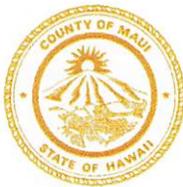


Michael P. Victorino
Mayor

Sananda K. Baz
Managing Director



OFFICE OF THE MAYOR
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.maui-county.gov

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OFFICE OF THE
COUNTY CLERK

REFERENCE NO. BD-BA 22-21&22

October 14, 2021

Honorable Michael P. Victorino
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Michael P Victorino
Mayor

10/14/21
Date

For Transmittal to:

Honorable Alice Lee, Chair
and Members of the Maui County Council
200 South High Street
Wailuku, Hawaii 96793

Dear Chair Lee and Members:

SUBJECT: WAIALE LAND ACQUISITION

On behalf of the Department of Finance, I am transmitting a proposed resolution entitled "AUTHORIZING THE ACQUISITION OF 443.393 ACRES IDENTIFIED AS TAX MAP KEYS (2) 3-8-005:037, (2) 3-8-005:040, (2) 3-8-007:101, (2) 3-8-007:172, (2) 3-8-007:173; (2) 3-8-007:178, AND (2) 3-8-007:179, SITUATED AT WAIKAPU, WAILUKU, MAUI, HAWAII, BEING MORE PARTICULARLY DESCRIBED AS WAIALE SOUTH AND WAIALE NORTH, FOR AN AMOUNT NOT TO EXCEED \$10,500,000, AND ACCEPTING DONATION OF APPROXIMATELY 23.38 ACRES IDENTIFIED AS TAX MAP KEYS (2) 3-8-006:004-002 AND (2) 3-8-102:009, SITUATED AT PUUNENE, WAILUKU, MAUI, HAWAII."

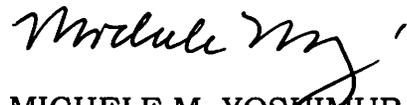
The purpose of the proposed resolution is to authorize the acquisition of Waiale South and Waiale North for \$10,500,000 and to accept the donation of property totaling 23.38 acres at Puunene.

COUNTY COMMUNICATION NO. 21-485

Alice L. Lee, Chair
October 14, 2021
Page 2

Thank you for your immediate attention in this matter. Should you have any questions, please contact me at ext. 7212.

Sincerely,

A handwritten signature in black ink, appearing to read "Michele M. Yoshimura". The signature is fluid and cursive, with a large loop at the end.

MICHELE M. YOSHIMURA
Budget Director

Attachment

cc: Scott Teruya, Director of Finance

Resolution

No. _____

AUTHORIZING THE ACQUISITION OF 443.393 ACRES IDENTIFIED AS TAX MAP KEYS (2) 3-8-005:037, (2) 3-8-005:040, (2) 3-8-007:101, (2) 3-8-007:172, (2) 3-8-007:173, (2) 3-8-007:178, AND (2) 3-8-007:179, SITUATED AT WAIKAPU, WAILUKU, MAUI, HAWAII, BEING MORE PARTICULARLY DESCRIBED AS WAIALE SOUTH AND WAIALE NORTH, FOR AN AMOUNT NOT TO EXCEED \$10,500,000, AND ACCEPTING DONATION OF APPROXIMATELY 23.38 ACRES IDENTIFIED AS TAX MAP KEYS (2) 3-8-006:004-0002 AND (2) 3-8-102:009, SITUATED AT PUUNENE, WAILUKU, MAUI, HAWAII

WHEREAS, Alexander & Baldwin, LLC, a Delaware limited liability company ("Owner"), is the owner in fee simple of real property located at Waikapu, Wailuku, Maui, Hawaii, consisting of 443.393 acres, being more particularly described as Waiale South and Waiale North, and identified for real property tax purposes as tax map keys (2) 3-8-005:037, (2) 3-8-005:040, (2) 3-8-007:101, (2) 3-8-007:172, (2) 3-8-007:173, (2) 3-8-007:178, and (2) 3-8-007:179 ("Properties"), which Properties are described in Exhibit "A" and depicted in the Subdivision File Maps attached as Exhibit "B," both of which are incorporated by reference; and

WHEREAS, the County of Maui and the Owner desire to enter into an agreement for the purchase and sale of the Properties; and

WHEREAS, the Director of Finance has negotiated the proposed purchase of the Properties; and

WHEREAS, the Director of Finance has determined that acquisition of the Properties is in the public interest; and

WHEREAS, the County desires to purchase and the Owner desires to sell the Properties for the amount of \$10,500,000; and

Resolution No. _____

WHEREAS, Owner has also agreed to donate to the County of Maui two parcels identified for real property tax purposes at tax map keys (2) 3-8-006:004-0002 and (2) 3-8-102:009, consisting of 23.38 acres of land in Puunene, Wailuku, Maui, Hawaii ("Donated Land"), which Properties are described in Exhibit "C" and depicted on the maps attached as Exhibit "D"; and

WHEREAS, Section 3.44.015(C), Maui County Code, requires that the Council authorize by resolution any acquisition of real property with a purchase price that exceeds \$250,000; and

WHEREAS, Section 3.56.030, Maui County Code, requires that the Council authorize by resolution any gift or donation; now, therefore,

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

1. That the Council finds the acquisition of the Properties to be in the public interest;
2. That in accordance with Section 3.44.015(C), Maui County Code, the Council authorizes the acquisition of the Properties for an amount not to exceed \$10,500,000, exclusive of closing costs and expenses;
3. That it authorizes the Mayor or the Mayor's duly authorized representative to execute all necessary documents in connection with the acquisition of the Properties;
4. That pursuant to Section 3.56.030, Maui County Code, it hereby accepts the dedication of the Donated Land;
5. That it authorizes the Mayor or the Mayor's duly authorized representative to execute all necessary documents in connection with the acceptance of the Donated Land, including the transfer of any common interest in the condominium units acquired along with the Donated Land back to the owners of the condominium property regime subsequent to the transfer of the Donated Land to the County; and

Resolution No. _____

6. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, and Owner.

APPROVED AS TO FORM AND LEGALITY:

/s/ Michael J. Hopper

MICHAEL J. HOPPER
Deputy Corporation Counsel
County of Maui
bfed:misc:037areso01:ljam
BFED-37 2021-10-14 Reso Waiale Land Acquisition

TAX MAP KEY NUMBERS

(2) 3-8-005:037

(2) 3-8-005:040

(2) 3-8-007:101

(2) 3-8-007:172

(2) 3-8-007:173

(2) 3-8-007:178

(2) 3-8-007:179

EXHIBIT "A"

TAX MAP KEY (2) 3-8-005:037

LAND DESCRIPTION

LOT 3

WALTER K. SCHENK SUBDIVISION

All that certain parcel of land being Lot 3 of the Walter K. Schenk Subdivision, being a portion of Grant 3152 to Henry Cornwell. Situated at Waikapu, Maui, Hawaii and being more particularly described as follows:

BEGINNING at the south corner of this parcel of land at a point on the westerly Right-of-Way of Kuihelani Highway (F.A.S.P. No. S-0380(4)), said point being also the most easterly corner of Lot 4-B of the Walter K. Schenk Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE", being:

12,139.59 feet South
3,427.96 feet East

and running by azimuths measured clockwise from True South:

1. 116° 11' 317.80 feet along said Lot 4-B:
2. 120° 24' 115.00 feet along same:
3. 124° 20' 121.88 feet along same:
4. 197° 45' 647.62 feet along same:
5. 287° 45' 623.31 feet along the south side of Waiko Road (60 feet wide):
6. thence along same on a curve to the left, having a radius of 950.00 feet and a central angle of 1° 03' 28", the chord azimuth and distance being:
287° 13' 16" 17.54 feet:
7. thence along same on a reverse curve to the right, having a radius of 30.00 feet and a central angle of 101° 06' 58", the chord azimuth and distance being:
337° 15' 01" 46.34 feet:

8. 27° 48' 30" 730.35 feet along the westerly Right-of-Way of said Kuiuclani Highway to the **POINT OF BEGINNING** and containing an area of 10.000 acres, more or less.

