

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

April 7, 2015

**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 March 16, 2015, makes reference to County Communication 15-45, from the Director of Finance, transmitting a proposed resolution entitled "AUTHORIZING THE DISPOSITION OF GOVERNMENT REMNANT PARCEL HUI ROAD 'G' SITUATED AT NAPILI, MAUI, HAWAII, PURSUANT TO CHAPTER 3.44, MAUI COUNTY CODE".

The purposes of the proposed resolution are to: (1) declare the disposition by negotiation of Hui Road "G" ("parcel"), containing 16,990 square feet, located adjacent to the Napili Kai Beach Resort ("resort") at 5900 Lower Honoapiilani Highway, Napili, Maui, Hawaii to be in the public interest; (2) declare the parcel to be vacated, closed, and discontinued as a County public highway; and (3) authorize the disposition of the parcel to Napili Kai, Ltd., the resort's owner, for \$22,500 plus closing costs.

The Deputy Director of Finance stated a portion of a restaurant at the resort encroaches onto the parcel. Acquisition of the parcel by Napili Kai, Ltd. will resolve the encroachment concern.

Your Committee notes pursuant to Sections 3.44.020, 3.44.030, and 3.44.050, Maui County Code, the Council may dispose of real property in fee simple through negotiation and waive public auction when in the public interest, by the adoption of a resolution approved by two-thirds of its members.

Your Committee further notes pursuant to Section 264-1(d), Hawaii Revised Statutes, an established county highway shall continue

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

Page 2

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

until vacated, closed, abandoned, or discontinued by the adoption of a resolution.

The Director of Public Works stated Napili Kai, Ltd. has held an exclusive easement for open space, parking, and recreational use of the parcel since January 16, 1986. The easement also requires Napili Kai, Ltd. to maintain the parcel. Ownership of the parcel by the County is no longer necessary because it does not function as a roadway and is not actively used by the public.

Your Committee further notes pursuant to Section 264-3(1), Hawaii Revised Statutes, a county highway that is vacated, closed, abandoned, or discontinued shall be offered for sale to abutting property owners before the county disposes of it.

The Deputy Director of Finance stated Napili Kai, Ltd., an abutting property owner, agreed to acquire the parcel at the appraised purchase price plus closing costs.

The Director of Public Works stated the parcel contains a concrete drainage culvert and sewer lines, and is used primarily for drainage purposes. The County will retain two non-exclusive perpetual easements for the continued operation and maintenance of the County's infrastructure within the parcel.

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

Your Committee is in receipt of a revised proposed resolution, entitled "AUTHORIZING THE DISPOSITION OF HUI ROAD 'G' SITUATED AT NAPILI, MAUI, HAWAII", approved as to form and legality by the Department of the Corporation Counsel, incorporating nonsubstantive revisions.

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

Page 3

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

Your Infrastructure and Environmental Management Committee  
RECOMMENDS the following:

1. That Resolution \_\_\_\_\_, as revised herein and attached hereto, entitled "AUTHORIZING THE DISPOSITION OF HUI ROAD 'G' SITUATED AT NAPILI, MAUI, HAWAII", be ADOPTED; and
2. That County Communication 15-45 be FILED.

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

  
\_\_\_\_\_  
ELLE COCHRAN, Chair

iem:cr:15013aa:jkm

# Resolution

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

## AUTHORIZING THE DISPOSITION OF HUI ROAD "G" SITUATED AT NAPILI, MAUI, HAWAII

WHEREAS, the COUNTY OF MAUI ("County") is the owner of that certain parcel of real property known as Hui Road "G", located in Napili, Maui, Hawaii, as described in Exhibit "A", attached hereto and incorporated by reference herein; and

WHEREAS, Hui Road "G" is a government remnant parcel used only for drainage purposes; and

WHEREAS, the Director of Public Works has determined that fee simple ownership of Hui Road "G" is no longer necessary, and recommends to the Council that it is in the public interest to dispose of said remnant parcel in fee simple, reserving for the County required easements; and

WHEREAS, Section 264-1(d), Hawaii Revised Statutes, states that "[a]ll county public highways and trails once established shall continue until vacated, closed, abandoned, or discontinued by a resolution of the legislative body of the county wherein the county highway or trail lies"; and

WHEREAS, Section 264-3, Hawaii Revised Statutes, pertaining to disposal of abandoned public highways, provides that, in the case of the disposal of a county highway, said highway be first offered to abutting landowners for a reasonable length of time and at a reasonable price before it is disposed of in any way; and

