

COUNCIL OF THE COUNTY OF MAUI
INFRASTRUCTURE AND
ENVIRONMENTAL MANAGEMENT
COMMITTEE

July 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 June 15, 2015, makes reference to County Communication 15-147, from the Director of Public Works, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF ROADWAY LOTS IN THE MAUI LANI SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".

The purpose of the proposed resolution is to accept seven roadway lots in Kahului, Maui, Hawaii from The Maui Lani Community Association ("Subdivider"), pursuant to the subdivision requirements of the Maui Lani (Large-Lot) Subdivision No. 5, the Akahi at the Maui Lani Subdivision, and Maui Lani Parkway, Road Lot Subdivision IV. The roadway lots comprise the following:

1. Portions of Kamehameha Avenue roughly between Meheu Street and Kuualoha Street (Lots 11-D-1-A-6, 11-D-1-A-7, 76, and 77);
2. Portions of Maui Lani Parkway between Kamehameha Avenue and Kuihelani Highway (Lots 11-D-1-A-8 and 11-C-5); and
3. The intersection of Kamehameha Avenue and Maui Lani Parkway (Lot 11-C-4).

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.

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Committee
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The Deputy Director of Public Works stated the Subdivider desires to dedicate the roadway lots to fulfill its subdivision requirements. The Subdivider's improvements to the roadway lots were approved by the Department of Public Works on April 21, 2015.

The Deputy Director further stated acceptance of the roadway lots will enable the Department to proceed with improvements to the intersection of Kamehameha Avenue and Maui Lani Parkway, funded in the County's Fiscal Year 2016 Budget. The Deputy Director expressed the Department's support for the resolution.

Your Committee voted 7-0 to recommend adoption of the proposed resolution and filing of the communication. Committee Chair Cochran, Vice-Chair Hokama, and members Baisa, Carroll, Crivello, Guzman, and White voted "aye".

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

1. That Resolution _____, attached hereto, entitled "ACCEPTING DEDICATION OF ROADWAY LOTS IN THE MAUI LANI SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE", be ADOPTED; and
2. That County Communication 15-147 be FILED.

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

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**Committee
Report No.** _____

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



ELLE COCHRAN, Chair

iem:cr:15020aa:jkm

Resolution

No. _____

ACCEPTING DEDICATION OF ROADWAY LOTS IN
THE MAUI LANI SUBDIVISION,
PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE

WHEREAS, THE MAUI LANI COMMUNITY ASSOCIATION (hereinafter called "Owner") desires to dedicate Roadway Lots 11-D-1-A-6, 11-D-1-A-7, and 11-D-1-A-8 located within the Maui Lani (Large-Lot) Subdivision No. 5, identified as TMKs (2) 3-8-007:163 and (2) 3-8-007:131 (por.), Subdivision File No. 3.1962, and more fully described in Exhibits "A", "B", and "C" of the Deed attached hereto as Exhibit "1" and made a part hereof; and

WHEREAS, the Owner desires to dedicate Roadway Lots 76 and 77 of the Akahi at the Maui Lani Subdivision, identified as TMK (2) 3-8-081:134, Subdivision File No. 3.1678, and more fully described in Exhibit "D" of the Deed attached hereto as Exhibit "1" and made a part hereof; and

WHEREAS, the Owner desires to dedicate Roadway Lots 11-C-4 and 11-C-5 of Maui Lani Parkway, Road Lot Subdivision IV, identified as TMKs (2) 3-8-007:164 and (2) 3-8-007:165, Subdivision File No. 3.2071, and more fully described in Exhibits "E" and "F" of the 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

Resolution No. _____

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 Roadway Lots 11-D-1-A-6, 11-D-1-A-7, 11-D-1-A-8 of the Maui Lani (Large-Lot) Subdivision 5, Roadway Lots 76 and 77 of the Akahi at Maui Lani Subdivision, and Roadway Lots 11-C-4 and 11-C-5 of the Maui Lani Parkway, Road Lot Subdivision IV, as described in Exhibits "A" through "F" of the Deed attached hereto as Exhibit "1", to be dedicated by the Owner to the County of Maui in accordance with said Deed; and

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 Owner.

