

LAND COURT

REGULAR SYSTEM

AFTER RECORDATION, RETURN BY: MAIL (XX) PICKUP ( )

Development Services Administration  
County of Maui  
110 Alaihi Street, Suite 214  
Kahului, Maui, Hawaii 96732  
S:\ALL\FORMS\Public Works\HHA - Driveway (rev 05.2019).doc

Tax Map Key No.: (2) \_\_\_\_\_

Total Number of Pages: \_\_\_\_\_

**HOLD HARMLESS AGREEMENT**

THIS AGREEMENT is entered into by and between \_\_\_\_\_

\_\_\_\_\_ ,  
whose mailing address is \_\_\_\_\_ ,

(hereinafter "Owner"), and the COUNTY OF MAUI, a political subdivision of the State of Hawaii, whose principal place of business and mailing address is 200 South High Street, Wailuku, Hawaii 96793 (hereinafter "County").

Chapter 12.08 of the Maui County Code ("MCC"), as well as the national standards, specifications, and requirements used in applying the provisions of Chapter 12.08, MCC, require that driveways in the County of Maui have specified sight distance. The undersigned owner(s) of the property located at \_\_\_\_\_, Hawaii, Tax Map Key Number (2) \_\_\_\_\_ ("Subject Property"), hereby acknowledge(s) and agree(s) that the Subject Property does not meet the specified sight distance requirements for its driveway as required by Chapter 12.08, MCC. As a condition to, and in consideration of, the County's granting of a driveway and/or building permit for the Subject Property, the undersigned hereby agree(s) to indemnify, defend and hold the County of Maui, its employees, officers, agents and assigns, harmless from and against any claim or demand for loss, liability or damage, including, but not limited to, claims for property damage, personal injury or death, arising out of any accident, incident or occurrence on the Subject Property, and any sidewalks and roadways adjacent thereto, or occasioned by any act or nuisance made or suffered on the Subject Property, and from and against all action, suits, damages, and claims by whomsoever brought or made, alleged to have been caused by inadequate sight distance of the driveway.

The undersigned further expressly acknowledge(s) and agree(s) that this Agreement shall run with the land and shall bind and constitute notice to all subsequent grantees, mortgagees, lienors, and any other person or entity who claims an interest in the Subject Property.

This Agreement may be executed in counterparts, each of which shall be deemed an original, and said counterparts shall together constitute one and the same Agreement.

IN WITNESS WHEREOF, the Parties hereto have caused this instrument to be duly executed, which shall become effective as of the date of the last signature hereto.

PROPERTY OWNER(S):

**For Individual Use Only**

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

**OR**

**For Trust/Corporation/  
Partnership/Company Use only**

\_\_\_\_\_  
(Print Name of Trust/Corporation/Partnership/Company)

By: \_\_\_\_\_  
(Signature)

Print Name: \_\_\_\_\_

Its: \_\_\_\_\_  
(Title)

Date: \_\_\_\_\_

By: \_\_\_\_\_  
(Signature)

Print Name: \_\_\_\_\_

Its: \_\_\_\_\_  
(Title)

Date: \_\_\_\_\_

COUNTY OF MAUI

By: \_\_\_\_\_  
MICHAEL P. VICTORINO  
Its Mayor

Date: \_\_\_\_\_

APPROVED AS TO FORM  
AND LEGALITY

\_\_\_\_\_  
Deputy Corporation Counsel  
County of Maui

STATE OF HAWAII                    )  
                                                  ) SS.  
COUNTY OF MAUI                    )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me appeared MICHAEL P. VICTORINO, to me personally known, who being by me duly sworn did say that he is the Mayor of the County of Maui, a political subdivision of the State of Hawaii, and that the seal affixed to the foregoing instrument is the lawful seal of the said County of Maui, and that the said instrument was signed and sealed on behalf of said County of Maui by authority of its Charter, and the said MICHAEL P. VICTORINO acknowledged the said instrument to be the free act and deed of said County of Maui.

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

[Stamp or Seal]

\_\_\_\_\_  
Notary Public, State of Hawaii

Printed 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 MAUI                    )

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

Printed Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

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

STATE OF HAWAII                    )  
                                                  ) SS.  
COUNTY OF MAUI                    )

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

[Stamp or Seal]

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Notary Public, State of Hawaii

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