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

IN REPLY REFER TO:

May 15, 2020

Ms. Suzanne D. Case, Chairperson  
Board 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 Temporary Construction Rights-of-Entry to the Department of Transportation, Highways Division, for Highway Purposes, Relating to Kamehameha Highway, Laieloa Stream Bridge Replacement, Federal Aid Project No. BR-083-1(58), at Laie, Koolauloa, 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, Laieloa Stream Bridge Replacement, Federal Aid Project No. BR-083-1(58), at Laie, Koolauloa, 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.

ITEM M- 5

AREA CONSTRUCTION PARCELS:

OWNERSHIP

Construction Parcel C-1 = 219 square feet or 0.005 acre TMK No. (1) 5-5-003-201 (por.)	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
Construction Parcel C-2 = 309 square feet or 0.007 acre TMK No. (1) 5-5-011-070 (por.)	Alice M. Reed and Stephen A. Higgs
Construction Parcel C-3 (Rev. 1) = 8,509 square feet or 0.195 acre TMK No. (1) 5-5-011-068	Property Reserve, Inc.
Construction Parcel C-4 = 4,514 square feet or 0.104 acre TMK No. (1) 5-5-014-001 (por.)	Property Reserve, Inc.
Construction Parcel C-5 = 2,405 square feet or 0.055 acre TMK No. (1) 5-5-013-078 (por.)	Property Reserve, Inc.
Construction Parcel C-6 = 5,551 square feet or 0.127 acre TMK No. (1) 5-5-013-079 (por.)	Property Reserve, Inc.
Construction Parcel C-7 = 1,022 square feet or 0.023 acre TMK No. (1) 5-5-013-076 (por.)	Property Reserve, Inc.
Construction Parcel C-8 = 759 square feet or 0.017 acre TMK No. (1) 5-5-013-075 (por.)	Benjamin Dumlao Martin
Construction Parcel C-9 = 3,944 square feet or 0.091 acre TMK No. (1) 5-5-013-080 (por.)	Memorandum of Title in and to Portion of Royal Patent 922
Construction Parcel C-10 = 1,679 square feet or 0.039 acre TMK No. (1) 5-5-013-Puuahi Street (por.)	Property Reserve, Inc.

Construction Parcel C-11 = 12,421 square feet or 0.285 acre TMK No. (1) 5-5-006-038 (por.)	Property Reserve, Inc.
Construction Parcel C-12 = 494 square feet or 0.011 acre TMK No. (1) 5-5-013-079 (por.)	Property Reserve, Inc.
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 922
Construction Parcel C-14 = 416 square feet or 0.010 acre TMK No. (1) 5-5-013-Puuahi Street (por.)	Property Reserve, Inc.
Construction Parcel C-15 = 1,104 square feet or 0.025 acre TMK No. (1) 5-5-013-079 (por.)	Property Reserve, Inc.
Construction Parcel C-16 = 134 square feet or 0.003 acre TMK No. (1) 5-5-013-077 (por.)	Property Reserve, Inc.
Construction Parcel C-17 = 649 square feet or 0.015 acre TMK No. (1) 5-5-013-076 (por.)	Property Reserve, Inc.
Construction Parcel C-18 = 85 square feet or 0.002 acre TMK No. (1) 5-5-013-075 (por.)	Benjamin Dumlao Martin
Construction Parcel C-19 = 951 square feet or 0.022 acre TMK No. (1) 5-5-014-001 (por.)	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

TMK: (1) 5-5-013-079  
TMK: (1) 5-5-013-080  
TMK: (1) 5-5-013-Puuahi Street  
TMK: (1) 5-4-014-001

B-1 Neighborhood Business District  
R-5 Residential  
R-5 Residential  
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

Residential and encumbered by Mortgage in favor of Bank of Hawaii, Document No. 3960863; Reservations and covenants as contained in Deed, Document No. 15115; Declaration of Protective Provisions, Document No. 1146783; Right-of-Entry Agreement in favor of Hawaii Reserves, Inc., Document No. 3556101.