APPROVED AS TO FORM
AND LEGALITY:



MICHAEL J. HOPPER
Deputy Corporation Counsel
County of Maui

2014-3374

LAND COURT

REGULAR SYSTEM

AFTER RECORDATION, RETURN BY: MAIL (x) PICK-UP ():

Schneider Tanaka Radovich Andrew & Tanaka, LLLC
1100 Alakea Street, Suite 2100
Honolulu, Hawaii 96813
Telephone: (808) 792-4200

Total No. of Pages _____

TMK: (2) 3-8-007-163
TMK: (2) 3-8-007-131 (por.)
TMK: (2) 3-8-007-131 (por.)
TMK: (2) 3-8-081-134
TMK: (2) 3-8-007-164
TMK: (2) 3-8-007-165

Lot 11-D-1-A-6 of Maui Lani (Large-Lot) Subdivision No. 5
Lot 11-D-1-A-7 of Maui Lani (Large-Lot) Subdivision No. 5
Lot 11-D-1-A-8 of Maui Lani (Large-Lot) Subdivision No. 5
Lots 76 & 77 of the Akahi at Maui Lani Subdivision
Lot 11-C-4 of Maui Lani Parkway - Road Lot Subdivision IV
Lot 11-C-5 of Maui Lani Parkway - Road Lot Subdivision IV

DEED

KNOW ALL MEN BY THESE PRESENTS:

That **THE MAUI LANI COMMUNITY ASSOCIATION**, a Hawaii non-profit corporation (the "Grantor"), whose address is 1100 Alakea Street, Suite 2200, Honolulu, Hawaii 96813, for and in consideration of the sum of Ten Dollars (\$10.00) to the Grantor paid by **COUNTY OF MAUI**, a political subdivision of the State of Hawaii (the "Grantee"), the address of which is 200 South High Street, Wailuku, Maui, Hawaii 96793, the receipt of which is hereby acknowledged, does hereby grant and convey all of the Grantor's estate, right, title and interest in and to those certain parcels of land more particularly described in Exhibits "A", "B", "C", "D", "E" and "F" attached hereto and incorporated herein by reference (collectively, the "Property"), unto the Grantee, as Tenant in Severalty, its legal successors and assigns, forever, including the reversions, remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD the same, together with all improvements owned by the Grantor located thereon or therein, and all of the Grantor's 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.

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seised in fee simple of the land comprising the Property and that the Grantor has good right to convey the same as aforesaid; that said land is free and clear of all encumbrances, except the lien of real property taxes assessed for the current fiscal year but not yet due, and except as described in Exhibits "A", "B", "C", "D", "E" and "F"; and the Grantor will WARRANT AND DEFEND the same unto the Grantee, forever, against the lawful claims and demands of all persons, except as aforesaid.

As used herein, the term "improvements" shall be deemed to mean and include all roadway, utility, drainage and landscaping improvements, pipelines, conduits and facilities located thereon or therein (excluding the existing golf cart underpass improvements, irrigation lines and electrical lines running under and through the areas designated as Easements G-1, G-2 and G-3 within Lot 11-D-1-A-6 of Maui Lani (Large Lot) Subdivision No. 5; and further excluding the irrigation lines and electrical lines running under and through the area designated as Easement G-6 within Lot 11-C-5 of Maui Lani Parkway Subdivision; and further excluding the sewer pipelines, manholes and related facilities running under and through the area designated as Easement S-1 within Lot 11-D-1-A-8 of Maui Lani (Large Lot) Subdivision No. 5 and Lot 11-C-5 of Maui Lani Parkway Subdivision, which easements are referenced in the applicable exhibits attached to this Deed).

The terms "Grantor" and "Grantee", as and when used herein, shall mean and include the singular or plural number, individuals, firms or corporations. The obligations of the Grantor shall also be binding upon the Grantor's successors and assigns. The rights of the Grantee shall also inure to the benefit of the Grantee's successors and assigns.

[Signature page follows]

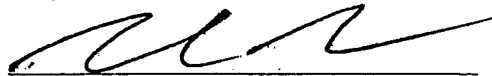
IN WITNESS WHEREOF, the Grantor has signed this document on the _____
day of _____, 20__.

GRANTOR:

THE MAUI LANI COMMUNITY ASSOCIATION,
a Hawaii non-profit corporation

By Stacey Takaba
Stacey Takaba
Its Vice President

APPROVED AS TO FORM
AND LEGALITY:



Name: Michael J. Hopper
Deputy Corporation Counsel
County of Maui

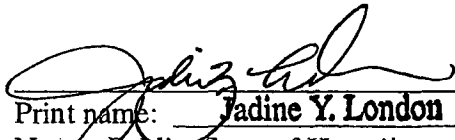
STATE OF HAWAII)
) SS.
CITY AND COUNTY OF HONOLULU)

On March 20, 2015, before me personally appeared **STACEY TAKABA**, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.

