

COUNCIL OF THE COUNTY OF MAUI

INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT COMMITTEE

July 8, 2014

**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 June 16, 2014, makes reference to County Communication 13-400, from the Director of Public Works, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF A ROAD WIDENING LOT FOR THE CORYELL-HUGHES SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".

The purpose of the proposed resolution is to accept "Lot 1-E" along Piiholo Road, consisting of 0.336 acre, for road-widening purposes, in compliance with the requirements of Subdivision File 2.3126. The subdivided property is identified as Tax Map Key (2) 2-4-013:040, Makawao, Maui, Hawaii.

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 the passage of a resolution approved by a majority of its members.

The Deputy Director of Public Works stated Section 18.16.060(B), Maui County Code, requires a subdivider to provide additional right-of-way when the subdivided property is adjacent to a substandard street. Acceptance of the road-widening lot will enable Piiholo Road to conform to the County standard for minimum right-of-way width.

She further stated agencies reviewing the subdivision application did not require improvements to the roadway lot and adjoining roadway. Dedication of the road-widening lot is the final outstanding requirement of subdivision approval.

Your Committee voted 5-0 to recommend adoption of the proposed resolution and filing of the communication. Committee Chair Cochran, Vice-Chair Crivello, and members Carroll, Couch, and Hokama voted "aye". Committee members Guzman and White were excused.

Your Infrastructure and Environmental Management Committee
RECOMMENDS the following:

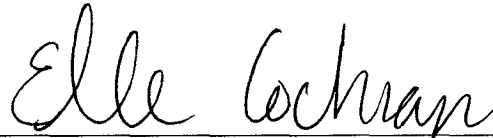
COUNCIL OF THE COUNTY OF MAUI
**INFRASTRUCTURE AND ENVIRONMENTAL
MANAGEMENT COMMITTEE**

Page 2

Committee
Report No. _____

1. That Resolution _____, attached hereto, entitled "ACCEPTING DEDICATION OF A ROAD WIDENING LOT FOR THE CORYELL-HUGHES SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE", be ADOPTED; and
2. That County Communication 13-400 be FILED.

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



ELLE COCHRAN, Chair

iem:cr:14035aa:jkm

Resolution

No. _____

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

WHEREAS, Neil Strumingher (hereinafter called "Subdivider"), desires to comply with the subdivision requirements for the Coryell-Hughes Subdivision, Tax Map Key Number (2) 2-4-013:040, Subdivision File No. 2.3126, by dedicating that certain Road Widening Lot 1-E, as 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 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 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 1-E, as described in the Warranty Deed attached hereto as Exhibit "1", to be dedicated by the 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:



MICHAEL J. HOPPER
Deputy Corporation Counsel
County of Maui

S:\ALL\MJH\RESOS\Coryell-Hughes roadway lot.wpd

described in Exhibit "A", attached hereto and incorporated herein by reference, unto the Grantee, as Tenant in Severalty, its legal successors and assigns, forever, including 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 _____ day of _____, 20____.

GRANTOR:

By Neil Struminger
name: Neil Struminger
Its OWNER

By _____
name:
Its

By _____
name:
Its

By _____
name:
Its

APPROVED AS TO FORM
AND LEGALITY:

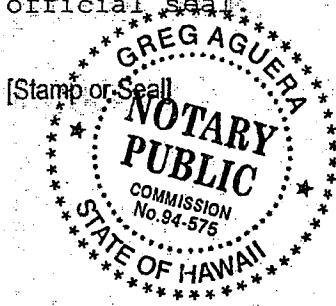
Michael J. Hopper
MICHAEL J. HOPPER
Deputy Corporation Counsel
County of Maui

STATE OF HAWAII

COUNTY OF MAUI) SS.

On this 31st day of Dec, 2012, before me personally appeared NEIL STRUMWOLFO, to me personally known, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable in the capacities shown, having been duly authorized to execute such instrument in such capacities.

