ALAN M. ARAKAWA Mayor



KEITH A. REGAN MANAGING DIRECTOR

OFFICE OF THE MAYOR

Keʻena O Ka Meia COUNTY OF MAUI – Kalana O Maui

March 12, 2018

OFFICE OF THE

RECEIVED

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

Dear Chair White and Members:

SUBJECT:

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

Transmitted herewith please find the resolution for the disposition of the a portion of Tax Map Key (2) 4-7-001:030 for the Honoapiilani Highway Realignment, Phase 1B-2.

Thank you for your attention in this matter.

Sincerely,

ALAN M. ARAKAWA

Mayor, County of Maui

Enclosures:

COUNTY COMMUNICATION NO. 18-114

Resolution

N	0	

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 the real property identified for real property tax purposes as tax map key number (2) 4-7-001:030 (por.) (the "Property"), more particularly described in Exhibit "A" to Exhibit "1", and depicted in Exhibit "2", attached hereto and incorporated by reference herein; and

WHEREAS, the State of Hawaii, Department of Transportation, desires to obtain title to the Property for the Honoapiilani Highway Realignment, Phase 1B-2 (the "Lahaina Bypass"); 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 of the right of way for the Lahaina Bypass project; 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 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,

Reso	lution	No.	

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 approves the disposition of the Property pursuant to the Quitclaim Deed attached hereto as Exhibit "1"; and
- 3. 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
- 4. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, the Director of Public Works, the Director, Department of Parks and Recreation, and the State of Hawaii, Department of Transportation.

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

County of Maui

LF 2018-0229

2018-03-08 Resolution

LAND COURT SYSTEM	REGULAR SYSTEM
Return by Mail () Pickup () To:	
	THIS DOCUMENT CONTAINS PAGES (including this page)
	Tax Map Key: (2) 4-7-01: 30

QUITCLAIM DEED

GRANTOR: COUNTY OF MAUI

200 South High Street Wailuku, Hawaii 96793

GRANTEE: STATE OF HAWAII

Department of Transportation

869 Punchbowl Street Honolulu, Hawaii 96813



QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT, the COUNTY OF MAUI, a political subdivision of the State of Hawaii, whose business address is 200 South High Street, Wailuku, Hawaii 96793, hereinafter referred to as the "GRANTOR," in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), paid by the STATE OF HAWAII, by its Department of Transportation, whose office address is 869 Punchbowl Street, Honolulu, Hawaii 96813, hereinafter called the "GRANTEE", the receipt and sufficiency of which are hereby acknowledged, does hereby remise, release and forever quitclaim unto the GRANTEE, its successors and assigns, forever:

ALL of the GRANTOR'S right, title, interest, claim and demand, if any, in and to that certain parcel of land identified as Parcel 1 (Revision 2), as shown on the on the Right-of-Way Map of Honoapiilani Highway Realignment, Phase 1B-2, Hokiokio Place to Vicinity of Olowalu, Federal Aid Project No. NH-030-1(051), situated at Launiupoko, Lahaina, Maui, Hawaii, filed in the Highways Division, Department of Transportation, State of Hawaii, and more particularly described in Exhibit A attached hereto and made a part hereof (hereafter the "Property").

TO HAVE AND TO HOLD the said Property, together with all buildings, improvements, rights, tenements, easements, hereditaments, privileges and appurtenances thereunto belonging or appertaining or held and enjoyed therewith unto said GRANTEE, its successors and assigns, according to the tenancy hereinabove set forth forever.

SUBJECT, HOWEVER, TO THE FOLLOWING TERMS, CONDITIONS, COVENANTS AND ENCUMBRANCES:

Lease in favor of MAUI ELECTRIC COMPANY, LIMITED and HAWAIIAN
TELCOM, INC., dated October 13, 1967, and recorded on December 8, 1967 in
the Bureau of Conveyances, State of Hawaii in Liber 5893, Page 226.