Further, I certify, as of this date, as follows:

Date of Document: undated at time of notarization
Number of Pages: 4 + Exhibits
Document Description: Deed by The Maui Lani Community Association to County of Maui
Jurisdiction/Judicial Circuit Where Signed: First Circuit




Print name: Jadine Y. London
Notary Public, State of Hawaii.
Date: 3/20/15
My commission expires: July 23, 2018

Maui Lani (Large-Lot) Subdivision No. 5
Description of Lot 11-D-1-A-6
(Kamehameha Avenue Extension)

Land situated on the northwesterly side of Kuihelani Highway
(F.A.S.P. No. S-0380(4)) at Wailuku, Maui, Hawaii

Being a portion of Grant 3343 to Claus Spreckels

Beginning at a point on the northeasterly corner of this lot, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 4,347.82 feet South and 5,085.62 feet East and running by azimuths measured clockwise from True South:

1. Thence along Lot 11-E-1 of Maui Lani (Large-Lot) Subdivision, being also along the remainder of Grant 3343 to Claus Spreckels on a curve to the right with the point of curvature azimuth from the radial point being: 304° 06' 02", and the point of tangency azimuth from the radial point being: 304° 30', having a radius of 5,400.75 feet, the chord azimuth and distance being: 34° 18' 01" 37.65 feet to a point;
2. 34° 30' 197.00 feet along same to a point;
3. Thence along Lot 11-E-1 of Maui Lani (Large-Lot) Subdivision and Lot 11-C-1 of Maui Lani Parkway Road Lot Subdivision IV, being also along the remainder of Grant 3343 to Claus Spreckels on a curve to the right having a radius of 1,764.22 feet, the chord azimuth and distance being: 42° 45' 506.31 feet to a point;
4. 51° 00' 369.81 feet along Lot 11-C-1 of Maui Lani Parkway - Road Lot Subdivision IV, being also along the remainder of Grant 3343 to Claus Spreckels to a point;
5. 94° 52' 40" 132.08 feet along Lot 11-C-4 of Maui Lani Parkway Road Lot Subdivision IV, being also along the remainder of Grant 3343 to Claus Spreckels to a point;

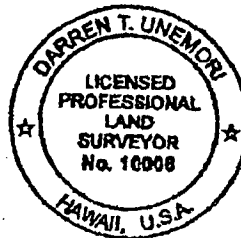
Exhibit "A"

Page 1 of 4

6. Thence along Lot 11-D-1-A-1-E of Maui Lani (Large-Lot) Subdivision No. 6, being also along the remainder of Grant 3343 to Claus Spreckels on a curve to the left with the point of curvature azimuth from the radial point being:
 4' 52' 40", and the point of tangency azimuth from the radial point being:
 321' 32' 13.6", having a radius of 40.62 feet, the chord azimuth and distance being:
 253' 12' 26.8" 30.00 feet to a point;
7. Thence along same on a curve to the left with the point of curvature azimuth from the radial point being:
 321' 32' 13.6", and the point of tangency azimuth from the radial point being:
 321' 00', having a radius of 4,847.00 feet, the chord azimuth and distance being:
 231' 16' 06.8" 45.44 feet to a point;
8. 231' 00' 391.81 feet along same to a point;
9. Thence along Lot 11-D-1-A-1-E of Maui Lani (Large-Lot) Subdivision No. 6 and Lot 11-E-2-A of Maui Lani (Large-Lot) Subdivision, being also along the remainder of Grant 3343 to Claus Spreckels, on a curve to the left having a radius of 1,684.22 feet, the chord azimuth and distance being:
 222' 45' 483.35 feet to a point;
10. 214' 30' 197.00 feet along Lot 11-E-2-A of Maui Lani (Large-Lot) Subdivision, being also along the remainder of Grant 3343 to Claus Spreckels to a point;

11. Thence along same on a curve to the left with the point of curvature azimuth from the radial point being: 304° 30', and the point of tangency azimuth from the radial point being: 304° 06' 02" having a radius of 5,320.75 feet, the chord azimuth and distance being: 214° 18' 01" 37.09 feet to a point;

12. 304° 06' 02" 80.00 feet along the southerly side of Lot 77 of Akahi at Maui Lani (File Plan 2194), being also along the remainder of Grant 3343 to Claus Spreckels, to the point of beginning and containing an Area of 2.099 Acres.





