

COUNCIL OF THE COUNTY OF MAUI
INFRASTRUCTURE AND ENVIRONMENTAL
MANAGEMENT COMMITTEE

December 6, 2013

Committee
Report No. _____

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

Chair and Members:

Your Infrastructure and Environmental Management Committee, having met on November 19, 2013, makes reference to County Communication 13-313, from the Director of Environmental Management, transmitting a proposed resolution entitled "ACCEPTING GRANT OF EASEMENT FOR SEWERLINE PURPOSES FOR THE WAILUKU FORCE MAIN PROJECT, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".

The purpose of the proposed resolution is to accept from Alexander & Baldwin, LLC, a perpetual, non-exclusive grant of easement for sewerline purposes, within property situated in Kahului, Maui, Hawaii, and identified as TMK: (2)-3-7-001:005, (2) 3-7-001:016, (2) 3-7-003:003, (2) 3-7-003:027, and (2) 3-7-008:008.

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

The Director of Environmental Management stated the new 24-inch sewerline replaced and relocated a smaller 21-inch sewerline. A right of entry was granted by the property owner, Alexander & Baldwin, LLC, to allow the work to be completed. The project was inspected to the satisfaction of the Department of Environmental Management in April 2009.

The Director further stated approval to authorize the acceptance of these new easements will provide the County certain rights within the easement area, including the ability to repair and replace sewerlines located there.

Your Committee voted 6-0 to recommend adoption of the proposed resolution and filing of the communication. Committee Chair Cochran, Vice-Chair Crivello, and members Couch, Guzman, Hokama, and White voted "aye". Committee member Carroll was excused.

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Your Infrastructure and Environmental Management Committee
RECOMMENDS the following:

1. That Resolution _____, attached hereto, entitled "ACCEPTING GRANT OF EASEMENT FOR SEWERLINE PURPOSES FOR THE WAILUKU FORCE MAIN PROJECT, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE", be ADOPTED; and
2. That County Communication 13-313 be FILED.

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This report is submitted in accordance with Rule 8 of the Rules of the Council.



ELLE COCHRAN, Chair

iem:cr:13028aa:scj

Resolution

No. _____

ACCEPTING GRANT OF EASEMENT FOR SEWERLINE
PURPOSES FOR THE WAILUKU FORCE MAIN PROJECT,
PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE

WHEREAS, ALEXANDER & BALDWIN, LLC, a Hawaii limited liability company, owner of real property described as Tax Map Key Numbers (2) 3-7-001:005, (2) 3-7-001:016, (2) 3-7-003:003, (2) 3-7-003:027, and (2) 3-7-008:008, desires to enter into that certain perpetual, non-exclusive Grant of Easement for Sewerline Purposes, as more fully described in Exhibit "1", attached hereto and made a part hereof; and

WHEREAS, the Director of Environmental Management has reviewed said dedication and recommends approval of the same; 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 the Grant of Easement for Sewerline Purposes, as described in Exhibit "1", attached hereto, to be dedicated by Alexander & Baldwin, LLC to the

