



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

JADE T. BUTAY
DIRECTOR

Deputy Directors
ROSS M. HIGASHI
EDUARDO P. MANGLALLAN
EDWIN H. SNIFFEN

IN REPLY REFER TO:

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

MAUI

REQUEST CANCELLATION OF "WATER PIPELINE EASEMENT A" CREATED BY DEED DATED MAY 1, 1972, ALEXANDER & BALDWIN, INC., GRANTOR, AND THE STATE OF HAWAII, GRANTEE; WITHDRAWAL OF "WATER PIPELINE EASEMENT A" FROM GOVERNOR'S EXECUTIVE ORDER NO. 2635, KAHULUI HARBOR, ISLAND OF MAUI, TAX MAP KEY NOS. (2) 3-7-010:003 (P) AND (2) 3-7-010:009 (P)

LEGAL REFERENCE:

Sections 171-11, 171-13, 171-17, 171-30, and 171-31, Hawaii Revised Statutes, as amended.

APPLICANT:

The State of Hawaii, Department of Land and Natural Resources (DLNR), for the State of Hawaii, Department of Transportation, Harbors Division (DOTH), whose mailing address is 79 South Nimitz Highway, Honolulu, Hawaii 96813.

CHARACTER OF USE:

Water Pipeline Easement A is a 10-foot-wide waterline easement.

LOCATION:

Near Kahului Harbor, island of Maui. Water Pipeline Easement A is located to the East of harbor boundaries on land owned by Alexander & Baldwin, Inc. (A&B), Tax Map Key No. (2) 3-7-010:009 (P), as shown on the maps labeled Exhibits A and B and described in Exhibit D.

AREA: See attached Exhibits A and B

Water Pipeline Easement A is a 10-foot-wide waterline easement consisting of an area of approximately 209 square feet located just outside of harbor property on private land owned by A&B.

ITEM M-20

ZONING:

State Land Use Commission:	Urban
County of Maui:	M-2 (Heavy Industrial)

COMMENCEMENT DATE:

To be determined by the Chairperson of the Board of Land and Natural Resources.

TRUST LAND STATUS:

The Public Trust Land Information System lists Tax Map Key No. (2) 3-7-010:003 (P) as subsection 5(a) of the Hawaii Admission Act (non-ceded lands) and has no information regarding trust land status for Tax Map Key No. (2) 3-7-010:009 (P).

CURRENT USE STATUS:

Water Pipeline Easement A is not currently being used by the DOTH as there are other waterlines within harbor boundaries that are available for domestic use.

LAND TITLE STATUS:

To be cancelled by the DOTH through the DLNR.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

This use is exempt from the Office of Environmental Quality Control requirements pursuant to Section 11-200.1, Hawaii Administrative Rules (HAR), which exempts the following:

“Exemption Class 6: Demolition of structures, except those structures that are listed on the National Register or Hawaii Register of Historical Places.”

The DOTH deems the action as de minimis and exempts it from the preparation of an exemption notice in accordance with Section 11-200.1-16(b), HAR.

The exemption declaration for the action described above is based on the Exemption List for the DOTH, reviewed and concurred to by the Environmental Council on February 1, 2022.

REMARKS:

Water Pipeline Easement A (described in Exhibit D) was created by Deed dated May 1, 1972, A&B, Grantor, and the State of Hawaii, Grantee, and was included as a part of Governor's Executive Order No. 2635. Currently, the DOTH does not use Water Pipeline Easement A and has not made any improvements to it. There are waterlines available within harbor boundaries that are more easily accessible for harbor use.

As part of the year 2030 Master Plan for Kahului Harbor, the DOTH recognized the need for additional area in the cargo yard to continue to support the needs of the County of Maui. The DOTH requested that Hawaiian Cement relocate its current facility which is in the cargo yard between Piers 2 and 3 to just outside of harbor boundaries on a parcel owned by A&B, as shown in Exhibit C. The relocation of Hawaiian Cement to its new facility will allow Kahului Harbor to support the projected increase of cargo handling to sustain the future harbor needs of Maui County.

