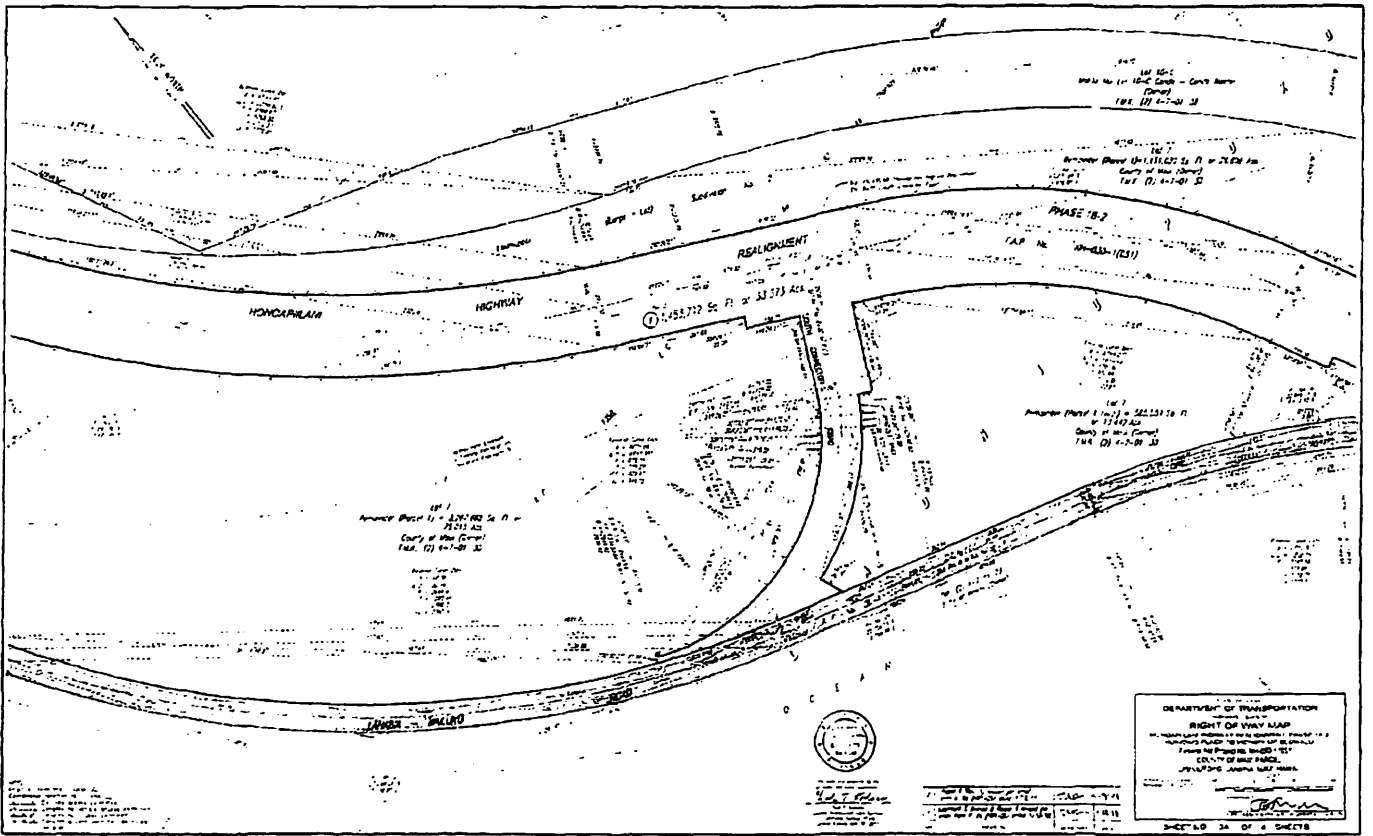
LOCATION PLAN

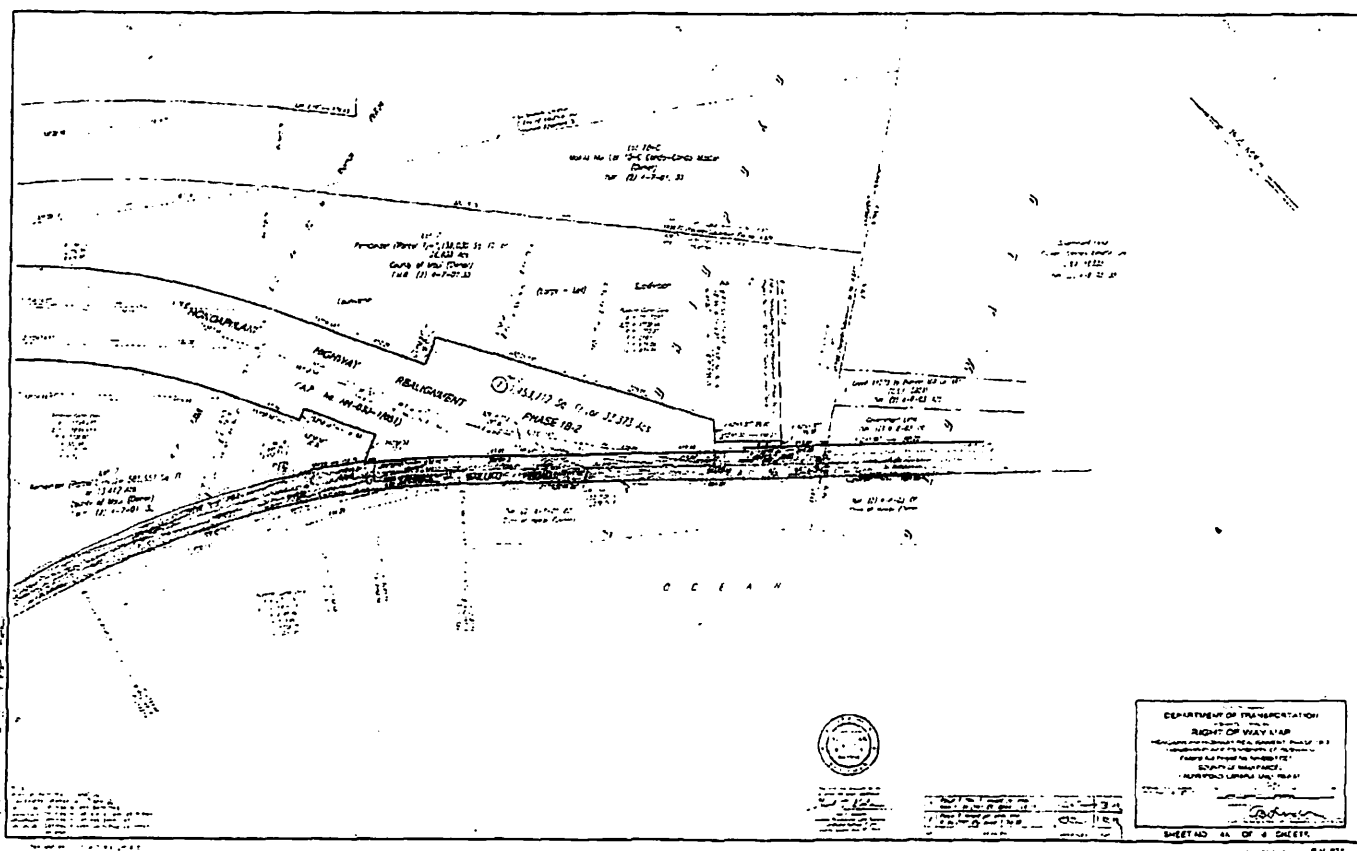
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DEPARTMENT OF TRANSPORTATION
 RIGHT OF WAY MAP
 KNOXVILLE
 REALIGNMENT
 PHASE 1B-2
 COUNTY OF KNOX
 TENNESSEE
 SHEET NO. 24 OF 4 SHEETS





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INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Chris Lee", written over a horizontal line.

Upon the request of the Mayor.