Licensed Professional Land Surveyor
Certificate No. 10008

EXHIBIT "A" - Continued

Being the premises acquired by the Grantor by Deed, recorded on September 9, 2005 in the Bureau of Conveyances of the State of Hawaii (the "Bureau") as Document No. 2005-181450.

SUBJECT, HOWEVER, to the following:

1. Title to all mineral and metallic mines reserved to the State of Hawaii.
2. The terms and provisions contained in the Subdivision Agreement (Large Lots), recorded April 23, 1991 in the Bureau as Document No. 91-051286, by and among Alexander & Baldwin, Inc., Maui Lani Partners, and the County of Maui.
3. The terms and provisions contained in the Subdivision Agreement (Large Lots), recorded July 20, 1995 in the Bureau as Document No. 95-094143, by and among Maui Lani Partners, HRT, Ltd. and the County of Maui.
4. The terms and provisions contained in the Subdivision Agreement (Large Lots), recorded December 14, 2001 in the Bureau as Document No. 2001-195819, by and between Maui Lani Partners and the County of Maui.
5. Easement G-1 (area 2,000 square feet, more or less) for golf cart underpass purposes, as described in Grants of Easements recorded May 3, 2012 in the Bureau as Document Nos. A-45060862A through A-45060862B.
6. Easement G-2 (area 1,199 square feet, more or less) for electrical and irrigation line purposes, as described in Grants of Easements recorded May 3, 2012 in the Bureau as Document Nos. A-45060862A through A-45060862B.
7. Easement G-3 (area 1,200 square feet, more or less) for irrigation waterline purposes, as described in Grants of Easements recorded May 3, 2012 in the Bureau as Document Nos. A-45060862A through A-45060862B.

END OF EXHIBIT "A"

Maui Lani (Large-Lot) Subdivision No. 5
Description of Lot 11-D-1-A-7

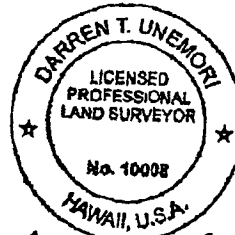
Land situated on the northwesterly side of Kuihelani Highway
(F.A.S.P. No. S-0380(4)) at Wailuku, Maui, Hawaii

Being a portion of Grant 3343 to Claus Spreckels

Beginning at a point on the northeasterly corner of this lot,
the coordinates of said point of beginning referred to Government
Survey Triangulation Station "LUKE" being 5,569.97 feet South and
3,553.82 feet East and running by azimuths measured clockwise from
True South:

1. Thence along Lot 11-D-1-A-3 of Maui Lani (Large-Lot)
Subdivision No. 5 and Lot 11-C
of Maui Lani (Large-Lot)
Subdivision, being also along
the remainder of Grant 3343 to
Claus Spreckels on a curve to
the left with the point of
curvature azimuth from the
radial point being:
331° 00', and the point of
tangency azimuth from the
radial point being:
324° 37' 04", having a radius
of 4,847.06 feet, the chord
azimuth and distance being:
237° 48' 32" 539.64 feet to a
point;
2. 274° 52' 40" 137.73 feet along Lot 11-C of Maui Lani
(Large-Lot) Subdivision, being
also along the remainder of
Grant 3343 to Claus Spreckels
to a point;

3. Thence along Lot 11-D-1-A-4 of Maui Lani (Large-Lot) Subdivision No. 5, being also along the remainder of Grant 3343 to Claus Spreckels on a curve to the right with the point of curvature azimuth from the radial point being: 184° 52' 40", and the point of tangency azimuth from the radial point being: 143° 42' 31", having a radius of 40.67 feet, the chord azimuth and distance being: 74° 17' 35.5" 28.60 feet to a point;
4. Thence along same on a curve to the left with the point of curvature azimuth from the radial point being: 323° 42' 31", and the point of tangency azimuth from the radial point being: 331° 00', having a radius of 4,927.06 feet, the chord azimuth and distance being: 57° 21' 15.5" 626.59 feet to a point;
5. 151° 00' 80.00 feet along Lot 11-D-1-A-2 of Maui Lani (Large-Lot) Subdivision No. 5, being also along the remainder of Grant 3343 to Claus Spreckels to the point of beginning and containing an Area of 1.087 Acres.



