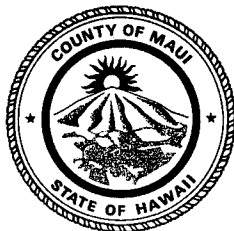


ALAN M. ARAKAWA
Mayor



PATRICK K. WONG
Corporation Counsel

EDWARD S. KUSHI
First Deputy

LYDIA A. TODA
Risk Management Officer
Tel. No. (808) 270-7535
Fax No. (808) 270-1761

DEPARTMENT OF THE CORPORATION COUNSEL
COUNTY OF MAUI
200 SOUTH HIGH STREET, 3RD FLOOR
WAILUKU, MAUI, HAWAII 96793
EMAIL: CORPCOUN@MAUICOUNTY.GOV
TELEPHONE: (808) 270-7740
FACSIMILE: (808) 270-7152

OFFICE OF THE
COUNTY COUNCIL

2014 JAN 16 PM 3:41

RECEIVED

January 16, 2014

MEMORANDUM

T O: Robert Carroll, Chair
Land Use Committee

F R O M: James A. Giroux, Deputy Corporation Counsel

SUBJECT: COMMUNITY PLAN AMENDMENT AND CHANGE IN ZONING FOR A
RESIDENTIAL COMMUNITY PROJECT FOR A&B PROPERTIES, INC.
(KIHEI) (LU-7)

In response to your memorandum of January 14, 2014, attached are the proposed bill, revised as requested, and approved as to form and legality.

If you have any questions or concerns, please do not hesitate to contact me.

JAG:ln
Enclosure

S:\CLERICAL\LJN\CNCL\LandUseCommTrans.wpd

ORDINANCE NO. _____

BILL NO. _____ (2014)

A BILL FOR AN ORDINANCE TO AMEND THE KIHAI-MAKENA COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURE TO MULTI-FAMILY, SINGLE-FAMILY AND COMMERCIAL FOR TAX MAP KEY NUMBERS (2) 3-8-004:002 (POR.), (2) 3-8-004:022 (POR.), AND (2) 3-8-004:030 (POR.), KIHAI, MAUI, HAWAII

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Pursuant to Chapter 2.80B, Maui County Code, the Kihei-Makena Community Plan and Land Use Map is hereby amended from Agriculture to Multi-Family for approximately 52.823 acres in Kihei, Maui, Hawaii, identified for real property tax purposes by Tax Map Key Numbers (2) 3-8-004:002 (por.) and (2) 3-8-004:022 (por.), and more particularly described in Exhibit "A", attached hereto and made a part hereof, and in Community Plan Map No. CP-535, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

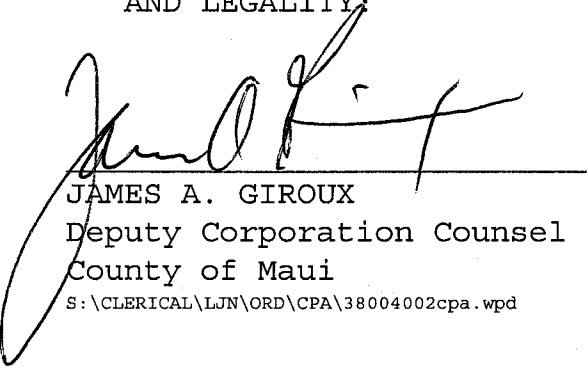
SECTION 2. Pursuant to Chapter 2.80B, Maui County Code, the Kihei-Makena Community Plan and Land Use Map is hereby amended from Agriculture to Multi-Family for approximately 15.077 acres in Kihei, Maui, Hawaii, identified for real property tax purposes by Tax Map Key Numbers (2) 3-8-004:002 (por.) and (2) 3-8-004:030 (por.), and more particularly described in Exhibit "C", attached hereto and made a part hereof, and in Community Plan Map No. CP-535, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 3. Pursuant to Chapter 2.80B, Maui County Code, the Kihei-Makena Community Plan and Land Use Map is hereby amended from Agriculture to Single-Family for approximately 25.031 acres in Kihei, Maui, Hawaii, identified for real property tax purposes by Tax Map Key Numbers (2) 3-8-004:002 (por.) and (2) 3-8-004:030 (por.), and more particularly described in Exhibit "B", attached hereto and made a part hereof, and in Community Plan Map No. CP-535, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 4. Pursuant to Chapter 2.80B, Maui County Code, the Kihei-Makena Community Plan and Land Use Map is hereby amended from Agriculture to Commercial for approximately 1.421 acres in Kihei, Maui, Hawaii, identified for real property tax purposes by Tax Map Key Number (2) 3-8-004:030 (por.), and more particularly described in Exhibit "D", attached hereto and made a part hereof, and in Community Plan Map No. CP-535, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 5. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:



