August 17, 2020

Ms. Suzanne D. Case, Chairperson
Board of Land and Natural Resources
Kanaimoku 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, Oahu, Hawaii

OAHU:

Dedication of Land to the Department of Transportation, Highways Division, for Highway Purposes, Relating to Fort Weaver Road Realignment Federal Aid Secondary Project (FASP) No. S-RS-0760(2), situate at Honolulu, Ewa, Oahu, Hawaii,
Re: Tax Map Key (TMK) (1) 9-1-012-087.

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 Fort Weaver Road Realignment, FASP No. S-RS-0760(2), situate at Honolulu, Ewa, Oahu, Hawaii, being all of Lots 12587 and 12758, as shown on Map 929, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1069 of the Trustees under the Will and of the Estate of James Campbell, deceased, identified as TMK (1) 9-1-012-087, as shown and described on the attached maps labeled as Exhibit A.

AREA PARCEL:

Parcel 59=3,092 square feet.

OWNERSHIP:

Haseko Homes, Inc., a Hawaii corporation.
Parcel 60=5,293 square feet.

Haseko (Ewa), Inc., a Hawaii corporation.

ZONING:

Road.

CURRENT USE STATUS:

Haseko Homes, Inc., a Hawaii corporation (Parcel 59).

Road, and encumbered by Unilateral Agreement and Declaration for Conditional Zoning, Document No. 2091140; Trustee's Limited Warranty Deed, Document No. 1255764, Confirmation of Deed Provisions and Reaffirmation of Reservations, Document No. 2548383 (upon the dedication of the property to any governmental entity, the restrictions, reservations, covenants and conditions affecting the property shall automatically terminate); Unilateral Agreement and Declaration for Conditional Zoning, Document No. 1298651; Grant of Easement, Document No. 2630874 (upon dedication of the roadway lot to a governmental authority, the easement shall automatically terminate); Grant of Easement (Cable), Document No. 2648109 (upon dedication of the roadway lot to a governmental authority, the easement shall automatically terminate); Designation of Easement “2309”, Land Court Order (LCO) No. 96916; Grant, Document No. 2237810.

Haseko (Ewa), Inc., a Hawaii corporation (Parcel 60).

Road, and encumbered by Unilateral Agreement and Declaration for Conditional Zoning, Document No. 2091140; Trustee's Limited Warranty Deed, Document No. 1255764, Confirmation of Deed Provisions and Reaffirmation of Reservations, Document No. 2548383 (upon the dedication of the property to any governmental entity, the restrictions, reservations, covenants and conditions affecting the property shall automatically terminate); Designation of Easement “1987”, LCO No. 92211; Designation of Easement “1988”, LCO No. 92211; Grant, Document No. 2237810; Terms and Provisions contained in Document No. 1788412, Amended by Document Nos. 2131779 and 2159248; Grant of Easement (Cable), Document No. 2648109 (upon dedication of the roadway lot to a governmental authority, the easement shall automatically terminate); Grant of Easement, Document No. 2630874 (upon dedication of the roadway lot to a governmental authority, the easement shall automatically terminate); Access rights over Lot 12587 in favor of Lots 15679 through 15683 and Lots 13489, 13490, 12589, 12590 and 11729, as set forth by LCO No. 156675 and amended by LCO No. 167781.

COMPENSATION:

The DOT will be conveyed the above referenced property gratis.
CHAPTER 343-ENVIRONMENTAL ASSESSMENT:

Belt Collins conducted a Preliminary Environmental Site Assessment. It is their opinion that the available historical and surficial evidence indicates that the possibility that hazardous materials may be found in the soil or groundwater at the site and that further investigation of the site may be warranted.

REMARKS:

The parcels were created as part of the Ewa Marina to allow the proposed community access to Fort Weaver Road.

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