

COUNCIL OF THE COUNTY OF MAUI  
**INFRASTRUCTURE MANAGEMENT  
COMMITTEE**

September 4, 2009

**Committee  
Report No.** \_\_\_\_\_

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Infrastructure Management Committee, having met on August 17, 2009, makes reference to County Communication No. 09-206, from the Director of Public Works, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF A ROAD WIDENING LOT FOR THE HARRIMAN SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".

The purpose of the proposed resolution is to accept the dedication of Road Widening Lot 4, along Kauhikoa Road, Haiku, consisting of approximately .085 acres, affecting TMK: (2) 2-7-02:056.

Your Committee notes that, pursuant to Section 3.44.015(C), Maui County Code, the Council may accept gifts or donations of real property or any interest in real property for public purposes by the passage of a resolution, approved by a majority of its members.

The Director of Public Works stated that the subdivision was granted final approval on June 29, 2009. The Director also stated that Road Widening Lot 4 has met the requirements of Title 18 of the Maui County Code and is acceptable for dedication.

Your Committee voted 5-0 to recommend adoption of the proposed resolution and filing of the communication. Committee Chair Medeiros, and members Baisa, Kaho'ohalahala, Molina, and Victorino voted "aye". Vice-Chair Pontanilla and Committee member Mateo were excused.

Your Infrastructure Management Committee **RECOMMENDS** the following:

1. That Resolution No. \_\_\_\_\_, attached hereto, entitled "ACCEPTING DEDICATION OF A ROAD WIDENING LOT FOR THE HARRIMAN SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE" be **ADOPTED**; and

COUNCIL OF THE COUNTY OF MAUI  
**INFRASTRUCTURE MANAGEMENT  
COMMITTEE**

September 4, 2009  
Page 2

Committee  
Report No. \_\_\_\_\_

2. That County Communication No. 09-206 be FILED.

This report is submitted in accordance with Rule 7 of the Rules of the Council.



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BILL KAUAKEA MEDEIROS, Chair

im:cr:09022aa:mjg

# Resolution

No. \_\_\_\_\_

ACCEPTING DEDICATION OF A ROAD WIDENING LOT  
FOR THE HARRIMAN SUBDIVISION, PURSUANT  
TO SECTION 3.44.015, MAUI COUNTY CODE

WHEREAS, LEO D. HARRIMAN and JOAN O. HARRIMAN (hereinafter collectively called "Subdivider"), desire to comply with the subdivision requirements for the Harriman Subdivision, Tax Map Key Number: (2) 2-7-002:056, Subdivision File No. 2.2646, by dedicating that certain Road Widening Lot 4. Said lot is more fully described in Exhibit "A" of the Warranty Deed attached hereto as Exhibit "1" and made a part hereof; and

WHEREAS, the Director of Public Works has reviewed and approved said dedication; and

WHEREAS, pursuant to Section 3.44.015(C), Maui County Code, the County Council may accept donations of real property or any interest in real property by the passage of a resolution approved by a majority of its members; now, therefore,

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

1. That it hereby accepts Lot 4, as described in said Warranty Deed attached hereto as Exhibit "1" to be dedicated by said Subdivider to the County of Maui in accordance with said Warranty Deed; and

Resolution No. \_\_\_\_\_

2. That it does hereby authorize the Mayor of the County of Maui to execute all necessary documents in connection with the acceptance of said dedication; and

3. That certified copies of this Resolution be transmitted to the Mayor of the County of Maui, the Director of Public Works and the Subdivider.

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
DAVID A. GALAZIN  
Deputy Corporation Counsel  
County of Maui

S:\ALL\DAG\RESO\Harriman-Dedicate Road Widen Lot 4.wpd

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LAND COURT

REGULAR SYSTEM

AFTER RECORDATION, RETURN BY: MAIL (XX)  
COUNTY OF MAUI  
Department of Finance  
200 South High Street  
Wailuku, Hawaii 96793

PICKUP ( ) TO:

Total No. of Pages: \_\_\_\_\_

TMK (2) 2-7-002: 056  
~~LUCA FILE NO. 2.2646~~

*adit*  
*lt*  
Subdivision File No. 2.2646

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That LEO D. HARRIMAN and JOAN O. HARRIMAN, whose address is 1621 HEATHER RIDGE ROAD, GLENDALE, CALIFORNIA 91207, (hereinafter collectively the "Grantor"), for and in consideration of the sum of ONE DOLLAR (\$ 1.00) to Grantor paid by COUNTY OF MAUI, a political subdivision of the State of Hawaii, with its principal office and post office address is 200 South High Street, Wailuku, Hawaii 96793, (hereinafter the "Grantee"), receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey all of that certain property situate at PAUWELA, HAMAKUALOA, MAKAWAO, Maui, Hawaii, Island and County of Maui, State of Hawaii, more particularly described in Exhibit

"A", attached hereto and incorporated herein by reference, unto the Grantee, as Tenant in Severalty, its legal successors and assigns, forever.

AND the reversions, remainders, rents, issues and profits thereof and all of the estate, right, title and interests of Grantor, both at law and in equity, therein and thereto.

TO HAVE AND TO HOLD the same, together with all buildings, improvements, tenements, rights, easements, hereditaments, privileges and appurtenances thereto belonging or appertaining, or held and enjoyed in connection therewith unto the Grantee according to the tenancy hereinabove set forth, absolutely and in fee simple, forever.