Darren T. Unemori
 Licensed Professional Land Surveyor
 Certificate No. 10008

V:\Projdata\00PROJ\00096-MauiLani-ph7\Survey\desc-Lot_11-D-1-A-7.wpd

EXHIBIT "B" - Continued

Being the premises acquired by Deed recorded November 9, 2005 in the Bureau as Document No. 2005-229414.

SUBJECT, HOWEVER, to the following:

1. Title to all mineral and metallic mines reserved to the State of Hawaii.
2. The terms and provisions contained in the Subdivision Agreement (Large Lots), recorded April 23, 1991 in the Bureau as Document No. 91-051286, by and among Alexander & Baldwin, Inc., Maui Lani Partners, and the County of Maui.
3. The terms and provisions contained in the Subdivision Agreement (Large Lots), recorded July 20, 1995 in the Bureau as Document No. 95-094143, by and among Maui Lani Partners, HRT, Ltd. and the County of Maui.
4. The terms and provisions contained in the Subdivision Agreement (Large Lots), recorded December 14, 2001 in the Bureau as Document No. 2001-195819, by and between Maui Lani Partners and the County of Maui.
5. Grant of Easement for utility purposes, in favor of Maui Electric Company, Limited and Hawaiian Telcom, Inc., recorded August 3, 2005 in the Bureau as Document No. 2005-154202.
6. Existing Access and Utility Easement 19 as shown on map entitled "Maui Lani (Large-Lot) Subdivision No. 6", dated December 7, 2004, prepared by Warren S. Unemori, Licensed Professional Land Surveyor No. 1569, with Warren S. Unemori - Engineering, Inc.
7. A Grant of Easement for water pipeline and related purposes, in favor of the County of Maui, recorded December 5, 2005 in the Bureau as Document No. 2005-247299.
8. The terms and provisions contained in the Easement for Incremental Park Dedication (for Maui Lani Phase 7/Increments 2 & 3), recorded December 26, 2006 in the Bureau as Document No. 2006-236522.
9. The terms and provisions contained in the Easement for Incremental Park Dedication (for the Fairways at Maui Lani), recorded December 26, 2006 in the Bureau as Document No. 2006-236523.
10. The terms and provisions contained in the Easement for Incremental Park Dedication (Replacement Park Easement), recorded December 26, 2006 in the Bureau as Document No. 2006-236524.

END OF EXHIBIT "B"

Maui Lani (Large-Lot) Subdivision No. 5
Description of Lot 11-D-1-A-8
(Maui Lani Parkway)

Land situated on the northwesterly side of Kuihelani Highway
(F.A.S.P. No. S-0380(4)) at Wailuku, Maui, Hawaii

Being a portion of Grant 3343 to Claus Spreckels

Beginning at a point on the southeasterly corner of this lot,
the coordinates of said point of beginning referred to Government
Survey Triangulation Station "LUKE" being 6,226.83 feet South and
6,360.36 feet East and running by azimuths measured clockwise from
True South:

1. Thence along Lots 144 and 153 of Maui Lani Subdivision Phase 7/
Increment 1 (File Plan 2380),
being also along the remainder
of Grant 3343 to Claus
Spreckels, on a curve to the
left with the point of
curvature azimuth from the
radial point being:
207° 40', and the point of
tangency azimuth from the
radial point being:
181° 30', having a radius of
1,450.00 feet, the chord
azimuth and distance being:
104° 35' 656.47 feet to a
point;
2. 91° 30' 405.79 feet along Lots 144 and 152 of Maui
Lani Subdivision Phase 7/
Increment 1 (File Plan 2380) to
a point;
3. Thence along Lot 152 of Maui Lani Subdivision Phase 7/
Increment 1 (File Plan 2380)
and Lot 11-D-1-A-4-B of Maui
Lani Phase 7/Increment 2
(Large-Lot) Subdivision, being
also along the remainder of
Grant 3343 to Claus Spreckels,
on a curve to the right having
a radius of 1,250.00 feet, the
chord azimuth and distance
being:
117° 45' 1,105.72 feet to a
point;

Exhibit "C"