JAMES A. GIROUX
Deputy Corporation Counsel
County of Maui

S:\CLERICAL\LJN\ORD\CPA\38004002cpa.wpd

DESCRIPTION

PARCEL A

TAX MAP KEY: (2) 3-8-004:002 (PORTION)
AND 022 (PORTION)

BEING ALSO

PORTION OF LOT 5
OF
PULEHUNUI PLAINS SUBDIVISION

All of that certain parcel of land, being a portion of Lot 5 of the Pulehunui Plains Subdivision, being also a portion of Royal Patent 8140, Land Commission Award 5230 to Keaweamahi situated at Pulehunui, Kihei, Island and County of Maui, State of Hawaii

Beginning at a pipe at the northwesterly corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA" being 14,494.17 feet South and 26,957.48 feet West and running by azimuths measured clockwise from True South:

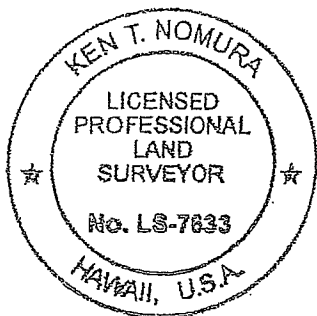
1.	278° 33' 53"	181.65 feet	along Lot 7 of the Pulehunui Plains Subdivision to a pipe;
2.	216° 47' 53"	338.00 feet	along same to a pipe;
3.	263° 06' 53"	335.00 feet	along same to a pipe;
4.	287° 59' 53"	511.00 feet	along same to a pipe;
5.	302° 16' 53'	406.00 feet	along same to a pipe;
6.	306° 31' 53"	153.50 feet	along same to a pipe;
7.	294° 41' 53"	227.60 feet	along same to a pipe;
8.	310° 16' 53"	210.80 feet	along same to a pipe;
9.	354° 59' 53"	48.00 feet	along same to a pipe;
10.	307° 01' 53"	85.00 feet	along same to a pipe;

11.	313° 51' 53"	141.00 feet	along same to a pipe;
12.	323° 46' 53"	100.30 feet	along same to a pipe;
13.	311° 33' 53"	233.75 feet	along same to a pipe;
14.	323° 46' 53"	180.00 feet	along same to a pipe;
15.	306° 01' 53"	131.00 feet	along same to a pipe;
16.	284° 29' 53"	256.00 feet	along same to a pipe;
17.	289° 31' 53"	472.25 feet	along same to a pipe;
18.	92° 58' 53"	1,804.74 feet	along Waiakoa (being along T.M.K: (2) 2-2-002:016) to a pipe;
19.	115° 09' 23"	1,223.54 feet	along Lot 134-A of the Hale Piilani Subdivision - Phase II (F. P. 1894) to a pipe;
20.	131° 28' 43"	599.16 feet	along Lot 134-B and Lot 147 of the Hale Piilani Subdivision - Phase II (F. P. 1894) to a pipe;
21.	182° 12' 03"	280.07 feet	along the remainder of Lot 5 of the Pulehunui Plains Subdivision to the point of beginning and containing an Area of 52.823 Acres.

Prepared by: A&B Properties, Inc.
Kahului, Maui, Hawaii

October 19, 2012

This work was prepared by me or under my supervision.



