

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

April 13, 2018

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

PSF No.: 18OD-014

OAHU

Mutual Termination of Grant of Non-Exclusive Easement No. S-5366; Issuance of Perpetual, Non-Exclusive Easement to Hawaiian Electric Company, Inc. for Utility Purposes, Waimanalo, Koolauapoko, Oahu, Tax Map Key: (1) 4-1-009:282.

APPLICANT:

Hawaiian Electric Company, Inc., a domestic profit corporation.

LEGAL REFERENCE:

Sections 171-13, 17, and 95, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government land located in Waimanalo, Koolauapoko, Oahu, identified by Tax Map Key: (1) 4-1-009:282, as shown on the attached maps labeled **Exhibit A1** and **A2**.

AREA:

2,766 square feet, more or less.

ZONING:

State Land Use District: Urban
City & County of Honolulu LUO: R-5

TRUST LAND STATUS:

Section 5(e) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Encumbered by General Lease No. S-6056, Waimanalo Health Center, Lessee, for community services purposes. Lease to expire on December 31, 2079.

Right, privilege and authority to construct, use, maintain, repair, replace and remove electrical transmission lines, poles, guy wires and anchors over, under and across State-owned land, including the right to trim and keep trimmed any trees in the way of its appliances and equipment.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

One-time payment to be determined by independent appraisal establishing fair market rent, subject to review and approval by the Chairperson.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

The Final Environmental Assessment for the development of the new facility at the subject location, including the relocation of the subject easement, was published in the OEQC's Environmental Notice on February 23, 2014 with a finding of no significant impact (FONSI).

DCCA VERIFICATION:

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

APPLICANT REQUIREMENTS: Applicant shall be required to:

- 1) Pay for an appraisal to determine a one-time easement payment;
- 2) Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost; and
- 3) Process and obtain designation of easement approval from the Department of Planning and Permitting at Applicant's own cost.

REMARKS:

Waimanalo Health Center ("WHC"), the lessee of a 65-year lease on the subject parcel, is in the process of constructing a new 2-story facility and employee parking to expand its service to the community. The existing easement area under GL No. S-5366 needs to be relocated to the new location, as shown on **Exhibit B**, which will create room for the new building. HECO also requests a perpetual easement for the new alignment. Staff does not have any objection to the requested perpetual easement.

Board of Water Supply, Department of Facility Maintenance, Department of Hawaiian

Board of Water Supply, Department of Facility Maintenance, Department of Hawaiian Home Lands, State Historic Preservation Division, and Department of Planning and Permitting have no objections/comments to the request. Department of Health, Division of Forestry and Wildlife, and Office of Hawaiian Affairs have not responded before the suspense date of the solicitation for comment.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

RECOMMENDATION: That the Board:

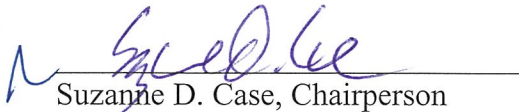
1. Subject to the Applicant fulfilling all of the Applicant Requirements listed above, authorize the issuance of a perpetual non-exclusive easement to Hawaiian Electric Company, Inc. covering the subject area for utility purposes, under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current perpetual easement document form, as may be amended from time to time;
 - B. Review and approval by the Department of the Attorney General; and
 - C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
2. Mutual Termination of Grant of Non-Exclusive Easement No. S-5366 upon issuance of the requested easement.

