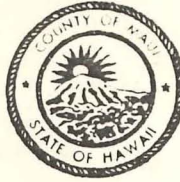


MAUI PLANNING COMMISSION  
Mary Cabuslay, Chairman  
Stanley Okamoto, Vice Chairman  
Victoria Chung  
Marlene Kaahui  
Ralph Hayashi, Ex-Officio  
William Haines, Ex-Officio



HANNIBAL TAVARES  
Mayor

TOSH ISHIKAWA  
Planning Director

CHRISTOPHER L. HART  
Deputy Planning Director

*file*

COUNTY OF MAUI  
PLANNING DEPARTMENT

200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793

*TMK 4-4-085*

April 23, 1982

Mr. Arthur K. Goto  
Kashiwa, Iwai, Motooka, and Goto  
225 Queen Street, Suite 302  
Honolulu, HI 96813

Dear Mr. Goto:

Re: *Sheraton-Maui* Public Beach Right-of-Way

Thank you for your letter of April 16, 1982 notifying this Department that work has commenced on the public beach right-of-way as of April 15. On April 19, while on site inspections in the Lahaina area, members of the Planning Commission and Planning Department staff visited the site and verified the start of construction.

Also, please be advised that the Planning Department is anticipating a project completion date of April 30, 1982.

Thank you for your cooperation. Should further clarification be required, please contact this office.

Very truly yours

CHRISTOPHER L. HART  
Deputy Planning Director

WM:hk

cc: H. Nakamura  
H. R. Betts  
R. Masuda  
G. Archer  
A. Shinmoto  
✓ T. Ishikawa

MAUI PLANNING COMMISSION  
Roxelis Taddol, Chairman  
Mary Cabislaw, Vice Chairman  
Victoria Chung  
Marlene Kaahui  
Stanley Okamoto  
Wesley Wong  
Ralph Hayashi, Ex-Officio  
William Haines, Ex-Officio



HANNIBAL TAVARES  
Mayor

TOSH ISHIKAWA  
Planning Director

CHRISTOPHER L. HART  
Deputy Planning Director

COUNTY OF MAUI  
PLANNING DEPARTMENT

200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793

March 15, 1982

Mr. Arthur K. Goto, Attorney  
Kashiwa, Iwai, Motooka and Goto  
225 Queen Street, Suite 302  
Honolulu, HI 96813

Dear Mr. Goto:

Re: Sheraton Maui Beach Right of Way (BROW)  
at TMK 4-4-08:5, Kaanapali, Maui.

Thank you for your letters dated March 4 & 5, 1982 informing the Planning Department of current progress in the completion of the above BROW. Please be advised that this office takes exception to your interpretation of Item #2a regarding the six (6) ft. turnaround area as follows:

My communication with Mr. Nishizaki resulted in the understanding that said turnaround area which would require the addition of six feet of pavement to the parking area should be retained to provide adequate vehicular maneuvering space, and that a pedestrian link between the parking and BROW should also be incorporated resolving the apparent two (2) ft. grade difference.

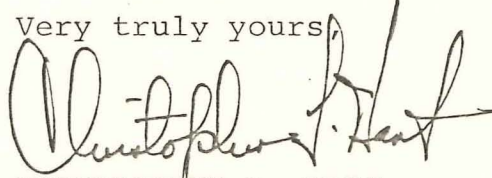
The direct pedestrian link is defined specifically for your consideration on the attached "Detail Entry Plan." The parking area and the BROW walkway will require the construction of stairs or a pedestrian ramp.

A further review of your letter indicates that progress is being made from an administrative level; however, we feel that it is time for a written commitment as to the dates for commencing and completing construction.

Mr. Arthur K. Goto  
March 15, 1982  
Page Two

Should additional clarification be required, please  
contact this office at 244-7735.