Ken T. Nomura 4/30/2014
 Ken T. Nomura
 Licensed Professional Land Surveyor
 Certificate No. LS-7633
 Expiration Date: 4/30/2014

DESCRIPTION

PARCEL B

TAX MAP KEY: (2) 3-8-004:002 (PORTION)
AND 030 (PORTION)

BEING ALSO

PORTION OF LOT 5
OF
PULEHUNUI PLAINS SUBDIVISION

All of that certain parcel of land, being a portion of Lot 5 of the Pulehunui Plains Subdivision, being also a portion of Royal Patent 8140, Land Commission Award 5230 to Keaweamahi situated at Pulehunui, Kihei, Island and County of Maui, State of Hawaii

Beginning at a pipe at the northwesterly corner of this parcel, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA" being 14,172.29 feet South and 29,370.30 feet West and running by azimuths measured clockwise from True South:

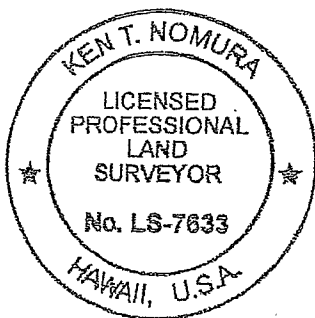
1.	272° 01' 53"	195.72 feet	along Lot 2 of the Pulehunui Plains Subdivision to a pipe;
2.	262° 41' 53"	275.00 feet	along same to a pipe;
3.	257° 28' 53"	429.00 feet	along same to a pipe;
4.	275° 33' 53"	139.00 feet	along same to a pipe;
5.	261° 01' 53"	153.65 feet	along same to a pipe;
6.	297° 33' 53"	192.00 feet	along same to a pipe;
7.	290° 26' 53"	420.00 feet	along same and along Lot 7 of the Pulehunui Plains Subdivision to a pipe;
8.	264° 16' 53'	269.00 feet	along Lot 7 of the Pulehunui Plains Subdivision to a pipe;
9.	275° 56' 53"	90.00 feet	along same to a pipe;

10.	294° 01' 53"	178.80 feet	along same to a pipe;
11.	317° 01' 53"	222.00 feet	along same to a pipe;
12.	2° 12' 03"	280.07 feet	along the remainder of Lot 5 of the Pulehunui Plains Subdivision to a pipe;
13.	98° 30' 53"	1,616.00 feet	along Lots 147 to 171, inclusive and Lot 122 of the Hale Piilani Subdivision - Phase II (F. P. 1894) to a pipe;
14.	83° 04' 23"	728.00 feet	along Lots 122 to 112, inclusive of the Hale Piilani Subdivision - Phase II (F. P. 1894) to a pipe;
15.	78° 00' 53"	91.64 feet	along Lot 109 of the Hale Piilani Subdivision - Phase II [F. P. 1894] to a pipe;
16.	181° 01' 53"	469.38 feet	along the remainder of Lot 5 of the Pulehunui Plains Subdivision to the point of beginning and containing an Area of 25.031 Acres.

Prepared by: A&B Properties, Inc.
Kahului, Maui, Hawaii

October 19, 2012

This work was prepared by me or under my supervision.



Ken T. Nomura 4/30/2014

Ken T. Nomura
Licensed Professional Land Surveyor
Certificate No. LS-7633
Expiration Date: 4/30/2014

DESCRIPTION

PARCEL C

TAX MAP KEY: (2) 3-8-004:002 (PORTION)
AND 030 (PORTION)

BEING ALSO

PORTION OF LOT 5
OF
PULEHUNUI PLAINS SUBDIVISION

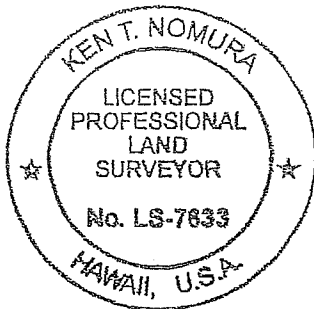
All of that certain parcel of land, being a portion of Lot 5 of the Pulehunui Plains Subdivision, being also a portion of Royal Patent 8140, Land Commission Award 5230 to Keaweamahi situated at Pulehunui, Kihei, Island and County of Maui, State of Hawaii

Beginning at a pipe at the northeasterly corner of this lot, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA" being 14,172.29 feet South and 29,370.30 feet West and running by azimuths measured clockwise from True South:

