

ORDINANCE NO. 4145

BILL NO. 51 (2014)

A BILL FOR AN ORDINANCE TO AMEND THE KIHEI-MAKENA COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURE TO MULTI-FAMILY, SINGLE-FAMILY AND COMMERCIAL FOR TAX MAP KEY NUMBERS (2) 3-8-004:002 (POR.), (2) 3-8-004:022 (POR.), AND (2) 3-8-004:030 (POR.), KIHEI, MAUI, HAWAII

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Pursuant to Chapter 2.80B, Maui County Code, the Kihei-Makena Community Plan and Land Use Map is hereby amended from Agriculture to Multi-Family for approximately 52.823 acres in Kihei, Maui, Hawaii, identified for real property tax purposes by Tax Map Key Numbers (2) 3-8-004:002 (por.) and (2) 3-8-004:022 (por.), and more particularly described in Exhibit "A", attached hereto and made a part hereof, and in Community Plan Map No. CP-535, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

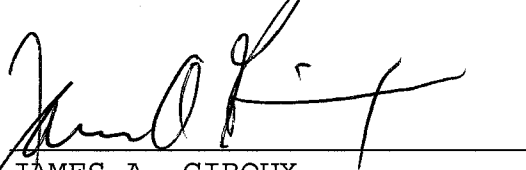
SECTION 2. Pursuant to Chapter 2.80B, Maui County Code, the Kihei-Makena Community Plan and Land Use Map is hereby amended from Agriculture to Multi-Family for approximately 15.077 acres in Kihei, Maui, Hawaii, identified for real property tax purposes by Tax Map Key Numbers (2) 3-8-004:002 (por.) and (2) 3-8-004:030 (por.), and more particularly described in Exhibit "C", attached hereto and made a part hereof, and in Community Plan Map No. CP-535, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 3. Pursuant to Chapter 2.80B, Maui County Code, the Kihei-Makena Community Plan and Land Use Map is hereby amended from Agriculture to Single-Family for approximately 25.031 acres in Kihei, Maui, Hawaii, identified for real property tax purposes by Tax Map Key Numbers (2) 3-8-004:002 (por.) and (2) 3-8-004:030 (por.), and more particularly described in Exhibit "B", attached hereto and made a part hereof, and in Community Plan Map No. CP-535, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 4. Pursuant to Chapter 2.80B, Maui County Code, the Kihei-Makena Community Plan and Land Use Map is hereby amended from Agriculture to Commercial for approximately 1.421 acres in Kihei, Maui, Hawaii, identified for real property tax purposes by Tax Map Key Number (2) 3-8-004:030 (por.), and more particularly described in Exhibit "D", attached hereto and made a part hereof, and in Community Plan Map No. CP-535, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 5. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM  
AND LEGALITY:



JAMES A. GIROUX  
Deputy Corporation Counsel  
County of Maui

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DESCRIPTION

PARCEL A

TAX MAP KEY: (2) 3-8-004:002 (PORTION)  
AND 022 (PORTION)

BEING ALSO

PORTION OF LOT 5  
OF  
PULEHUNUI PLAINS SUBDIVISION

All of that certain parcel of land, being a portion of Lot 5 of the Pulehunui Plains Subdivision, being also a portion of Royal Patent 8140, Land Commission Award 5230 to Keawearnahi situated at Pulehunui, Kihei, Island and County of Maui, State of Hawaii

Beginning at a pipe at the northwesterly corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA" being 14,494.17 feet South and 26,957.48 feet West and running by azimuths measured clockwise from True South:

1.	278° 33' 53"	181.65 feet	along Lot 7 of the Pulehunui Plains Subdivision to a pipe;
2.	216° 47' 53"	338.00 feet	along same to a pipe;
3.	263° 06' 53"	335.00 feet	along same to a pipe;
4.	287° 59' 53"	511.00 feet	along same to a pipe;
5.	302° 16' 53'	406.00 feet	along same to a pipe;
6.	306° 31' 53"	153.50 feet	along same to a pipe;
7.	294° 41' 53"	227.60 feet	along same to a pipe;
8.	310° 16' 53"	210.80 feet	along same to a pipe;
9.	354° 59' 53"	48.00 feet	along same to a pipe;
10.	307° 01' 53"	85.00 feet	along same to a pipe;