Respectfully Submitted,

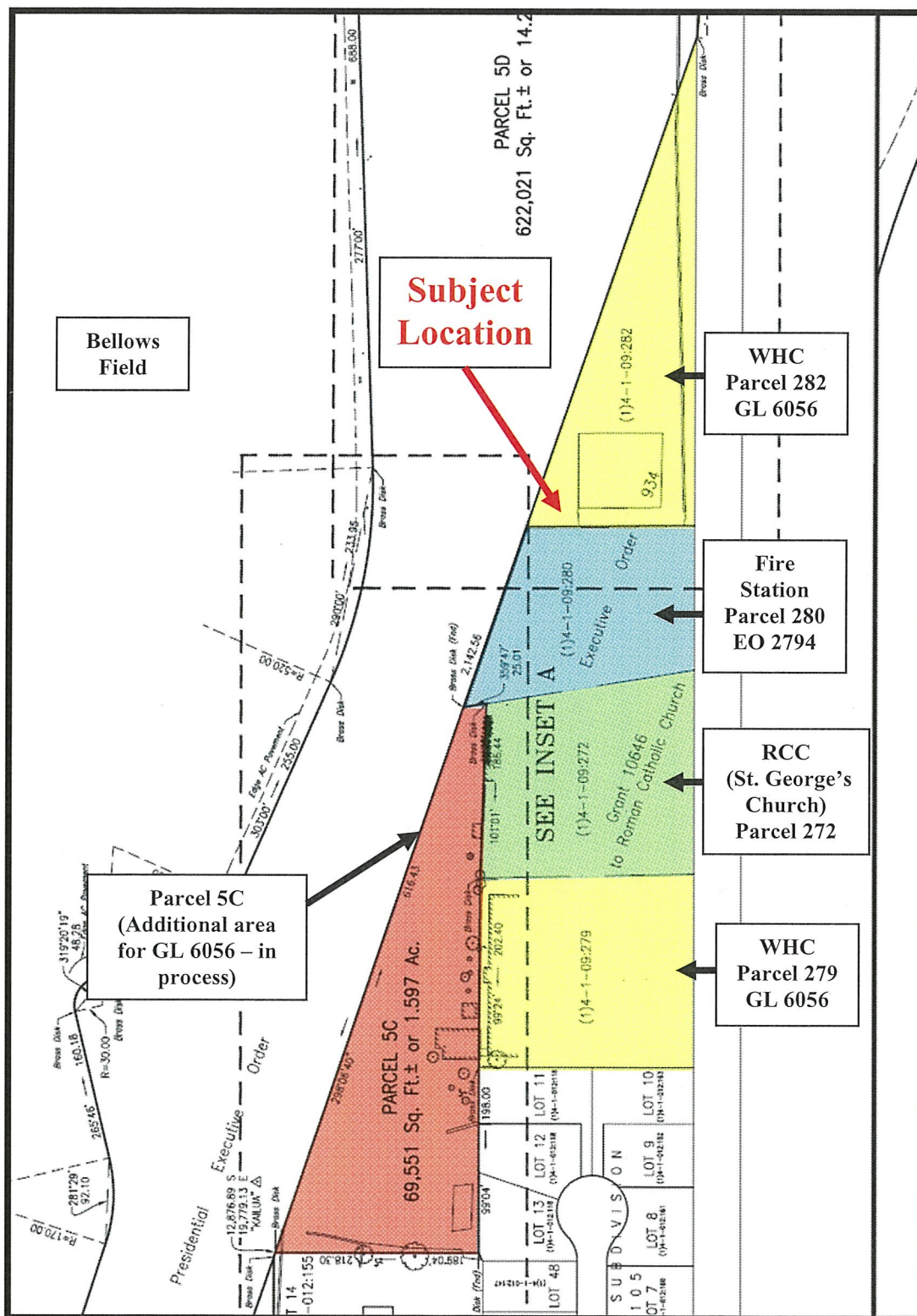


Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:

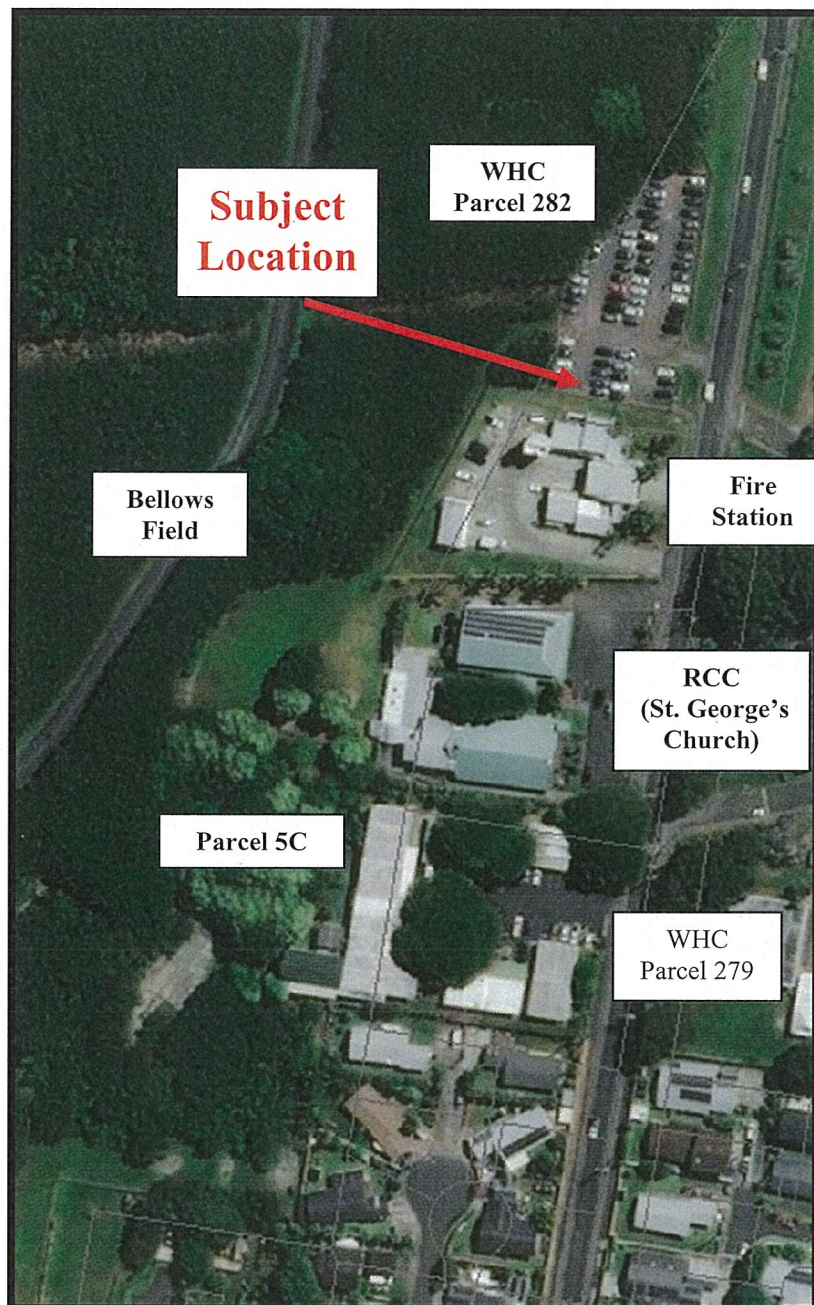


Suzanne D. Case, Chairperson



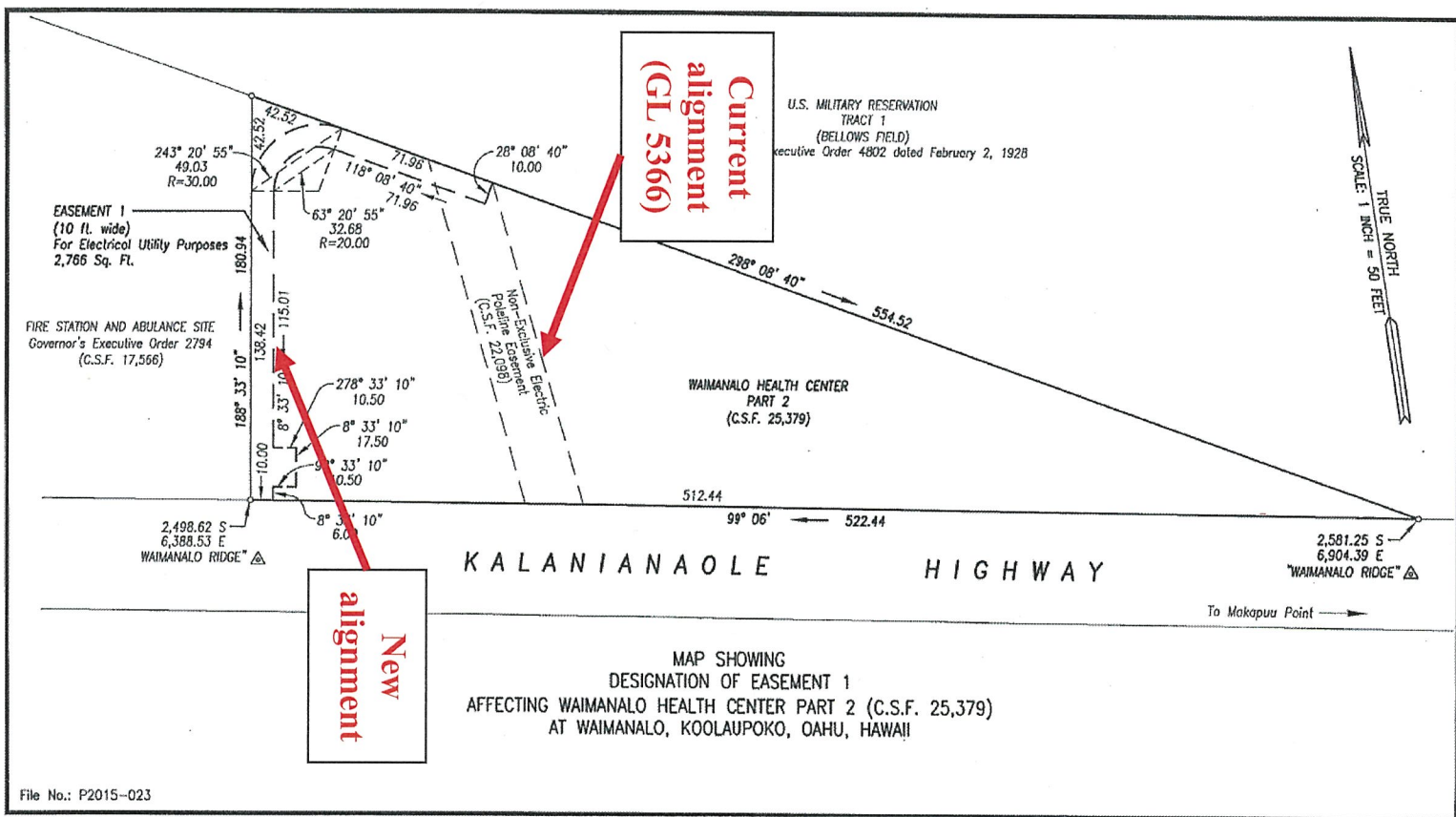
TMK (1) 4-1-009:282

EXHIBIT A1



TMK (1) 4-1-009:282

EXHIBIT A2



Tax Map Key: 1st Div. 4-1-009: 282
Kalaniancole Highway



Inada & Associates, Inc.
1750 KALAKAUA AVENUE, SUITE 115
HONOLULU, HAWAII

EXHIBIT B