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EXHIBIT "1" PAGE 12

4. 144° 00' 278.44 feet along Lot 11-D-1-A-4-B of Maui Lani Phase 7 / Increment 2 (Large-Lot) Subdivision, being also along the remainder of Grant 3343 to Claus Spreckels, to a point;
5. Thence along same on a curve to the right with the point of curvature azimuth from the radial point being: 234° 00', and the point of tangency azimuth from the radial point being: 184° 52' 40", having a radius of 40.67 feet, the chord azimuth and distance being: 119° 26' 20" 33.81 feet to a point;
6. 274° 52' 40" 150.84 feet along Lot 11-C-4 of Maui Lani Parkway Road Lot Subdivision IV, being also along the remainder of Grant 3343 to Claus Spreckels, to a point;
7. 324° 00' 210.48 feet along Lot 11-C-1 of Maui Lani Parkway - Road Lot Subdivision IV, being also along the remainder of Grant 3343 to Claus Spreckels, to a point;
8. Thence along same on a curve to the left having a radius of 1,150.00 feet, the chord azimuth and distance being: 297° 45' 1,017.26 feet to a point;
9. 271° 30' 405.79 feet along same to a point;
10. Thence along same on a curve to the right with the point of curvature azimuth from the radial point being: 181° 30', and the point of tangency azimuth from the radial point being: 207° 40', having a radius of 1,550.00 feet, the chord azimuth and distance being: 284° 35' 701.74 feet to a point;

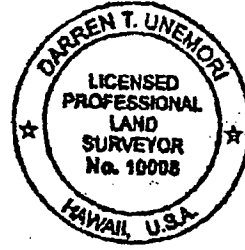
Exhibit "C"

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EXHIBIT "1" PAGE 13

11. 27' 40'

100.00 feet along same to the point of
beginning and containing an
Area of 5.612 Acres.



A handwritten signature in black ink, appearing to read "Darren T. Unemori", written over a horizontal line.

Licensed Professional Land Surveyor
Certificate No. 10008

V:\Projdata\00PROJ\00096-Maui\ani-ph7\Survey\Roadway Dedication\desc-Lot 11-D-1-A-8_rev. 2009-11-05.wpd

EXHIBIT "C" - Continued

Being the premises acquired by Deed recorded September 9, 2005 in the Bureau as Document No. 2005-181450.

SUBJECT, HOWEVER, to the following:

1. Title to all mineral and metallic mines reserved to the State of Hawaii.
2. The terms and provisions contained in the Subdivision Agreement (Large Lots), recorded April 23, 1991 in the Bureau as Document No. 91-051286, by and among Alexander & Baldwin, Inc., Maui Lani Partners, and the County of Maui.
3. The terms and provisions contained in the Subdivision Agreement (Large Lots), recorded July 20, 1995 in the Bureau as Document No. 95-094143, by and among Maui Lani Partners, HRT, Ltd. and the County of Maui.
4. The terms and provisions contained in the Subdivision Agreement (Large Lots), recorded December 14, 2001 in the Bureau as Document No. 2001-195819, by and between Maui Lani Partners and the County of Maui.
5. Easement S-1 for sewer purposes, as described in Grants of Easements dated May 3, 2012, recorded May 3, 2012 in the Bureau as Document Nos. A-45060863A through A-45060863B.

END OF EXHIBIT "C"

EXHIBIT "D"

**Lot 76 and Lot 77 of the Akahi at Maui Lani Subdivision
Kamehameha Avenue Extension**

LOT 76:

All of that certain parcel of land situate at Wailuku, Island and County of Maui, State of Hawaii, being Lot 76 of the "AKAHI AT MAUI LANI SUBDIVISION", as shown on File Plan Number 2194, filed in the Bureau of Conveyances of the State of Hawaii, and containing an area of 37,401 square feet, more or less.

LOT 77:

All of that certain parcel of land situate at Wailuku, Island and County of Maui, State of Hawaii, being Lot 77 of the "AKAHI AT MAUI LANI SUBDIVISION", as shown on File Plan Number 2194, filed in the Bureau of Conveyances of the State of Hawaii, and containing an area of 38,583 square feet, more or less.

Being all of the premises conveyed by MAUI LANI HOMES, a Hawaii general partnership, to THE MAUI LANI COMMUNITY ASSOCIATION, a Hawaii non-profit corporation, by Deed recorded September 9, 2005 in the Bureau as Document No. 2005-181449.

