

**STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097**

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

OAHU

**ISSUANCE OF A RIGHT OF ENTRY TO APEX, LEGENDARY FEATURES
PRODUCTIONS US, LLC AT PIER 10 CRUISE TERMINAL, HONOLULU
HARBOR, OAHU, TAX MAP KEY NO. (1) 2-1-001: PORTION OF 1**

LEGAL REFERENCE:

Chapters 171-13 and 171-55, Hawaii Revised Statutes, as amended.

APPLICANT (COLLECTIVELY):

APEX/Legendary Features Productions US, LLC, a foreign limited liability corporation whose address is 500 Ala Moana Boulevard, Tower 1-400, Honolulu, Hawaii, 96813.

CHARACTER OF USE:

Storage, staging for filming, special event

LOCATION:

Interior space within the Pier 10 Cruise Passenger Terminal on government lands, situated at Piers 10/11, Honolulu Harbor, Honolulu, Oahu, identified by Tax Map Key No. (1) 2-1-001:Portion of 1

AREA:

15,000 square feet, more or less

CONSIDERATION:

\$100 per day

ZONING:

State of Land Use Commission:	Urban
City and County of Honolulu:	B-2
Aloha Tower Development Corporation:	Maritime/Office/Commercial

TERM OF RIGHT OF ENTRY:

Not to exceed 30 days

COMMENCEMENT DATE:

To be determined by the Director of Transportation

CURRENT USE STATUS:

Warehouse, cruise passenger operations

LAND TITLE STATUS:

Owned by State of Hawaii. Management and control of the property was transferred to the DOT by Executive Order 3542.

APPLICANT REQUIREMENTS:

Applicant shall be required to comply with all terms of the right of entry and specifically shall be required to:

1. At its sole cost and expense, remove all property, tools, equipment, temporary improvements, machinery and unused or surplus materials, if any, and other property stored or placed upon the premises, and the ingress and egress thereto, and restore the premises to the condition it was in immediately prior to the effective date of the Right of Entry; and
2. Use due care for public safety and shall be responsible for any damage or injury caused by its officers and employees in the course and scope of their employment to the extent that its liability for such damage or injury has been determined by a court or otherwise agreed to. Permittee shall pay for such damage and injury to the extent permitted by law provided that an appropriation is enacted for that purpose.

REMARKS:

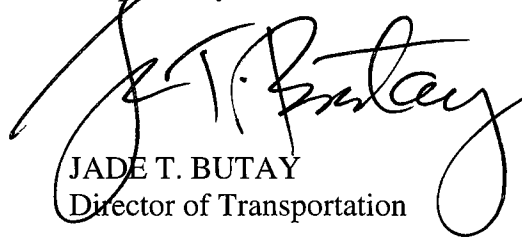
The Harbors Division has launched a Revenue Enhancement Program to maximize the value of its assets and facilities. A component of the program is the rental of certain

maritime facilities, when not required for such uses, for non-maritime use for a fee and the revenue generated supports harbor operations. APEX/Legendary Features Productions US, LLC plans a filming shoot in December 2018 at Pier 9 and proposes to use the Pier 10 cruise passenger terminal for storage and staging to support the filming. This proposed right of entry will allow the Applicant and its employees, guests, and invitees access to the facility for a period of up to 30 days, if required.

RECOMMENDATION:

That the Board authorizes the issuance of a right of entry to the Applicant, its contractors and sub-contractors covering the subject area for the purposes cited above, subject to the terms and conditions outlined above and incorporated herein by reference, and such terms and conditions as may be prescribed by the Director of Transportation.

Respectfully submitted,



JADE T. BUTAY
Director of Transportation

APPROVED FOR SUBMITTAL:



SUZANNE CASE
Chairperson and Member
Board of Land and Natural Resources