ORDINANCE NO. _____

BILL NO. 78 (2025)

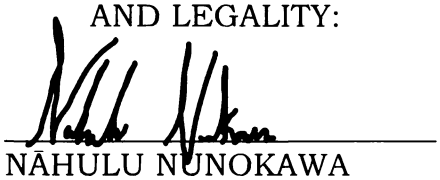
A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO R-2 RESIDENTIAL DISTRICT FOR PROPERTY SITUATED AT 1550 NUKUNA PLACE, WAILUKU, MAUI, HAWAII, TAX MAP KEY (2) 3-6-007:010

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Under Chapters 19.08 and 19.510, Maui County Code, a change in zoning from Agricultural District to R-2 Residential District is granted for that certain parcel of land situated at 1550 Nukuna Place, Wailuku, Maui, Hawaii, identified for real property tax purposes as tax map key (2) 3-6-007:010, comprising approximately 0.7099 acres, and more particularly described in Exhibit "A", attached hereto and made a part hereof, and in Land Zoning Map No. L-427, attached hereto as Exhibit "B" and made a part hereof.

SECTION 2. This ordinance takes effect upon approval.

APPROVED AS TO FORM
AND LEGALITY:



NĀHULU NUNOKAWA
Deputy Corporation Counsel
County of Maui

EXHIBIT "A"

All of grantor's right, title and interest in and to that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 102, Land Commission Award Number 432, Apana 1 to A. Sylva) situate, lying and being at Lehuapueo, Waikapu, Wailuku, Island and County of Maui, State of Hawaii, being LOT 7-A and thus bounded and described as per survey of Robert T. Tanaka, Registered Professional Land Surveyor, dated June 2, 1969, to-wit:

Beginning at a pipe at the Southwest corner of this lot, being also the Northwest corner of Parcel 13-A of this Subdivision, the coordinates of which referred to Government Survey Triangulation Station "LUKE" being 10,156.81 feet South and 3,150.06 feet West and running by azimuth measured clockwise from true South:

1.	177°	05′	29.65	feet along Grant 1146;
2.	184°	14′	160.90	feet along the same to a "+" cut on a stone;
3.	184°	14′	39.08	feet along the land owned by Tokuichi Sakamoto Estate;
4.	288°	32′	35.67	feet along the same;
5.	2°	58′	33.60	feet along land owned by Kazuo Kamasaki and wife Shimoyo;
6.	276°	43′	38.65	feet along the same to a pipe;
7.	2°	20′	56.50	feet along the same;
8.	350°	18′	17.85	feet along the same;
9.	355°	37′	29.65	feet along the same;
10.	293°	47′	26.50	feet along the same;
11.	290°	59′	78.50	feet along the same;
12.	290°	39′	102.60	feet along the same;
13.	6°	53′	64.44	feet along Lot 6 of Waikapu Tract Subdivision;
14.	96°	53′	45.00	feet along Lehuapueo Road;
15.	6°	53′	2.72	feet along the same;

16.	109°	04′	98.92	feet along Lot 20 of Waikapu Tract Subdivision;
17.	128°	00′	53.00	feet along Parcel 13-A of this Subdivision;
18.	87°	05′	92.41	feet along the same to the point of beginning and containing an area of 30,922 square feet, more or less.

Together with the free use of the twelve (12) feet Right-of-Way, designated as Lot 20 of the Waikapu Tract Subdivision owned by Russel Newton and wife Helen and described as follows:

Beginning at a pipe at the northwest corner of this lot, being also the northeast corner of Parcel 13-A, the coordinates of which referred to Government Survey Triangulation Station "LUKE", being 10,184.74 feet south and 3,016.01 feet west and running by azimuth measured clockwise from true South:

1.	289°	04′	98.92	feet along Lot 7-A of this Subdivision;
2.	6°	53′	12.28	feet along Lehuapueo Road;
3.	109°	04′	105.54	feet along Lot 8 of Waikapu Tract Subdivision;
4.	217°	36′	12.66	feet along Parcel 13-A of this Subdivision to the point of beginning and containing an area of 1,227 square feet, more or less.