PREPARED BY:
A&B Properties Hawaii, LLC

Date: December 9, 2020

This work was prepared by me or under my direct supervision



A handwritten signature in black ink, appearing to read "Justin R. Shaw", written over a horizontal line.

Justin R. Shaw
Licensed Professional Land Surveyor
Certificate No. LS-15959
Expiration Date: April 30, 2022

LAND DESCRIPTION

LOT 4-A

WALTER K. SCHENK SUBDIVISION

All that certain parcel of land being Lot 4-A of the Walter K. Schenk Subdivision, being a portion of Grant 3152 to Henry Cornwell. Situated at Waikapu, Maui, Hawaii and being more particularly described as follows:

BEGINNING at the most easterly corner of this parcel of land at a point on the westerly Right-of-Way of Kuihelani Highway (F.A.S.P. No. S-0380(4)), being also the south corner of Lot 3 of the Walter K. Schenk Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE", being:

12,139.59 feet South
3,427.96 feet East

and running by azimuths measured clockwise from True South:

- | | | | |
|-----|--------------|--------------|--|
| 1. | 27° 48' 30" | 625.00 feet | along said westerly Right-of-way of Kuihelani Highway: |
| 2. | 117° 48' 30" | 5.00 feet | along same; |
| 3. | 27° 48' 30" | 200.00 feet | along same; |
| 4. | 297° 48' 30" | 5.00 feet | along same; |
| 5. | 27° 48' 30" | 1100.00 feet | along same: |
| 6. | 117° 48' 30" | 10.00 feet | along same; |
| 7. | 27° 48' 30" | 300.00 feet | along same; |
| 8. | 297° 48' 30" | 5.00 feet | along same; |
| 9. | 27° 48' 30" | 593.39 feet | along same: |
| 10. | 139° 19' | 68.35 feet | along Lot 4-B of the Walter K. Schenk Subdivision: |
| 11. | 126° 20' | 86.70 feet | along same: |
| 12. | 140° 13' | 66.80 feet | along same; |
| 13. | 162° 55' | 69.26 feet | along same: |

14.	179°	45'	981.63	feet	along same;
15.	164°	47'	133.33	feet	along same;
16.	149°	18'	65.49	feet	along same;
17.	123°	25'	69.43	feet	along same;
18.	152°	39'	282.05	feet	along same;
19.	130°	31'	293.31	feet	along same;
20.	165°	56'	78.61	feet	along same;
21.	179°	35'	140.82	feet	along same;
22.	147°	33'	217.73	feet	along same;
23.	156°	01'	247.96	feet	along same;
24.	140°	05'	234.24	feet	along same;
25.	147°	51'	243.64	feet	along same;
26.	155°	03'	320.48	feet	along same;
27.	134°	24'	117.03	feet	along same;
28.	113°	45'	93.35	feet	along same;
29.	129°	10'	44.94	feet	along same;
30.	145°	22'	52.66	feet	along same;
31.	157°	20'	58.21	feet	along same;
32.	159°	33'	103.25	feet	along same;
33.	132°	49'	34.90	feet	along same;
34.	104°	37'	96.08	feet	along same;
35.	113°	23'	102.59	feet	along same;
36.	135°	12'	157.23	feet	along same;
37.	157°	26'	122.67	feet	along same;
38.	166°	06'	82.89	feet	along same;
39.	145°	27'	176.16	feet	along same;
40.	119°	09'	72.42	feet	along same;

41. 174° 36' 138.00 feet along Lot 2 of the Waiale Park Large Lot Subdivision:
42. 216° 26' 44.79 feet along same:
43. 289° 00' 20.09 feet along the southerly side of Waiko Road (60 feet wide):
44. thence along same on a curve to the left, having a radius of 730.00 feet and a central angle of 12° 30', the chord azimuth and distance being:
282° 45' 158.95 feet:
45. 276° 30' 340.00 feet along same:
46. thence along same on a curve to the right, having a radius of 1020.00 feet and a central angle of 21° 30', the chord azimuth and distance being:
287° 15' 380.51 feet:
47. 298° 00' 498.99 feet along same:
48. thence along same on a curve to the left, having a radius of 730.00 feet and a central angle of 24° 30', the chord azimuth and distance being:
285° 45' 309.78 feet:
49. thence along same on a reverse curve to the right, having a radius of 2720.00 feet and a central angle of 5° 00', the chord azimuth and distance being:
276° 00' 237.29 feet:
50. 278° 30' 469.65 feet along same:
51. thence along same on a curve to the right, having a radius of 1350.00 feet and a central angle of 13° 15', the chord azimuth and distance being:
285° 07' 30" 311.50 feet:
52. 291° 45' 253.29 feet along same:
53. 287° 45' 343.59 feet along same:
54. 17° 45' 647.62 feet along said Lot 3:
55. 304° 20' 121.88 feet along same:

56. 300° 24' 115.00 feet along same;
57. 296° 11' 317.80 feet along same to the **POINT OF BEGINNING** and containing an area of 131.496 acres, more or less.

PREPARED BY:
A&B Properties Hawaii, LLC

Date: December 9, 2020

This work was prepared by me or under my direct supervision



Justin R. Shaw
Licensed Professional Land Surveyor
Certificate No. LS-15959
Expiration Date: April 30, 2022

TAX MAP KEY (2) 3-8-007:101

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 3152 to Henry Cornwell and Royal Patent Grant Number 3343 to Claus Spreckels) situate, lying and being at Waikapu, Wailuku, Island and County of Maui, State of Hawaii, being LOT 12-A-1-A, same being a portion of Lot 12-A-1 MAUI LANI SUBDIVISION, as shown on Subdivision Map File No. 3.2327, approved by the County of Maui on September 12, 2017 and thus bounded and described as per survey dated November 19, 2014, revised July 29, 2016:

Beginning at the southeast corner of parcel of land, being also the southwest corner of Lot 12-A-4 of the Maui Lani Subdivision (Subdivision File No. 3.2226) at a point on the northerly boundary line of Lot 1-C of the Kopaa Subdivision No. 2, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE", being:

10923.32 feet South
3973.36 feet East.

and running by azimuths measured clockwise from true South:

1. 107° 45' 656.47 feet along said Lot 1-C;
2. 191° 45' 462.02 feet along same;
3. 101° 45' 2615.78 feet along same;
4. 322° 07' 271.76 feet along same;
5. 57° 14' 41" 4.58 feet along same;
6. 327° 14' 41" 465.24 feet along same;
7. 28° 00' 346.45 feet along same to the northerly right-of-way of Waiko Road (60 feet wide);
8. 118° 00' 199.99 feet along the northerly right-of-way of Waiko Road (60 feet wide) to Lot 1-A of Kopaa Subdivision No. 2;

9. 147° 14' 41" 1104.44 feet along said Lot 1-A to Lot 12-A-2 of the Maui Lani Subdivision (Subdivision File No. 3.2226);
10. 281° 45' 131.88 feet along said Lot 12-A-2;
11. 178° 00' 574.77 feet along same;
12. Thence along same on a non-tangent curve to the right having a radius of 1784.00 feet, the chord azimuth and distance being:
- 171° 04' 30" 746.40 feet;
13. 183° 09' 450.00 feet along same;
14. Thence along same on a curve to the left having a radius of 1200.00 feet, the chord azimuth and distance being:
- 183° 04' 42" 3.02 feet to a point of cusp on the westerly boundary of Lot 12-A-1-B of the Maui Lani Subdivision (Subdivision File No. 3.2327);
15. Thence from said point of cusp along said Lot 12-A-1-B on a non-tangent curve to the left having a radius of 603.00 feet, the chord azimuth and distance being:
- 347° 35' 02" 243.54 feet;
16. 335° 56' 153.47 feet along same;
17. 245° 56' 56.00 feet along same;
18. 155° 56' 55.87 feet along same;
19. 215° 20' 894.55 feet along same;
20. 196° 20' 394.03 feet along same;
21. 245° 57' 102.49 feet along same;

22.	253°	19'	72.53	feet along same;
23.	254°	11'	108.30	feet along same;
24.	241°	56'	59.05	feet along same;
25.	189°	06'	43.95	feet along same;
26.	164°	03'	50.55	feet along same;
27.	135°	47'	69.00	feet along same;
28.	131°	00'	71.39	feet along same;
29.	113°	00'	42.47	feet along same;
30.	171°	55'	40.92	feet along same;
31.	151°	22'	47.69	feet along same;
32.	174°	08'	68.05	feet along same;
33.	195°	02'	166.92	feet along same;
34.	169°	41'	229.45	feet along same;
35.	229°	11'	130.45	feet along same;
36.	277°	50'	322.27	feet along same and along Lot 12-A-1-E of the Maui Lani Subdivision (Subdivision File No. 3.2327);
37.	280°	42'	213.92	feet along Lot 12-A-1-E;
38.	308°	01'	139.98	feet along same;
39.	352°	45'	78.14	feet along same;
40.	38°	25'	167.15	feet along same;
41.	4°	51'	146.31	feet along same;
42.	341°	33'	117.22	feet along same;
43.	21°	37'	66.00	feet along same;

44.	09° 28'	87.12	feet along same;
45.	16° 14'	209.73	feet along same;
46.	30° 03'	13.19	feet along same;
47.	48° 32'	203.19	feet along same and along Lot 12-A-1-C of the Maui Lani Subdivision (Subdivision File No. 3.2327);
48.	34° 53'	78.59	feet along said Lot 12-A-1-C;
49.	22° 16'	92.85	feet along same;
50.	14° 26'	70.60	feet along same;
51.	5° 50'	74.07	feet along same;
52.	284° 37'	324.86	feet along same;
53.	283° 41'	80.12	feet along same;
54.	190° 39'	349.03	feet along same;
55.	192° 18'	463.14	feet along same to Lot 12-A-1-F of the Maui Lani Subdivision (Subdivision File No. 3.2327);
56.	286° 15' 30"	284.10	feet along said Lot 12-A-1-F;
57.	255° 28'	507.42	feet along same;
58.	286° 11'	143.56	feet along same to Lot 12-A-3 of the Maui Lani Subdivision (Subdivision File No. 3.2226);
59.	336° 57' 40"	436.57	feet along said Lot 12-A-3;
60.	Thence along same on a curve to the left having a radius of 503.22 feet, the chord azimuth and distance being:		
	330° 30' 50"	113.01	feet;
61.	324° 04'	840.97	feet along same;

62. Thence along same on a non-tangent curve to the right having a radius of 2380.87 feet, the chord azimuth and distance being:
- 296° 18' 522.53 feet;
63. 302° 36' 1065.80 feet along same;
64. Thence along same on a curve to the left having a radius of 50.00 feet, the chord azimuth and distance being:
- 301° 39' 45" 1.64 feet to the northwesterly corner of said Lot 12-A-4;
65. Thence along said Lot 12-A-4 on a curve to the left having a radius of 11624.16 feet, the chord azimuth and distance being:
- 29° 12' 18" 566.66 feet;
66. 27° 48' 30" 317.40 feet along said Lot 12-A-4;
67. 117° 48' 30" 20.00 feet along same;
68. 27° 48' 30" 300.00 feet along same;
69. 297° 48' 30" 5.00 feet along same;
70. 27° 48' 30" 700.00 feet along same;
71. 117° 48' 30" 35.00 feet along same;
72. 27° 48' 30" 494.75 feet along same to the point of beginning and containing an area of 281.426 acres, more or less.

Said above described parcel of land having been acquired by ALEXANDER & BALDWIN, INC., a Hawaii corporation by the following Deeds:

1. By DEED of HAWAIIAN COMMERCIAL AND SUGAR COMPANY, a California corporation, dated December 31, 1926, recorded in Liber 865 Page 8; and
2. By DEED of ALEXANDER & BALDWIN, INC., a Hawaii corporation, dated March 30, 1989, recorded in Liber 23006 at Page 583.

Together with nonexclusive easements over, under and across Easement "2A" for (a) landscaping and irrigation purposes, (b) installing, maintaining and replacing signs, including a sign wall and signage lighting, (c) pedestrian and vehicular access purposes, (d) drainage purposes, and (e) the installation, use, operation, maintenance, repair, and replacement of underground utility lines, as granted by GRANT OF LANDSCAPING, SIGNAGE, ACCESS, DRAINAGE, AND UTILITY EASEMENTS dated June 26, 2014, recorded as Document No. A-52900481, said Easement "2A" being shown on the map attached thereto; and subject to the terms and provisions contained therein.

Together with nonexclusive easements over, under and across Easement "2B" for (a) drainage purposes, (b) landscaping and irrigation purposes, (b) construction, development, and site preparation work, and (d) the installation, use, operation, maintenance, repair, and replacement of underground utility lines, as granted by GRANT OF DRAINAGE, LANDSCAPING, CONSTRUCTION AND UTILITY EASEMENTS dated June 26, 2014, recorded as Document No. A-52900482, said Easement "2B" being shown on map attached thereto; and subject to the terms and provisions contained therein.