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

WHEREAS, pursuant to Sections 3.44.020, 3.44.030, and 3.44.050, Maui County Code, the County Council may, finding that it is in the public interest to do so, waive public auction and public hearing, and authorize the sale of real property through negotiation, by passage of a resolution approved by two-thirds of its members; and

WHEREAS, Section 3.44.070(C), Maui County Code, provides that the sale price of real property to be disposed of shall be no less than the value determined by an appraiser whose services shall be contracted for by the County; and

WHEREAS, Hui Road "G" has been appraised, pursuant to Section 3.44.070, Maui County Code, which appraisal determined that the value of Hui Road "G" is \$22,500.00; and

WHEREAS, the Department of Finance provided the notice of the disposition of Hui Road "G" to abutting property owners required by Section 264-3, Hawaii Revised Statutes, on July 5, 2011; and

WHEREAS, Napili Kai, Ltd., an abutting property owner, has agreed to purchase Hui Road "G" and pay the appraised value of \$22,500.00, plus closing costs including, but not limited to, appraisal fees, costs to subdivide and consolidate properties as proposed herein, any legal fees for document preparation, recording fees, conveyance taxes, and escrow costs, if any; and

WHEREAS, pursuant to Section 3.44.050(B)(1), Maui County Code, the Department of Finance published notice of the sale on August 16, 23, and 30, 2011; and

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

WHEREAS, the County of Maui recorded a "Declaration of Sewer Line and Drainage Easements" with the Bureau of Conveyances on August 11, 2014, attached hereto as Exhibit "B", to preserve necessary sewer line and drainage easements through Hui Road "G" after the sale, and

WHEREAS, Napili Kai, Ltd. has agreed to subdivide and consolidate Hui Road "G" with abutting parcels TMK: (2) 4-3-002:028 and 029 within one year following the recordation of the deed conveying Hui Road "G" to Napili Kai, Ltd.; now, therefore,

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

1. That it hereby finds that it is in the public interest to dispose of Hui Road "G" by negotiation and, therefore, waives the public auction and public hearing, pursuant to Sections 3.44.020 and 3.44.030, Maui County Code; and

2. That, pursuant to Section 264-1(d), Hawaii Revised Statutes, Hui Road "G" is hereby declared vacated, closed, and discontinued as a county public highway; and


3. That the Council hereby authorizes the Mayor and the Director of Finance to dispose of Hui Road "G" to Napili Kai, Ltd. for the reasonable amount of \$22,500.00, plus closing costs, and to execute all necessary documents in connection with the disposition of said property; and

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

4. That certified copies of this Resolution be transmitted to Napili Kai, Ltd., the Mayor, the Director of Finance, the Director of Environmental Management, and the Director of Public Works.

APPROVED AS TO FORM  
AND LEGALITY:



 Michael J. Hopper  
Deputy Corporation Counsel  
County of Maui  
2014-3081

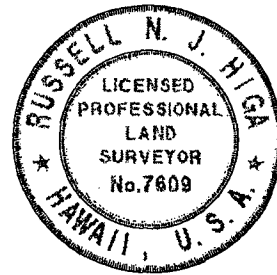
Hui Road "G"  
Mailepai Hui Partition  
Being a Portion of Royal Patent 1663 Land Commission Award 5524 to L. Konia  
Situate at Kaanapali, Napili 2 & 3, Island of Maui, State of Hawaii

Beginning at the Northeast corner of this parcel of land, being also the Southeast corner of Lot 1 of Blackburn - Hubbard Subdivision along the West side of Lower Honoapiilani Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MALO" being 9,452.15 feet South and 8,900.65 feet West, thence running by azimuths measured clockwise from True South:

- |    |              |        |  |
|----|--------------|--------|--|
| 1. | 27° 09' 30"  | 30.00  | feet along the West side Lower Honoapiilani Highway;   |
| 2. | 117° 09' 30" | 227.36 | feet along Allotment 28A and Hui Road "H" of the Mailepai Hui Partition, same being along a remainder of Royal Patent 1663 Land Commission Award 5524 to L. Konia;   |
| 3. | 107° 05' 00" | 339.17 | feet along a remainder of the Mailepai Hui Partition, same being along a remainder of Royal Patent 1663 Land Commission Award 5524 to L. Konia;  |
| 4. | 207° 36' 00" | 30.51  | feet along Napili Subdivision Consolidation (Lots 1, 2 and 3), same being along Allotment 2 of the Mailepai Hui Partition, same being along a remainder of Royal Patent 1663 Land Commission Award 5524 to L. Konia; |
| 5. | 287° 05' 00" | 336.25 | feet along Lots 2 and 1 of Blackburn - Hubbard Subdivision, same being along Allotment 28B of the Mailepai Hui Partition, same being along a remainder of Royal Patent 1663 Land Commission Award 5524 to L. Konia;  |