Very truly yours,

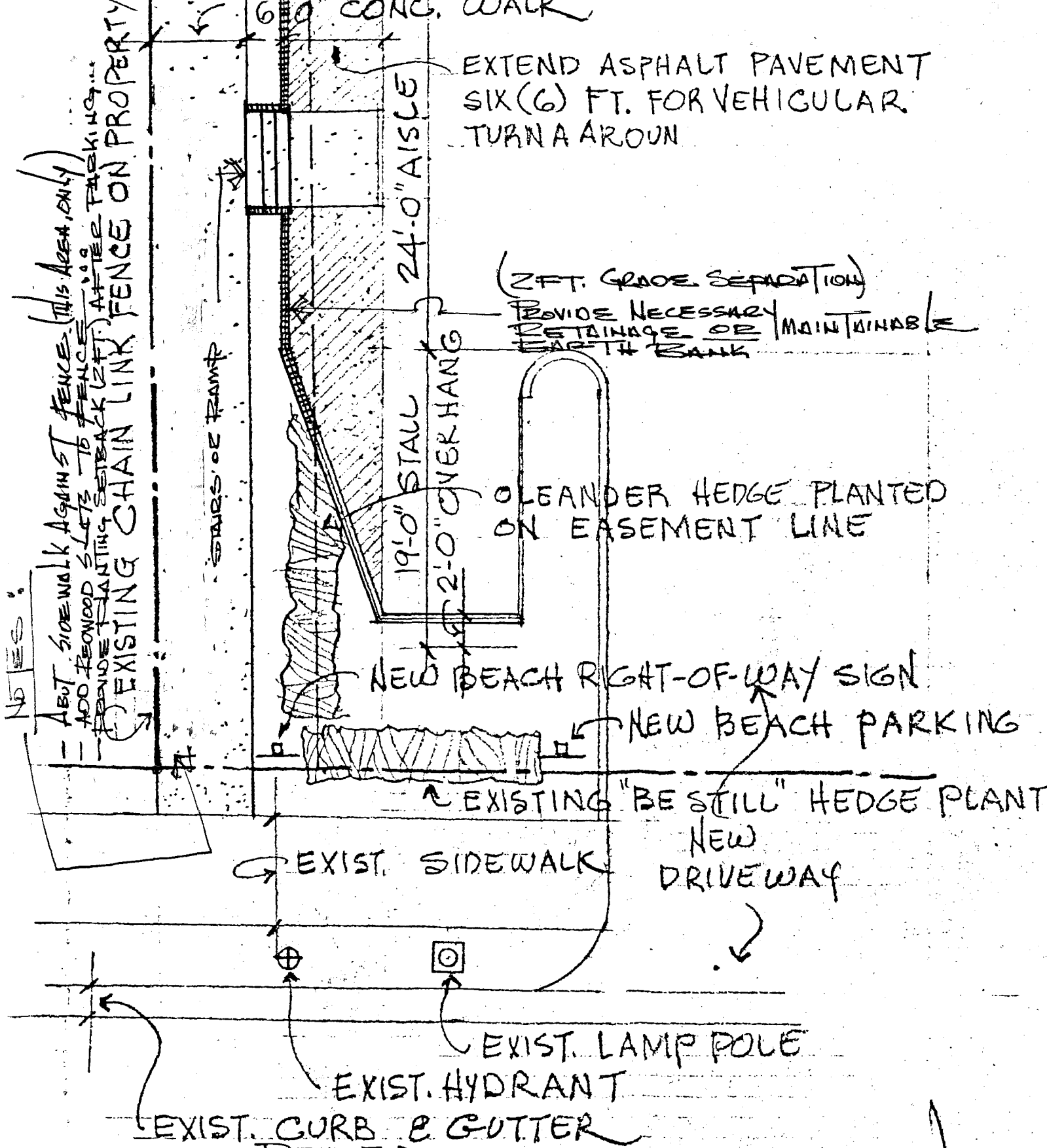
A handwritten signature in black ink, appearing to read "Christopher L. Hart". The signature is written in a cursive style with a long horizontal stroke at the end.

CHRISTOPHER L. HART  
Deputy Planning Director

CLH:di

Attachment

cc: E. Nishizaki  
H. Nakamura  
R. Betts  
G. Archer  
✓ T. Ishikawa  
A. Shinmoto



8 FEB. '82  
 3 JULY 81  
 30 JUN '81

REVISED...  
**DETAIL ENTRY PLAN**

1/8" = 1'-0"

**WIMBERLY, WHISENAND, ALLISON, TONG &**  
 ARCHITECTS LTD 2222 KALAKAUA AVENUE PENTHOUSE HONOLULU, HAWAII 96815 TELEPHONE 922-1253 CA