Together with a Right-of-Way designated as Easement "A" upon Lot 13-A of this Subdivision and described as follows:

Beginning at a pipe at the northeast corner of this Easement, being also the northeast corner of Parcel 13-A, the coordinates of which referred to Government Survey Triangulation Station "LUKE" being 10,184.74 feet south and 3,016.01 feet west, and running by azimuth measured clockwise from true South:

1.	37°	36′	12.66	feet along Lot 20 of Waikapu Tract Subdivision;
2.	128°	00′	17.00	feet;
3.	180°	00′	16.06	feet;
4.	308°	00′	26.80	feet along Lot 7-A of this Subdivision to the point of beginning and containing an area of 277 square feet, more or less.

Together with a perpetual non-exclusive easement and right of access for ingress and egress purposes, over and across all of that certain parcel of land, situate at Waikapu, Wailuku, Island and County of Maui, State of Hawaii, known as Lehuapueo Place and Nukuna Place, being LOT 18 of the Waikapu Tract Subdivision, containing an area of 20,809 square feet, and identified on the Tax Map of the Second Taxation Division as Tax Map Key 3-6-07-6, as granted by instrument dated July 29, 1992, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 92-154221.

Being all of the property conveyed by the following:

Limited Warranty Deed

Grantor	Cynthia Ann Mccarthy and Claire S. Kamasaki, Co-Trustees of the Evelyn M. Kamasaki 2012 Gift Trust Dated July 6, 2012, having all powers under said Trust Agreement
Grantee	Brian E. Garner and Robyn M. Garner, husband and wife, as Tenants by the Entirety
Dated	May 18, 2018
Recording Date	May 31, 2018
Recording No.	A67250788

SUBJECT, HOWEVER, to the following:

1. Real property taxes not yet required by law to be paid.

2. Mineral and water rights of any nature in favor of the State of Hawaii

3. An agreement, upon and subject to all of the provisions contained therein.

By and	Teruo Kamasaki and Evelyn Kamasaki, husband and wife,
Between	and County of Maui, Department of Water Supply
Dated	October 28, 1985
Recording Date	November 4, 1985
Recording No.	Liber 19054, Page 635.

4. Lease

Lessor	Cynthia Ann Mccarthy and Claire S. Kamasaki, Co-Trustees of the Evelyn M. Kamasaki 2012 Gift Trust Dated July 6, 2012, having all powers under said Trust Agreement
Lessee	Evelyn N. Kamasaki, widow of Teruo Kamasaki