Together with nonexclusive easements over, under and across Easement "2C" for (a) drainage purposes, (b) landscaping and irrigation purposes, (c) construction, development, and site preparation work, (d) the installation, use, operation, maintenance, repair, and replacement of underground utility lines, and (e) pedestrian and vehicular access purposes as granted by GRANT OF DRAINAGE, LANDSCAPING, CONSTRUCTION AND UTILITY EASEMENTS dated June 26, 2014, recorded as Document No. A-52900483, said Easement "2C" being shown on map attached thereto, and subject to the terms and provisions contained therein.

Together with nonexclusive easements over, under and across Easement "3A" for pedestrian and vehicular access purposes, said Easement "3A" being granted by GRANT OF DRAINAGE AND ACCESS EASEMENTS dated June 26, 2014, recorded as Document No A-52900484, said Easement "3A" being shown on map attached thereto, and subject to the terms and provisions contained therein.

Together with nonexclusive easements over, under and across Easement "3B" for (a) drainage purposes, and (b) pedestrian and vehicular access purposes, said Easement "3B" being granted by GRANT OF DRAINAGE AND ACCESS EASEMENTS dated June 26, 2014, recorded as Document No. A-52900485, said Easement "3B" being shown on map attached thereto, and subject to the terms and provisions contained therein.

Together with nonexclusive easements over, under and across Easement "4" and Easement "5" for drainage and access purposes, said Easement "4" and Easement "5" being granted by GRANT OF DRAINAGE BASIN AND ACCESS EASEMENTS dated June 26, 2014, recorded as Document No. A-52900486, said Easement "4" and Easement "5" being shown on map attached thereto, and subject to the terms and provisions contained therein.

Together with nonexclusive easements over, under and across Easement "W-2" for the installation, use, operations, maintenance, repair, and replacement of underground water lines. Said Easement "W-2" being granted by GRANT OF WATER LINE EASEMENT dated June 26, 2014, recorded as Document No. A-52900487, said Easement "W-2" being described therein, and subject to the terms and provisions contained therein.

Together with a non-exclusive easement over, under and across Easement "B-1" for access and utility purposes. Said Easement "B-1" being granted by GRANT OF ACCESS AND UTILITY EASEMENT WITH OPTION TO SUBDIVIDE AND DEDICATE dated June 8, 2018, recorded as Document No. A-67440717, said Easement "B-1" being described therein, and subject to the terms and provisions contained therein.

Together with a non-exclusive easement over, under and across Easement "B-2" for access and utility purposes. Said Easement "B-1" being granted by ACCESS AND UTILITY EASEMENT dated June 29, 2018, recorded as Document No. A-~~67640536~~, said Easement "B-2" being described therein, and subject to the terms and provisions contained therein.

Together with a non-exclusive easement over, under and across Easement "C-1) for access and utility purposes. Said Easement "C-1" being granted by ACCESS EASEMENT dated August 14, 2018, recorded as Document No. A-~~68060859~~, said Easement "C-1" being described therein, and subject to the terms and provisions contained therein.

TAX MAP KEY (2) 3-8-007:172

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 3152 to Henry Cornwell and Royal Patent Grant Number 3343 to Claus Spreckels) situate, lying and being at Wailuku Commons, District of Wailuku, Island and County of Maui, State of Hawaii, being LOT 12-A-4 of the "MAUI LANI SUBDIVISION" bearing Tax Key designation (2) 3-8-007-172, and containing an area of 2.817 acres, more or less.

Said above described parcel of land having been acquired by ALEXANDER & BALDWIN, INC., a Hawaii corporation by the following Deeds:

1. By DEED of HAWAIIAN COMMERCIAL AND SUGAR COMPANY, a California corporation, dated December 31, 1926, recorded in Liber 865 Page 8; and
2. By DEED of ALEXANDER & BALDWIN, INC., a Hawaii corporation, dated March 30, 1989, recorded in Liber 23006 at Page 583.

TAX MAP KEY (2) 3-8-007:173

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 3152 to Henry Cornwell and Royal Patent Grant Number 3343 to Claus Spreckels) situate, lying and being at Waikapu and Wailuku Commons, Wailuku, Island and County of Maui, State of Hawaii, being LOT 12-A-5 of "MAUI LANI SUBDIVISION" bearing Tax Key designation (2) 3-8-007-173, and containing an area of 1.097 acres, more or less.

Said above described parcel of land having been acquired by ALEXANDER & BALDWIN, INC., a Hawaii corporation by the following Deeds:

1. By DEED of HAWAIIAN COMMERCIAL AND SUGAR COMPANY, a California corporation, dated December 31, 1926, recorded in Liber 565 Page 8; and
2. By DEED of ALEXANDER & BALDWIN, INC., a Hawaii corporation, dated March 30, 1989, recorded in Liber 23006 at Page 583.

TAX MAP KEY (2) 3-8-007:178

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 3152 to Henry Cornwell and Royal Patent Grant Number 3343 to Claus Spreckels) situate, lying and being at Waikapu, Wailuku, Island and County of Maui, State of Hawaii, being LOT 12-A-1-D of the "MAUI LANI SUBDIVISION", and thus bounded and described:

Beginning at the northwest corner of this parcel of land at a point on the southerly boundary line of Lot 11-D-1-A-1-B-1-A of the Maui Lani Phase 8 (Large Lot) Subdivision (Subdivision File No. 3.2222), the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE", being:

5556.07 feet South
356.25 feet East

and running by azimuths measured clockwise from true South:

1. 284° 48' 20" 48.13 feet along said Lot 11-D-1-A-1-B-1-A to the northwest corner of Lot 12-A-1-B of the Maui Lani Subdivision (Subdivision File No. 3.2327);
2. 334° 44' 30" 212.51 feet along said Lot 12-A-1-B;
3. Thence along same on a curve to the right having a radius of 509.83 feet, the chord azimuth and distance being: 351° 19' 45" 291.09 feet;
4. 7° 55' 225.01 feet along same;
5. Thence along same on a curve to the left having a radius of 4780.23 feet, the chord azimuth and distance being: 7° 01' 41" 779.72 feet;
6. 2° 21' 366.11 feet along same;
7. Thence along same on a curve to the right having a radius of 16.00 feet, the chord azimuth and distance being: 86° 54' 41" 31.36 feet;

8. Thence along same with a reverse curve to the left having a radius of 1210.00 feet, the chord azimuth and distance being: 156° 02' 38" 210.06 feet to Lot A of the Waikapu Landfill Consolidation (IUCA File No. 3.1565);
9. 237° 20' 15.76 feet along same Lot A;
10. 184° 50' 250.00 feet along same;
11. 152° 26' 309.00 feet along same;
12. 191° 33' 704.00 feet along same;
13. 185° 45' 445.47 feet along same to the point of beginning and containing an area of 7.660 acres, more or less.

Said above described parcel of land having been acquired by ALEXANDER & BALDWIN, INC., a Hawaii corporation by the following Deeds:

1. By DEED of HAWAIIAN COMMERCIAL AND SUGAR COMPANY, a California corporation, dated December 31, 1926, recorded in Liber 502 Page 8; and
2. By DEED of ALEXANDER & BALDWIN, INC., a Hawaii corporation, dated March 30, 1989, recorded in Liber 13000 at Page 583.