KASHIWA, IWAI, MOTOOKA AND GOTO

ATTORNEYS AT LAW

A LAW CORPORATION

SUITE 302 TOWN TOWER AT HARBOUR SQUARE

225 QUEEN STREET

HONOLULU, HAWAII 96813

PLANNING  
COUNTY OF MAUI

GENRO KASHIWA  
WILFRED K. IWAI  
MILTON M. MOTOOKA  
ARTHUR K. GOTO  
PETER T. KASHIWA

TELEPHONE (808) 521-4943

TELEGRAPHIC ADDRESS  
"KASHLAW HONOLULU"

TELEX 7430338

CALL BACK "KKLAW"

March 4, 1982

Mr. Christopher L. Hart  
Maui Planning Commission  
County of Maui  
200 S. High Street  
Wailuku, Maui 96793

Dear Mr. Hart:

Re: Sheraton Maui Hotel Beach Access Easement

1. This is a status report to keep you advised on the progress of this matter.

2. We have implemented the requirements contained in the SMA permit by the following actions to date:

a. The plans for the construction of the sidewalk and installation of a driveway have been revised per your letter of February 3, 1982. I understand that Mr. Nishizaki, the general manager has discussed a possible revision of the plans to eliminate the six foot additional paved area in the parking lot because of the ground configuration between the end of the existing paved parking area and the sidewalk. You previously indicated your concurrence to the plan bearing revision date February 13, 1982.

b. The existing landscaping in the easement area has been trimmed in preparation of the paving work.

c. Existing pipes for the sprinkler system in the easement area have been capped.

d. An independent licensed surveyor has staked out the ten-foot boundary of the easement so the oleander can be planted on that line.

e. Three bids for the contractual paving and related portions of the improvement have been obtained.

Mr. Christopher L. Hart  
March 4, 1982  
Page 2

f. The hotel has been instructed to determine from the building department whether any building or driveway permit is necessary.

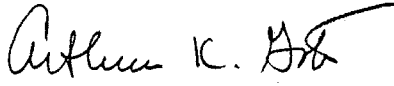
g. A revised form of the grant instrument has been transmitted to Guy Archer, Esq., Deputy Corporation Counsel for his review and approval as to form.

h. Our lease provides that consent for the construction and the grant must occur before construction. We have requested the consent to proceed with construction from the lessor. We have inquired on March 3, 1982 as to when this consent may be expected. We shall advise you of the response of the lessor as soon as it is received.

i. Our mortgage also requires that the mortgagee consent to this grant of easement. We have requested their approval. We called the mortgagee's representative on March 3, 1982, and requested permission on an oral basis to proceed with construction of the sidewalk and new driveway, while the review of the grant instrument is simultaneously occurring. The representative indicated that he foresaw no difficulty with that approach but that he would respond to that request shortly.

3. We are able to enter into a contract with the selected contractor and start the paving and installation of the new driveway as soon as the lessor's consent and the mortgagee's consent to construction is received. We shall continue to urge immediate action by the affected agencies.

Very truly yours,

  
ARTHUR K. GOTO

AKG:al

cc: Kyo-ya Company, Ltd.  
The Sheraton Corporation  
Attn: Mr. Takahashi & Mr. Nishizaki  
Robert E. Strand, Esq.  
A. James Wriston, Esq.  
Guy Archer, Esq.  
Equitable Life Assurance Society  
Attn: Mr. Gerald Flieder

IVE  
GENRO KASHIWA  
WILFRED K. IWAI  
MILTON M. MOTOOKA  
ARTHUR GOTO  
PETER T. KASHIWA  
PLANNING  
COUNTY OF MAUI

KASHIWA, IWAI, MOTOOKA AND GOTO  
ATTORNEYS AT LAW  
A LAW CORPORATION  
SUITE 302 TOWN TOWER AT HARBOR SQUARE  
225 QUEEN STREET  
HONOLULU, HAWAII 96813

TELEPHONE (808) 521-4943  
TELEGRAPHIC ADDRESS  
"KASHLAW HONOLULU"  
TELEX 7430338  
CALL BACK "KKLAW"

March 5, 1982

✓  
Mr. Christopher L. Hart  
Deputy Planning Director  
County of Maui  
Planning Department  
200 S. High Street  
Wailuku, Maui 96793

Dear Mr. Hart

Re: Sheraton Maui Beach Right-of-Way (BROW) at  
TMK 4-4-8-5, Kaanapali, Maui

1. Thank you for your letter dated March 1, 1982, which was received by us on March 5, 1982. Your letter and mine, dated March 4, 1982, crossed in the mail.