- | | | | |
|----|--|-------------|---|
| 1. | 1° 01' 53" | 469.38 feet | along the remainder of Lot 5 of the Pulehunui Plains Subdivision to a pipe; |
| 2. | 78° 00' 53" | 69.36 feet | along Lot 109 of the Hale Pūlani Subdivision - Phase II (F. P. 1894) to a pipe; |
| 3. | 82° 51' 53" | 455.57 feet | along Lots 108, 101 and 100 of the Hale Pūlani Subdivision - Phase II (F. P. 1894) to a pipe; |
| 4. | Thence along the northeasterly side of Kaiwahine Street on a curve to the left with a radius of 530.00 feet, the chord azimuth and distance being:
94° 24' 56" 212.25 feet to a pipe; | | |
| 5. | 172° 51' 53" | 10.00 feet | along the northeasterly side of Kaiwahine Street to a pipe; |

6. 82° 51' 53" 70.00 feet along same to a pipe;
7. Thence along the remainder of Lot 5 of the Pulehunui Plains Subdivision on a curve to the right with a radius of 180.00 feet, the chord azimuth and distance being: 194° 00' 15.5" 159.31 feet to a point;
8. Thence along same on a curve to the right with a radius of 63.00 feet, the chord azimuth and distance being: 166° 21' 13" 46.57 feet to a point;
9. Thence along same on a curve to the left with a radius of 575.00 feet, the chord azimuth and distance being: 99° 25' 408.72 feet to a pipe;
10. 131° 43' 42" 556.67 feet along the northeasterly side of Piilani Highway [F.A.P. No. F-RF-031-1(5)] to a pipe;
11. 175° 46' 53" 24.39 feet along Lot 1 of the Pulehunui Plains Subdivision to a pipe;
12. 218° 31' 53" 30.00 feet along same to a pipe;
13. 285° 02' 53" 407.10 feet along same to a pipe;
14. 280° 03' 53" 242.00 feet along same and along Lot 2 of the Pulehunui Plains Subdivision to a pipe;
15. 269° 27' 53" 151.20 feet along Lot 2 of the Pulehunui Plains Subdivision to a pipe;
16. 239° 26' 53" 258.75 feet along same to a pipe;
17. 275° 31' 53" 228.00 feet along same to a pipe;
18. 303° 26' 53" 185.00 feet along same to a pipe;
19. 278° 41' 53" 140.00 feet along same to a pipe;
20. 272° 01' 53" 59.78 feet along same to the point of beginning and containing an Area of 15.077 Acres.

This work was prepared by me or under my supervision.



Ken T. Nomura 4/30/2014

Ken T. Nomura
Licensed Professional Land Surveyor
Certificate No. LS-7633
Expiration Date: 4/30/2014

DESCRIPTION

PARCEL D

TAX MAP KEY: (2) 3-8-004:030 (PORTION)

BEING ALSO

PORTION OF LOT 5
OF
PULEHUNUI PLAINS SUBDIVISION

All of that certain parcel of land, being a portion of Lot 5 of the Pulehunui Plains Subdivision, being also a portion of Royal Patent 8140, Land Commission Award 5230 to Keaweamaʻahi situated at Pulehunui, Kihei, Island and County of Maui, State of Hawaii

Beginning at a pipe at the southwesterly corner of this lot, on the northeasterly side of Piilani Highway [F. A. P. No. F-RF-031-1(5)], the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA" being 14,712.86 feet South and 30,237.57 feet West and running by azimuths measured clockwise from True South:

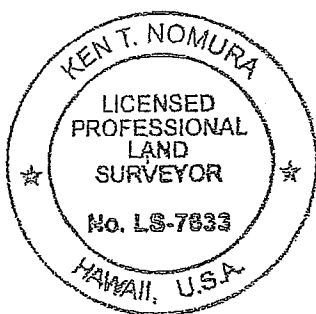
1. 131° 43' 42" 427.50 feet along the northeasterly side of Piilani Highway [F.A.P. No. F-RF-031-1(5)] to a pipe;
2. Thence along the remainder of Lot 5 of the Pulehunui Plains Subdivision on a curve to the right with a radius of 575.00 feet, the chord azimuth and distance being: 279° 25' 408.72 feet to a point;
3. Thence along same on a curve to the left with a radius of 63.00 feet, the chord azimuth and distance being: 346° 21' 13" 46.57 feet to a point;
4. Thence along same on a curve to the left with a radius of 180.00 feet, the chord azimuth and distance being: 14° 00' 15.5" 159.31 feet to a pipe;

5. Thence along the northeasterly side of Kaiwahine Street on a curve to the left with a radius of 165.00 feet, the chord azimuth and distance being:
72° 30' 14" 59.35 feet to the point of beginning and containing an Area of 1.421 Acres.

