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OFFICE OF THE  
COUNTY COUNCIL

October 2, 2020

MEMO TO: HFC-74 File

F R O M: Riki Hokama, Chair  
Healthy Families and Communities Committee



SUBJECT: **TRANSMITTAL OF INFORMATIONAL DOCUMENT RELATING TO  
LA'AKEA VILLAGE** (HFC-74)

The attached informational document pertain to Item 74 on the Committee's master agenda.

hfc:ltr:074afile01:ljcm

Attachment

# Resolution

No. 05-137

AUTHORIZING A GRANT OF A LEASE TO OCCUPY  
COUNTY REAL PROPERTY TO THE LA'A KEA FOUNDATION

WHEREAS, THE LA'A KEA FOUNDATION, a Hawaii non-profit corporation (hereinafter called "La'a Kea"), desires to obtain a lease to occupy certain real property from the County of Maui for a nominal sum; and

WHEREAS, the real property La'a Kea desires to occupy is that certain parcel located in Paia, Maui, Hawaii, known as Lot "A" of the Paia Store Village Subdivision, L.U.C.A. File No. 2.2217, more particularly identified as TMK: (2) 2-5-005:030, and more particularly described in Exhibit "A", attached hereto and made a part hereof (hereinafter called the "Premises"); and

WHEREAS, an application has been made by La'a Kea to the Council of the County of Maui, through the Department of Housing and Human Concerns, with the approval of the Grants Review Committee, to obtain a lease to occupy the Premises at a nominal rental; and

WHEREAS, pursuant to Maui County Code Section 3.36.090, the Council of the County of Maui may authorize a grant of a lease of real property by resolution; and

WHEREAS, the Council of the County of Maui desires to approve the grant application of La'a Kea, in accordance with the terms and conditions of that certain "Grant Agreement

**Resolution No. 05-137**

for a Lease of County Real Property" (hereinafter called the "Grant Agreement"), and proposed "Lease" between the County of Maui and La'a Kea, on file with the Department of Housing and Human Concerns; now, therefore,

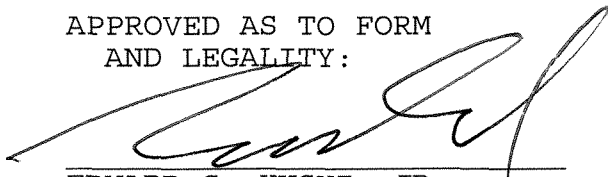
BE IT RESOLVED by the Council of the County of Maui:

1. That La'a Kea be granted the right to occupy the Premises in accordance with the terms and conditions of the proposed Lease, at an annual rental of ONE AND NO/100 DOLLARS (\$1.00) for a period of fifty-five (55) years; and

2. That the Mayor and the Director of Finance or their authorized representatives are authorized to execute the proposed Grant Agreement and Lease; and

3. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, the Director of Housing and Human Concerns, and to La'a Kea.

APPROVED AS TO FORM  
AND LEGALITY:



EDWARD S. KUSHI, JR.  
Deputy Corporation Counsel  
County of Maui

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**EXHIBIT "A"**

**LOT A  
PAIA STORE VILLAGE SUBDIVISION**

All of that certain parcel of land, being a portion of the land deeded by the Board of Education to the Trustees of the Oahu College dated: January 30, 1860 in Liber 12, Pages 400 to 403 situated at Hamakuapoko, Makawao, Island and County of Maui, State of Hawaii.

Beginning at a 1/2-inch pipe at the southeasterly corner of this lot, the coordinates of said point of beginning referred to Government Survey Triangulation Station "POUMENE 2" being 786.50 feet North and 9,417.34 feet East and running by azimuths measured clockwise from True South:

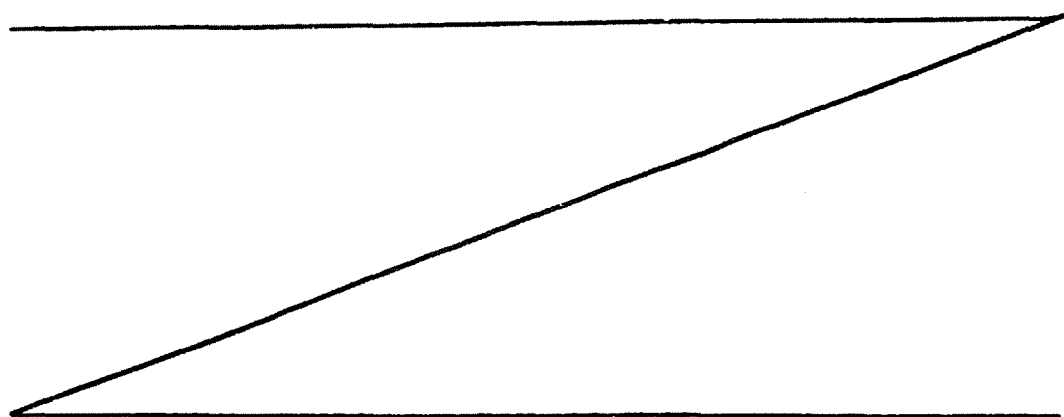
1. 105° 47' 123.79 feet along the northeasterly side of Baldwin Avenue (Road widening Lot D of the Paia Store Village Subdivision) to a 1/2-inch pipe;
2. Thence along same on a curve to the right with a radius of 1,904.00 feet, the chord azimuth and distance being: 109° 14' 229.16 feet to a 1/2-inch pipe;
3. Thence along same on a curve to the right with a radius of 422.00 feet the chord azimuth and distance being: 120° 45' 118.43 feet to a 1/2-inch pipe;
4. 128° 49' 116.12 feet along same to a 1/2-inch pipe;
5. Thence along same on a curve to the right with a radius of 1,492.00 feet, the chord azimuth and distance being: 130° 14' 30" 74.21 feet to a 1/2-inch pipe;