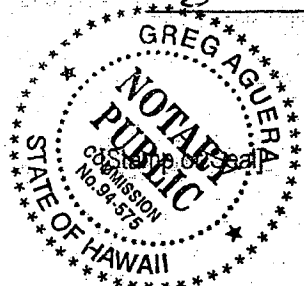
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Greg Aguera

NOTARY PUBLIC, State of Hawaii
Print Name GREG AGUERA
My commission expires: 10/6/14

NOTARY PUBLIC CERTIFICATION		
Doc. Date:	<u>None Listed</u>	# Pages: <u>Ten</u>
Notary Name:	<u>GREG AGUERA</u>	Judicial Circuit: <u>2ND</u>
Doc. Description:	<u>WARRANTY DEED</u>	
	<u>LOT 1-E</u>	
Notary Signature:	<i>Greg Aguera</i>	
Date:	<u>12/31/12</u>	



STATE OF HAWAII)
) SS.
COUNTY OF _____)

On this _____ day of _____, 20____, before me personally appeared _____, to me personally known, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable in the capacities shown, having been duly authorized to execute such instrument in such capacities.

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

[Stamp or Seal]

NOTARY PUBLIC, State of Hawaii
Print Name _____
My commission expires: _____

NOTARY PUBLIC CERTIFICATION	
Doc. Date: _____	# Pages: _____
Notary Name: _____	Judicial Circuit: _____
Doc. Description: _____	

Notary Signature: _____	[Stamp or Seal]
Date: _____	

STATE OF HAWAII)
) SS.
COUNTY OF _____)

On this _____ day of _____, 20____, before me personally appeared _____, to me personally known, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable in the capacities shown, having been duly authorized to execute such instrument in such capacities.

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

[Stamp or Seal]

NOTARY PUBLIC, State of Hawaii
Print Name _____
My commission expires: _____

NOTARY PUBLIC CERTIFICATION	
Doc. Date: _____	# Pages: _____
Notary Name: _____	Judicial Circuit: _____
Doc. Description: _____ _____ _____ _____	
Notary Signature: _____	[Stamp or Seal]
Date: _____	

STATE OF HAWAII)
) SS.
COUNTY OF _____)

On this _____ day of _____, 20____, before me personally appeared _____, to me personally known, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s); and if applicable in the capacities shown, having been duly authorized to execute such instrument in such capacities.

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

[Stamp or Seal]

NOTARY PUBLIC, State of Hawaii
Print Name _____
My commission expires: _____

NOTARY PUBLIC CERTIFICATION	
Doc. Date: _____	# Pages: _____
Notary Name: _____	Judicial Circuit: _____
Doc. Description: _____	

Notary Signature: _____	[Stamp or Seal]
Date: _____	

CORYELL-HUGHES SUBDIVISION
Subdivision File No. 2.3126

LOT 1-E
Road Widening

All of that certain parcel of land known as a road widening Lot 1-E of Coryell-Hughes Subdivision (Subdivision Files No. 2.3126), a portion of Lot 1 of Coryell-Hughes Subdivision, being portions of Grant 8077 to William Tam Sing and Grant 7935 to Joseph Tam Sing situate at Makawao, Island and County of Maui, State of Hawaii and more particularly described as follows:

Beginning at a found ½ inch pipe at the southeast corner of this road widening lot, the northeast corner of Lot 120-A-1 of Haleakala Homesteads and along the west side of Piiholo Road coordinates of said point of beginning referred to Government Survey Triangulation Station "PIIHOLO" being 6,370.66 feet South and 1,878.84 feet East and running by azimuths measured clockwise from true South (meridian of said "PIIHOLO"); thence,

1. 54° 45' 5.33 feet along Lot 120-A-1 of Haleakala Homesteads to a ½ inch pipe; thence,
2. 165° 05' 66.01 feet along Lot 1-A of this subdivision to a ½ inch pipe; thence,
3. 183° 44' 105.86 feet along the same to a ½ inch pipe; thence,
4. 192° 41' 30" 70.79 feet along the same to a ½ inch pipe; thence,
5. 92° 29' 67.85 feet along the same to a ½ inch pipe; thence,
6. 68° 23' 26.04 feet along the same to a ½ inch pipe; thence,
7. 92° 29' 203.11 feet along the same to a ½ inch pipe; thence,
8. 88° 16' 103.91 feet along the same to a ½ inch pipe; thence,
9. 110° 37' 57.71 feet along the same to a point; thence,
10. 110° 37' 52.03 feet along Lot 1-B of this subdivision to a ½ inch pipe; thence,