Prepared by: A&B Properties, Inc.
Kahului, Maui, Hawaii

October 19, 2012

This work was prepared by me or under my supervision.



Ken T. Nomura 4/30/2014

Ken T. Nomura
Licensed Professional Land Surveyor
Certificate No. LS-7633
Expiration Date: 4/30/2014

ORDINANCE NO. _____

BILL NO. _____ (2014)

A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO A-1 APARTMENT DISTRICT, A-2 APARTMENT DISTRICT, R-1 RESIDENTIAL DISTRICT, AND B-2 COMMUNITY BUSINESS DISTRICT (CONDITIONAL ZONING) FOR TAX MAP KEY NUMBERS (2) 3-8-004:002 (POR.), (2) 3-8-004:022 (POR.), AND (2) 3-8-004:030 (POR.), KIHEI, MAUI, HAWAII

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Pursuant to Chapters 19.12 and 19.510, Maui County Code, a change in zoning from Agricultural District to A-1 Apartment District (Conditional Zoning) is hereby granted for approximately 52.823 acres in Kihei, Maui, Hawaii, identified for real property tax purposes by Tax Map Key Numbers (2) 3-8-004:002 (por.) and (2) 3-8-004:022 (por.), and more particularly described in Exhibit "A", attached hereto and made a part hereof, and in Land Zoning Map No. L-5114, which is on file at the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 2. Pursuant to Chapters 19.12 and 19.510, Maui County Code, a change in zoning from Agricultural District to A-2 Apartment District (Conditional Zoning) is hereby granted for approximately 15.077 acres in Kihei, Maui, Hawaii, identified for real property tax purposes by Tax Map Key Numbers (2) 3-8-004:002 (por.) and (2) 3-8-004:030 (por.), and more particularly described in Exhibit "C", attached hereto and made a part hereof, and in Land Zoning Map No. L-5114, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

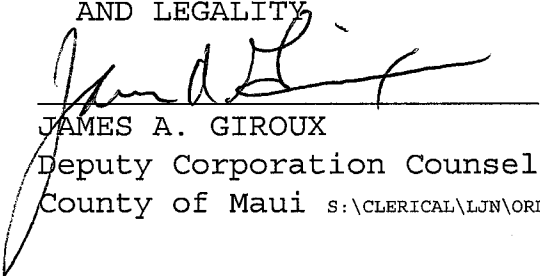
SECTION 3. Pursuant to Chapters 19.08 and 19.510, Maui County Code, a change in zoning from Agricultural District to R-1 Residential District (Conditional Zoning) is hereby granted for approximately 25.031 acres in Kihei, Maui, Hawaii, identified for real property tax purposes by Tax Map Key Numbers (2) 3-8-004:002 (por.) and (2) 3-8-004:030 (por.), and more particularly described in Exhibit "B", attached hereto and made a part hereof, and in Land Zoning Map No. L-5114, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 4. Pursuant to Chapters 19.18 and 19.510, Maui County Code, a change in zoning from Agricultural District to B-2 Community Business District (Conditional Zoning) is hereby granted for approximately 1.421 acres in Kihei, Maui, Hawaii, identified for real property tax purposes by Tax Map Key Number (2) 3-8-004:030 (por.), and more particularly described in Exhibit "D", attached hereto and made a part hereof, and in Land Zoning Map No. L-5114, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 5. Pursuant to Section 19.510.050, Maui County Code, the zoning granted by this ordinance is subject to the conditions set forth in Exhibit "E", attached hereto and made a part hereof, and the Unilateral Agreement and Declaration for Conditional Zoning, attached hereto and made a part hereof as Exhibit "F".