Hawaiian Cement has recently signed a 35-year lease with A&B for its new facility and is in the process of obtaining approvals to start building its new facility. The DOTH also has future plans to acquire the A&B parcel for harbor use, however, the timing of acquisition is uncertain and is likely to be several years from completion.

Hawaiian Cement's new facility includes two silos for cement storage and a warehouse to support its cement operations on Maui. To strengthen the area underneath and surrounding the silos, stone columns are required to be placed underground within the surrounding area to support the weight of the silos. The 209 square foot area of Water Pipeline Easement A runs directly beneath the proposed location of its new facility. The complete removal of Water Pipeline Easement A will be at the sole expense of Hawaiian Cement.

In the nearby vicinity (within harbor boundaries), the DOTH has access to a domestic waterline and a fire line (waterline for fire hydrants) for harbor use. Hawaiian Cement assured the DOTH that there will be no impacts to the water service and supply to Kahului Harbor's operations following removal of Water Pipeline Easement A. If use of Water Pipeline Easement A is determined to still be required by Kahului Harbor, Hawaiian Cement will provide a replacement easement approved by the DOTH and constructed to the standards of the Maui County's Department of Water Supply, at its sole expense.

RECOMMENDATION:

That the Board:

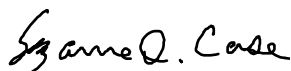
1. Authorize the cancellation of "Water Pipeline Easement A" created by Deed dated May 1, 1972, A&B, Grantor, and the State of Hawaii, Grantee, covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - a. The standard terms and conditions of the most current cancellation of 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 interest of the State.
2. Approve of and recommend to the Governor, issuance of an executive order withdrawing "Water Pipeline Easement A" with an area of approximately 209 square feet from the Governor's Executive Order No. 2635, subject to:
 - a. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
 - b. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;
 - c. Review and approval by the Department of the Attorney General; and,
 - d. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interest of the State.