6. 297' 09' 30" 230.00 feet along Lot 1 of Blackburn - Hubbard Subdivision, same being along Allotment 28B of the Mailepai Hui Partition, same being along a remainder of Royal Patent 1663 Land Commission Award 5524 to L. Konia to the point of beginning and containing an area of 16,990 Square Feet.



*Russell N. J. Higa* 12/12/13  
Licensed Professional Land Surveyor No. 7609

State of Hawaii - Expiration Date 4/30/14

NO  
NEELAN



STATE OF HAWAII  
BUREAU OF CONVEYANCES  
RECORDED

August 11, 2014 8:01 AM

Doc No(s) A-53360227



/s/ NICKI ANN THOMPSON  
REGISTRAR

1 2/2 MLK  
8-32504815

me

After Recordation Return By Mail To:  
Department of Public Works  
County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

TITLE GUARANTY OF HAWAII, INC. HAS  
FILED THIS DOCUMENT FOR RECORD  
AS AN ACCOMODATION ONLY. THIS  
DOCUMENT HAS NOT BEEN REVIEWED  
OR IN ANY WAY EXAMINED AS TO  
ITS EFFECT ON REAL PROPERTY.



ACCOM # 463472-L

RLS

DECLARANT: COUNTY OF MAUI

DOCUMENT: DECLARATION OF SEWER LINE AND DRAINAGE  
EASEMENTS

PARCEL: HUI ROAD "G"

**DECLARATION OF EASEMENTS FOR SEWER LINE AND DRAINAGE**

This Declaration of Easements for Sewer Line and Drainage Purposes (this "Declaration"), dated July 25, 2014, is made by the County of Maui, a governmental body, the address of which is 200 S. High Street, Wailuku, HI 96793.

**BACKGROUND:**

A. The County of Maui, a governmental body, whose mailing address is 200 S. High St., Wailuku, HI 96793, ("Declarant"), is the current owner of the property known as Hui Road "G", described in Exhibit "A" (the "Property") attached hereto and made a part hereof.

B. Declarant currently maintains sewer lines and drainage structures on and under the Property.

C. Declarant hereby reserves the right to hold, maintain and repair the sewer lines and drainage improvements as set forth in this Declaration, and all subsequent owners shall hold the property subject to the rights set forth in this Declaration.

**DECLARATION:**

NOW, THEREFORE, THE COUNTY OF MAUI hereby declares as follows:

Declaration of Easements. That County of Maui does hereby declare that the Property known as Hui Road G is hereby subject, and shall continue to be subject to perpetual nonexclusive easements in favor of the County of Maui over, under, across and through portions of Hui Road "G". The easements are described in Exhibits "B-D" attached hereto and made a part hereof, and shall be easements for access to sewer lines and drainage improvements, and to reconstruct, maintain, operate, repair, and remove sewer lines, drainage improvements and related appurtenances, referred to as the "Sewer Line and Drainage Improvements".

That the foregoing also includes the right of the County of Maui for ingress to and egress from the said easement areas for purposes in connection with the rights granted.

That the foregoing Declaration is made upon the following restrictions and conditions, which shall be binding upon the Declarant and any subsequent owner of the Property, and their respective successors and assigns ("Future Owner"); however, such conditions shall become effective only after sale or transfer of the Property by the Declarant to the Future Owner:

1. Waste and unlawful, improper or offensive use of premises. That the Declarant shall not commit or permit to be committed any wasteful, unlawful, improper, or offensive use of the easements and adjoining areas.

2. Use and restoration of premises. That the Declarant shall, upon performing any maintenance or repair work, restore the surface of the ground, damaged in the performance of said maintenance or repair work, to their original condition to the extent that such restoration is reasonably possible, subject to the provisions of Section 7(c) below.

