

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

August 14, 2006

Committee
Report No.

06-88

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

Chair and Members:

Your Committee of the Whole, having met on July 18, 2006, makes reference to County Communication No. 06-129, from the Director of Finance, transmitting a proposed resolution entitled, "AUTHORIZING THE SALE OF A COUNTY ROAD REMNANT PARCEL LOCATED IN MAKAWAO, MAUI, HAWAII, PURSUANT TO SECTIONS 3.44.020 AND 3.44.050, MAUI COUNTY CODE, AND SECTIONS 264-1 AND 264-3, HAWAII REVISED STATUTES".

The purpose of the proposed resolution is to authorize the sale of a County road remnant parcel adjacent to Olinda Road in Makawao, Maui, identified as TMK: (2) 2-4-19:005, consisting of approximately 9,116 square feet, to John T. Vail, an abutting landowner, for \$13,250 plus closing costs.

By correspondence dated July 11, 2006, the Department of the Corporation Counsel transmitted a revised proposed resolution entitled "AUTHORIZING THE SALE OF A COUNTY ROAD REMNANT PARCEL LOCATED IN MAKAWAO, MAUI, HAWAII, PURSUANT TO SECTION 3.44.020, MAUI COUNTY CODE, AND SECTIONS 264-1 AND 264-3, HAWAII REVISED STATUTES".

The revised proposed resolution removes reference to the procedure for the sale of County real property by way of negotiation set forth in Section 3.44.050, Maui County Code.

At its meeting, your Committee met with the Director of Finance, the First Deputy Corporation Counsel, and John T. Vail.

There was no public testimony.

The Director of Finance provided a brief overview of the request noting that an appraisal for the remnant parcel was conducted in January 2006, and that the abutting property owner has agreed to purchase the property for \$13,250 plus closing costs, including the \$2,500 appraisal fee.

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The Director of Finance confirmed that the County has no current use for the property and does not anticipate needing it in the future. He said that the purchaser intends to subdivide the remnant parcel from the adjacent roadway parcel and consolidate it with his abutting property. He also stated that the purchaser does not intend to build on the remnant parcel and has agreed to provide the County with any necessary easements. The Director of Finance indicated that the additional terms agreed to by the purchaser will be incorporated into the deed for the property.

Your Committee voted to recommend adoption of the revised proposed resolution and filing of the communication.

Your Committee of the Whole RECOMMENDS the following:

1. That Resolution No. _____, as revised herein and attached hereto, entitled "AUTHORIZING THE SALE OF A COUNTY ROAD REMNANT PARCEL LOCATED IN MAKAWAO, MAUI, HAWAII, PURSUANT TO SECTION 3.44.020, MAUI COUNTY CODE, AND SECTIONS 264-1 AND 264-3, HAWAII REVISED STATUTES" be ADOPTED; and
2. That County Communication No. 06-129 be FILED.

Adoption of this report is respectfully requested.

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MICHAEL J. MOLINA **Chair**

JO ANNE JOHNSON **Member**

DAIN P. KANE **Vice-Chair**

DANNY A. MATEO **Member**

MICHELLE ANDERSON **Member**

JOSEPH PONTANILLA **Member**

ROBERT CARROLL **Member**

CHARMAINE TAVARES **Member**

G. RIKI HOKAMA **Member**