

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii 96819

January 12, 2018

Chairperson and Members
Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Land Board Members:

SUBJECT: CONTINUATION OF A REVOCABLE PERMIT (“RP”) TO A&K VENTURES LLC, FOR PURPOSES OF LANDSCAPING, MAINTENANCE, STORAGE OF SMALL BOATS AND TRAILERS AND OTHER ACTIVITIES AT MALA WHARF AND SURROUNDING AREAS, ALAMIHI, LAHAINA, MAUI, HAWAII, IDENTIFIED BY TAX MAP KEY: (2) 4-5-005: 019 (POR.)

APPLICANT:

A&K Ventures, LLC, whose business and mailing address is 2191 Kolepa Street, Lahaina, Hawaii 96761.

LEGAL REFERENCE:

Sections 171-33 and -55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Mala Wharf and Surrounding Areas, Alamihi, Lahaina, Maui, Hawaii, hereinafter referred to as the “Premises” as shown on the map labeled EXHIBIT A and attached hereto.

AREA:

Approximate area of 18,644 square feet.

ZONING:

State Land Use District: Urban
County of Maui: CZO: R-1 Residential

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act: YES

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: NO

CURRENT USE STATUS:

Encumbered by RP No. 47, to A&K Ventures, (“Permittee”).

CHARACTER OF USE:

Occupy and use the Premises for the following specified purposes only: for purposes of landscaping, maintenance and storage of small boats and trailers. The Permittee may also occupy and use the premises for any other uses permitted under applicable County Zoning, subject to the prior approval of the Chairperson of the Board and the Permittee’s compliance with Chapter 343, Hawaii Revised Statutes.

COMMENCEMENT DATE:

March 1, 2018

MONTHLY RENTAL:

Base rent of three thousand six hundred-fourteen and no/100 (\$3,614.00) per month, or percentage rent of ten percent (10%) of monthly gross sales, whichever is greater, payable in advance by the first of each and every month.

COLLATERAL SECURITY DEPOSIT:

Twice the Monthly Rental.

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>X</u>	NO
Registered business name confirmed:	YES <u>X</u>	NO
Applicant in good standing confirmed:	YES <u>X</u>	NO

REMARKS:

The Division of Boating and Ocean Recreation (DOBOR) will be requesting for the issuance of a long-term lease by way of Public Auction. Until such time DOBOR is requesting approval for the continuation of the RP to A&K Ventures, LLC, for purposes of landscaping, maintenance, storage of small boats and trailers and other activities at Mala Wharf and surrounding areas, in order to ensure there is a continuous uninterrupted presence on the site that will help to deter any unwanted activity that usually occurs on vacant lands.

RECOMMENDATION:

That the Board of Land and Natural Resources:

1. Authorize the continuation of the RP to A&K Ventures, LLC for all purposes under the terms and conditions cited above, which are by this reference, incorporated herein and further subject to the following:
 - a. The standard terms and conditions of the most current Revocable Permit form, as may be amended from time to time; and
 - b. Review and approval by the Department of the Attorney General.
 - c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



EDWARD R. UNDERWOOD, Administrator
Division of Boating & Ocean Recreation

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE, Chairperson
Board of Land and Natural Resources

Attachment:

- A. Aerial Map of A&K Ventures, LLC, situated at Mala Wharf, Lahaina, Maui

Mala Wharf
EXHIBIT A

Legend
Mala Boat Ramp



Ala Moana St

Google Earth

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400 ft