3. Use by Future Owner. That the Future Owner shall not erect or construct any building foundations, buildings, or structures above or below the present ground level, raise or lower the present ground level, or plant any trees within seven and one-half feet of the centerline of any sewer line, drainage structure or related appurtenance (referred to as the "Restricted Area") unless the Future Owner receives prior written approval from the Declarant to erect or construct said building foundation, buildings, or structures above or below the present ground level, raise or lower the present ground level, or plant any trees within the Restricted Area; provided, however, that this provision shall not prevent the Future Owner from constructing and maintaining roadways within said easement areas or from laying, constructing, operating,

maintaining, repairing, or removing its own water pipelines, conduits or drains below the surface of the said easement areas provided that such water pipelines, conduits or drains do not interfere with the exercise by the Declarant of the rights herein granted; provided, further, however, that notwithstanding and irrespective of any prior written approval of the Declarant, the Future Owner shall defend, indemnify and hold harmless the Declarant from and against any and all damage, including loss to person or property, and damage to the Declarant's sewer line or drainage structures, or other appurtenances in said easement areas, resulting or arising from the Future Owner's erection of said building foundation, building, or structure, from the Future Owner's planting of said hedge or trees, from the Future Owner's raising or lowering of the ground level, or from the Future Owner's construction and maintenance, repair or removal of its own lines and conduits in said easement areas.

4. Maintenance of easement areas. That this Declaration does not obligate nor charge the Declarant with any duties or responsibilities with regard to the ownership, condition, repair, and/or maintenance of the easement areas, except as required in paragraph 2 and Section 7(c) below.

5. Indemnity. (a) That the Declarant shall indemnify and hold the Future Owner harmless from and against all claims for property damage, personal injury, or wrongful death arising out of or in connection with the Declarant's use, maintenance or operations on the subject easement areas, to the extent that the Declarant's liability for such damage, loss or injury has been determined by a court of competent jurisdiction or otherwise agreed to by the Declarant, and further, to the extent the payment for such damage, loss or injury is permitted by law and approved by the Maui County Council.

(b) That the Future Owner shall defend, indemnify and hold harmless the Declarant from and against all claims for property damage, personal injury, or wrongful death when to the extent such damage, injury or death proximately results from or arises out of the negligence of the Future Owner, and will reimburse the Declarant for any judgments, costs, and expenses, including reasonable attorney's fees, incurred in connection with the defense of any such claim, or incurred by the Declarant in enforcing this agreement.

6. Damage to Sewer Line and Drainage Improvements. That the Future Owner, regardless of any prior approval granted by the Declarant to make improvements within the easement area, shall be responsible for all costs and expenses incurred by the Declarant in connection with the repair of damages to the sewer line and drainage improvements when and to the extent such damages result from or arise out of the negligence of the Future Owner, and shall reimburse the Declarant for costs and expenses, including reasonable attorney's fees, incurred by the Declarant in enforcing this provision.

7. Additional Covenants.

(a) The conditions and covenants set forth in these easements shall run with the land upon the conveyance of Hui Road G, or upon any other or future transfer of title or interest thereof, and shall bind and be enforceable against the Future Owner of the Property, its heirs, successors and assigns, and the acquisition of any right, title or interest in the Property shall be subject to the rights set forth in this Declaration.

(b) If at any time in the future and for any reason Declarant's access to the easement areas for the purpose of performing repairs or maintenance to the sewer line and drainage improvements shall be hindered, restricted or delayed as a result of the act or omission of the

Future Owner, the Future Owner shall indemnify and hold harmless Declarant from and against all claims for property damage, personal injury or wrongful death when and to the extent that such damage, injury or death proximately results from or arises out of said hindrance, restriction or delay in Declarant's gaining access.

(c) When the pavement within any portion of the easement area shall be excavated or removed by Declarant in connection with the repair or maintenance of any water line or appurtenance, the Declarant shall be obligated to restore the surface of the pavement only by "cold patch" method. Any final surfacing of the pavement by any more costly method shall be performed by the Future Owner at Future Owner's expense.

The County of Maui signed this Declaration on the date first written above.

