May 15, 2020

Ms. Suzanne D. Case, Chairperson
Board of Land and Natural Resources
Main Office, Kalaninokulu 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

Acquisition of Temporary Construction Rights-of-Entry to the Department of Transportation, Highways Division, for Highway Purposes, Relating to Kamehameha Highway, Laioloa Stream Bridge Replacement, Federal Aid Project No. BR-083-1(58), at Laioloa, Koolau, Oahu, Hawaii, Re: Tax Map Key Nos.: (a) (1) 5-5-003: Portion of 201; (b) (1) 5-5-006: Portion of 038; (c) (1) 5-5-011: 068 and portion of 070; (d) (1) 5-5-013: Portions of 075, 076, 077, 078, 079, 080, and Puuahi Street; and (e) (1) 5-5-014: Portion of 001.

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 Kamehameha Highway, Laioloa Stream Bridge Replacement, Federal Aid Project No. BR-083-1(58), at Laioloa, Koolau, Oahu, Hawaii, identified by Tax Map Key Nos.: (1) 5-5-003: Portion of 201; (1) 5-5-006: Portion of 038; (1) 5-5-011: 068 and Portion of 070; (1) 5-5-013: Portions of 075, 076, 077, 078, 079, 080, and Puuahi Street; and (1) 5-5-014: Portion of 001, as shown and described on the attached map labeled as Exhibit A.

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AREA CONSTRUCTION PARCELS:

Construction Parcel C-1 = 219 square feet  
or 0.005 acre  
TMK No. (1) 5-5-003-201 (por.)

Construction Parcel C-2 = 309 square feet  
or 0.007 acre  
TMK No. (1) 5-5-011-070 (por.)

Construction Parcel C-3 (Rev. 1) = 8,509 square feet  
or 0.195 acre  
TMK No. (1) 5-5-011-068

Construction Parcel C-4 = 4,514 square feet  
or 0.104 acre  
TMK No. (1) 5-5-014-001 (por.)

Construction Parcel C-5 = 2,405 square feet  
or 0.055 acre  
TMK No. (1) 5-5-013-078 (por.)

Construction Parcel C-6 = 5,551 square feet  
or 0.127 acre  
TMK No. (1) 5-5-013-079 (por.)

Construction Parcel C-7 = 1,022 square feet  
or 0.023 acre  
TMK No. (1) 5-5-013-076 (por.)

Construction Parcel C-8 = 759 square feet  
or 0.017 acre  
TMK No. (1) 5-5-013-075 (por.)

Construction Parcel C-9 = 3,944 square feet  
or 0.091 acre  
TMK No. (1) 5-5-013-080 (por.)

Construction Parcel C-10 = 1,679 square feet  
or 0.039 acre  
TMK No. (1) 5-5-013-Puuahi Street (por.)

OWNERSHIP


Alice M. Reed and Stephen A. Higgs

Property Reserve, Inc.

Property Reserve, Inc.

Property Reserve, Inc.

Property Reserve, Inc.

Benjamin Dumlao Martin

Memorandum of Title in and to Portion of Royal Patent 922

Property Reserve, Inc.
Construction Parcel C-11 = 12,421 square feet
or 0.285 acre
TMK No. (1) 5-5-006-038 (por.)

Construction Parcel C-12 = 494 square feet
or 0.011 acre
TMK No. (1) 5-5-013-079 (por.)

Construction Parcel C-13 = 409 square feet
or 0.009 acre
TMK No. (1) 5-5-013-080 (por.)

Memorandum of Title in and
to Portion of Royal Patent

Construction Parcel C-14 = 416 square feet
or 0.010 acre
TMK No. (1) 5-5-013-Puuahi Street (por.)

Construction Parcel C-15 = 1,104 square feet
or 0.025 acre
TMK No. (1) 5-5-013-079 (por.)

Construction Parcel C-16 = 134 square feet
or 0.003 acre
TMK No. (1) 5-5-013-077 (por.)

Construction Parcel C-17 = 649 square feet
or 0.015 acre
TMK No. (1) 5-5-013-076 (por.)