Respectfully submitted,

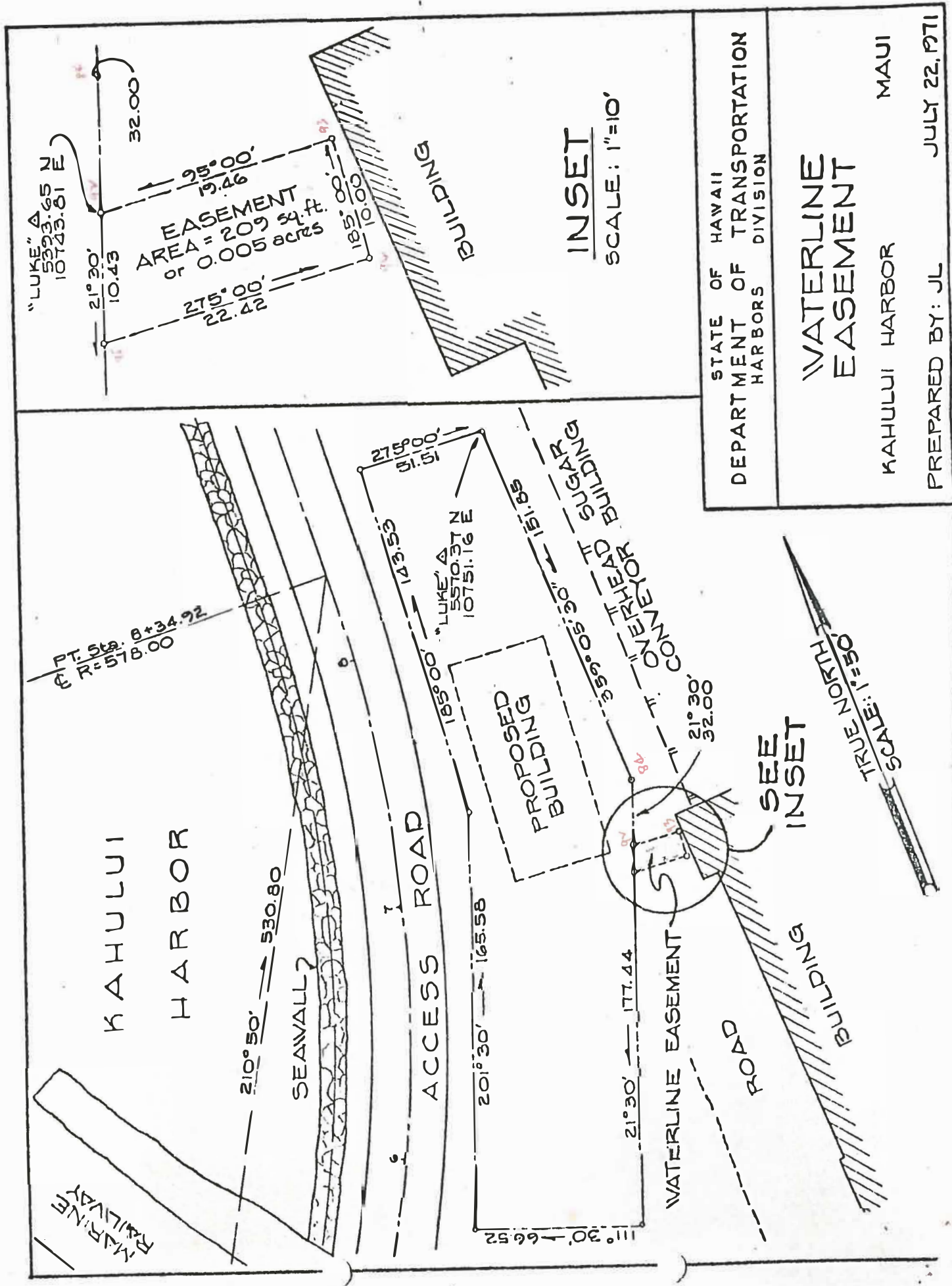


JADE T. BUTAY
Director of Transportation

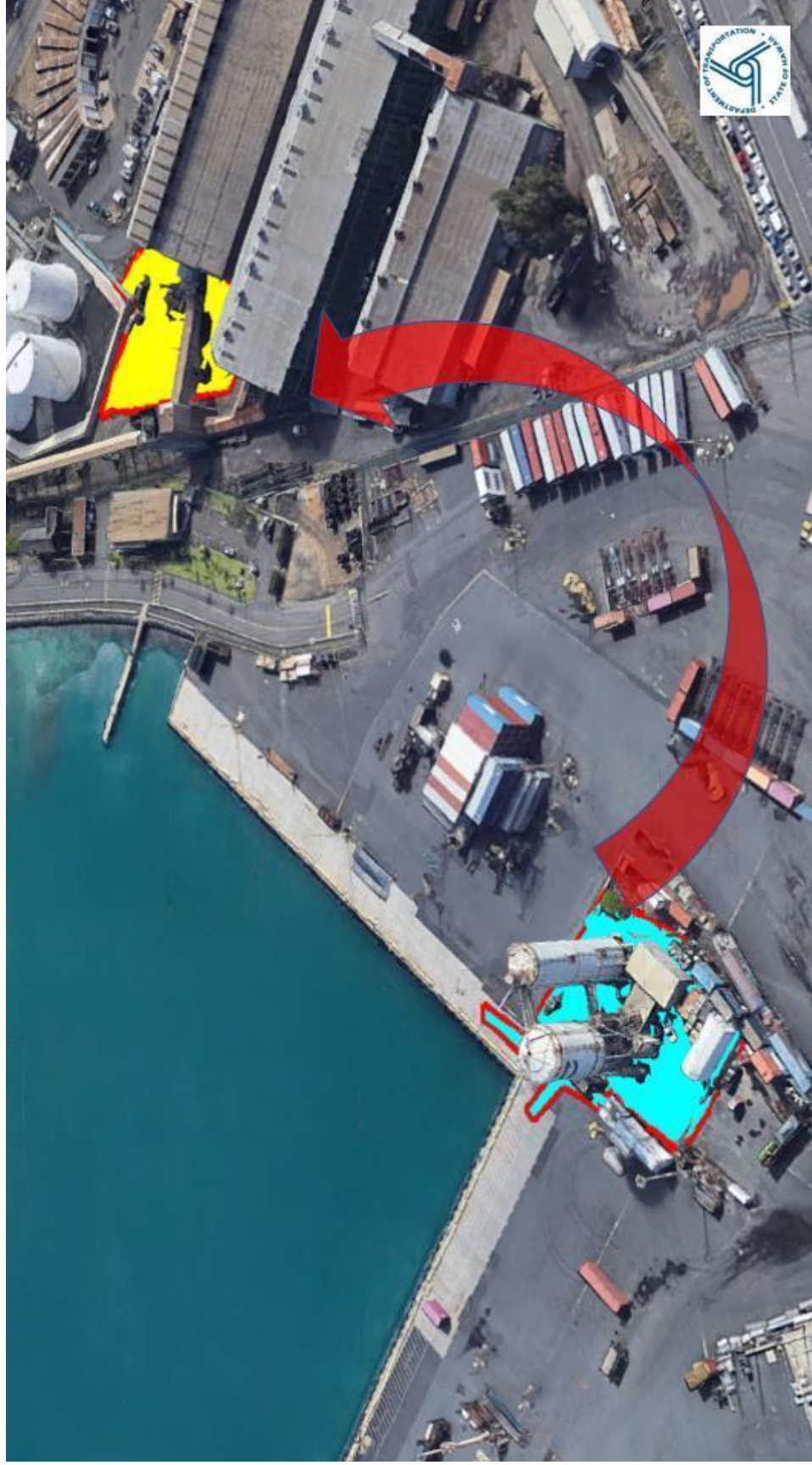
APPROVED FOR SUBMITTAL:



SUZANNE D. CASE
Chairperson and Member
Board of Land and Natural Resources



Relocation of Hawaiian Cement Facility



RECORDATION REQUESTED BY:

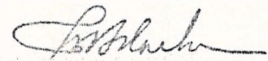
DEPT. OF LAND AND NATURAL RESOURCES
LAND MANAGEMENT DIVISION

AFTER RECORDATION, RETURN TO:

DEPT. OF LAND AND NATURAL RESOURCES
LAND MANAGEMENT DIVISION

RETURN BY: MAIL () PICKUP (X)

72- 38410

STATE OF HAWAII
BUREAU OF CONVEYANCES
RECEIVED FOR RECORDLIBER 8336 PAGE 83
1972 MAY 31 AM 10:37
INDEXED REGISTRAR

D E E D

KNOW ALL MEN BY THESE PRESENTS:

THAT ALEXANDER & BALDWIN, INC., a Hawaii corporation, whose principal place of business is 822 Bishop Street, Honolulu, Oahu, Hawaii and whose post office address is P. O. Box 3440, Honolulu, Oahu, Hawaii, hereinafter called the "GRANTOR," for and in consideration of the sum of EIGHTY-SIX THOUSAND FOUR HUNDRED THIRTY-TWO AND NO/100 DOLLARS (\$86,432.00), to it paid by the STATE OF HAWAII, hereinafter called the "GRANTEE," the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, transfer and deliver unto the Grantee, its successors and assigns, all of those certain parcels of land situate at Kahului, Wailuku, Maui, Hawaii, being Lots 1-A and 1-B and Lot A and Water Pipeline Easment A, more particularly described in Exhibit "A" and delineated on Exhibit "B", both of which are attached hereto and made a part hereof, said exhibits being, respectively, a survey description and survey map prepared by the Survey Division, Department of Accounting and General Services, State of Hawaii, designated C. S. F. No. 16,516 and C. S. F. No. 16,517 and dated January 11, 1972.

AND the reversions, remainders, rents, issues and profits thereof, and all of the estate, right, title and in-

EXEMPT—HAWAII CONVEYANCE TAX

CERTIFICATE NOT REQUIRED

LIBER 8336 PAGE 84

terest of the Grantor, both at law and in equity, therein and thereto.