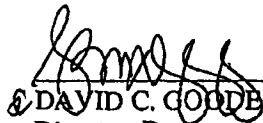
DECLARANT:

COUNTY OF MAUI

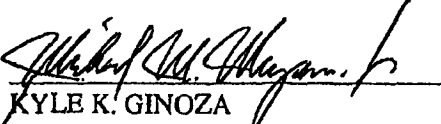


ALAN M. ARAKAWA  
Mayor

APPROVAL RECOMMENDED:



DAVID C. GOODE  
Director, Department of Public Works



KYLE K. GINOZA  
Director, Department of Environmental Management

APPROVED AS TO FORM  
AND LEGALITY:

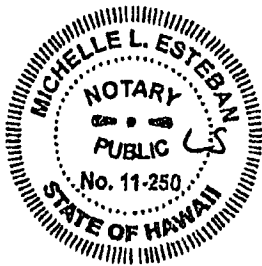


**MICHAEL J. HOPPER**  
Deputy Corporation Counsel  
County of Maui



STATE OF HAWAII )  
 ) SS.  
COUNTY OF MAUI )

On this 25<sup>th</sup> day of July, 2014, before me appeared ALAN M. ARAKAWA to me personally known, who, being by me duly sworn or affirmed, did say that he/she executed the foregoing instrument as his/her free act and deed, and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.



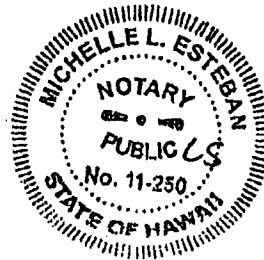
Michelle L. Esteban  
Notary Public, in and for said County and State  
Print Name: MICHELLE L. ESTEBAN

My commission expires: 8-14-15

Doc. Date: 7/25/14 # Pages: 14  
Michelle L. Esteban Second Circuit  
Doc. Description: Declaration of  
Sewer Line and Drainage  
Easements

Michelle L. Esteban 7/25/14  
Notary Signature Date

NOTARY CERTIFICATION

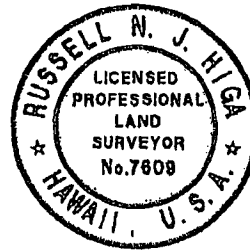


**Hui Road "G"**  
**Mailepai Hui Partition**  
**Being a Portion of Royal Patent 1663 Land Commission Award 5524 to L. Konia**  
**Situate at Kaanapali, Napili 2 & 3, Island of Maui, State of Hawaii**

Beginning at the Northeast corner of this parcel of land, being also the Southeast corner of Lot 1 of Blackburn - Hubbard Subdivision along the West side of Lower Honoapiilani Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MALO" being 9,452.15 feet South and 8,900.65 feet West, thence running by azimuths measured clockwise from True South:

1. 27' 09' 30"                      30.00    feet along the West side Lower Honoapiilani Highway;
2. 117' 09' 30"                    227.36   feet along Allotment 28A and Hui Road "H" of the Mailepai Hui Partition, same being along a remainder of Royal Patent 1663 Land Commission Award 5524 to L. Konia;
3. 107' 05' 00"                    339.17   feet along a remainder of the Mailepai Hui Partition, same being along a remainder of Royal Patent 1663 Land Commission Award 5524 to L. Konia;
4. 207' 36' 00"                    30.51    feet along Napili Subdivision Consolidation (Lots 1, 2 and 3), same being along Allotment 2 of the Mailepai Hui Partition, same being along a remainder of Royal Patent 1663 Land Commission Award 5524 to L. Konia;
5. 287' 05' 00"                    336.25   feet along Lots 2 and 1 of Blackburn - Hubbard Subdivision, same being along Allotment 28B of the Mailepai Hui Partition, same being along a remainder of Royal Patent 1663 Land Commission Award 5524 to L. Konia;

6. 297° 09' 30" 230.00 feet along Lot 1 of Blackburn - Hubbard Subdivision, same being along Allotment 28B of the Mailepai Hui Partition, same being along a remainder of Royal Patent 1663 Land Commission Award 5524 to L. Konia to the point of beginning and containing an area of 16,990 Square Feet.