Construction Parcel C-18 = 85 square feet
or 0.002 acre
TMK No. (1) 5-5-013-075 (por.)

Construction Parcel C-19 = 951 square feet
or 0.022 acre
TMK No. (1) 5-5-014-001 (por.)

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Benjamin Dumlao Martin

Property Reserve, Inc.

ZONING:

TMK: (1) 5-5-003-201  R-5 Residential
TMK: (1) 5-5-006-038  R-5 Residential
TMK: (1) 5-5-011-068  R-5 Residential
TMK: (1) 5-5-011-070  R-5 Residential
TMK: (1) 5-5-013-075  R-5 Residential
TMK: (1) 5-5-013-076  R-5 Residential
TMK: (1) 5-5-013-077  B-1 Neighborhood Business District
TMK: (1) 5-5-013-078  B-1 Neighborhood Business District
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TMK: (1) 5-5-013-079  
B-1 Neighborhood Business District  
TMK: (1) 5-5-013-080  
R-5 Residential  
TMK: (1) 5-5-013-Puuahi Street  
R-5 Residential  
TMK: (1) 5-4-014-001  
B-1 Neighborhood Business District

CURRENT USE STATUS:

TMK: (1) 5-5-003-201  
Ruth B. Larsen and Lois R. Klaus, co-Trustees of the Survivor’s Trust, established November 7, 1998 and created by the Larsen Trust dated June 5, 1998, and amended March 9, 2007  

TMK: (1) 5-5-006-038  
Property Reserve, Inc.  
Vacant. Liens and/or encumbrances: none.

TMK: (1) 5-5-011-068  
Property Reserve, Inc.  

TMK: (1) 5-5-011-070  
Alice M. Reed and Stephen A. Higgs  

TMK: (1) 5-5-013-075

Benjamin Dumlao Martin


TMK: (1) 5-5-013-076

Property Reserve, Inc.

Vacant. Liens and/or encumbrances: none.

TMK: (1) 5-5-013-077

Property Reserve, Inc.

Business use and encumbered by Unilateral Agreement and Declaration for Conditional Zoning, Liber 18494, Page 396; Agreement for Issuance of Conditional Use Permit Under Section 4.40-21 of the Land Use Ordinance, Document No. 91-108870.

TMK: (1) 5-5-013-078

Property Reserve, Inc.

Business use and encumbered by building setback line as shown on File Plan No. 894; Agreement, Document No. 91-108870; Right-of-Entry Agreement in favor of Hawaii Reserves, Inc., Document No. 2007-066563.

TMK: (1) 5-5-013-079

Property Reserve, Inc.

Business use and encumbered by building setback line as shown on File Plan No. 894; Unilateral Agreement and Declaration for Conditional Zoning, Liber 18494, Page 396; Agreement for Issuance of Conditional Use Permit under Section 4.40-21 of the Land Use Ordinance, Document No. 91-108870.
Memorandum of Title in and to Portion of Royal Patent 922

Residential and encumbered by break in title; various encumbrances.

Property Reserve, Inc.

Roadway use. Liens and/or encumbrances: none.

Property Reserve, Inc.


PROPOSED ACQUISITION:

Construction Parcels C-1 through and including C-19 are being acquired as temporary construction rights-of-entry.

COMPENSATION:

State of Hawaii DOT determined the compensation based on Compensation Estimates prepared by a staff appraiser, dated July 12, 2019 and appraisal reports prepared by an independent appraiser, dated June 11, 2019.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

A Final Environmental Assessment, prepared by AECOM, was prepared and notice of its availability published in OEQC’s Environmental Notice on December 23, 2019.
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REMARKS:

The DOT proposes to replace Laieloa Stream Bridge along Kamehameha Highway in Laie, Koolauloa, Oahu, Hawaii. The purpose is to replace the existing bridge with a new bridge structure to meet current state and federal bridge and roadway design standards.

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 temporary construction rights-of-entry 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.

B. 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:

SUZANNE D. CASE, Chairperson