



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

IN REPLY REFER TO:

June 17, 2019

Ms. Suzanne D. Case, Chairperson  
Department of Land and Natural Resources  
Main Office, Kalanimoku Building  
1151 Punchbowl Street, Room 130  
Honolulu, Hawaii 96813

Dear Ms. Case:

Subject: Land Board Submittal to Board of Land and Natural Resources  
State of Hawaii, Honolulu, Hawaii

OAHU

Acquisition of:

(1) Lands to the Department of Transportation, Highways Division, for Highway Purposes, Relating to Farrington Highway, Replacement of Makaha Bridge No. 3 and Makaha Bridge No. 3A, Federal Aid Project No. BR-093-1(20), at Makaha, Waianae, Oahu, Hawaii, Re: Tax Map Key Nos: (a) (1) 8-4-1: Portion of 012; (b) (1) 8-4-2: Portions of 045, 047; (c) (1) 8-4-8: Portion of 020; (d) (1) 8-4-18: Portion of 014; and

(2) Temporary Construction Right-of-Entries to the Department of Transportation, Highways Division, for Highway Purposes, Relating to Farrington Highway, Replacement of Makaha Bridge No. 3 and Makaha Bridge No. 3A, Federal Aid Project No. BR-093-1(20), at Makaha, Waianae, Oahu, Hawaii, Re: Tax Map Key Nos: (a) (1) 8-4-1: Portion of 012; (b) (1) 8-4-2: Portions of 045 and 047; (c) (1) 8-4-8: Portion of 020; (d) (1) 8-4-18: Portion of 014.

APPLICANT:

DEPARTMENT OF TRANSPORTATION, Highways Division (DOT).

LEGAL REFERENCE:

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

LOCATION:

Portion of lands relating to Farrington Highway, Replacement of Makaha Bridge No. 3 and Makaha Bridge No. 3A, Federal Aid Project No. BR-093-1(20), at Makaha, Waianae, Oahu, Hawaii, identified by Tax Map Keys: (1) 8-4-1: Portion of 012, (1) 8-4-2: Portions

**ITEM M-5**

of 045 and 047, (1) 8-4-8: Portions of 020, and (1) 8-4-18: Portion of 014, as shown and described on the attached maps labeled collectively as Exhibit A.

AREA PARCELS

Parcel 1 (Rev. 2) = 39,568 sq. ft.	City and County of Honolulu
Parcel 2 (Rev. 1) = 8,734 sq. ft.	HRT Kili Drive, LLC
Parcel 3 (Rev. 1) = 4,211 sq.ft.	Robert Clyde Palmer, Jason Clay Ellis & Heather Loy Ellis
Parcel 4 (Rev. 1) = 441 sq. ft.	Moana Kea Among & Marie Blackwell Klausmeyer Trust
Parcel 5 (Rev. 1) = 811 sq. ft.	Moana Kea Among & Marie Blackwell Klausmeyer Trust
Parcel 6 (Rev. 1) = 2,657 sq. ft.	City and County of Honolulu
Parcel 7 (Rev. 2) = 3,381 sq. ft.	City and County of Honolulu
Parcel 8 = 4,217 sq. ft.	City and County of Honolulu
Parcel 9 = 2,092 sq. ft.	City and County of Honolulu

AREA CONSTRUCTION PARCELS

Construction Parcel C-1 (Rev. 1) = 17,441 sq. ft.	City and County of Honolulu
Construction Parcel C-2 (Rev. 1) = 1,045 sq. ft.	Robert Clyde Palmer, Jason Clay Ellis & Heather Loy Ellis
Construction Parcel C-3 (Rev. 2) = 2,151 sq. ft.	Moana Kea Among & Marie Blackwell Klausmeyer Trust
Construction Parcel C-4 (Rev. 2) = 17,307 sq. ft.	City and County of Honolulu
Construction Parcel C-5 (Rev. 1) 536 sq. ft.	Moana Kea Among Marie Blackwell Klausmeyer Trust
Construction Parcel C-6 (Rev. 1) = 3,231 sq. ft.	City and County of Honolulu
Construction Parcel C-7 = 3,799 sq. ft.	City and County of Honolulu

ZONING

TMK: (1) 8-4-1:012	Preservation
TMK: (1) 8-4-2:045	Agricultural
TMK: (1) 8-4-2:047	Preservation
TMK: (1) 8-4-8:020	Residential A
TMK: (1) 8-4-18:014	Residential

CURRENT USE STATUS:

TMK: (1) 8-4-1: Portion of 012	City and County of Honolulu
	Vacant and encumbered by Easement 396, for fiber optic cable purposes, in favor of City and County of Honolulu, by Land Court Document No. T-8879258.