Together with a perpetual and nonexclusive easement over, under and across Easement C for vehicular and pedestrian ingress and egress, as granted by GRANT OF ACCESS EASEMENT (EASEMENT C), dated June 5, 2014, recorded as Document No. A-52770555, more particularly described therein; and subject to the terms and provisions contained therein.

CANCELLATION OF GRANT OF ACCESS EASEMENT (EASEMENT C) dated September 4, 2018, recorded as Document No. A-65420735.

Together with nonexclusive easements over, under and across Easement "2A" for (a) landscaping and irrigation purposes, (b) installing, maintaining and replacing signs, including a sign wall and signage lighting, (c) pedestrian and vehicular access purposes, (d) drainage purposes, and (e) the installation, use, operation, maintenance, repair, and replacement of underground utility lines, as granted by GRANT OF LANDSCAPING, SIGNAGE, ACCESS, DRAINAGE, AND UTILITY EASEMENTS dated June 26, 2014, recorded as Document No. A-52900481, said Easement "2A" being shown on the map attached thereto; and subject to the terms and provisions contained therein.

Together with nonexclusive easements over, under and across Easement "2B" for (a) drainage purposes, (b) landscaping and irrigation purposes, (b) construction, development, and site preparation work, and (d) the installation, use, operation, maintenance, repair, and replacement of underground utility lines, as granted by GRANT OF DRAINAGE, LANDSCAPING, CONSTRUCTION AND UTILITY EASEMENTS dated June 26, 2014, recorded as Document No. A-52900482, said Easement "2B" being shown on map attached thereto; and subject to the terms and provisions contained therein.

Together with nonexclusive easements over, under and across Easement "2C" for (a) drainage purposes, (b) landscaping and irrigation purposes, (c) construction, development, and site preparation work, (d) the installation, use, operation, maintenance, repair, and replacement of underground utility lines, and (e) pedestrian and vehicular access purposes as granted by GRANT OF DRAINAGE, LANDSCAPING, CONSTRUCTION AND UTILITY EASEMENTS dated June 26, 2014, recorded as Document No. A-52900483, said Easement "2C" being shown on map attached thereto, and subject to the terms and provisions contained therein.

Together with nonexclusive easements over, under and across Easement "3A" for pedestrian and vehicular access purposes, said Easement "3A" being granted by GRANT OF DRAINAGE AND ACCESS EASEMENTS dated June 26, 2014, recorded as Document No A-52900484, said Easement "3A" being shown on map attached thereto, and subject to the terms and provisions contained therein.

Together with nonexclusive easements over, under and across Easement "3B" for (a) drainage purposes, and (b) pedestrian and vehicular access purposes, said Easement "3B" being granted by GRANT OF DRAINAGE AND ACCESS EASEMENTS dated June 26, 2014, recorded as Document No. A-52900465, said Easement "3B" being shown on map attached thereto, and subject to the terms and provisions contained therein.

Together with nonexclusive easements over, under and across Easement "4" and Easement "5" for drainage and access purposes, said Easement "4" and Easement "5" being granted by GRANT OF DRAINAGE BASIN AND ACCESS EASEMENTS dated June 26, 2014, recorded as Document No. A-52900486, said Easement "4" and Easement "5" being shown on map attached thereto, and subject to the terms and provisions contained therein.

Together with nonexclusive easements over, under and across Easement "W-2" for the installation, use, operations, maintenance, repair, and replacement of underground water lines. Said Easement "W-2" being granted by GRANT OF WATER LINE EASEMENT dated June 26, 2014, recorded as Document No. A-52900487, said Easement "W-2" being described therein, and subject to the terms and provisions contained therein.

Together with a nonexclusive easement for vehicular and pedestrian access purposes as granted by instrument dated September 19, 2017, recorded as Document No. A-64770556; subject to the terms and provisions contained therein.

Together with Easement "D-1" for access purposes as granted by instrument dated October 17, 2017, recorded as Document No. A-65000728; subject to the terms and provisions contained therein.

Together with Easement "B-1" for access and utility purposes as granted by instrument dated June 8, 2018, recorded as Document No. A-67440717; subject to the terms and provisions contained therein.

TAX MAP KEY (2) 3-8-007:179

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 3152 to Henry Cornwell and Royal Patent Grant Number 3343 to Claus Spreckels) situate, lying and being at Waikapu, Wailuku, Island and County of Maui, State of Hawaii, being LOT 12-A-1-E of the "MAUI LANI SUBDIVISION", and thus bounded and described:

Beginning at the northeast corner of this parcel of land, being also the southwest corner of Lot 11-D-1-A-2-B (Kamehameha Avenue) of the Maui Lani (Large Lot) Subdivision No. 5 (Subdivision File No. 3.2144) and the northwest corner of Lot 12-A-1-C of the Maui Lani Subdivision (Subdivision File No. 3.2327), the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE", being:

6120.76 feet South
2492.64 feet East

and running by azimuths measured clockwise from true South:

1. Thence along said Lot 12-A-1 on a curve to the left having a radius of 944.70 feet, the chord azimuth and distance being: 33° 52' 10" 694.60 feet;
2. 12° 18' 622.93 feet along same;
3. 104° 29' 249.55 feet along same to Lot 12-A-1-A of the Maui Lani Subdivision (Subdivision File No. 3.2327);
4. 228° 32' 161.34 feet along said Lot 12-A-1-A;
5. 210° 03' 13.19 feet along same;
6. 196° 14' 209.73 feet along same;
7. 189° 28' 87.12 feet along same;
8. 201° 37' 66.00 feet along same;
9. 161° 33' 117.22 feet along same;
10. 184° 51' 146.31 feet along same;

- | | | | |
|-----|--------------|--------|---|
| 11. | 218° 25' | 167.15 | feet along same; |
| 12. | 172° 45' | 78.14 | feet along same; |
| 13. | 128° 01' | 139.98 | feet along same; |
| 14. | 100° 42' | 213.92 | feet along same; |
| 15. | 97° 50' | 142.32 | feet along same; |
| 16. | 197° 28' | 281.41 | feet along Lot 12-A-1-B of the Maui Lani Subdivision (Subdivision File No. 3.2327) to Lot 11-D-1-A-1-B-1-A of the Maui Lani Phase 8 (Large Lot) Subdivision (Subdivision File No. 3.2222); |
| 17. | 284° 48' 20" | 873.38 | feet along said Lot 11-D-1-A-1-B-1-A and Lot 11-D-1-A-1-A-1 of the Maui Lani (Large Lot) Subdivision No. 7 (Subdivision File No. 3.2342) to the point of beginning and containing an area of 8.897 acres, more or less. |

Said above described parcel of land having been acquired by ALEXANDER & BALDWIN, INC., a Hawaii corporation by the following Deeds:

1. By DEED of HAWAIIAN COMMERCIAL AND SUGAR COMPANY, a California corporation, dated December 31, 1926, recorded in Liber 865 Page 9; and
2. By DEED of ALEXANDER & BALDWIN, INC., a Hawaii corporation, dated March 30, 1989, recorded in Liber 23008 at Page 583.

