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

Acquisition of:
(1) Lands and Restrictions of Access to the Department of Transportation, Highways Division, for Highway Purposes, Relating to North South Road, Federal Aid Project No. STP-8930(3), at Honouliuli, Ewa, Oahu, Hawaii, Re Tax Map Key Nos:  (a) (1) 9-1-16: 183, Portion of 142, 179, 220, 222, 223; (b) (1) 9-1-17: Portion of 101, 111, 112, 138; (c) (1) 9-1-18: 011, 013, Portions between (1) 9-1-17 and 18; (d) (1) 9-2-2: 009, Portion of 007; (e) (1) 9-1-151: Portion of 001, 002; (f) (1) 9-1-152: Portion of 127, 129, 134, 135, 138, 139, 142, 143, 149, 150, 159-161; and (g) (1) 9-1-153: Portion of 001-013, 194; and

(2) Grant of Perpetual, Non-Exclusive Easement to the Department of Transportation, Highways Division, for Highway Purposes, Relating to North South Road, Federal Aid Project No. STP-8930(3), at Honouliuli, Ewa, Oahu, Hawaii, Tax Map Key No. (1) 9-2-2: Portion of 007.

APPLICANT:
DEPARTMENT OF TRANSPORTATION, Highways Division (DOT).

LEGAL REFERENCE:
Sections 107-10, 171-30, and Chapter 264, Hawaii Revised Statutes, as amended.

LOCATION:
Lands and portion of lands relating to North South Road, Federal Aid Project No. STP-8930(3), situated at Honouliuli, Ewa, Oahu, Hawaii, as shown and described on the attached maps labeled collectively as Exhibit A.

CURRENT USE STATUS:
Highway and maintenance purposes.

ITEM M-15
Current ownership is as noted on Exhibit A as follows (with notes re interests to be acquired:

1. Boundary A (Rev.4), E, and F: City and County of Honolulu (for restriction of access)
2. Boundary B (Rev.1) and C: Department of Hawaiian Homelands (for restriction of access)
3. Parcel 10: D.R. Horton-Schuler Homes, LLC. (together with restriction of access)
4. Parcel 7 (Rev.2): University of Hawaii (together with restriction of access)
5. Parcel 1: D.R. Horton-Schuler Homes, LLC. (together with restriction of access)
6. Parcel 20 (Rev.1), 21, and 22: City and County of Honolulu
7. Parcel 4: D.R. Horton-Schuler Homes, LLC. (together with restriction of access)
8. Parcel 5 (Rev.1) (together with restriction of access) and Access Easement 1 (Rev.1): University of Hawaii
9. Parcel 6: D.R. Horton-Schuler Homes, LLC. (together with restriction of access)

COMPENSATION

$1,730,000.00 for Parcels 1, 4, 6, and 10 (D.R. Horton-Schuler Homes, LLC) as determined by appraisal. The remaining government-owned lands, restrictions of access, and access easement will be conveyed at no cost to the State.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

A final environmental assessment was prepared and notice of its availability published in OEQC’s Environmental Notice on October 8, 2004.

REMARKS:

The Department of Transportation (DOT) completed the construction of North South Road, Federal Aid Project No. STP-8930(3) on February 2, 2012, but did not finalize all of its land, restriction of access, and easement acquisitions for the project. As of September 1, 2018, the Department of the Attorney General has mandated the DOT to obtain Board approval for all acquisitions in accordance with Section 171-30, Hawaii Revised Statutes.

RECOMMENDATION:

That the Board:

A. Authorize the acquisition of the subject lands and restrictions of access under the terms and conditions cited above which are by this reference incorporated herein and further subject to the following:
1. The standard terms and conditions of the appropriate deed, as may be amended from time to time;

2. Review and approval by the Department of the Attorney General; and

3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interest of the State.

B. Authorize the acquisition of a perpetual, non-exclusive easement of Access Easement 1 (Rev.1) under the terms and conditions cited above which are by this reference incorporated herein and further subject to the following:

1. The standard terms and conditions of the appropriate perpetual easement form, as may be amended from time to time;

2. Review and approval by the Department of the Attorney General; and

3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interest of the State.

Respectfully Submitted,

JADE T. BUTAY
Director of Transportation

APPROVED FOR SUBMITTAL:

SUZANNE D. CASE, Chairperson