11.	313° 51' 53"	141.00 feet	along same to a pipe;
12.	323° 46' 53"	100.30 feet	along same to a pipe;
13.	311° 33' 53"	233.75 feet	along same to a pipe;
14.	323° 46' 53"	180.00 feet	along same to a pipe;
15.	306° 01' 53"	131.00 feet	along same to a pipe;
16.	284° 29' 53"	256.00 feet	along same to a pipe;
17.	289° 31' 53"	472.25 feet	along same to a pipe;
18.	92° 58' 53"	1,804.74 feet	along Waiakoa (being along T.M.K: (2) 2-2-002:016) to a pipe;
19.	115° 09' 23"	1,223.54 feet	along Lot 134-A of the Hale Pihani Subdivision - Phase II (F. P. 1894) to a pipe;
20.	131° 28' 43"	599.16 feet	along Lot 134-B and Lot 147 of the Hale Pihani Subdivision - Phase II (F. P. 1894) to a pipe;
21.	182° 12' 03"	280.07 feet	along the remainder of Lot 5 of the Pulehunui Plains Subdivision to the point of beginning and containing an Area of 52.823 Acres.

Prepared by: A&B Properties, Inc.  
Kahului, Maui, Hawaii

October 19, 2012

This work was prepared by me or under my supervision.



*Ken T. Nomura* 4/30/2014  
 Ken T. Nomura  
 Licensed Professional Land Surveyor  
 Certificate No. LS-7633  
 Expiration Date: 4/30/2014

DESCRIPTION

PARCEL B

TAX MAP KEY: (2) 3-8-004:002 (PORTION)  
AND 030 (PORTION)

BEING ALSO

PORTION OF LOT 5  
OF  
PULEHUNUI PLAINS SUBDIVISION

All of that certain parcel of land, being a portion of Lot 5 of the Pulehunui Plains Subdivision, being also a portion of Royal Patent 8140, Land Commission Award 5230 to Keaweamahi situated at Pulehunui, Kihei, Island and County of Maui, State of Hawaii

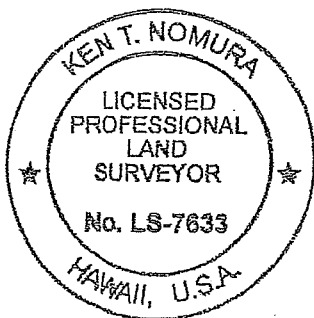
Beginning at a pipe at the northwesterly corner of this parcel, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA" being 14,172.29 feet South and 29,370.30 feet West and running by azimuths measured clockwise from True South:

1.	272° 01' 53"	195.72 feet	along Lot 2 of the Pulehunui Plains Subdivision to a pipe;
2.	262° 41' 53"	275.00 feet	along same to a pipe;
3.	257° 28' 53"	429.00 feet	along same to a pipe;
4.	275° 33' 53"	139.00 feet	along same to a pipe;
5.	261° 01' 53"	153.65 feet	along same to a pipe;
6.	297° 33' 53"	192.00 feet	along same to a pipe;
7.	290° 26' 53"	420.00 feet	along same and along Lot 7 of the Pulehunui Plains Subdivision to a pipe;
8.	264° 16' 53'	269.00 feet	along Lot 7 of the Pulehunui Plains Subdivision to a pipe;
9.	275° 56' 53"	90.00 feet	along same to a pipe;

10.	294° 01' 53"	178.80 feet	along same to a pipe;
11.	317° 01' 53"	222.00 feet	along same to a pipe;
12.	2° 12' 03"	280.07 feet	along the remainder of Lot 5 of the Pulehunui Plains Subdivision to a pipe;
13.	98° 30' 53"	1,616.00 feet	along Lots 147 to 171, inclusive and Lot 122 of the Hale Piilani Subdivision - Phase II (F. P. 1894) to a pipe;
14.	83° 04' 23"	728.00 feet	along Lots 122 to 112, inclusive of the Hale Piilani Subdivision - Phase II (F. P. 1894) to a pipe;
15.	78° 00' 53"	91.64 feet	along Lot 109 of the Hale Piilani Subdivision - Phase II [F. P. 1894] to a pipe;
16.	181° 01' 53"	469.38 feet	along the remainder of Lot 5 of the Pulehunui Plains Subdivision to the point of beginning and containing an Area of 25.031 Acres.