SECTION 6. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY



JAMES A. GIROUX
Deputy Corporation Counsel

County of Maui S:\CLERICAL\LJN\ORD\CIZ\38004002.wpd

DESCRIPTION

PARCEL A

TAX MAP KEY: (2) 3-8-004:002 (PORTION)
AND 022 (PORTION)

BEING ALSO

PORTION OF LOT 5
OF
PULEHUNUI PLAINS SUBDIVISION

All of that certain parcel of land, being a portion of Lot 5 of the Pulehunui Plains Subdivision, being also a portion of Royal Patent 8140, Land Commission Award 5230 to Keaweamahi situated at Pulehunui, Kihei, Island and County of Maui, State of Hawaii

Beginning at a pipe at the northwesterly corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA" being 14,494.17 feet South and 26,957.48 feet West and running by azimuths measured clockwise from True South:

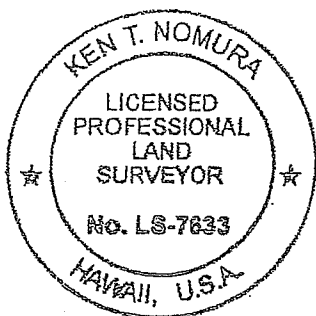
1.	278° 33' 53"	181.65 feet	along Lot 7 of the Pulehunui Plains Subdivision to a pipe;
2.	216° 47' 53"	338.00 feet	along same to a pipe;
3.	263° 06' 53"	335.00 feet	along same to a pipe;
4.	287° 59' 53"	511.00 feet	along same to a pipe;
5.	302° 16' 53'	406.00 feet	along same to a pipe;
6.	306° 31' 53"	153.50 feet	along same to a pipe;
7.	294° 41' 53"	227.60 feet	along same to a pipe;
8.	310° 16' 53"	210.80 feet	along same to a pipe;
9.	354° 59' 53"	48.00 feet	along same to a pipe;
10.	307° 01' 53"	85.00 feet	along same to a pipe;

11.	313° 51' 53"	141.00 feet	along same to a pipe;
12.	323° 46' 53"	100.30 feet	along same to a pipe;
13.	311° 33' 53"	233.75 feet	along same to a pipe;
14.	323° 46' 53"	180.00 feet	along same to a pipe;
15.	306° 01' 53"	131.00 feet	along same to a pipe;
16.	284° 29' 53"	256.00 feet	along same to a pipe;
17.	289° 31' 53"	472.25 feet	along same to a pipe;
18.	92° 58' 53"	1,804.74 feet	along Waiakoa (being along T.M.K: (2) 2-2-002:016) to a pipe;
19.	115° 09' 23"	1,223.54 feet	along Lot 134-A of the Hale Piilani Subdivision - Phase II (F. P. 1894) to a pipe;
20.	131° 28' 43"	599.16 feet	along Lot 134-B and Lot 147 of the Hale Piilani Subdivision - Phase II (F. P. 1894) to a pipe;
21.	182° 12' 03"	280.07 feet	along the remainder of Lot 5 of the Pulehunui Plains Subdivision to the point of beginning and containing an Area of 52.823 Acres.

Prepared by: A&B Properties, Inc.
Kahului, Maui, Hawaii

October 19, 2012

This work was prepared by me or under my supervision.



Ken T. Nomura 4/30/2014
 Ken T. Nomura
 Licensed Professional Land Surveyor
 Certificate No. LS-7633
 Expiration Date: 4/30/2014

DESCRIPTION

PARCEL B

TAX MAP KEY: (2) 3-8-004:002 (PORTION)
AND 030 (PORTION)

BEING ALSO

PORTION OF LOT 5
OF
PULEHUNUI PLAINS SUBDIVISION

All of that certain parcel of land, being a portion of Lot 5 of the Pulehunui Plains Subdivision, being also a portion of Royal Patent 8140, Land Commission Award 5230 to Keaweamahi situated at Pulehunui, Kihei, Island and County of Maui, State of Hawaii

Beginning at a pipe at the northwesterly corner of this parcel, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA" being 14,172.29 feet South and 29,370.30 feet West and running by azimuths measured clockwise from True South:

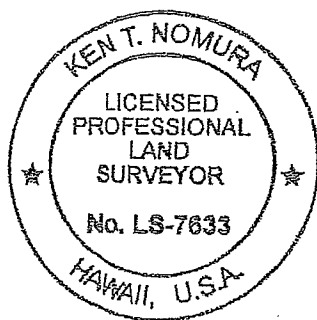
1.	272° 01' 53"	195.72 feet	along Lot 2 of the Pulehunui Plains Subdivision to a pipe;
2.	262° 41' 53"	275.00 feet	along same to a pipe;
3.	257° 28' 53"	429.00 feet	along same to a pipe;
4.	275° 33' 53"	139.00 feet	along same to a pipe;
5.	261° 01' 53"	153.65 feet	along same to a pipe;
6.	297° 33' 53"	192.00 feet	along same to a pipe;
7.	290° 26' 53"	420.00 feet	along same and along Lot 7 of the Pulehunui Plains Subdivision to a pipe;
8.	264° 16' 53'	269.00 feet	along Lot 7 of the Pulehunui Plains Subdivision to a pipe;
9.	275° 56' 53"	90.00 feet	along same to a pipe;