TMK: (1) 8-4-2: Portion of 045

HRT Kili Drive LLC

Vacant and encumbered by free flowage of water through the natural stream beds, Land Court Order Nos. 10157 and 10510, Affidavit for adverse claim, Document Nos. T-8542371, T-8544438, and T-8719400, Reservation of water rights in favor of Waianae Development Company, Limited, Document No. 437151, and Access across Lot 975 and Easement 62 for roadway purposes, Land Court Order Nos. 29882 and 46137.

TMK: (1) 8-4-2: Portion of 047

City and County of Honolulu

Vacant and encumbered by Easement in favor of the State of Hawaii for free flowage of water in Deed, Document No. 117687, Easement 56 for cable line purposes, set forth by Land Court Order No. 19734, as corrected by Land Court Order No. 20785, Easement 62 for roadway purposes, set forth by Land Court Order No. 29882, Easement 107 for roadway purposes, set forth by Land Court Order No. 42819, Easement 395 for fiber optic cable purposes, set forth by Document No. T-8879259, Agreement to provide sewerage service, Document No. 707707, Perpetual covenants in Document Nos. 719445 and 1126764, Free flowage of water through the natural stream beds, set forth by Land Court Order Nos. 10157 and 10510, and Affidavit for adverse claim, Document Nos. T-8541355, T-854437, and T-8719398.

TMK: (1) 8-4-8: Portions of 020

Moana Kea Among & Marie Blackwell Klausmeyer Trust

Residential and encumbered by Delinquent Taxes, Perpetual covenants in Warranty Deed, Liber 3563, Pages 464-468, and Perpetual covenants in Deed, Document No. 94099.

TMK: (1) 8-4-18: Portions of 014

Robert Clyde Palmer, Jason Clay Ellis & Heather Loy Ellis

Residential and encumbered by Delinquent Taxes, Free flowage of Makaha Stream as shown on Tax Map and mentioned in Real Property Mortgage and

Financing Statement, Document No. 2013800, Access over Easements 352 and 353, set forth by Land Court Order No. 108631, Real Property Mortgage and Financing Statement now in favor of Household Finance Corporation of Hawaii, Document No. 2013800, Subordination Agreement, Document No. 2316216, Petition for Order Merged into and in favor of Beneficial Hawaii, Inc., now known as Beneficial Financial I Inc., Land Court Order No. T-8638396, Real Property Mortgage and Financing Statement now in favor of Household Finance Corporation of Hawaii, Document No. 2092475, Petition for Order Merged into and in favor of Beneficial Hawaii, Inc., now known as Beneficial Financial I Inc., Land Court Order No. T-8638396, Real Property Mortgage and Financing State now in favor of Household Finance Corporation of Hawaii, Document No. 2232934, Subordination Agreement, Document No. 2316215, Petition for Order Merged into and in favor of Beneficial Hawaii, Inc., now known as Beneficial Financial I Inc., Land Court Order No. T-8638396, Mortgage, Document No. 2314238, now in favor of Avco Mortgage Centers, Inc., by Assignment of Mortgage, Document No. 2501233, Subordination Agreement, Document Nos. 2316215 and 2316216, Additional Security Mortgage, Security Agreement and Financing Statement now in favor of General Electric Capital Corporation, Document No. 2375409, Petition for Order Merged into and in favor of General Electric Company, Land Court Order No. T-9891236, and Deficiency Judgment now in favor of General Electric Capital Corporation, Document No. 3004509.