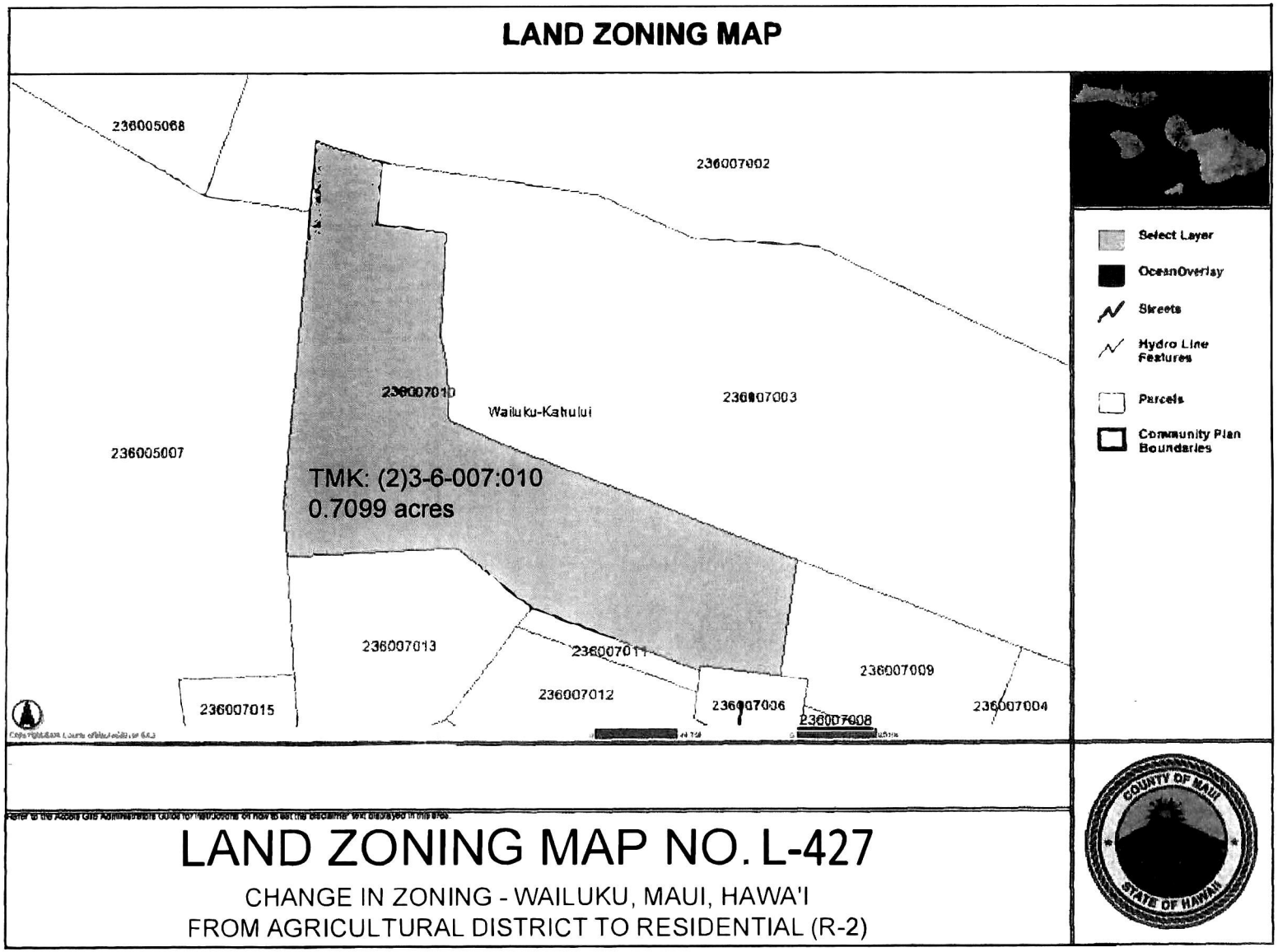
Dated	:	July 6, 2012
Recording Date		July 24, 2012
Recording No.		A-45881176

Said Lease was amended by Amended Lease dated September 26, 2019, and recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A72090773.

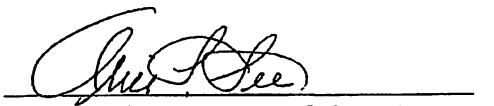
5. All liens, mortgage, encumbrances, assessments, easements, terms, conditions, covenants, restrictions, reservations, and/or other matters affecting title of the said property presently of record, if any.

END OF EXHIBIT "A"
TAX MAP KEY: (2) 3-6-007-010

EXHIBIT "B"


LAND ZONING MAP
236005068
236007002
236007010
Wailuku-Kahului
236007003
236005007
TMK: (2)3-6-007:010
0.7099 acres
236007013
236007011
236007009
236007012
236007015
236007004
236007008
Select Layer
OceanOverlay
Streets
Hydro Line Features
Parcels
Community Plan Boundaries
COUNTY OF MAUI
STATE OF HAWAII
LAND ZONING MAP NO. L-427
CHANGE IN ZONING - WAILUKU, MAUI, HAWA'I
FROM AGRICULTURAL DISTRICT TO RESIDENTIAL (R-2)

INTRODUCED BY:



Upon the request of the Mayor.