TMK: (1) 5-5-006-038

Property Reserve, Inc.

Vacant. Liens and/or encumbrances: none.

TMK: (1) 5-5-011-068

Property Reserve, Inc.

Residential and encumbered by Drainage Easement as contained in Limited Warranty Deed, Document No. 2004-108221; Declaration of Protective Provisions, Liber 16787, Page 394; Reservations and covenants as contained in Limited Warranty Deed, Document No. 2004-108221; Right-of-Entry Agreement in favor of Hawaii Reserves, Inc., Document No. 2008-039292.

TMK: (1) 5-5-011-070

Alice M. Reed and Stephen A. Higgs

Residential and encumbered by Mortgage in favor of Wells Fargo Bank, N.A., Document No. A-45130416; Declaration of Protective Provisions, Liber 16787, Page 394; Reservation in favor of Property Reserve, Inc. and covenants as contained in Limited Warranty Deed, Document No. 99-012798;

	Right-of-Entry Agreement in favor of Hawaii Reserves, Inc., Document No. 2006-035107.
TMK: (1) 5-5-013-075	Benjamin Dumlao Martin  Residential and encumbered by Declaration of Protective Provisions, Liber 16787, Page 394; Right-of-Entry Agreement in favor of Hawaii Reserves, Inc., Document No. 2006-035109.
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.

TMK: (1) 5-5-013-080	Memorandum of Title in and to Portion of Royal Patent 922  Residential and encumbered by break in title; various encumbrances.
TMK: (1) 5-5-013-Puuahi Street	Property Reserve, Inc.  Roadway use. Liens and/or encumbrances: none.
TMK: (1) 5-5-014-001	Property Reserve, Inc.  Business use and encumbered by building setback line as shown on File Plan No. 894; Agreement for Issuance of Conditional Use Permit Under Section 4.40-21 of the Land Use Ordinance, Document No. 91-108870; Right-of-Entry Agreement in favor of Hawaii Reserves, Inc., Document No. 2007-066565; Grant of Easement in favor of Hawaiian Electric Company, Inc. and Hawaiian Telcom, Inc., Document No. 93-176830; Grant of Easement in favor of Laie Water Company, Inc., Document No. 2000-082556; Grant of Easement in favor of Laie Treatment Works, Inc., Document No. 2000-082559.

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.

Ms. Suzanne D. Case, Chairperson  
May 15, 2020  
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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:

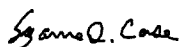
- A. Authorize the acquisition of the temporary construction rights-of-entry under the terms and conditions cited above which are by this reference incorporated herein and further subject to the following:
  - 1. The standard terms and conditions of the appropriate construction right-of-entry form, as 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