Current ownership is as noted on Exhibit A as follows (with notes re: interests to be acquired):

1. Parcel 1 (Rev. 2), 6 (Rev. 1), 7 (Rev. 2), 8, 9 & Construction Parcel C-1 (Rev. 1), C-4 (Rev. 2), C-6 (Rev. 1), C-7: City and County of Honolulu (fee and temporary acquisition)
2. Parcel 2 (Rev. 1): HRT Kili Drive, LLC (fee acquisition)
3. Parcel 3 (Rev. 1) & Construction Parcel C-2 (Rev. 1): Robert Clyde Palmer, Jason Clay Ellis & Heather Loy Ellis (fee and temporary acquisition)
4. Parcel 4 (Rev. 1), 5 (Rev. 1) & Construction Parcel C-3 (Rev. 2), C-5 (Rev. 1): Moana Kea Among and Marie Blackwell Klausmeyer Trust (fee and temporary acquisition)

COMPENSATION

\$12,140.00 for Parcel 2 (Rev. 1) (HRT Kili Drive, LLC) as determined by compensation estimate, \$95,000.00 for Parcel 3 (Rev. 1), \$1,450.00 annual rent for Construction Parcel C-2 (Rev. 1) (Robert Clyde Palmer, Jason Clay Ellis & Heather Loy Ellis) as determined by appraisal, and \$20,000.00 for Parcels 4 (Rev. 1) and 5 (Rev. 1), \$6,850.00 annual rent for Construction Parcels C-3 (Rev. 2) and C-5 (Rev. 1) (Moana Kea Among and Marie Blackwell Klausmeyer Trust) as determined by appraisal. The remaining government-owned lands 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 May 23, 2011.

REMARKS:

The DOT is proposing to replace two timber bridges (Nos. 3 and 3A) along Farrington Highway in Makaha, Waianae, Oahu, Hawaii. The purpose is to replace the wooden bridge structures with new reinforced concrete bridge structures that meet or exceed the current State and Federal design standards.

As of May 22, 2019, the Categorical Exclusion for this project was signed and approved by the U.S. DOT Federal Highway Administration and DOT, Highways Administrator.

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 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 forms, as may be amended from time to time;
  2. Review and approval by the Department of the Attorney General; and

Ms. Suzanne D. Case, Chairperson  
June 17, 2019  
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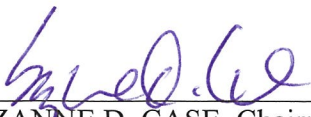
3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interest of the State.
- B. Authorize the acquisition of a temporary construction right-of-entries under the terms and conditions cited above which are by this reference incorporated herein and further subject to the following:
1. The standard terms and conditions of the appropriate construction right-of-entry 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.
- C. Authorize the acquisitions even in the event of a change in the ownership of those parcels described herein and on the attached maps labeled collectively as Exhibit A, under the terms and conditions cited above which are by this reference incorporated herein.

Sincerely,



JADE T. BUTAY  
Director of Transportation

APPROVED FOR SUBMITTAL:



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SUZANNE D. CASE, Chairperson

EXHIBIT A

LEGEND

- Proposed Right-of-Way
- Control-line or Boundary
- Limit-of-Slope Line
- Control-of-Access Line (Special conditions are noted on map)
- Original Boundary—District Grant L.C. An. L.C. Cl. Appl. etc.
- Property Lines—Also property line when consistent. Also plane subdivisions Existing 1/76.
- Easement Lines
- Wax fence
- Other fence
- Copper rail
- Stone wall
- Tie wall
- Hedge
- Edge of cultivated area
- Palm trees
- Trees
- Streams
- Building
- Grudge culvert
- Tramway station
- Natural slope
- Cut slope
- Railroad
- Sand
- Existing roadway
- Steel monument
- Fire hydrant
- Water man
- Contour lines
- Concrete
- Boundary also boundary monument if present and electric pole since date survey obsolete if present
- Marsh swamp
- Highwater mark
- Right of way parcel designation



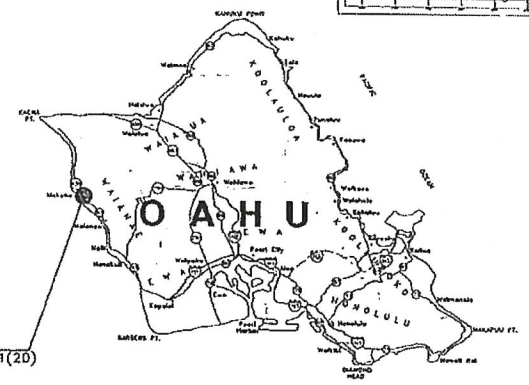
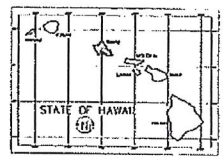
STATE OF HAWAII