Together with a perpetual and nonexclusive easement over, under and across Easement C for vehicular and pedestrian ingress and egress, as granted by GRANT OF ACCESS EASEMENT (EASEMENT C), dated June 5, 2014, recorded as Document No. A-52770555, more particularly described therein; and subject to the terms and provisions contained therein.

CANCELLATION OF GRANT OF ACCESS EASEMENT (EASEMENT C) dated September 4, 2018, recorded as Document No. A-68420735.

Together with nonexclusive easements over, under and across Easement "2A" for (a) landscaping and irrigation purposes, (b) installing, maintaining and replacing signs, including a sign wall and signage lighting, (c) pedestrian and vehicular access purposes, (d) drainage purposes, and (e) the installation, use, operation, maintenance, repair, and replacement of underground utility lines, as granted by GRANT OF LANDSCAPING, SIGNAGE, ACCESS, DRAINAGE, AND UTILITY EASEMENTS dated June 26, 2014, recorded as Document No. A-52900451, said Easement "2A" being shown on the map attached thereto; and subject to the terms and provisions contained therein.

Together with nonexclusive easements over, under and across Easement "2B" for (a) drainage purposes, (b) landscaping and irrigation purposes, (b) construction, development, and site preparation work, and (d) the installation, use, operation, maintenance, repair, and replacement of underground utility lines, as granted by GRANT OF DRAINAGE, LANDSCAPING, CONSTRUCTION AND UTILITY EASEMENTS dated June 26, 2014, recorded as Document No. A-52900482, said Easement "2B" being shown on map attached thereto; and subject to the terms and provisions contained therein.

Together with nonexclusive easements over, under and across Easement "2C" for (a) drainage purposes, (b) landscaping and irrigation purposes, (c) construction, development, and site preparation work, (d) the installation, use, operation, maintenance, repair, and replacement of underground utility lines, and (e) pedestrian and vehicular access purposes as granted by GRANT OF DRAINAGE, LANDSCAPING, CONSTRUCTION AND UTILITY EASEMENTS dated June 26, 2014, recorded as Document No. A-52900483, said Easement "2C" being shown on map attached thereto, and subject to the terms and provisions contained therein.

Together with nonexclusive easements over, under and across Easement "3A" for pedestrian and vehicular access purposes, said Easement "3A" being granted by GRANT OF DRAINAGE AND ACCESS EASEMENTS dated June 26, 2014, recorded as Document No A-52900484, said Easement "3A" being shown on map attached thereto, and subject to the terms and provisions contained therein.

Together with nonexclusive easements over, under and across Easement "3B" for (a) drainage purposes, and (b) pedestrian and vehicular access purposes, said Easement "3B" being granted by GRANT OF DRAINAGE AND ACCESS EASEMENTS dated June 26, 2014, recorded as Document No. A-52900485, said Easement "3B" being shown on map attached thereto, and subject to the terms and provisions contained therein.

Together with nonexclusive easements over, under and across Easement "4" and Easement "5" for drainage and access purposes, said Easement "4" and Easement "5" being granted by GRANT OF DRAINAGE BASIN AND ACCESS EASEMENTS dated June 26, 2014, recorded as Document No. A-52900486, said Easement "4" and Easement "5" being shown on map attached thereto, and subject to the terms and provisions contained therein.

Together with nonexclusive easements over, under and across Easement "W-2" for the installation, use, operations, maintenance, repair, and replacement of underground water lines. Said Easement "W-2" being granted by GRANT OF WATER LINE EASEMENT dated June 26, 2014, recorded as Document No. A-52900487, said Easement "W-2" being described therein, and subject to the terms and provisions contained therein.

Together with a nonexclusive easement for vehicular and pedestrian access purposes as granted by instrument dated September 19, 2017, recorded as Document No. A-64770588; subject to the terms and provisions contained therein.

SUBDIVISION FILE MAPS

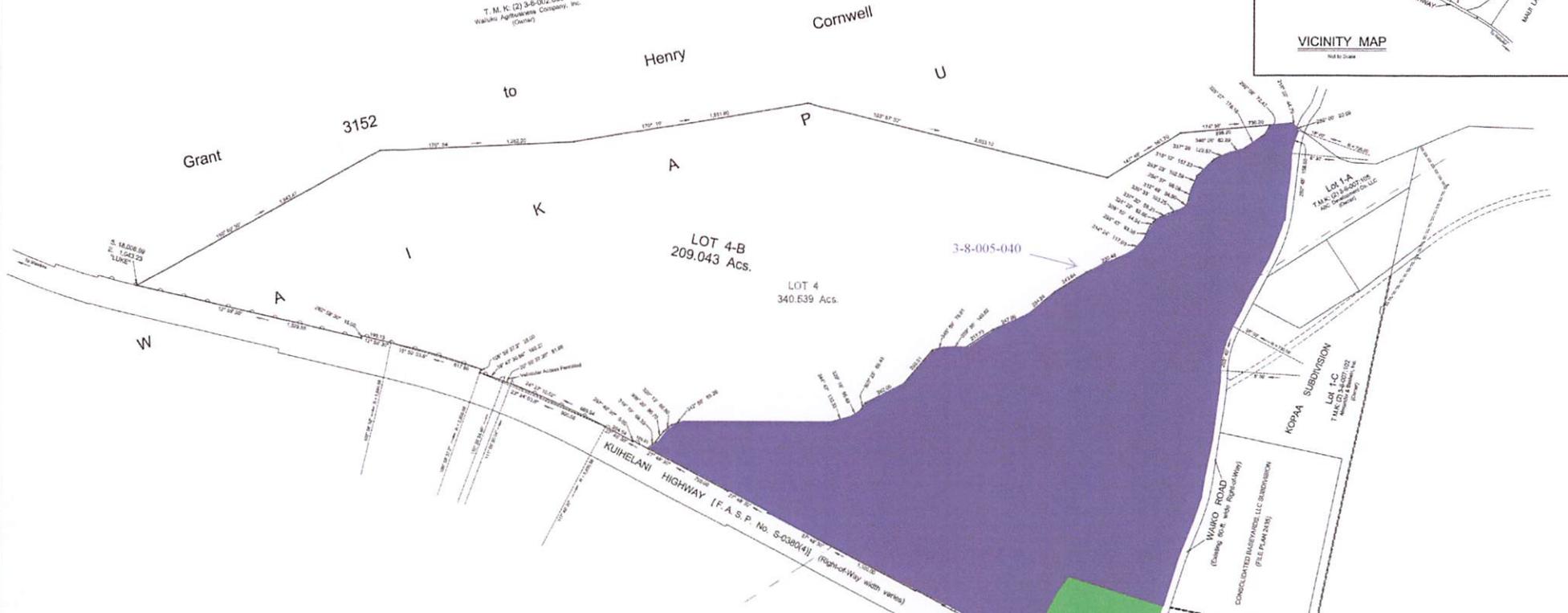
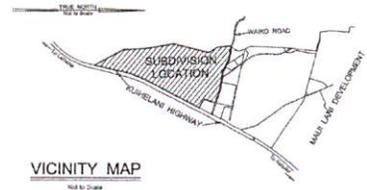
Subdivision File No. 3.2286