TO HAVE AND TO HOLD the same, together with all the rights, easements, privileges and appurtenances thereunto belonging, or in anywise appertaining or held and enjoyed therewith unto said Grantee, its successors and assigns, forever.

The Grantor for itself, its successors and assigns, does hereby covenant with the Grantee, its successors and assigns, that the Grantor is lawfully seized in fee simple and possessed of the above described land and premises, that it has a good and lawful right to convey the same as aforesaid, that the same is free and clear of all encumbrances, and that it will and its successors and assigns, shall WARRANT AND DEFEND the same unto the Grantee, its successors and assigns, forever, against the claims and demand of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has caused its corporate seal to be affixed hereto and its corporate name to be signed by its proper officers thereto duly authorized by its Board of Directors, this 1st day of May, 1972.

ALEXANDER & BALDWIN, INC.

By *Alt Cox*
Its VICE-PRESIDENT

And By *[Signature]*
Its ASST. TREASURER

APPROVED AS TO FORM
AND LEGALITY:

Gerald H. Y. Chang
Deputy Attorney General
Dated: April 19, 1972

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STATE OF HAWAII)
 : ss.
CITY & COUNTY OF HONOLULU)

On this 1st day of May, 1972,
before me appeared R. H. COX
and R. S. WATERHOUSE, to me personally
known, who, being by me duly sworn, did say that they are the
VICE-PRESIDENT and ASST. TREASURER,
respectively, of ALEXANDER & BALDWIN, INC., a Hawaii corpora-
tion, and that the seal affixed to the foregoing instrument
is the corporate seal of said corporation and that said instru-
ment was signed and sealed in behalf of said corporation by
authority of its Board of Directors, and the said _____
R. H. COX and R. S. WATERHOUSE
acknowledged said instrument to be the free act and deed of
said corporation.

Ah Kam Young
Notary Public, First Judicial
Circuit, State of Hawaii

My Commission expires: OCT. 16, 1973

mm
Proofed by: *mm*



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STATE OF HAWAII

SURVEY DIVISION

DEPT. OF ACCOUNTING AND GENERAL SERVICES

HONOLULU

C.S.F. No. 16,516

January 11, 1972

Portions of Grant 3343 to Claus Spreckels

LOTS 1-A AND 1-B

Kahului, Wailuku, Maui, Hawaii

LOT 1-A:

Beginning at the easterly corner of this parcel of land and on the U. S. Bulkhead Line of October 15, 1940, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 5112.09 feet North and 9999.55 feet East, as shown on Government Survey Registered Map 3056, thence running by azimuths measured clockwise from True South:-

1. 47° 05' 25" 98.40 feet along the remainder of Grant 3343 to Claus Spreckels;
2. 57° 17' 25" 23.51 feet along the remainder of Grant 3343 to Claus Spreckels;

Thence along the seashore for the next five (5) courses, the direct azimuths and distances being:

- | | |
|-----------------|---|
| 3. 169° 18' | 46.93 feet; |
| 4. 178° 26' | 47.24 feet; |
| 5. 168° 12' | 20.00 feet; |
| 6. 276° 14' 30" | 84.05 feet; |
| 7. 317° 04' | 32.87 feet to the point of beginning
and containing an
AREA OF 6,938 SQUARE FEET. |

EXHIBIT "A"

CSF NO. 16,516

January 11, 1972

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LOT 1-B:

Being portion of the land conveyed by the United States of America to Hawaiian Commercial and Sugar Company by Quitclaim Deed dated August 31, 1957 and recorded in Liber 3379, Page 306.