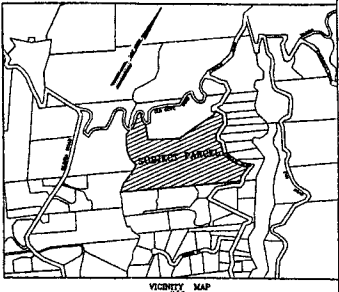
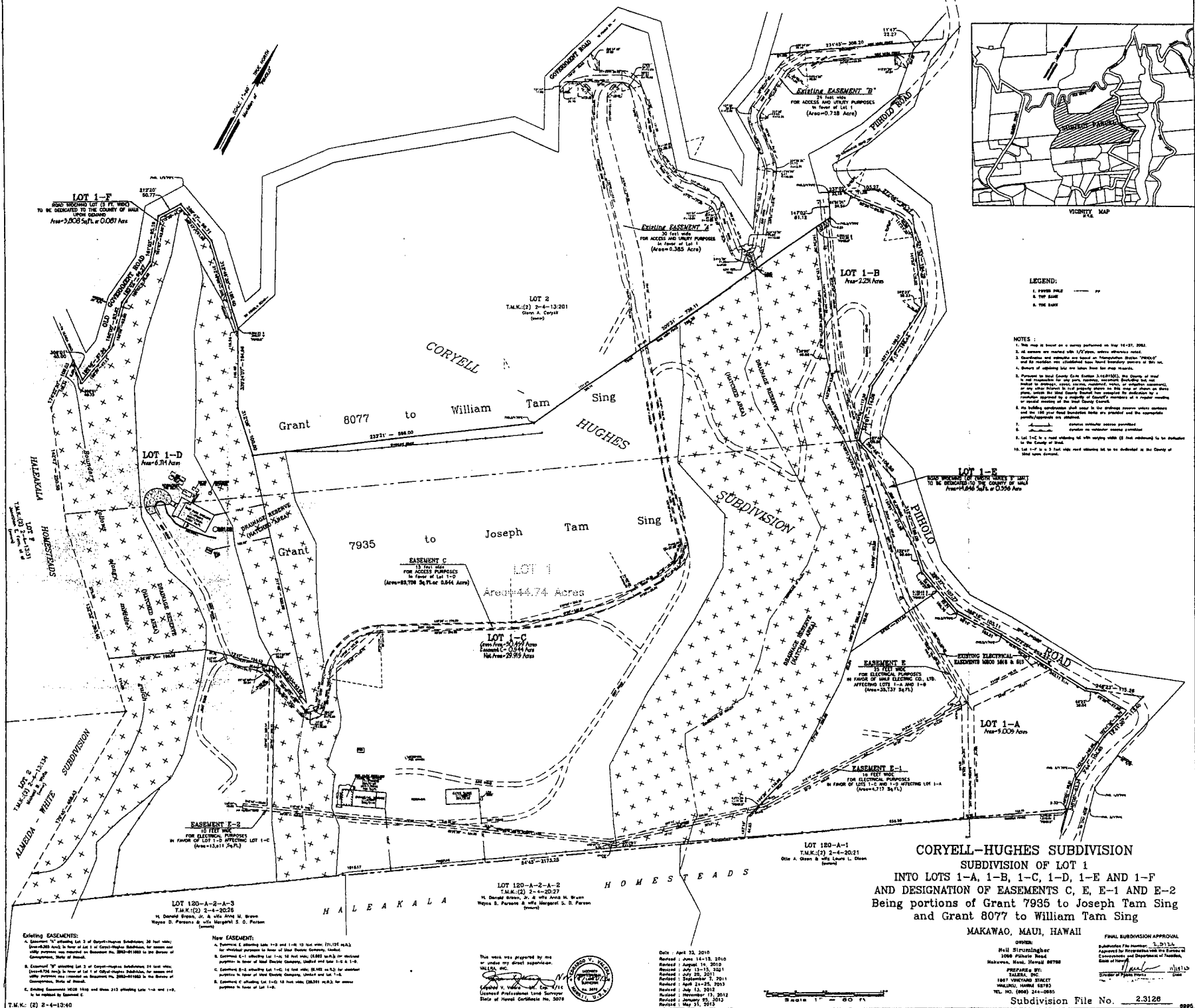
11. 132° 47' 55.44 feet along the same to a ½ inch pipe; thence,
12. 124° 01' 216.90 feet along the same to a ½ inch pipe; thence,
13. 107° 46' 29.89 feet along the same to a ½ inch pipe; thence;
14. 164° 01' 117.58 feet along the same to a ½ inch pipe; thence,
15. 183° 13' 180.31 feet along the same to a ½ inch pipe; thence,
16. Along the same on a curve to the left with a radius of 40.00 feet and a central of 41° 20',
the chord azimuth and distance being
162° 33' 28.23 feet to a ½ inch pipe; thence,
17. 141° 53' 125.02 feet along the same to a ½ inch pipe; thence,
18. Along the same on a curve to the left with a radius of 60.00 feet and a central angle of 60°
57', the chord azimuth and distance being
111° 24' 30" 60.86 feet to a ½ inch pipe; thence,
19. 80° 56' 86.05 feet along the same to a ½ inch pipe; thence,
20. Along the same on a curve to the right with a radius of 65.00 feet the radial azimuth to the
point of curvature being 350° 56' and the radial
azimuth to the point of tangency being 12° 47' 02",
the chord azimuth and distance being
91° 51' 31" 24.64 feet to a ½ inch pipe; thence,
21. 237° 02' 71.08 feet along Piiholo Road to a point; thence,
22. 277° 56' 85.27 feet along the same to a point; thence,
23. 321° 53' 184.29 feet along the same to a point; thence,
24. 3° 13' 196.44 feet along the same to a point; thence,
25. 344° 01' 114.06 feet along the same to a point; thence,