- Easement in favor of MAUI ELECTRIC COMPANY LIMITED and VERIZON HAWAII INC., dated April 8, 2002, and recorded on April 29, 2002 in the Bureau of Conveyances, State of Hawaii, as Document No. 2002-073483.
- Declaration of Easement for Access and Utility Purposes, dated November 2,
 2007, and recorded on November 8, 2007 in the Bureau of Conveyances, State of
 Hawaii, as Document No. 2007-196434.
- 4. Declaration of Non-Exclusive Easements for Roadway Use (Makila Ranches Phases 1, 2 and 3), dated January 31, 2008, and recorded on February 6, 2008 in the Bureau of Conveyances, State of Hawaii as Document No. 2008-017410.
- Non-Exclusive Perpetual Easement for Roadway Purposes for Makila Ranches (Phases 1, 2 and 3), dated January 31, 2008, and recorded on February 6, 2008 in the Bureau of Conveyances, State of Hawaii as Document No. 2008-017411.
- Utility Easement in favor of MAUI ELECTRIC COMPANY, LIMITED and HAWAIIAN TELCOM, INC., dated March 14, 2008, and recorded on April 2, 2008 in the Bureau of Conveyances, State of Hawaii as Document No. 2008-050836.
- Declaration of Grant of Easement Over Cane Haul, dated February 18, 2014, and recorded on February 24, 2014 in the Bureau of Conveyances, State of Hawaii as Document No. A-51680337.
- 8. Covenants, Conditions, Restrictions, Reservations, Agreements, Obligations, Easements and other Provisions, set forth in Limited Warranty Deed and Reservations of Rights, dated and recorded on January 16, 2001 in the Bureau of Conveyances, State of Hawaii as Document No. 2001-006058, now in favor of MAKILA LAND CO., LLC, by Assignment and Assumption Agreement, dated and recorded on January 16, 2001 in the Bureau of Conveyances, State of Hawaii as Document No 2001-0060061.

- 9. Unilateral Agreement and Declaration for Construction of a Farm Dwelling on Lands Zoned County Agricultural District or Designated State Agricultural District, dated May 12, 2005, and recorded on April 26, 2006 in the Bureau of Conveyances, State of Hawaii as Document No. 2006-077871.
- Subdivision Agreement (Agricultural Use) with the COUNTY OF MAUI, recorded in the Bureau of Conveyances, State of Hawaii as Document Nos. 92-103494, 2002-042693, 2002-226524, 2002-229575 and 2008-053915.
- 11. Private Water System Agreement with the DEPARTMENT OF WATER
 SUPPLY of the County of Maui, dated September 29, 1992, and recorded on
 October 9, 1992 in the Bureau of Conveyances, State of Hawaii as Document No.
 92-164418.
- 12. Notice of Change of Agricultural Use to Dedication, dated April 3, 2000, and recorded on April 6, 2000 in the Bureau of Conveyances, State of Hawaii as Document No. 2000-046048.
- 13. Kauaula Water System Agreement with MAKILA LAND CO., LLC, dated and recorded on January 16, 2001 in the Bureau of Conveyances, State of Hawaii as Document No. 2001-006060.
- 14. Agreement of Allocation of Future Subdivision Potential with the COUNTY OF MAUI, recorded in the Bureau of Conveyances, State of Hawaii as Document Nos. 2002-042691, 2002-226525, as amended and restated by Document No. 2003-227640, as amended by Document Nos. 2006-107565 and 2007-169136.
- Memo of First Amendment to License Agreement, dated and recorded on May 1,2013 in the Bureau of Conveyances, State of Hawaii as Document No.A-48690974.

by their duly authorized officers as of the	day of	_, 20
	GRANTOR: COUNTY OF MAUI	
APPROVAL RECOMMENDED	By ALAN M. ARAKAWA Its Mayor	
Clan Auka — Name: 3/9/18		
APPROVED AS TO FORM AND LEGALITY:		
Deputy Corporation Counsel Name: Jerrie L. Snepper Dated: 3/6/2018		
	GRANTEE:	
	STATE OF HAWAII	
APPROVED AS TO LEGALITY, FORM EXCEPTIONS, AND RESERVATIONS:	By	nsportation
Deputy Attorney General Dated:		

STATE OF HAWAII COUNTY OF MAUI)) SS:
	,
ARAKAWA, to me personally known, who of the County of Maui, a political subdivision the foregoing instrument is the lawful seal of instrument was signed and sealed on behalf	before me personally appeared ALAN M. be being by me duly sworn did say that he is the Mayor on of the State of Hawaii, and that the seal affixed to of the said County of Maui, and that the said of said County of Maui by authority of its Charter, wledged the said instrument to be the free act and
IN WITNESS WHEREOF, I have h	ereunto set my hand and official seal.
	Print NameNotary Public, State of Hawaii My commission expires:
Document Date	# D
Document Date :	_ # Pages :
Notary Name :	Circuit
Doc. Description :	
Notary Signature	Date

. . .

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" 390.35 feet;

EXHIBIT A

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;
- 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;

14.	42°	41'	30"	10.00	feet	along	same;
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- 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;
- 14. 16° 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;

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;

42.	106°	481	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:
					(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.