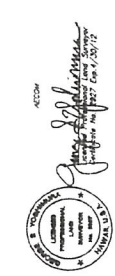
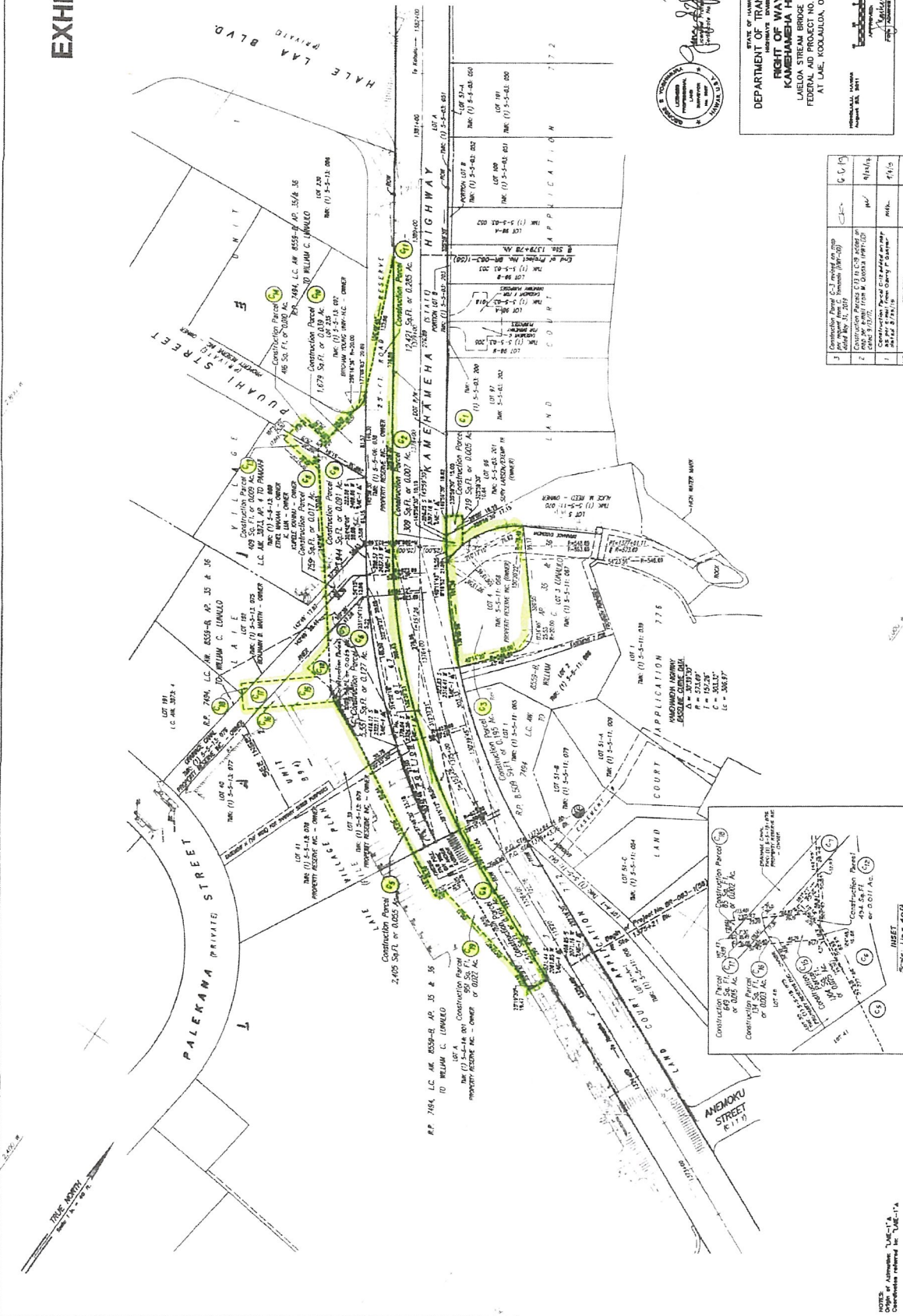
APPROVED FOR SUBMITTAL:



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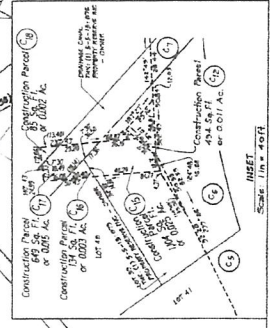
SUZANNE D. CASE, Chairperson

# EXHIBIT A



DEPARTMENT OF TRANSPORTATION  
**RIGHT OF WAY MAP**  
**KAMEHAMEHA HIGHWAY**  
 LAKELO STREAM BRIDGE REPLACEMENT  
 FEDERAL AID PROJECT NO. BR-005-(58)  
 AT LAKE, KOOLAUPUN, OAHU, HAWAII

NO.	REVISION	APPROVED	DATE
1	Construction Parcel 10-1 added on map	[Signature]	6/6/19
2	Construction Parcel 10-2 added on map	[Signature]	9/14/19
3	Construction Parcel 10-3 added on map	[Signature]	9/15/19



NOTES:  
 Origin of Address: "Lot-C", A  
 Construction referred to: "Lot-C", A