10.	294° 01' 53"	178.80 feet	along same to a pipe;
11.	317° 01' 53"	222.00 feet	along same to a pipe;
12.	2° 12' 03"	280.07 feet	along the remainder of Lot 5 of the Pulehunui Plains Subdivision to a pipe;
13.	98° 30' 53"	1,616.00 feet	along Lots 147 to 171, inclusive and Lot 122 of the Hale Piilani Subdivision - Phase II (F. P. 1894) to a pipe;
14.	83° 04' 23"	728.00 feet	along Lots 122 to 112, inclusive of the Hale Piilani Subdivision - Phase II (F. P. 1894) to a pipe;
15.	78° 00' 53"	91.64 feet	along Lot 109 of the Hale Piilani Subdivision - Phase II [F. P. 1894] to a pipe;
16.	181° 01' 53"	469.38 feet	along the remainder of Lot 5 of the Pulehunui Plains Subdivision to the point of beginning and containing an Area of 25.031 Acres.

Prepared by: A&B Properties, Inc.
Kahului, Maui, Hawaii

October 19, 2012

This work was prepared by me or under my supervision.



Ken T. Nomura 4/20/2014

Ken T. Nomura
Licensed Professional Land Surveyor
Certificate No. LS-7633
Expiration Date: 4/30/2014

DESCRIPTION

PARCEL C

TAX MAP KEY: (2) 3-8-004:002 (PORTION)
AND 030 (PORTION)

BEING ALSO

PORTION OF LOT 5
OF
PULEHUNUI PLAINS SUBDIVISION

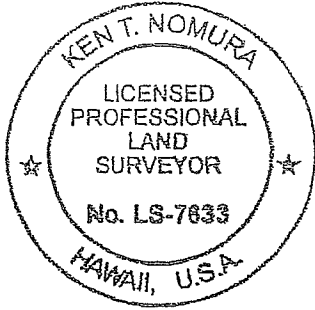
All of that certain parcel of land, being a portion of Lot 5 of the Pulehunui Plains Subdivision, being also a portion of Royal Patent 8140, Land Commission Award 5230 to Keaweamahi situated at Pulehunui, Kihei, Island and County of Maui, State of Hawaii

Beginning at a pipe at the northeasterly corner of this lot, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA" being 14,172.29 feet South and 29,370.30 feet West and running by azimuths measured clockwise from True South:

- | | | | |
|----|--|-------------|--|
| 1. | 1° 01' 53" | 469.38 feet | along the remainder of Lot 5 of the Pulehunui Plains Subdivision to a pipe; |
| 2. | 78° 00' 53" | 69.36 feet | along Lot 109 of the Hale Pūlani Subdivision - Phase II (F. P. 1894) to a pipe; |
| 3. | 82° 51' 53" | 455.57 feet | along Lots 108,101 and 100 of the Hale Pūlani Subdivision - Phase II (F. P. 1894) to a pipe; |
| 4. | Thence along the northeasterly side of Kaiwahine Street on a curve to the left with a radius of 530.00 feet, the chord azimuth and distance being:
94° 24' 56" 212.25 feet to a pipe; | | |
| 5. | 172° 51' 53" | 10.00 feet | along the northeasterly side of Kaiwahine Street to a pipe; |