Subdivision File No. 3.2327

EXHIBIT "B"

TRUE NORTH
SCALE 1" = 300'

T.M.K. (2) 3-8-002-003
Wailuku Agriculture Company, Inc.
(Owner)



- NOTES:
1. Azimuths and coordinates shown referred to Government Survey Triangulation Station "LUKE" A.
 2. Owners of adjacent parcels taken from records of the Real Property Mapping Branch.
 3. Pursuant to Maui County Code Section 3.44.019(C) the County of Maui is not responsible for any park, roadway, easement (including but not limited to drainage, sewer, access, reclaimed water or irrigation easements), or any other claimed in real property shown on this map or shown on these plans unless the Maui County Council has accepted its dedication by a resolution approved by a majority of Council members at a regular or special meeting of the Maui County Council.
 4. Existing Easement "C" is for waterline purposes in favor of the County of Maui per Liber 4159, Page 172 dated September 18, 1961.
 5. Denotes no vehicular access permitted.
 6. Denotes vehicular access permitted.
 7. Lot corners to be marked with 1/2-inch pipe unless otherwise noted.
 8. This subdivision contains the following designations: Estate Agricultural, Community Plan Agricultural, County Zoning Agricultural, Flood Zone XAS, AEA and AE as shown on Hawaii-National Flood Insurance Rate Panels 03930 and 0394E.
 9. An existing Lease to Maui Electric Company, Limited and Hawaiian Telecom, Inc. for rights-of-way for utility purposes per Liber 5006, Page 84 dated August 5, 1960.
 10. Lot 4-B is to be acquired by the County of Maui.

WALTER K. SCHENK SUBDIVISION
SUBDIVISION OF LOT 4 (L. U. C. A. FILE NO. 3.1348)
INTO LOTS 4-A AND 4-B
 Being a portion of Grant 3152 to Henry Cornwell
 WAIKAPU, WAILUKU, MAUI, HAWAII

FINAL SUBDIVISION APPROVAL
 APPROVAL BASED UPON SECTION
 18.04.020(A), M.C.C.
 Subdivision File Number: 3-8-005-037
 Approved for Recordation with the Bureau of
 Conveyances and Department of Taxation,
 State of Hawaii.
 Director of Public Works *Mark* 9.9.13
 Date

Prepared by A & B Properties, Inc.
 11 Pouloua Avenue
 KAHALA, HI 96732
 OWNER: Alexander & Bateman, LLC



SCALE: 1 inch = 300 feet
 DATE: January 18, 2013
 REVISED: April 18, 2013
 REVISED: August 18, 2013



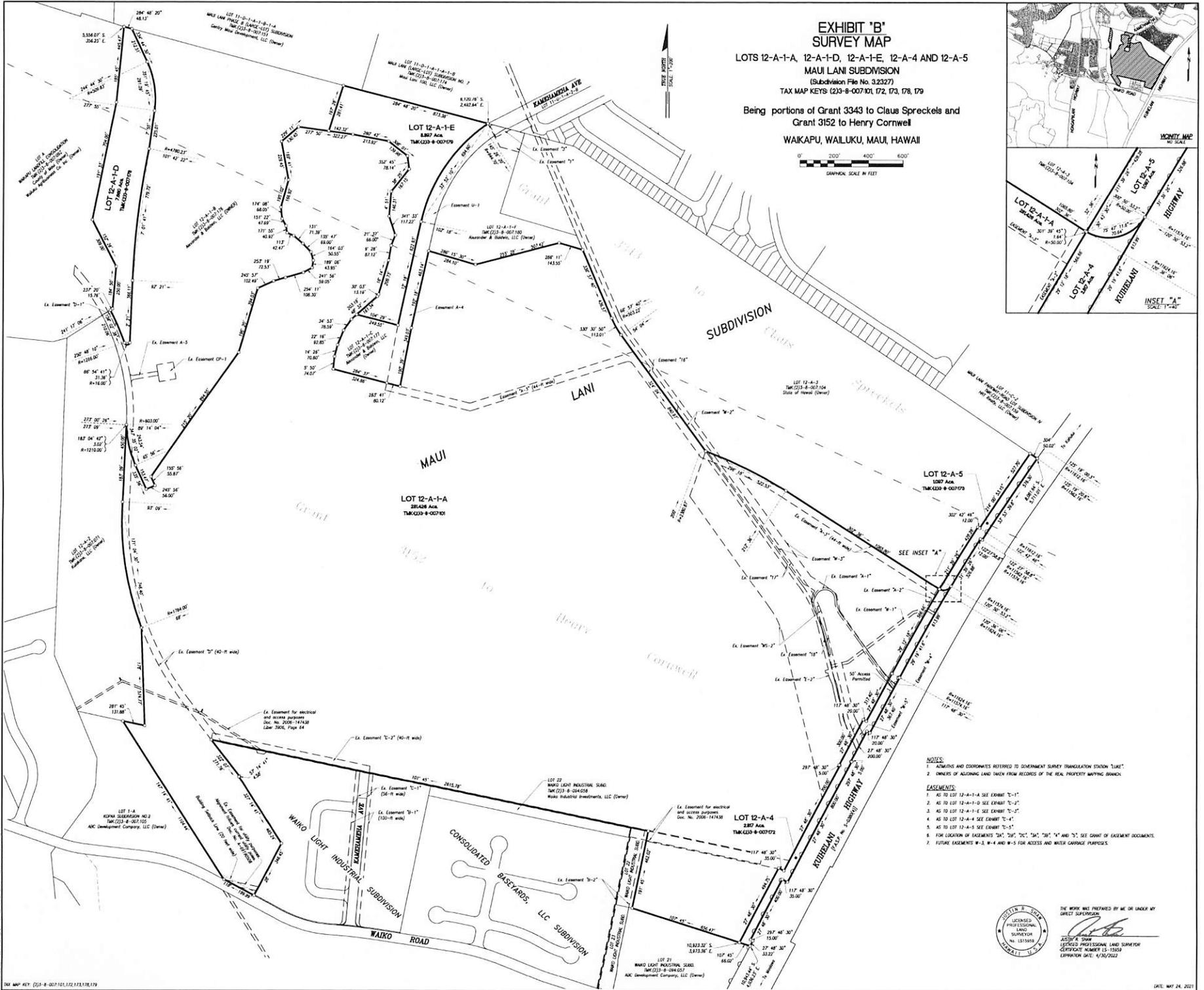
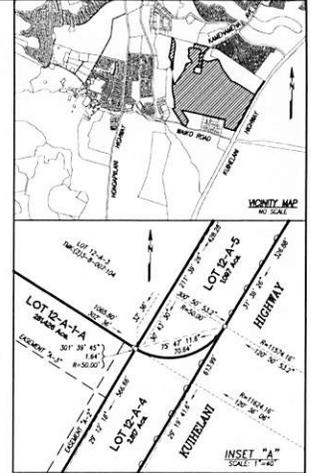
This work is prepared by me or under my supervision.
Kent T. Norman 9/26/2013
 Kent T. Norman
 Licensed Professional Land Surveyor
 Certificate No. LS-7533
 Expiration Date: 4/30/2014