Prepared by: A&B Properties, Inc.  
Kahului, Maui, Hawaii

October 19, 2012



This work was prepared by me or under my supervision.

*Ken T. Nomura* 9/20/2014

Ken T. Nomura  
Licensed Professional Land Surveyor  
Certificate No. LS-7633  
Expiration Date: 4/30/2014

DESCRIPTION

PARCEL C

TAX MAP KEY: (2) 3-8-004:002 (PORTION)  
AND 030 (PORTION)

BEING ALSO

PORTION OF LOT 5  
OF  
PULEHUNUI PLAINS SUBDIVISION

All of that certain parcel of land, being a portion of Lot 5 of the Pulehunui Plains Subdivision, being also a portion of Royal Patent 8140, Land Commission Award 5230 to Keaweamahi situated at Pulehunui, Kihei, Island and County of Maui, State of Hawaii

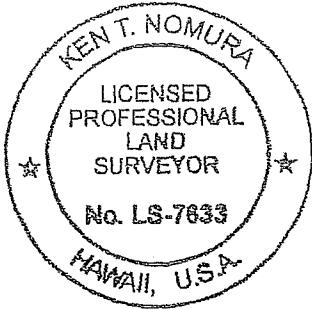
Beginning at a pipe at the northeasterly corner of this lot, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA" being 14,172.29 feet South and 29,370.30 feet West and running by azimuths measured clockwise from True South:

1. 1° 01' 53" 469.38 feet along the remainder of Lot 5 of the Pulehunui Plains Subdivision to a pipe;
2. 78° 00' 53" 69.36 feet along Lot 109 of the Hale Piihoni Subdivision - Phase II (F. P. 1894) to a pipe;
3. 82° 51' 53" 455.57 feet along Lots 108, 101 and 100 of the Hale Piihoni Subdivision - Phase II (F. P. 1894) to a pipe;
4. Thence along the northeasterly side of Kaiwahine Street on a curve to the left with a radius of 530.00 feet, the chord azimuth and distance being:  
94° 24' 56" 212.25 feet to a pipe;
5. 172° 51' 53" 10.00 feet along the northeasterly side of Kaiwahine Street to a pipe;

6. 82° 51' 53" 70.00 feet along same to a pipe;
7. Thence along the remainder of Lot 5 of the Pulehunui Plains Subdivision on a curve to the right with a radius of 180.00 feet, the chord azimuth and distance being:  
194° 00' 15.5" 159.31 feet to a point;
8. Thence along same on a curve to the right with a radius of 63.00 feet, the chord azimuth and distance being:  
166° 21' 13" 46.57 feet to a point;
9. Thence along same on a curve to the left with a radius of 575.00 feet, the chord azimuth and distance being:  
99° 25' 408.72 feet to a pipe;
10. 131° 43' 42" 556.67 feet along the northeasterly side of Piihahi Highway [F.A.P. No. F-RF-031-1(5)] to a pipe;
11. 175° 46' 53" 24.39 feet along Lot 1 of the Pulehunui Plains Subdivision to a pipe;
12. 218° 31' 53" 30.00 feet along same to a pipe;
13. 285° 02' 53" 407.10 feet along same to a pipe;
14. 280° 03' 53" 242.00 feet along same and along Lot 2 of the Pulehunui Plains Subdivision to a pipe;
15. 269° 27' 53" 151.20 feet along Lot 2 of the Pulehunui Plains Subdivision to a pipe;
16. 239° 26' 53" 258.75 feet along same to a pipe;
17. 275° 31' 53" 228.00 feet along same to a pipe;
18. 303° 26' 53" 185.00 feet along same to a pipe;
19. 278° 41' 53" 140.00 feet along same to a pipe;
20. 272° 01' 53" 59.78 feet along same to the point of beginning and containing an Area of 15.077 Acres.