6. 82° 51' 53" 70.00 feet along same to a pipe;
7. Thence along the remainder of Lot 5 of the Pulehunui Plains Subdivision on a curve to the right with a radius of 180.00 feet, the chord azimuth and distance being:
194° 00' 15.5" 159.31 feet to a point;
8. Thence along same on a curve to the right with a radius of 63.00 feet, the chord azimuth and distance being:
166° 21' 13" 46.57 feet to a point;
9. Thence along same on a curve to the left with a radius of 575.00 feet, the chord azimuth and distance being:
99° 25' 408.72 feet to a pipe;
10. 131° 43' 42" 556.67 feet along the northeasterly side of Piilani Highway [F.A.P. No. F-RF-031-1(5)] to a pipe;
11. 175° 46' 53" 24.39 feet along Lot 1 of the Pulehunui Plains Subdivision to a pipe;
12. 218° 31' 53" 30.00 feet along same to a pipe;
13. 285° 02' 53" 407.10 feet along same to a pipe;
14. 280° 03' 53" 242.00 feet along same and along Lot 2 of the Pulehunui Plains Subdivision to a pipe;
15. 269° 27' 53" 151.20 feet along Lot 2 of the Pulehunui Plains Subdivision to a pipe;
16. 239° 26' 53" 258.75 feet along same to a pipe;
17. 275° 31' 53" 228.00 feet along same to a pipe;
18. 303° 26' 53" 185.00 feet along same to a pipe;
19. 278° 41' 53" 140.00 feet along same to a pipe;
20. 272° 01' 53" 59.78 feet along same to the point of beginning and containing an Area of 15.077 Acres.

This work was prepared by me or under my supervision.



Ken T. Nomura 4/30/2014

Ken T. Nomura
Licensed Professional Land Surveyor
Certificate No. LS-7633
Expiration Date: 4/30/2014

DESCRIPTION

PARCEL D

TAX MAP KEY: (2) 3-8-004:030 (PORTION)

BEING ALSO

PORTION OF LOT 5
OF
PULEHUNUI PLAINS SUBDIVISION

All of that certain parcel of land, being a portion of Lot 5 of the Pulehunui Plains Subdivision, being also a portion of Royal Patent 8140, Land Commission Award 5230 to Keaweamaʻohi situated at Pulehunui, Kihei, Island and County of Maui, State of Hawaii

Beginning at a pipe at the southwesterly corner of this lot, on the northeasterly side of Piilani Highway [F. A. P. No. F-RF-031-1(5)], the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA" being 14,712.86 feet South and 30,237.57 feet West and running by azimuths measured clockwise from True South:

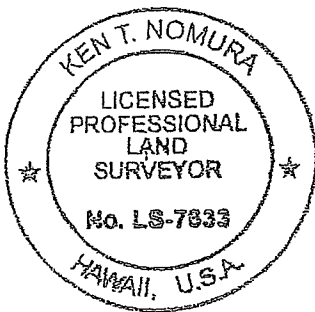
1. 131° 43' 42" 427.50 feet along the northeasterly side of Piilani Highway [F.A.P. No. F-RF-031-1(5)] to a pipe;
2. Thence along the remainder of Lot 5 of the Pulehunui Plains Subdivision on a curve to the right with a radius of 575.00 feet, the chord azimuth and distance being: 279° 25' 408.72 feet to a point;
3. Thence along same on a curve to the left with a radius of 63.00 feet, the chord azimuth and distance being: 346° 21' 13" 46.57 feet to a point;
4. Thence along same on a curve to the left with a radius of 180.00 feet, the chord azimuth and distance being: 14° 00' 15.5" 159.31 feet to a pipe;

5. Thence along the northeasterly side of Kaiwahine Street on a curve to the left with a radius of 165.00 feet, the chord azimuth and distance being:
72° 30' 14" 59.35 feet to the point of beginning and containing an Area of 1.421 Acres.

Prepared by: A&B Properties, Inc.
Kahului, Maui, Hawaii

October 19, 2012

This work was prepared by me or under my supervision.



Ken T. Nomura 4/30/2014

Ken T. Nomura
Licensed Professional Land Surveyor
Certificate No. LS-7633
Expiration Date: 4/30/2014

EXHIBIT "E"

CONDITIONS OF ZONING

1. That, in order to meet the goals and objectives of the Community Plan and Countywide Policy Plan, the developer shall provide an open space/greenway with pedestrian walkways and bicycle pathways throughout the project area with connectivity to the Waiakoa Gulch and adjoining residential areas.
2. That consideration is given to generating renewable energy consistent with the Hawaii Clean Energy Initiative goals.
3. That the developer shall submit five (5) copies of a report addressing their compliance with these Conditions of Zoning to the Department of Planning (Department), which shall be approved prior to the issuance of the site grading or building permit, and shall submit a Final Compliance Report to the Department, which shall be approved prior to the issuance of Certificate of Occupancy or initial occupancy of each phase.