

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

May 28, 2021

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No.: 19OD-109

OAHU

Grant of Two (2) Perpetual, Non-Exclusive Easements to the City and County of Honolulu for Drainage, Flowage, and Sewage Purposes, and City and County of Honolulu, by its Board of Water Supply, for Water Meter Purposes, Honolulu, Oahu, Tax Map Key: (1) 1-5-007: portions of 001 and 002.

APPLICANTS:

City and County of Honolulu; and
City and County of Honolulu, by its Board of Water Supply.

LEGAL REFERENCE:

Sections 171-13 and 95, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government land located in Honolulu, Oahu, identified by Tax Map Key: (1) 1-5-007: portions of 001 and 002, as shown on the maps attached as **Exhibit A-1** and **A-2**.

AREA (square feet, more or less):

Easement	A	B	C	D	E
Purpose	Drainage	Flowage	Water Meter	Sewage/Flowage	Sewage
Area	1,808	4,868	946	1,838	5,594

ZONING:

State Land Use District: Urban
City & County of Honolulu LUO: BMX-3 (Parcel 001) and IMX-1 (Parcel 002)

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

TMK (1) 1-5-007: portions of 001
Governor's Executive Order No. 4131 to the Department of Accounting and General
Services for Liliha Civic Center purposes.

TMK (1) 1-5-007: portions of 002
Governor's Executive Order No. 4130 to the Hawaii Housing and Finance Development
Corporation for Affordable Rental Housing Project purposes.

CHARACTER OF USE:

Right, privilege and authority to construct, use, maintain and repair an easement for
drainage, flowage, and sewage purposes, in, over, under and across State-owned land for
access purposes; and

Right, privilege and authority to construct, use, maintain and repair an easement for water
meter purposes, in, over, under and across State-owned land for access purposes.

TERM:

Perpetual.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

Gratis

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

The Final Environmental Impact Statement acceptance for the "Iwilei Elderly Housing
Project" was published in the Office of Environmental Quality Control's The
Environmental Notice on February 23, 2002.

DCCA VERIFICATION:

Government agency. Not applicable.

APPLICANT REQUIREMENTS:

None

REMARKS:

At its meeting of October 12, 2001, under agenda item D-7, the Board approved setting aside Parcel 002 to the Hawaii Housing Finance and Development Corporation (HHFDC) for affordable rental housing project purposes. Governor's Executive Order 4130 was issued to HHFDC on October 24, 2005.

The housing project involved relocating some underground utilities to make room for the housing tower and its associated parking structure. The developer, through its counsel, obtained the approval for the cancellation and re-designation of easements for the utilities from the Department of Planning and Permitting in 2009 and 2013. Pursuant to the above-referenced DPP approvals, easements for drainage, flowage, sewage and water meter purposes were designated. Nevertheless, there was no Board approval on the issuance of easements for the original or relocated utilities. Staff brings the request to today's agenda to resolve this outstanding matter.

Staff did not solicit comments from other agencies on the subject request as comments were sought during the above-mentioned environmental impact statement process.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

RECOMMENDATION: That the Board, subject to the Applicants fulfilling all of the Applicant Requirements listed above, authorize the issuance of two (2) perpetual, non-exclusive easements to the City and County of Honolulu covering the subject area for drainage, flowage, and sewage purposes, and City and County of Honolulu, by its Board of Water Supply, for water meter purposes, under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

- A. The standard terms and conditions of the most current perpetual easement document form, as may be amended from time to time;
- B. Review and approval by the Department of the Attorney General; and
- C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

Barry Cheung

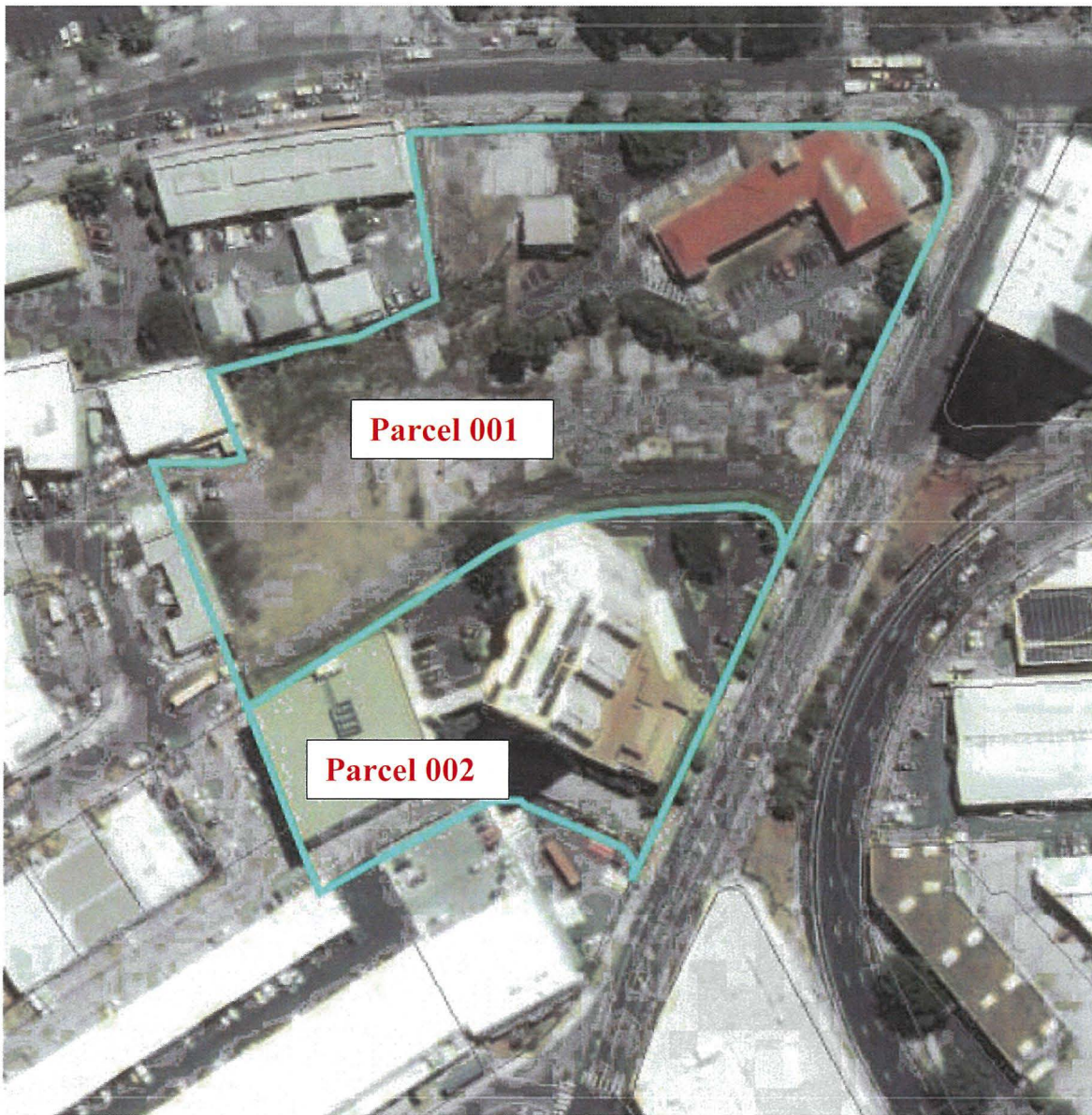
Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:

Suzanne D. Case

Suzanne D. Case, Chairperson

RT



TMK (1) 1-5-007: portions of 001 and 002

EXHIBIT A-1