EXHIBIT "A" (continued)

6. 224° 15' 110.10 feet along Lot 2 of the Upper Paila Water System Tank Site Subdivision, being also the remainder of the land deeded by the Board of Education to the Trustees of the Oahu College dated: January 30, 1860 in Liber 12, Pages 400 to 403 to a 1/2-inch pipe;
7. 134° 15' 152.00 feet along same to a 1/2-inch pipe;
8. 44° 15' 109.21 feet along same to a 1/2-inch pipe;
9. Thence along the northeasterly side of Baldwin Avenue (Road widening Lot C of the Paila Store Village Subdivision) on a curve to the right with a radius of 1,492.00 feet, the chord azimuth and distance being: 136° 03' 12" 28.47 feet to a 1/2-inch pipe;
10. 138° 36' 319.63 feet along same to a 1/2-inch pipe;
11. 225° 15' 436.40 feet along the remainder of the land deeded by the Board of Education to the Trustees of the Oahu College dated: January 30, 1860 in Liber 12, Pages 400 to 403 to a 1/2-inch pipe;
12. 302° 29' 230.49 feet along same to a 1/2-inch pipe;
13. 296° 36' 253.08 feet along same to a 1/2-inch pipe;
14. 314° 50' 102.36 feet along same to a 1/2-inch pipe;
15. 318° 54' 191.89 feet along same to a 1/2-inch pipe;
16. 324° 13' 71.91 feet along same to a 1/2-inch pipe;

EXHIBIT "A" (continued)

17.	344° 34'	59.07	feet along same to a 1/2-inch pipe;
18.	356° 45'	79.90	feet along same to a 1/2-inch pipe;
19.	332° 24'	31.72	feet along same to a 1/2-inch pipe;
20.	292° 28'	32.09	feet along same to a 1/2-inch pipe;
21.	268° 56'	39.15	feet along same to a 1/2-inch pipe;
22.	255° 03'	51.48	feet along same to a 1/2-inch pipe;
23.	278° 24'	54.66	feet along same to a 1/2-inch pipe;
24.	45° 44'	204.93	feet along same to a 1/2-inch pipe;
25.	43° 42'	57.77	feet along same to a 1/2-inch pipe;
26.	35° 28'	119.38	feet along same to the point of beginning and containing an Area of 12.203 Acres.



**EXHIBIT "A" (continued)**

**SUBJECT TO THE FOLLOWING:**

1. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
2. Grant of EASEMENT to Maui Electric Company, Limited and GTE Hawaiian Telephone Company, Incorporated dated November 29, 1984 recorded in the Bureau of Conveyances of the State of Hawaii in Liber 18395 at Page 756.
3. AGREEMENT dated July 31, 1980, recorded in the Bureau of Conveyances of the State of Hawaii in Liber 14938 Page 716, by and between the County of Maui, through its Department of Water Supply and Doris Todd Memorial Christian School, "Applicant".
4. SUBDIVISION AGREEMENT (LARGE LOTS) dated May 10, 1995, recorded in the Bureau of Conveyances of the State of Hawaii in Document No. 95-089574, by and between A&B-Hawaii, Inc. and the County of Maui.
5. SUBDIVISION AGREEMENT (AGRICULTURAL USE) dated May 10, 1995, recorded in the Bureau of Conveyances of the State of Hawaii in Document No. 95-092473, by and between A&B-Hawaii, Inc. and the County of Maui, through its Department of Public Works and Waste Management.
6. Claims arising out of right customarily and traditionally exercised for subsistence, cultural, religious, access or gathering purposes as provided for in the Hawaii Constitution or the Hawaii Revised Statutes.

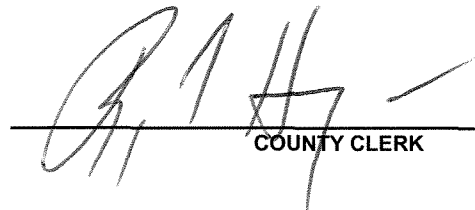
# COUNCIL OF THE COUNTY OF MAUI

WAILUKU, HAWAII 96793

## CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that RESOLUTION NO. 05-137 was adopted by the Council of the County of Maui, State of Hawaii, on the 16th day of September, 2005, by the following vote:

MEMBERS	G. Riki HOKAMA Chair	Robert CARROLL Vice-Chair	Michelle ANDERSON	Jo Anne JOHNSON	Dain P. KANE	Dennis A. MATEO	Michael J. MOLINA	Joseph PONTANILLA	Charmaine TAVARES
ROLL CALL	Aye	Excused	Aye	Aye	Aye	Aye	Aye	Aye	Excused

  
COUNTY CLERK