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May 17, 2018

Suzanne Case
Department of Land and Natural Resources
1151 Punchbowl Street, Room 325
Honolulu, Hawaii 96813

Re: Aina O Ka Hale Pili Easement.

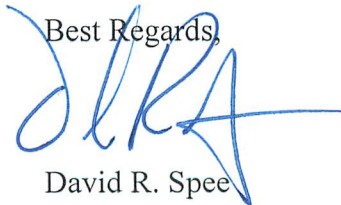
Dear Ms. Case:

I represent the Aina O Ka Hale Pili Homeowner's Association on Maui. It is a subdivision created in the 1990's. On August 28, 1995, the developer prepared and filed a Reservation of Pedestrian (Fisherman) Access Easement. It was recorded with the Bureau of Conveyances and it reserved an easement right that was temporary until a governmental agency or other entity was willing to take title to the Easement. To date the County has refused to accept the ownership of or take any responsibility for the management, public use of the easement and no State agency or other entity has been willing to accept the management, control or maintenance of the easement.

The easement crosses a very steep embankment/cliff and it is unsafe for regular travel. A problem has arisen because a local trail activists is now clearing a path through a property in the subdivision with the intent of opening it up to the public. The trail goes down such a steep embankment that a rope is necessary to keep from falling down the cliff. It is not clear why this reservation was made back in 1995 but it makes no sense due to the dangerous nature of the access.

I have drafted a "Termination of Reservation of Pedestrian (Fisherman) Access Easement" which is attached. The recitals set forth the relevant facts relating to the original Reservation and the process for terminating it. The Association would like to have both the State and the County of Maui acknowledge that they relinquish their rights in the Reservation. Please let me know if you need any additional information.

Best Regards,



David R. Spee

cc: Moana Rowland – via email (moana.rowland@hawaii.gov)