This work was prepared by me or under my supervision.



*Ken T. Nomura* 4/30/2014

Ken T. Nomura  
Licensed Professional Land Surveyor  
Certificate No. LS-7633  
Expiration Date: 4/30/2014

DESCRIPTION

PARCEL D

TAX MAP KEY: (2) 3-8-004:030 (PORTION)

BEING ALSO

PORTION OF LOT 5  
OF  
PULEHUNUI PLAINS SUBDIVISION

All of that certain parcel of land, being a portion of Lot 5 of the Pulehunui Plains Subdivision, being also a portion of Royal Patent 8140, Land Commission Award 5230 to Keaweamaʻohi situated at Pulehunui, Kihei, Island and County of Maui, State of Hawaii

Beginning at a pipe at the southwesterly corner of this lot, on the northeasterly side of Piilani Highway [F. A. P. No. F-RF-031-1(5)], the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA" being 14,712.86 feet South and 30,237.57 feet West and running by azimuths measured clockwise from True South:

1. 131° 43' 42" 427.50 feet along the northeasterly side of Piilani Highway [F.A.P. No. F-RF-031-1(5)] to a pipe;
2. Thence along the remainder of Lot 5 of the Pulehunui Plains Subdivision on a curve to the right with a radius of 575.00 feet, the chord azimuth and distance being: 279° 25' 408.72 feet to a point;
3. Thence along same on a curve to the left with a radius of 63.00 feet, the chord azimuth and distance being: 346° 21' 13" 46.57 feet to a point;
4. Thence along same on a curve to the left with a radius of 180.00 feet, the chord azimuth and distance being: 14° 00' 15.5" 159.31 feet to a pipe;

5. Thence along the northeasterly side of Kaiwahine Street on a curve to the left with a radius of 165.00 feet, the chord azimuth and distance being:  
72° 30' 14" 59.35 feet to the point of beginning and containing an Area of 1.421 Acres.

Prepared by: A&B Properties, Inc.  
Kahului, Maui, Hawaii

October 19, 2012

This work was prepared by me or under my supervision.



*Ken T. Nomura* 4/30/2014  
\_\_\_\_\_  
Ken T. Nomura  
Licensed Professional Land Surveyor  
Certificate No. LS-7633  
Expiration Date: 4/30/2014

WE HEREBY CERTIFY that the foregoing BILL NO. 51 (2014)

1. Passed FINAL READING at the meeting of the Council of the County of Maui, State of Hawaii, held on the 1st day of August, 2014, by the following vote:

Gladys C. BAISA Chair	Robert CARROLL Vice-Chair	Eleanora COCHRAN	Donald G. COUCH, JR.	S. Stacy CRIVELLO	Donald S. GUZMAN	G. Riki HOKAMA	Michael P. VICTORINO	Michael B. WHITE
Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye

2. Was transmitted to the Mayor of the County of Maui, State of Hawaii, on the 1st day of August, 2014.

DATED AT WAILUKU, MAUI, HAWAII, this 1st day of August, 2014.

RECEIVED  
2014 AUG -1 PM 2:05  
OFFICE OF THE MAYOR

GLADYS C. BAISA, CHAIR  
Council of the County of Maui

DENNIS A. MATEO, COUNTY CLERK  
County of Maui

THE FOREGOING BILL IS HEREBY APPROVED THIS 1 DAY OF August, 2014.

ALAN M. ARAKAWA, MAYOR  
County of Maui

I HEREBY CERTIFY that upon approval of the foregoing BILL by the Mayor of the County of Maui, the said BILL was designated as ORDINANCE NO. **4145** of the County of Maui, State of Hawaii.

DENNIS A. MATEO, COUNTY CLERK  
County of Maui

Passed First Reading on July 22, 2014.  
Effective date of Ordinance August 1, 2014

RECEIVED  
2014 AUG -4 AM 8:17  
OFFICE OF THE COUNTY CLERK

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 4145, the original of which is on file in the Office of the County Clerk, County of Maui, State of Hawaii.

Dated at Wailuku, Hawaii, on

\_\_\_\_\_  
County Clerk, County of Maui