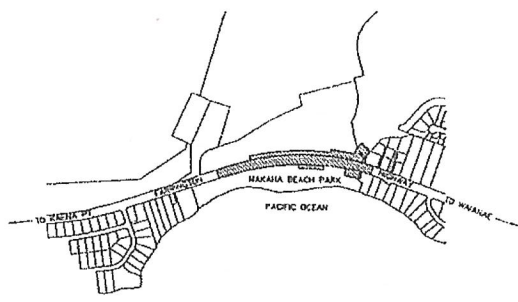
DEPARTMENT OF TRANSPORTATION  
HIGHWAYS DIVISION  
HONOLULU HAWAII

RIGHT OF WAY MAPS FOR  
**MAKAHA BRIDGES**  
FARRINGTON HIGHWAY  
FEDERAL AID PROJECT NO. BR-093-1(20)  
DISTRICT OF WAIANAE  
ISLAND OF OAHU

PROJECT LOCATION  
F.A.P. NO. BR-093-1(20)



SCALE IN MILES  
0 5 10



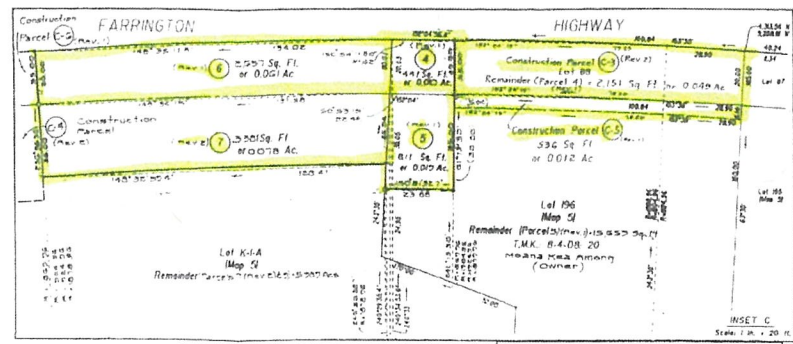
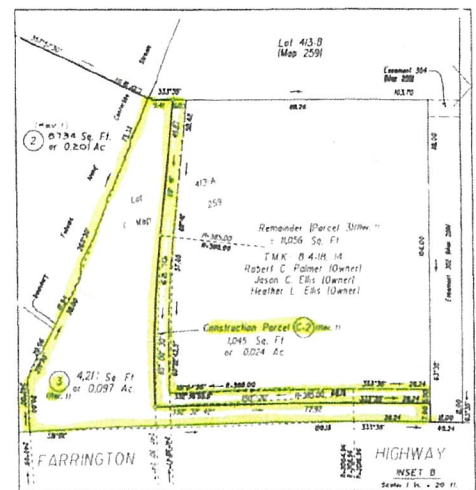
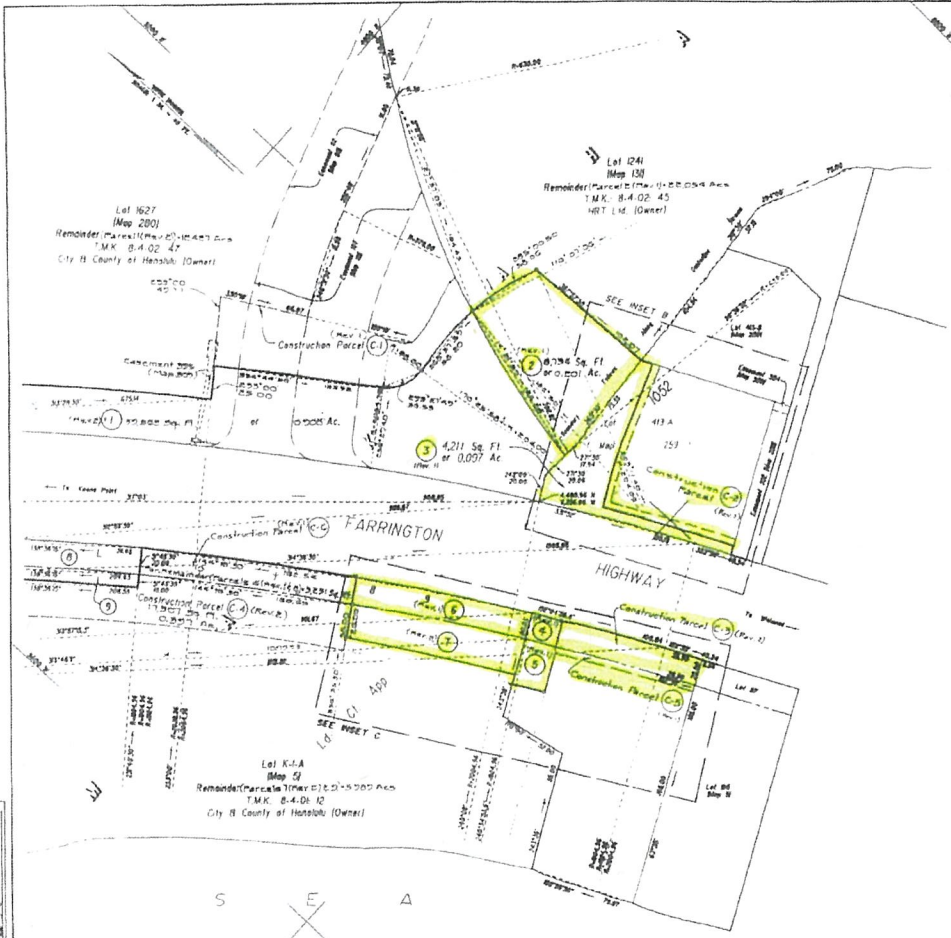
LOCATION PLAN  
NOT TO SCALE