Beginning at the northeast corner of this parcel of land, and on the U. S. Bulkhead Line of October 15, 1940, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 5112.09 feet North and 9999.55 feet East, as shown on Government Survey Registered Map 3056, thence running by azimuths measured clockwise from True South:-

1. 336° 56' 188.53 feet along land described in Quitclaim Deed: Hawaiian Commercial and Sugar Company, Limited to Territory of Hawaii, dated November 6, 1931 and recorded in Liber 1138, Pages 204-215 (Land Office Deed 4276);
2. 122° 27' 40" 111.29 feet along the remainder of Grant 3343 to Claus Spreckels;
3. 32° 27' 40" 92.02 feet along the remainder of Grant 3343 to Claus Spreckels;
4. 122° 27' 40" 16.71 feet;
5. 165° 47' 95.86 feet;
6. 237° 17' 25" 41.60 feet along U. S. Bulkhead Line and along remainder of Grant 3343 to Claus Spreckels;
7. 227° 05' 25" 98.40 feet along remainder of Grant 3343 to Claus Spreckels to the point of beginning and containing an AREA OF 15,295 SQUARE FEET.

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By: Ichiro Sakamoto
Ichiro Sakamoto
Land Surveyor

Compiled from map
by State of Hawaii,
Dept. of Transp.,
Div. of Harbors and
Govt. Survey Records.

ac



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STATE OF HAWAII

SURVEY DIVISION

DEPT. OF ACCOUNTING AND GENERAL SERVICES
HONOLULUC.S.F. No. 16,517

January 11, 1972

Portions of Grant 3343 to Claus Spreckels

Lot A and Water Pipeline Easement A

Kahului, Wailuku, Maui, Hawaii

LOT A:

Beginning at the southwest corner of this parcel of land, and on the seashore of 1906, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 5278.33 feet North and 10,626.60 feet East, as shown on Government Survey Registered Map 2499, thence running by azimuths measured clockwise from True South:-

Along seashore of 1906 for the first four (4) courses, the direct azimuths and distances being:

- | | | |
|----|--------------|---|
| 1. | 245° 27' | 26.06 feet; |
| 2. | 220° 43' | 82.80 feet; |
| 3. | 196° 47' | 163.00 feet; |
| 4. | 177° 23' | 63.20 feet; |
| 5. | 275° 00' | 2.62 feet along the remainder of Grant 3343 to Claus Spreckels; |
| 6. | 359° 05' 30" | 151.85 feet along the remainder of Grant 3343 to Claus Spreckels; |
| 7. | 21° 30' | 177.44 feet along the remainder of Grant 3343 to Claus Spreckels; |
| 8. | 111° 30' | 66.52 feet along the remainder of Grant 3343 to Claus Spreckels, to the point of beginning and containing an AREA OF 7,047 SQUARE FEET or 0.162 ACRE. |

EXHIBIT "A"

CSF NO. 16,517

January 11, 1972

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WATER PIPELINE EASEMENT A:

Beginning at the northwest corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 5389.26 feet North and 10,741.79 feet East, as shown on Government Survey Registered Map 2499, thence running by azimuths measured clockwise from True South:-

1. 275° 00' 19.46 feet along the remainder of Grant 3343 to Claus Spreckels;
2. 5° 00' 10.00 feet along the remainder of Grant 3343 to Claus Spreckels;
3. 95° 00' 22.42 feet along the remainder of Grant 3343 to Claus Spreckels;
4. 201° 30' 10.43 feet along the above-described lot A, to the point of beginning and containing an AREA OF 209 SQUARE FEET.