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized in fee simple of the described real and personal property and that the Grantor has good right to convey the same as aforesaid; that the property is free and clear of all encumbrances, except as may be described in Exhibit "A"; and the Grantor will WARRANT AND DEFEND the same unto Grantee, forever, against the lawful claims and demands of all persons.

It is understood and agreed that the term "property" shall be deemed to mean and include the property specifically described in Exhibit "A", all buildings and improvements thereon (including any personal property described in Exhibit "A") and all rights, easements, privileges and appurtenances in connection therewith, that the terms "Grantor" and "Grantee", as and when used herein, or any pronouns used in place thereof, shall mean and

include the masculine and/or feminine, the singular or plural number, individuals, firms or corporations, that the rights and obligations of the Grantor and Grantee shall be binding upon and inure to the benefit of their respective estates, heirs, personal representatives, successors in trust and assigns and that where there is more than one Grantor or Grantee, any covenants of the respective party shall be and for all purposes deemed to be joint and several.

IN WITNESS WHEREOF, the undersigned have executed this instrument on this 19 day of September, 2001.

GRANTOR:

Leo D. Harriman  
LEO D. HARRIMAN

Joan O. Harriman  
JOAN O. HARRIMAN

APPROVED AS TO FORM  
AND LEGALITY:

Cindy Y. Young  
CINDY Y. YOUNG  
Deputy Corporation Counsel  
County of Maui  
S:\CLERICAL\PJK\FORMS\WARRANTY.DED

STATE OF HAWAII )  
 ) SS.  
COUNTY OF MAUI )

On this 19 day of September, 2001, before me personally appeared Leo D. Harriman, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Lyndelle Tsutsui  
NOTARY PUBLIC, State of Hawaii.

Print name Lyndelle Tsutsui  
My commission expires: 2/4/05

LS

STATE OF HAWAII )  
 ) SS.  
COUNTY OF MAUI )

On this 19 day of September, 2001, before me personally appeared Joan O. Harriman, to me known to be the person described in and who executed the foregoing instrument and acknowledged that ~~he~~ she executed the same as his/her free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Lyndelle Tsutsui  
NOTARY PUBLIC, State of Hawaii.

Print name Lyndelle Tsutsui  
My commission expires: 2/4/05

LS



DESCRIPTION  
**LOT 4**  
**(4-FT. WIDE KAUHIKOA ROAD WIDENING LOT)**  
**HARRIMAN SUBDIVISION**

All of that certain parcel of land, being Lot 4 (4-ft. wide Kauhikoa Road widening lot) of the Harriman Subdivision (the map thereof not being recorded), being a portion of Grant 2701 to Henry Copp and Daniel Crowningberg, situated at Pauwela, Hamakualoa, Makawao, Island and County of Maui, State of Hawaii and being more particularly described as follows:

Beginning at a ¾-inch pipe at the northwest corner of this parcel of land, on the southerly boundary of Lot 6 of the Kauhikoa Farm Lots, said point also being the northeast corner of Lot 3 of said Harriman Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PIIHOLO" being:

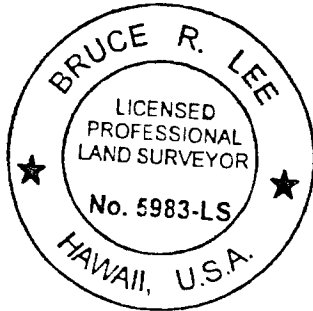
10,861.56 feet North  
4,197.01 feet West

and running by azimuths measured clockwise from true South:

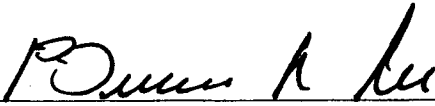
1. 252° 47' 00"                      4.01 feet along said Lot 6 of the Kauhikoa Farm Lots, being a portion of said Grant 2701 to Henry Copp and Daniel Crowningberg to a found railroad spike on the southwesterly boundary of said Kauhikoa Road;
2. 336° 48' 00"                      924.81 feet along said southwesterly boundary of Kauhikoa Road to a ¾-inch pipe at the northeast corner of Lot 6-B-2 (subdivision name unknown), being a portion of said Grant 2701 to Henry Copp and Daniel Crowningberg;
3. 66° 48' 00"                        4.00 feet along said Lot 6-B-2 (subdivision name unknown), being a portion of said Grant 2701 to Henry Copp and Daniel Crowningberg to a ¾-inch pipe at the southeast corner of Lot 1 of said Harriman Subdivision;
4. 156° 48' 00"                      925.22 feet along Lots 1, 2 and 3 of said Harriman Subdivision, being portions of said Grant 2701 to Henry Copp and Daniel Crowningberg to the point of beginning and containing an area of 3,700 Square Feet or 0.085 Acre, more or less.

Prepared by:

**NEWCOMER-LEE**  
**LAND SURVEYORS, INC.**, a Hawaii Corporation



This description was prepared from a survey on the ground performed by me or under my supervision.

  
\_\_\_\_\_  
BRUCE R. LEE  
Licensed Professional Land  
Surveyor Certificate No. 5983-LS

6/22/01  
HARRIMAN  
File 00-4970  
4970-harriman-lot4

EXHIBIT "A"

Page 2 of 2

PAGE 6 OF 6