2. As additional information, please be advised that the full oleandar and other plants that were in the easement area have been removed by backhoe on March 3, 1982. The area is now ready for the paving contractor. We are prepared to issue the contract and the notice to proceed, the only matters preventing that action is the consent of the lessors, of AMFAC, and of the mortgagee. I intend to call each of those agencies on Monday, March 8, 1982 to learn their current progress on the matter.

3. The comments of your letter regarding types of plants are being incorporated. The current plans will align the south (Kaanapali Beach Hotel side) side of the sidewalk about six (6) inches from the boundary to permit the vines or hedges to grow, and to allow as much room on the opposite side of the sidewalk for the oleandar to "grow in", of course up to the four-foot height limit. I hope that you will be able to arrange your schedule to go to the site to meet with Mr. Nishizaki on the ground to work out additional details.

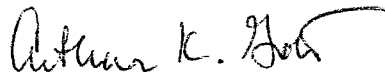
4. I also hope that my letter of March 4, and this letter

KASHIWA, IWAI, MOTOOKA AND GOTO  
ATTORNEYS AT LAW  
A LAW CORPORATION

Mr. Christopher L. Hart  
March 5, 1982  
Page 2

will suffice, for the present, to advise you of the current status  
of the project.

Very Truly Yours



Arthur K. Goto

cc: Kyo-Ya Company, Ltd.  
The Sheraton Corporation  
Attn: Mr. Stanley Takahashi  
Mr. Ernest Nishizaki  
Equitable Life Assurance Society (Mr. Flieder)  
A. James Wriston, Esq.  
Robert Strand, Esq.  
Guy Archer, Esq.  
(All cc's except Mr. Archer with  
copy of March 1, 1982 letter of  
Mr. Hart.)



KASHIWA, IWAI, MOTOOKA AND GOTO

GENRO KASHIWA  
WILFRED K. IWAI  
MILTON M. MOTOOKA  
ARTHUR K. GOTO  
PETER T. KASHIWA

ATTORNEYS AT LAW  
A LAW CORPORATION  
SUITE 302 TOWN TOWER AT HARBOR SQUARE  
225 QUEEN STREET  
HONOLULU, HAWAII 96813

TELEPHONE (808) 521-4943

TELEGRAPHIC ADDRESS  
"KASHLAW HONOLULU"

TELEX 7430338

CALL BACK "KKLAW"

March 5, 1982

Director  
Building Department  
County of Maui  
200 S. High Street  
Wailuku, Maui, Hawaii 96793

Attn: Mr. Aaron Shinmoto

Gentlemen:

Re: Sheraton Maui Hotel Beach Right-of-Way (BROW) at  
TMK 4-4-3-5, Kaanapali, Maui, Hawaii

1. This office represents Kyo-ya Company, Ltd., owner of the Sheraton Maui Hotel, which is located on property leased from the Campbell Estate at Lahaina, Maui.
2. It is our understanding that Mr. Richard Moore, the Chief Engineer at the Sheraton Maui Hotel recently inquired of your office, in particular of Mr. Shinmoto, as to whether a building permit, and/or a driveway permit would be required for the construction of the beach pedestrian right-of-way on the south boundary of the hotel. The plans for this area have been previously discussed with and approved by the County Planning Department through Mr. Christopher L. Hart, Deputy Director.
3. Mr. Moore's understanding is that no such permits are necessary in the circumstances of this case, and we may proceed with construction without such permits.
4. If our understanding is incorrect, kindly advise us so

KASHIWA, IWAI, MOTOOKA AND GOTO

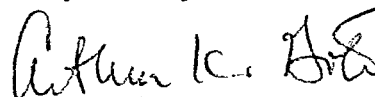
ATTORNEYS AT LAW

A LAW CORPORATION

Director  
Building Department  
March 5, 1982  
Page 2

that we may comply with any requirements in this regard. Otherwise we shall proceed based on our understanding.

Very Truly Yours



Arthur K. Goto

cc: Kyo-Ya Company, Ltd.  
The Sheraton Corporation  
Attn: Messrs. Takahashi, Nishizaki, Moore  
Maui County Planning Department  
Attn: Mr. Chris Hart  
Guy Archer, Esq.