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**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

August 18, 2021

Mr. Scott Teruya, Director  
Department of Finance  
County of Maui  
Wailuku, Hawaii 96793

Dear Mr. Teruya:

**SUBJECT: HOUSING PROJECTS UNDER CHAPTER 201H,  
HAWAII REVISED STATUTES (HŌKŪAO HOUSING  
PROJECT) (LĀNA'I CITY)) (AH-1(1))**

At its meeting of August 16, 2021, the Affordable Housing Committee discussed the 201H application for the Hōkūao Housing Project in Lānaʻi City. The subject parcels are identified as Tax Map Keys: (2) 4-9-002:061 (por.), (2) 4-9-014:001 (por.), and (2) 4-9-014:009 (por.).

Volume I of III of the Developer's application containing land ownership documentation includes references to "Real Property Taxes, if any, that may be due and owing," and the following notes:

- (a) Schedule B Exceptions, item one, relating to TMKs: (2) 4-9-002:061 and (2) 4-9-002-052 (the latter TMK is not part of the project):

"Attention is invited to the fact that the premises covered herein may be subject to possible rollback or retroactive property taxes."

- (b) Schedule B Exceptions, item one, relating to TMK: (2) 4-9-014:001:

"Attention is invited to the fact that the premises covered herein may be subject to possible rollback or retroactive property taxes due to possible loss of exemption status."

May I please request the Department's response to the following:

1. What is the meaning of these notes in the Developer's application materials?
2. What is the distinction, if any, between notes (a) and (b), since (b) contains the added language "due to possible loss of exemption status"?
3. What is the significance of only two of the three subject parcels containing these notes?
4. Please confirm whether there are taxes due and owing on the subject parcels (TMKs: (2) 4-9-002:061, (2) 4-9-014:001, and (2) 4-9-014:009).

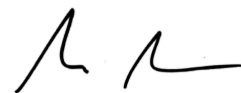
The extracted pages containing the notes are attached for your reference. The complete application document can be found on Granicus and at the following link: <https://tinyurl.com/4kejc289>.

Given the mandatory deadline for this item under the 201H process, may I please request the Department's expedited response by the next Committee meeting date of **Wednesday, August 25, 2021**.

To ensure efficient processing, please transmit your response to [ah.committee@mauicounty.us](mailto:ah.committee@mauicounty.us) and include the relevant Committee number in the subject line of your response.

Should you have any questions, please contact me or Committee staff (Alison Stewart at ext. 7661, or Rayna Yap at ext. 8007).

Sincerely,



GABE JOHNSON, Chair  
Affordable Housing Committee

ah:ltr:001(1)afn01:ans

Attachment

cc: Mayor Michael P. Victorino

**SCHEDULE B  
EXCEPTIONS**

1. Real Property Taxes, if any, that may be due and owing.

Tax Key(s): (2) 4-9-002-061 and (2) 4-9-002-052.

-Note:- Attention is invited to the fact that the premises covered herein may be subject to possible rollback or retroactive property taxes.

2. Mineral and water rights of any nature.
3. Any and all matters not shown in the Indices described in Schedule A.
4. The terms and provisions contained in the following:

INSTRUMENT : PRIVATE WATER SYSTEM AGREEMENT

DATED : April 9, 1984

RECORDED : Liber 17877 Page 762

PARTIES : CASTLE & COOKE, INC., a Hawaii corporation, and the COUNTY OF MAUI and its DEPARTMENT OF WATER SUPPLY

(Not noted on Transfer Certificate(s) of Title referred to herein)

5. The terms and provisions contained in the following:

INSTRUMENT : AGREEMENT FOR DEVELOPMENT AND COORDINATION OF AN AFFORDABLE HOUSING PROGRAM

DATED : April 30, 1987

RECORDED : Liber 20640 Page 417

PARTIES : LANAI COMPANY, INC., a Hawaii corporation, and the COUNTY OF MAUI

**SCHEDULE B  
EXCEPTIONS**

1. Real Property Taxes, if any, that may be due and owing.

Tax Key: (2) 4-9-014-001      Area Assessed: 83.980 acres

-Note:- Attention is invited to the fact that the premises covered herein may be subject to possible rollback or retroactive property taxes due to possible loss of exemption status.

2. Mineral and water rights of any nature.
3. Any and all matters not shown in the Indices described in Schedule A.
4. The terms and provisions contained in the following:

INSTRUMENT : SUBDIVISION AGREEMENT (THREE LOTS OR LESS)

DATED : June 9, 1988  
FILED : Land Court Document No. 1558117  
PARTIES : CASTLE & COOKE, INC., a Hawaii corporation, "Owner" and the COUNTY OF MAUI, a body public and corporate, and a political subdivision of the State of Hawaii, "County"

5. The terms and provisions contained in the following:

INSTRUMENT : SUBDIVISION AGREEMENT (LARGE LOTS)

DATED : June 9, 1988  
FILED : Land Court Document No. 1558118