SUBJECT, HOWEVER, to the following:

1. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
2. Lease, granting rights-of-way for utility purposes, in favor of Maui Electric Company, Limited and Hawaiian Telephone Company (now Hawaiian Telcom, Inc.), for a term of 35 years from August 5, 1960, and thereafter from year to year until terminated, recorded August 25, 1960 in the Bureau in Book 3906, Page 64.
3. The terms and provisions contained in the Subdivision Agreement (Large Lots) recorded April 23, 1991 in the Bureau as Document No. 91-051286, by and among Alexander & Baldwin, Inc., Maui Lani Partners, and the County of Maui.
4. The terms and provisions contained in the Subdivision Agreement (Large Lots) recorded June 26, 1991 in the Bureau as Document No. 91-085078, by and between Maui Lani Partners and the County of Maui.
5. The terms and provisions contained in the Subdivision Agreement (Large Lots) recorded July 20, 1995 in the Bureau as Document No. 95-094143, by and among Maui Lani Partners, HRT, Ltd. and the County of Maui.
6. A Grant of Easement for utility purposes, in favor of Maui Electric Company, Limited, recorded January 27, 1997 in the Bureau as Document No. 97-012074.

7. AS TO LOT 77 ONLY:

a. Easement G (area 38,583 square feet), being all of said Lot 77, for roadway and utility purposes, as shown on File Plan No. 2194.

b. A Grant of Easement for waterline purposes within Easement G, in favor of the Board of Water Supply of the County of Maui, recorded January 23, 2001 in the Bureau as Document No. 2001-009604.

END OF EXHIBIT "D"

**Maui Lani Parkway Road Lot Subdivision IV
Description of Proposed Lot 11-C-4
(Maui Lani Parkway)**

Land situated on the northwesterly side of Kuihelani Highway
(F.A.S.P. No. S-0380(4)) at Wailuku, Maui, Hawaii

Being a portion of Grant 3343 to Claus Spreckels

Beginning at a point on the northeasterly corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 5,145.84 feet South and 4,321.70 feet East and running by azimuths measured clockwise from True South:

1. 51' 00' 22.00 feet along Lot 11-C-1 of Maui Lani Parkway Road Lot Subdivision IV, being also along the remainder of Grant 3343 to Claus Spreckels to a point;
2. Thence along same on a curve to the right with the point of curvature azimuth from the radial point being: 321' 00', and the point of tangency azimuth from the radial point being: 321' 37' 26", having a radius of 4,927.06 feet, the chord azimuth and distance being: 51' 18' 43" 53.65 feet to a point;
3. Thence along same on a curve to the left with the point of curvature azimuth from the radial point being: 141' 37' 26", and the point of tangency azimuth from the radial point being: 54' 00', having a radius of 40.00 feet, the chord azimuth and distance being: 7' 48' 43" 55.38 feet to a point;

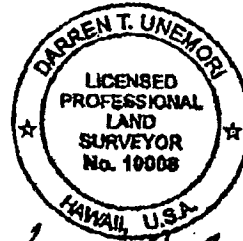
Exhibit "E"


Page 1 of 4

EXHIBIT "1" PAGE 18

4. 324' 00' 72.84 feet along same to a point;
5. 94' 52' 40" 288.57 feet along Lots 11-D-1-A-7 and 11-D-1-A-8 of Maui Lani (Large-Lot) Subdivision No. 5, being also along the remainder of Grant 3343 to Claus Spreckels to a point;
6. Thence along Lot 11-C-3 of Maui Lani Parkway Road Lot Subdivision IV, being also along the remainder of Grant 3343 to Claus Spreckels on a curve to the left with the point of curvature azimuth from the radial point being: 324' 37' 04", and the point of tangency azimuth from the radial point being: 323' 41' 27.4", having a radius of 4,847.06 feet, the chord azimuth and distance being: 234' 09' 15.7" 78.41 feet to a point;
7. Thence along same on a curve to the left with the point of curvature azimuth from the radial point being: 323' 41' 27.4", and the point of tangency azimuth from the radial point being: 234' 00', having a radius of 40.00 feet, the chord azimuth and distance being: 188' 50' 43.7" 56.42 feet to a point;
8. 144' 00' 72.98 feet along same to a point;

9. 274' 52' 40" 282.90 feet along Lot 11-D-1-A-1-F of Maui Lani (Large-Lot) Subdivision No. 6 and Lot 11-D-1-A-6 of Maui Lani (Large-Lot) Subdivision No. 5, being also along the remainder of Grant 3343 to Claus Spreckels to the point of beginning and containing an Area of 0.783 Acres.





Licensed Professional Land Surveyor
Certificate No. 10008

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EXHIBIT "E" - Continued

Being a portion of the premises acquired by Deed recorded September 9, 2005 in the Bureau as Document No. 2005-181451.