- | | | |
|-----|-------------|---|
| 26. | 287° 46' | 106.50 feet along the same to a point; thence, |
| 27. | 312° 47' | 199.09 feet along the same to a point; thence, |
| 28. | 290° 37' | 107.77 feet along the same to a found 3/4 inch pipe; thence, |
| 29. | 268° 16' | 103.11 feet along the same to a found 3/4 inch pipe; thence, |
| 30. | 272° 29' | 202.23 feet along the same to a point; thence, |
| 31. | 248° 23' | 115.28 feet along the same to a point; thence, |
| 32. | 12° 41' 30" | 113.40 feet along the same to a point; thence, |
| 33. | 3° 44' | 104.65 feet along the same to a found 3/4 inch pipe; thence, |
| 34. | 345° 05' | 63.34 feet along the same to the point of beginning and
containing an area of 14,646 square feet or 0.336 acre,
more or less. |

This work was prepared by me
or under my direct supervision.
VALERA, INC.

Edgardo V. Valera
Edgardo V. Valera *EVP 4/14*
Licensed Professional Land Surveyor
State of Hawaii Certificate No. 5076
End of description.
6995Lt1E





LEGEND:
 1. BOUND LINES
 2. TOP BOUND
 3. THE BOUND

NOTES:
 1. This map is based on a survey performed on May 14-17, 2010.
 2. All corners are marked with 1/2" brass survey monuments.
 3. Computations and adjustments are based on NAD83 datum. "NAD83" and its variants are considered here based on boundary corners of 1st order.
 4. Details of adjoining lots are taken from last map records.
 5. Plans for the State of Hawaii are based on the Hawaiian Islands and are not intended for any other purpose. The State of Hawaii is not responsible for any other action taken by any person or entity based on this map or any other information contained herein. The State of Hawaii is not responsible for any other action taken by any person or entity based on this map or any other information contained herein.
 6. All easements are shown as indicated and the easements and the lot boundaries are shown as indicated.
 7. All easements are shown as indicated.
 8. All easements are shown as indicated.
 9. All easements are shown as indicated.
 10. All easements are shown as indicated.

CORYELL-HUGHES SUBDIVISION
 SUBDIVISION OF LOT 1
 INTO LOTS 1-A, 1-B, 1-C, 1-D, 1-E AND 1-F
 AND DESIGNATION OF EASEMENTS C, E, E-1 AND E-2
 Being portions of Grant 7935 to Joseph Tam Sing
 and Grant 8077 to William Tam Sing

MAKAWAO, MAUI, HAWAII

PREPARED BY:
 1887 VENTURE STREET
 HALEAKALA, MAUI, HAWAII
 TEL. NO. (808) 244-0885

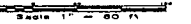
FINAL SUBDIVISION APPROVAL:
 Subdivision File Number: 2-3128
 Approved for Incorporation into the Subdivision
 Commission and Department of Health,
 State of Hawaii