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

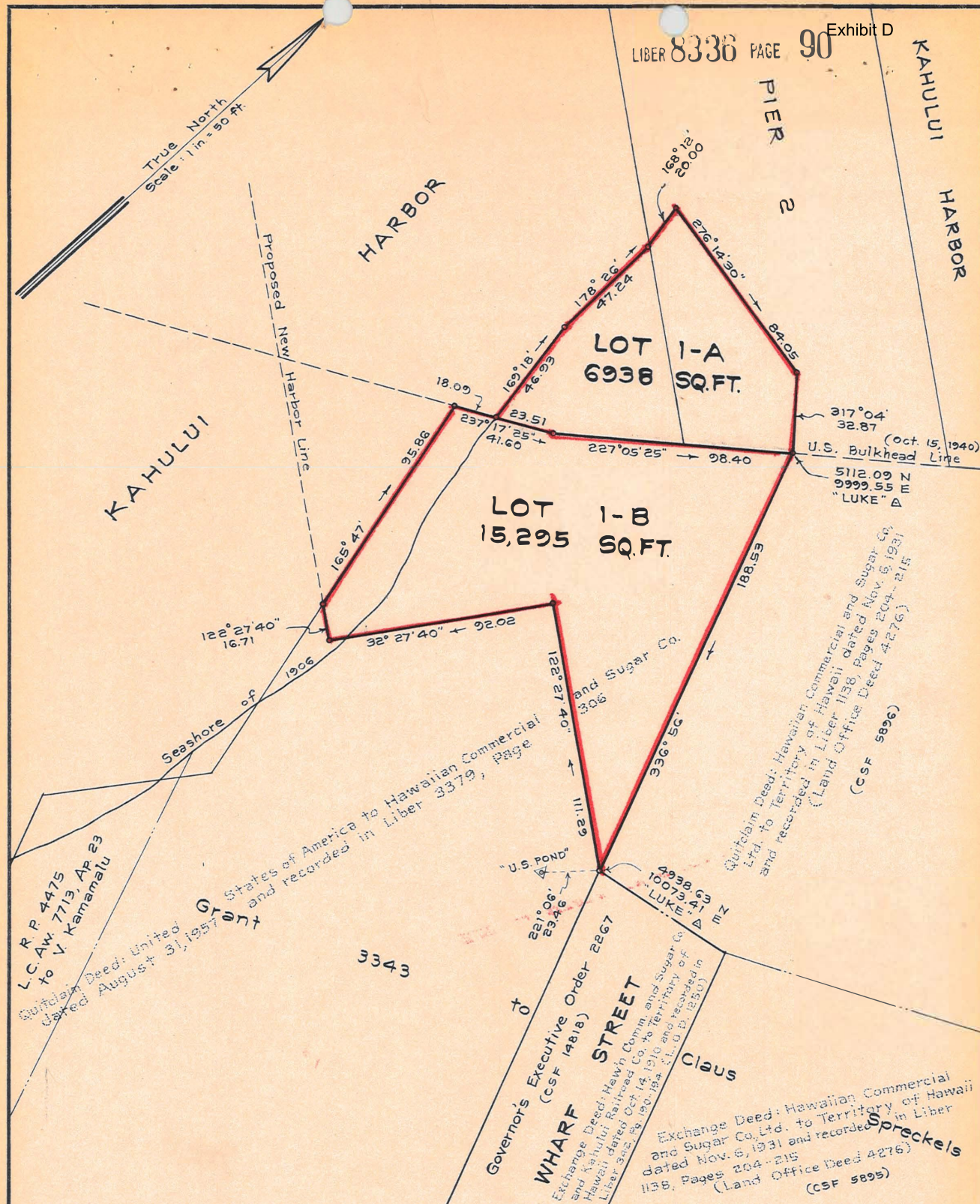
By: Ichiro Sakamoto
Ichiro Sakamoto
Land Surveyor

ac

Compiled from map
by State of Hawaii,
Dept. of Transp.,
Div. of Harbors and
Govt. Survey Records.

КАНУЛИ

HARBOR



Portions of Grant 3343 to Claus Spreckels

LOTS 1-A AND 1-B

Kahului, Wailuku, Maui, Hawaii

JOB Ma - 5375

C. BK 18, Sakamoto

Scale: 1 inch = 50 feet

EXHIBIT "B"

TAX MAP 3-7-10

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

STATE OF HAWAII

C. S. F. No. 16,516

I.S. Jan. 11, 1972

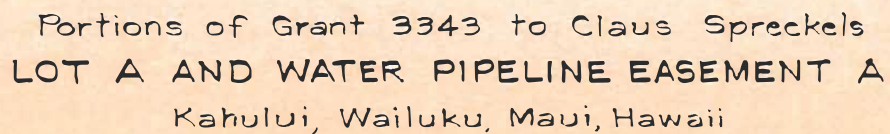


EXHIBIT "B"

1.5. Jan. 11, 1972

Return to: Dept. of Land and
Natural Resources
Land Management Division

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