DEPARTMENT OF TRANSPORTATION  
STATE OF HAWAII  
APPROVED DATE: SEP. 11, 2008  
*[Signature]*  
FOR ADMINISTRATOR HIGHWAYS DIVISION

SHEET NO. 1 OF 3 SHEETS







Scale	1" = 200'
North Arrow	True North
Projection	Universal Transverse Mercator
Zone	18N
Datum	WGS 84
Units	Feet

Notes  
 Origin of Azimuth: "MAKAHA" A  
 Coordinates Referred to: "MAKAHA" A

NO.	REVISION	APPROVED	DATE
A	Block 1144 and 1145 revised per 10/10/00 memo dated 2/16/01	MM	3-17-01
7	Lot 1245 owner corrected per Hwy-11	MM	3-11-01
10	REVISION		



This work was prepared by me or under my direct supervision  
 Ron M. Swain, License No. 10059  
 Registered Professional Land Surveyor  
 Certificate Number: 10059

NO.	REVISION	APPROVED	DATE
15	Parcels C-2, 7 Construction Parcels C-1, C-4 (Rev.1) and C-5 revised per 10/10/00 memo dated 1/2/01	MM	2-21-01
16	Parcel 14.5 corrected per Hwy-11	MM	3-21-01
17	Parcel 14.5 corrected per Hwy-11	MM	4-15-01
18	Construction Parcel C-2 revised	MM	4-15-01
19	Construction Parcel C-3 revised	MM	4-15-01
20	Parcel 14.5 construction Parcel C-5 revised per Hwy-11 memo dated 3/25/00	MM	4/15/01
21	Parcel 10 deleted	MM	4/15/01

STATE OF HAWAII  
 DEPARTMENT OF TRANSPORTATION  
 HIGHWAYS DIVISION  
 RIGHT OF WAY MAP  
 FARRINGTON HIGHWAY  
 REPLACEMENT OF MAKAHA BRIDGE NO. 5  
 AND MAKAHA BRIDGE NO. 1A  
 FEDERAL AID PROJECT NO. HR-093-(120)  
 MAKAHA, MAIHAEL, OAHU, HAWAII

APPROVED: [Signature]  
 PUBLIC ADMINISTRATOR, HIGHWAYS DIVISION

DATE: SEP 11, 2008

SHEET NO. 3 OF 3 SHEETS  
 22" x 36" - 5.0 Scale  
 Map Showing Construction Parcels P.H. 804

PARCEL 2 (REV.1): HRT KILI DRIVE, LLC  
 PARCEL 3 & CONSTRUCTION PARCEL C-2 (REV.2): ROBERT C. PALMER AND JASON C. & HEATHER L. ELLIS  
 PARCEL 4 (REV.1), 5 (REV.1) & CONSTRUCTION PARCEL C-3 (REV.2), C-5 (REV.1): MOANA KEA AMONG AND MARIE BLACKWELL KLAUSMEYER TRUST  
 PARCEL 6 (REV.1), 7 (REV.2): CITY AND COUNTY OF HONOLULU