SUBDIVISION FILE NO. 3.2286

**EXHIBIT 'B'
SURVEY MAP**

LOTS 12-A-1-A, 12-A-1-D, 12-A-1-E, 12-A-4 AND 12-A-5
MAUI LANI SUBDIVISION
(Subdivision File No. 32327)
TAX MAP KEYS (23-8-007101, 172, 173, 178, 179)

Being portions of Grant 3343 to Claus Spreckels and
Grant 3152 to Henry Cornwell
WAIKAPU, WAILUKU, MAUI, HAWAII



- NOTES:**
1. BEARINGS AND COORDINATES REFERRED TO GOVERNMENT SURVEY TRANSLATION STATION "A16".
 2. OWNERS OF ADJACENT LAND TAKEN FROM RECORDS OF THE REAL PROPERTY MAPPING BRANCH.
- EASEMENTS:**
1. AS TO LOT 12-A-1-A SEE EXHIBIT "C-1".
 2. AS TO LOT 12-A-1-D SEE EXHIBIT "C-2".
 3. AS TO LOT 12-A-1-E SEE EXHIBIT "C-3".
 4. AS TO LOT 12-A-4 SEE EXHIBIT "C-4".
 5. AS TO LOT 12-A-5 SEE EXHIBIT "C-5".
 6. FOR LOCATION OF EASEMENTS "A1", "A2", "A3", "A4", "A5", "W-1", "W-2", "W-3", "W-4" AND "W-5", SEE CHAIN OF EASEMENT DOCUMENTS.
 7. FUTURE EASEMENTS "W-1", "W-4" AND "W-5" FOR ACCESS AND WATER CARRIAGE PURPOSES.

THE WORK WAS PREPARED BY ME OR UNDER MY
DIRECT SUPERVISION
PROFESSIONAL LAND SURVEYOR
NO. 1815918
DATE: MAY 24, 2021

EXHIBIT "C"

LOT 2-C-4-C-1-B-1-G (ROAD RESERVE)

Being a portion of Grant 3343 to Claus Spreckels
being also a portion of Lot 2-C-4-C-1-B-1
Subdivision File No. 3.2322

at
Puunene, Wailuku, Maui, Hawaii

BEGINNING at the Southeast corner of this lot at a point on the Northwesterly boundary line of Lot 2-C-4-C-1-E of the First Assembly Of God Subdivision (Subdivision File No. 3.2208), being also the Southwesterly corner of Lot 2-C-4-C-1-B-1-C of the First Assembly Of God Subdivision (Subdivision File No. 3.2323), the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE", being:

2,297.45 feet South
14,491.27 feet East

and running by azimuths measured clockwise from True South:

1. 65° 10' 80.03 feet along said Lot 2-C-4-C-1-E;
2. 153° 39' 205.99 feet along Lot 2-C-4-C-1-A of the First Assembly Of God Subdivision (Subdivision File No. 3.2208);
3. 243° 39' 80.00 feet along Lot 2-C-4-C-1-B-2 of the First Assembly Of God Subdivision (Subdivision File No. 3.2322);
4. 333° 39' 208.11 feet along said Lot 2-C-4-C-1-B-1-C to the **POINT OF BEGINNING** and containing an area of 0.380 acres.

PREPARED BY:
A&B Properties Hawaii, LLC



This work was prepared by me or under my direct supervision

A handwritten signature in black ink, appearing to read "Justin R. Shaw", written over a horizontal line.

Justin R. Shaw
Licensed Professional Land Surveyor
Certificate No. LS-15959
Expiration Date: April 30, 2022

UNIT 3
MAUI ECONOMIC OPPORTUNITY CONDOMINIUM

Being a portion of Grant 3343 to Claus Spreckels
being also a portion of Lot 2-C-4-C-1-E of the First Assembly Of God Subdivision
Subdivision File No. 3.2208

at
Puunene, Wailuku, Maui, Hawaii

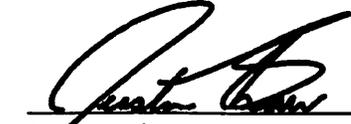
BEGINNING at the Northwest corner of this Unit of Land, being the Southeast corner of Lot 2-C-4-C-1-A of the First Assembly Of God Subdivision (Subdivision File No. 3.2208), the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE", being:

2,331.06 feet South
14,418.64 feet East

and running by azimuths measured clockwise from True South:

- | | | | |
|----|--------------|---------------|--|
| 1. | 245° 10' | 1,066.70 feet | along Lot 2-C-4-C-1-B of the First Assembly Of God Subdivision (Subdivision File No. 3.2208); |
| 2. | 335° 10' | 955.02 feet | along remainder of Lot 2-C-4-C-1-E of the First Assembly Of God Subdivision (Subdivision File No. 3.2208); |
| 3. | 65° 10' | 1,015.06 feet | along same; |
| 4. | 149° 25' 30" | 283.76 feet | along same; |
| | | | Thence on a curve to the right having a radius of 2,000.00 feet and a central angle of 4° 13' 30", the chord azimuth and distance being: |
| 5. | 151° 32' 15" | 147.45 feet | along same; |
| 6. | 153° 39' | 525.71 feet | along same to the POINT OF BEGINNING and containing an area of 23.000 acres. |

PREPARED BY: A&B Properties Hawaii, LLC



Justin R. Shaw

Licensed Professional Land Surveyor

Certificate No. LS-15959

Expiration Date: April 30, 2022

Date: October 7, 2021

EXHIBIT "D"



UNIT 3 EXHIBIT
 MALI ECONOMIC OPPORTUNITY CONDOMINIUM
 LOT 2-C-4-C-1-E OF THE FIRST ASSEMBLY OF GOD SUBDIVISION
 TAX MAP KEY: (2)3-8-006004
 Being a portion of Grant 3343 to Claus Sprackels
 PUUNENE, WAILUKU, MAUI, HAWAII

NOTES:
 1. LAYERS AND COORDINATES REFERRED TO GOVERNMENT SURVEY DIVISION'S COAST SURVEY
 2. OWNERS OF ALLIGAND LAND DATA FROM RECORDS OF THE REAL PROPERTY SYSTEMS DIVISION
 3. LAYERS T-1, T-2, T-3, T-4 FOR RECORDING AND UTILITY PURPOSES BY ORDER OF ASSEMBLY OF GOD, INC.
 4. SUCCESSION AND ASSIGNMENT AREA - 1.750 ACRES
 5. LAYERS T-1, T-2 FOR RECORDING PURPOSES BY ORDER OF ASSEMBLY OF GOD, INC. (2)
 SUCCESSION AND ASSIGNMENT AREA - 2.079 ACRES