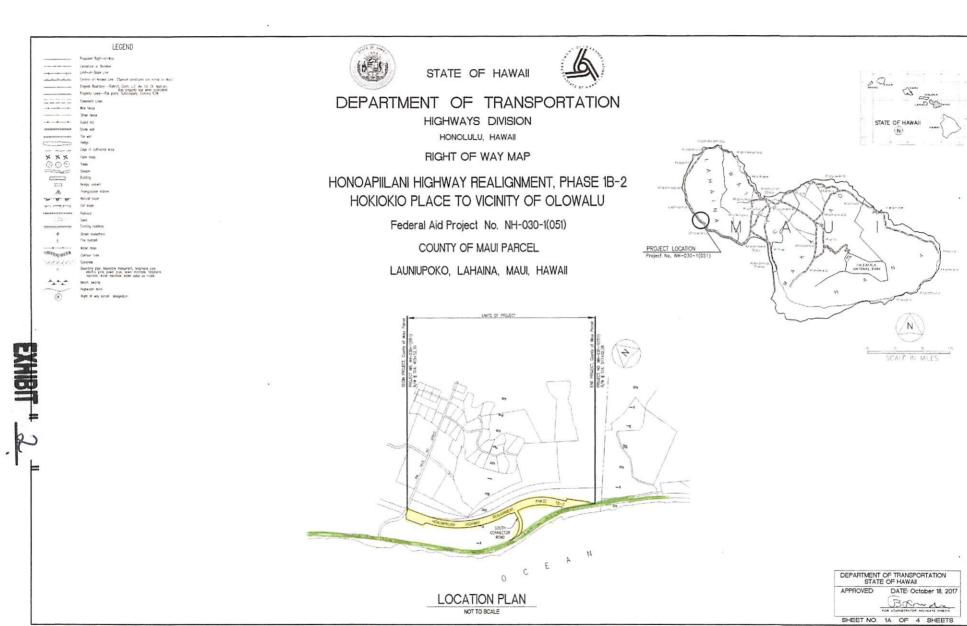
Together with any and all abutter's rights of vehicle access appurtenant to the reminder of the land of which Parcel 1 is a part, into and from Honoapillani Highway Realignment, Phase 1B-2, Federal Aid Project No. NH-030-1(051), Hokiokio Place to Vicinity of Olowalu, over and across Courses 4-12 (inclusive),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

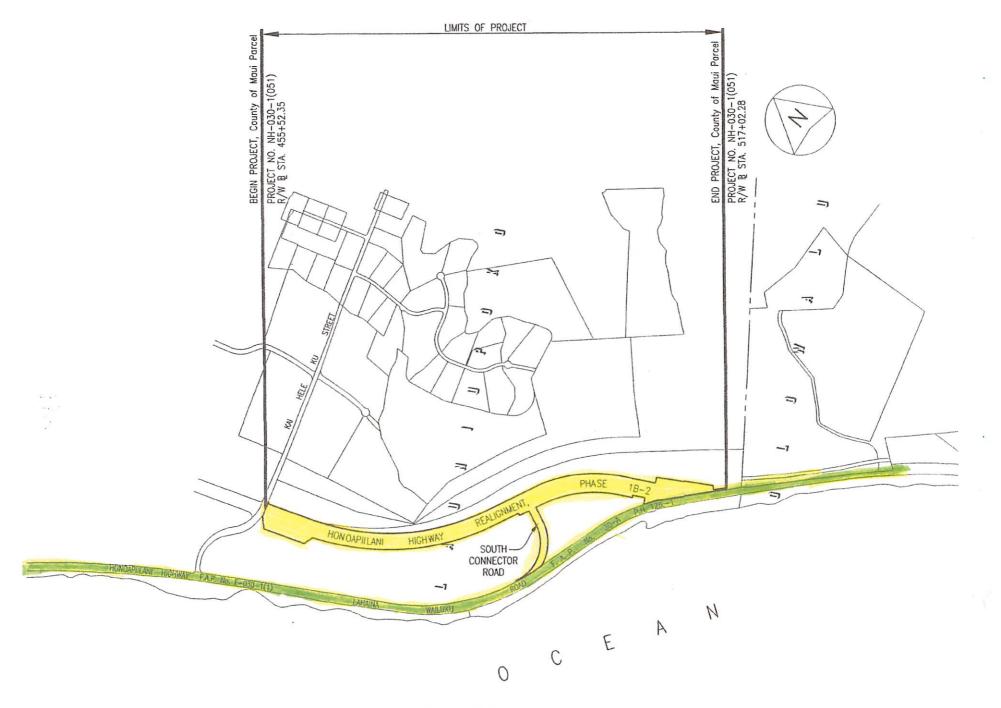
January 30, 2018 Honolule: Hawaii

Tax Map Key: (2)4-7-01:030

Grantial Engineer



P. H. 836



LOCATION PLAN

NOT TO SCALE