Existing EASEMENTS:
 A. Easement "A" affecting Lot 2 of Coryell-Hughes Subdivision, 30 feet wide, 100 feet long, to favor of Lot 1-C, Coryell-Hughes Subdivision, for access and utility purposes, as shown on Subdivision Map No. 200-011883 in the Office of Comprehensive Zoning of Hawaii.
 B. Easement "B" affecting Lot 2 of Coryell-Hughes Subdivision, 24 feet wide, 100 feet long, to favor of Lot 1-C, Coryell-Hughes Subdivision, for access and utility purposes, as shown on Subdivision Map No. 200-011883 in the Office of Comprehensive Zoning of Hawaii.
 C. Easement "C" affecting Lot 1-C of Coryell-Hughes Subdivision, 10 feet wide, 100 feet long, to favor of Lot 1-C, Coryell-Hughes Subdivision, for access and utility purposes, as shown on Subdivision Map No. 200-011883 in the Office of Comprehensive Zoning of Hawaii.
 D. Easement "D" affecting Lot 1-C of Coryell-Hughes Subdivision, 10 feet wide, 100 feet long, to favor of Lot 1-C, Coryell-Hughes Subdivision, for access and utility purposes, as shown on Subdivision Map No. 200-011883 in the Office of Comprehensive Zoning of Hawaii.

New EASEMENTS:
 A. Easement "E" affecting Lots 1-B and 1-C of Lot 1-C, Coryell-Hughes Subdivision, 10 feet wide, 100 feet long, to favor of Lot 1-C, Coryell-Hughes Subdivision, for access and utility purposes, as shown on this map.
 B. Easement "E-1" affecting Lot 1-C of Lot 1-C, Coryell-Hughes Subdivision, 10 feet wide, 100 feet long, to favor of Lot 1-C, Coryell-Hughes Subdivision, for access and utility purposes, as shown on this map.
 C. Easement "E-2" affecting Lot 1-C of Lot 1-C, Coryell-Hughes Subdivision, 10 feet wide, 100 feet long, to favor of Lot 1-C, Coryell-Hughes Subdivision, for access and utility purposes, as shown on this map.
 D. Easement "E-3" affecting Lot 1-C of Lot 1-C, Coryell-Hughes Subdivision, 10 feet wide, 100 feet long, to favor of Lot 1-C, Coryell-Hughes Subdivision, for access and utility purposes, as shown on this map.

This work was prepared by me
 under my direct supervision.
 M. L. S. INC.
 Licensed Professional Land Surveyor
 State of Hawaii Certificate No. 5078

Date: April 22, 2010
 Revised: June 14-15, 2010
 Revised: August 19, 2010
 Revised: Aug. 13-15, 2011
 Revised: Sep 20, 2011
 Revised: February 15, 2011
 Revised: April 21-23, 2013
 Revised: Aug. 15, 2012
 Revised: November 17, 2012
 Revised: February 20, 2013
 Revised: May 21, 2013



**FACT SHEET
FOR
ROAD WIDENING LOT DEDICATION**

1. Subdivision Name: ***Coryell-Hughes Subdivision***
2. Subdivision File No.: ***2.3126***
3. Tax Map Key No.: ***(2) 2-4-013:040***
4. Subdivision Owner: ***Neil Struminger***
5. Applicant: ***Michelle Cockett
P.O. Box 1633, Wailuku, 96793***
6. Location of Subdivision: ***Makawao***
7. Zoning: State Land Use: ***Ag***
 County: ***Ag***
 Community Plan: ***Ag***
8. Amount of lots created by the subdivision: ***4 and 2 road widening lots***
9. Date of Final Subdivision Approval: ***November 18, 2013***
10. Lot to be dedicated:
 Lot number: ***Lot 1-E***
 Lot area: ***14,646 square feet or .336 acre***
 Adjacent Street Name: ***Piiholo Road***
11. Approval date of street name by the Commission on Naming Streets, Parks and Facilities: ***not applicable***
12. Confirmation that all improvements have been completed. Specific agency and date of approval will be listed. If improvements were not made, we will indicate so and provide an explanation.

Reviewing agencies recommended final approval without improvements.
13. A statement that the dedication is consistent with conditions of approval and are in conformance with County standards: ***Road widening Lot 1-E has met the requirements of Title 18 of the Maui County Code and is, therefore, acceptable for dedication to the County of Maui.***
14. Title of the proposed Resolution: ***Accepting Dedication of a Road Widening Lot for the Coryell-Hughes Subdivision, Pursuant to Section 3.44.015, Maui County Code***