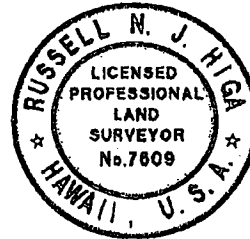
*Russell N. J. Higa* 12/12/13  
Licensed Professional Land Surveyor No. 7609

State of Hawaii - Expiration Date 4/30/14

Sewer & Drain Easement  
Affecting Hui Road "G"  
Mailepai Hui Partition  
Being a Portion of Royal Patent 1663 Land Commission Award 5524 to L. Konia  
Situate at Kaanapali, Napili 2 & 3, Island of Maui, State of Hawaii

Beginning at the Northeast corner of this easement for sewer and drain purposes, being a point on the East boundary of Hui Road "G" and the West side of Lower Honoapiilani Highway, being also 27°09'30" and 6.00 feet from the Northeast corner of Hui Road "G", the coordinates of said point of beginning referred to Government Survey Triangulation Station "MALO" being 9,457.49 feet South and 8,903.39 feet West, thence running by azimuths measured clockwise from True South:

- |    |              |        |   |
|----|--------------|--------|---|
| 1. | 27' 09' 30"  | 20.00  | feet along the West side of Lower Honoapiilani Highway;   |
| 2. | 117' 09' 30" | 200.00 | feet along the remainder of Hui Road "G";   |
| 3. | 27' 09' 30"  | 4.00   | feet along the remainder of Hui Road "G";   |
| 4. | 117' 09' 30" | 15.00  | feet along the remainder of Hui Road "H";   |
| 5. | 207' 09' 30" | 10.59  | feet along the remainder of Hui Road "G", same being some of which along Drain Easement;                        |
| 6. | 285' 57' 40" | 77.33  | feet along the remainder of Hui Road "G", same being along Drain Easement;                                      |
| 7. | 13' 24' 36"  | 1.66   | feet along the remainder of Hui Road "G", same being along Drain Easement;                                      |
| 8. | 297' 09' 30" | 138.74 | feet along the remainder of Hui Road "G" to the point of beginning and containing an area of 3,912 Square Feet. |



*Russell N. J. Higa* 12/12/13  
Licensed Professional Land Surveyor No. 7609

State of Hawaii - Expiration Date 4/30/14

EXHIBIT "B"

**Drain Easement  
Affecting Hui Road "G"  
Mailepai Hui Partition  
Being a Portion of Royal Patent 1663 Land Commission Award 5524 to L. Konia  
Situate at Kaanapali, Napili 2 & 3, Island of Maui, State of Hawaii**

Beginning at the Southeast corner of this easement, being a point on the boundary of Hui Road "G" and Lot 1 of Blackburn - Hubbard Subdivision, being also the Southwest corner of Drain Easement #12, being also 117°09'30" and 117.53 feet from the Northeast corner of Hui Road "G" on the West side of Lower Honoapiilani Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MALO" being 9,398.51 feet South and 9,005.23 feet West, thence running by azimuths measured clockwise from True South:

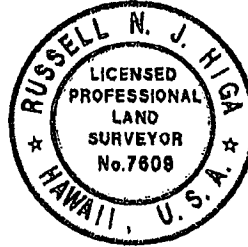
along the remainder of Hui Road "G", same being along Sewer and Drain Easement on a curve to the right with a radius of 309.00 feet, the radial azimuth to the point of curve being 9°19'17", the radial azimuth to the point of tangent being 13°24'36" and the chord azimuth and distance being:

- |    |              |        |  |
|----|--------------|--------|--|
| 1. | 101' 21' 57" | 22.05  | feet;  |
| 2. | 193' 24' 36" | 1.66   | feet along the remainder of Hui Road "G", same being along Sewer and Drain Easement;       |
| 3. | 105' 57' 40" | 77.33  | feet along the remainder of Hui Road "G", same being along Sewer and Drain Easement;       |
| 4. | 27' 09' 30"  | 2.00   | feet along the remainder of Hui Road "G", same being along Sewer and Drain Easement;       |
| 5. | 105' 57' 40" | 321.78 | feet along the remainder of Hui Road "G";  |
| 6. | 107' 05' 00" | 31.12  | feet along a remainder of the Mailepai Hui Partition, same being along Drain Easement #18; |
| 7. | 207' 36' 00" | 25.10  | feet along Napili Subdivision Consolidation (Lots 1, 2 and 3);                             |
| 8. | 287' 05' 00" | 367.20 | feet along the remainder of Hui Road "G";  |

9. 297' 09' 30"

82.04

feet along Lot 1 of Blackburn - Hubbard  
Subdivision, same being along Drain Easement  
#12 to the point of beginning and containing an  
area of 8,617 Square Feet.



*Russell N. J. Higa* 12/12/13  
Licensed Professional Land Surveyor No. 7609

State of Hawaii - Expiration Date 4/30/14

EXHIBIT "C" PAGE 2

EXHIBIT "B" PAGE 13

