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

IN REPLY REFER TO:
HWY-RM 3.96235

July 21, 2020

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

Dear Ms. Case:

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

MAUI:

Dedication of Land to the Department of Transportation, Highways Division, for Highway Purposes. Relating to Haleakala Road Federal Aid Project (FAP) No. 5B, situate at Kehuna, Kula, Maui, Hawaii, Re: Tax Map Key (TMK) (2) 2-3-011-132.

APPLICANT:

DEPARTMENT OF TRANSPORTATION, Highways Division (DOT).

LEGAL REFERENCE:

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

LOCATION:

Land relating to Haleakala Highway, FAP No. 5B, situate at Kehuna, Kula, Maui, Hawaii, being all of Lot 59 of Kualono Subdivision, File Plan 2488, identified as TMK (2) 2-3-011-132, as shown and described on the attached maps labeled as Exhibit A.

AREA PARCEL:

Parcel 1=1,702 square feet or 0.039 acre

OWNERSHIP

Hanohano LLC, A Hawaii
limited liability company

ZONING:

Road.

CURRENT USE STATUS:

Hanohano LLC, a limited liability company.

Road, and encumbered by Certificate of Conditions, Document No. 2005-105309; Grant, Document No. 2008-186999, amended by Document No. A-69190506 and A-6919507; Kualono Declaration of Covenants, Conditions, Easements and Restrictions, Document No. A-60530533; Grant of Access Easement, Document No. A-60010656; and Grant, Document No. A-63730561.

COMPENSATION:

The DOT will be conveyed the above referenced property gratis.

CHAPTER 343-ENVIRONMENTAL ASSESSMENT:

A Phase I Environmental Site Assessment was conducted by Vulich Environmental Consultants, Inc. in accordance to American Society of Testing and Materials Publication E1527-00 and this assessment has revealed no evidence of recognized environmental conditions in connection with the property.

REMARKS:

The parcel was created as required by the Findings of Fact, Conclusions of Law, and Decision and Order For a State Land Use District Boundary Amendment of the Land Use Commission. "...6. Traffic Impact Mitigation. ... 6e. An extended separate right turn lane, approximately 150 feet long, on the makai bound approach of Haleakala Highway within the available right-of-way and within the constraints of the existing drainage ditch."

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 dedication of the subject land under the terms and conditions cited above which are by this reference incorporated herein and further subject to the following:

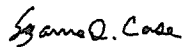
1. The standard terms and conditions of the appropriate deed, as may be amended from time to time.
 2. Review and approval by the Department of the Attorney General; and
 3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interest of the State.
- B. Authorize the acquisition even in the event of a change in the ownership of the parcel 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

KIAMI ORO SUBDIVISION

LAND SURVEYED BY THE SOUTHWESTERN SEC OF OLD HAZENHURST HIGHWAY

SECTION 10, T. 10 N., R. 10 W., S. 10 E.

THIS SURVEY OF THE ORO SUBDIVISION IS SUBJECT TO THE RIGHTS OF THE STATE OF FLORIDA IN AND TO THE PUBLIC DOMAIN AND TO THE RIGHTS OF THE UNITED STATES IN AND TO THE PUBLIC DOMAIN.

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AREA - 28,899 ACRES

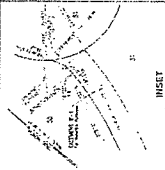
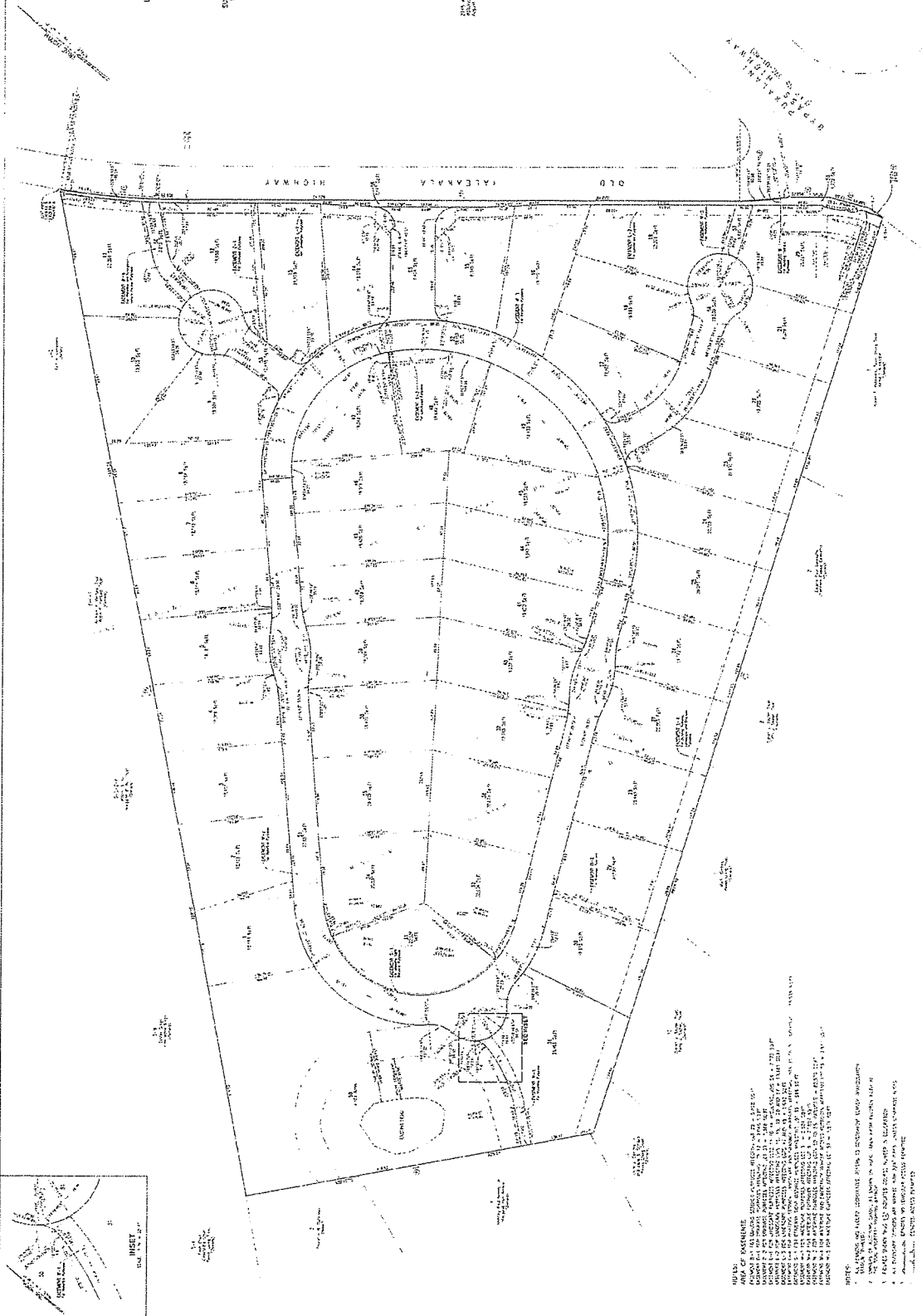
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NOTE: THIS SURVEY WAS MADE IN ACCORDANCE WITH THE PROVISIONS OF THE FLORIDA SURVEYING ACT OF 1905, AS AMENDED.

THE SURVEY WAS MADE BY THE SOUTHWESTERN SEC OF OLD HAZENHURST HIGHWAY.

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