SUBJECT, HOWEVER, to the following:

1. Title to all mineral and metallic mines reserved to the State of Hawaii.
2. The terms and provisions contained in Subdivision Agreement (Large Lots) recorded April 23, 1991 in the Bureau as Document No. 91-051286, by and among Alexander & Baldwin, Inc., Maui Lani Partners, and the County of Maui.
3. The terms and provisions contained in Subdivision Agreement (Large Lots) recorded June 26, 1991 in the Bureau as Document No. 91-085078, by and between Maui Lani Partners and the County of Maui.
4. The terms and provisions contained in Subdivision Agreement (Large Lots) recorded July 20, 1995 in the Bureau as Document No. 95-094143, by and among Maui Lani Partners, HRT, Ltd. and the County of Maui.

END OF EXHIBIT "E"

**Maui Lani Parkway Road Lot Subdivision IV
Description of Proposed Lot 11-C-5
(Maui Lani Parkway)**

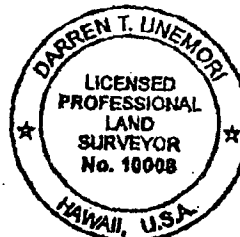
Land situated on the northwesterly side of Kuihelani Highway
(F.A.S.P. No. S-0380(4)) at Wailuku, Maui, Hawaii

Being a portion of Grant 3343 to Claus Spreckels

Beginning at a point on the northernmost corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 6,138.26 feet South and 6,406.79 feet East and running by azimuths measured clockwise from True South:

1. Thence along Lot 11-C-1 of Maui Lani Parkway Road Lot Subdivision IV, being also along the remainder of Grant 3343 to Claus Spreckels on a curve to the right with the point of curvature azimuth from the radial point being: 207° 40', and the point of tangency azimuth from the radial point being: 225° 04', having a radius of 1,550.00 feet, the chord azimuth and distance being: 306° 22' 468.91 feet to a point;
2. 315° 04' 232.06 feet along same to a point;
3. Thence along the westerly side of Kuihelani Highway (F.A.S.P. No. S-0380(4)) on a curve to the left with the point of curvature azimuth from the radial point being: 134° 57' 49", and the point of tangency azimuth from the radial point being: 134° 28' 8.5", having a radius of 11,584.16 feet, the chord azimuth and distance being: 44° 42' 58.75" 100.00 feet to a point;

4. 135° 04' 232.67 feet along Lot 11-C-2 of Maui Lani Parkway Road Lot Subdivision IV, being also along the remainder of Grant 3343 to Claus Spreckels to a point;
5. Thence along same on a curve to the left with the point of curvature azimuth from the radial point being: 225° 04', and the point of tangency azimuth from the radial point being: 207° 40', having a radius of 1,450.00 feet, the chord azimuth and distance being: 126° 22' 438.66 to a point;
6. 207° 40' 100.00 feet along Lot 11-D-1-A-8 of Maui Lani (Large-Lot) Subdivision No. 5, being also along the remainder of Grant 3343 to Claus Spreckels to the point of beginning and containing an Area of 1.579 Acres.



[Handwritten Signature]

 Licensed Professional Land Surveyor
 Certificate No. 10008

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EXHIBIT "F" - Continued

Being a portion of the premises acquired by Deed recorded September 9, 2005 in the Bureau as Document No. 2005-181451.

SUBJECT, HOWEVER, to the following:

1. Title to all mineral and metallic mines reserved to the State of Hawaii.
2. The terms and provisions contained in Subdivision Agreement (Large Lots) recorded April 23, 1991 in the Bureau as Document No. 91-051286, by and among Alexander & Baldwin, Inc., Maui Lani Partners, and the County of Maui.
3. The terms and provisions contained in Subdivision Agreement (Large Lots) recorded June 26, 1991 in the Bureau as Document No. 91-085078, by and between Maui Lani Partners and the County of Maui.
4. The terms and provisions contained in Subdivision Agreement (Large Lots) recorded July 20, 1995 in the Bureau as Document No. 95-094143, by and among Maui Lani Partners, HRT, Ltd. and the County of Maui.
5. Easement S-1 for sewer purposes, as described in Grants of Easements dated May 3, 2012, recorded May 3, 2012 in the Bureau as Document Nos. A-45060863A through A-45060863B.
6. Easement G-6 for irrigation waterline and electrical purposes, as described in Grants of Easements dated May 3, 2012, recorded May 3, 2012 in the Bureau as Document Nos. A-45060863A through A-45060863B.

END OF EXHIBIT "F"