

DAVID Y. IGE  
GOVERNOR



JADE T. BUTAY  
DIRECTOR

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

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

IN REPLY REFER TO:  
HWY-RM 3.97185

February 17, 2022

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

Dear Ms. Case:

REQUEST:

Authorize to convey subject Property, designated as Parcel 4, formerly a portion of Remnant R-1, East Molokai Road, Federal Secondary Aid Project No. FAS 2-A (1), Molokai, Maui, Hawaii, Tax Map Key (2) 5-4-001:102 (portion), as shown on Exhibit A. The remainder of Remnant R-1 was sold by the State of Hawaii, in Liber 12219, Page 364, as shown on Exhibit B.

LEGAL REFERENCE:

Sections 171-52, and other applicable sections of Chapter 171, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

The Property is a remnant of an Old Government Road. Land was accreted, and the Property is now located between two parcels.

AREA:

Parcel 4 is approximately 1,987 square feet, more or less, as shown on Copy of Survey Furnished No. 17,362 (Exhibit C).

ZONING:

Parcel 4: Roadway

**ITEM M-7**

LAND TITLE STATUS:

Ceded, Department of Hawaiian Home Lands 30% entitlement lands pursuant to the Hawaii State Constitution:

YES   X              NO       

CURRENT USE STATUS:

Parcel 4 was previously part of the roadway that has been realigned and is deemed surplus to the Department of Transportation's (DOT) needs.

COMMENCEMENT DATE:

Execution date of the quitclaim deed.

COMPENSATION:

Remnant is to be disposed of in compliance with section HRS 171-52.

LIENS AND/OR ENCUMBRANCES:

None noted at this time.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Not applicable. Subject lands are to be sold to abutting landowner(s) and will become privately owned lands at that point. Chapter 343, HRS, would not apply to any future development on the Property as no State lands would be involved.

REMARKS:

The parcel was deemed surplus to DOT's needs. The DOT has no objection to the disposal and transfer to an abutting property owner as prescribed by the Director in the best interest of the State of Hawaii.

RECOMMENDATION:

Authorize DOT to dispose of Parcel 4 in compliance with Section HRS 171-52 and any reimbursement of the Federal Aid Project, in accordance with HRS, subject to the following.

1. The standard terms and conditions of the most current deed form.

Ms. Suzanne D. Case, Chairperson  
February 17, 2022  
Page 3

HWY-RM 3.97185

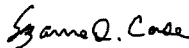
2. Review and approval by the Department of the Attorney General.
3. Such other terms and conditions as may be prescribed by the DOT Director to best serve the interest of the State.
4. The Property shall be conveyed in an "as is" condition and the State makes no warranty or representation about its condition or the presence of hazardous materials on, under or about the same.

Sincerely,



JADE T. BUTAY  
Director of Transportation

APPROVED FOR SUBMITTAL:



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SUZANNE D. CASE, Chairperson

Enclosures

**C.S.F. 17,362**

ABANDONED OLD GOVERNMENT ROAD

PARCEL 4

Portion of Remnant R-1 of East Molokai Road  
Federal Aid Secondary Project FAS 2-A(1)

Kawela, Molokai, Hawaii

FOR TRACING SEE CSF 17359

**EXHIBIT A**

Furnished Land Department  
March 31, 1975  
Folder 523-A



STATE OF HAWAII

SURVEY DIVISION

DEPT. OF ACCOUNTING AND GENERAL SERVICES

HONOLULU

March 24, 1975

C.S.F. No. 17,362

ABANDONED OLD GOVERNMENT ROAD

PARCEL 4

Portion of Remnant R-1 of East Molokai Road  
Federal Aid Secondary Project FAS 2-A(1)

Kawela, Molokai, Hawaii

Being a portion of R.P. 7656, L.C. Aw. 8559-B,  
Apana 28 to William C. Lunalilo.

Beginning at the northwest corner of this parcel of land, at the northeast corner of Parcel 3 of the subdivision of Remnant R-1 of East Molokai Road, Federal Aid Secondary Project FAS 2-A(1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU LUAHINE" being 22,684.82 feet South and 20,871.81 feet East, thence running by azimuths measured clockwise from True South: -

1. 286° 30' 48.02 feet along the remainder of R.P. 7656, L.C. Aw. 8559-B, Apana 28 to William C. Lunalilo;
2. 291° 00' 2.30 feet along the remainder of R.P. 7656, L.C. Aw. 8559-B, Apana 28 to William C. Lunalilo;
3. 22° 30' 40.04 feet along Remnant R-2 of East Molokai Road, Federal Aid Secondary Project FAS 2-A(1);
4. 106° 30' 49.02 feet along the remainder of R.P. 7656, L.C. Aw. 8559-B, Apana 28 to William C. Lunalilo;
5. 200° 39' 40.11 feet along Parcel 3 of the subdivision of Remnant R-1 of East Molokai Road, Federal Aid Secondary Project FAS 2-A(1), to the point of beginning and containing an AREA OF 1987 SQUARE FEET.

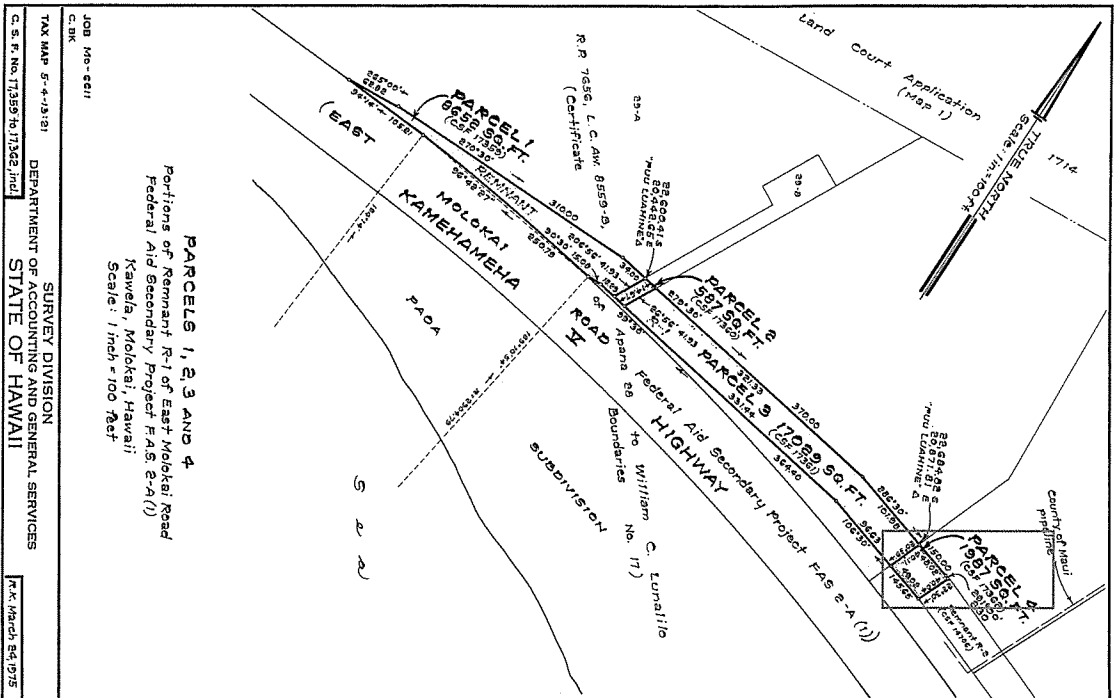
SURVEY DIVISION  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
STATE OF HAWAII

By: Paul T. Nuha  
Paul T. Nuha  
Land Surveyor

Compiled from Gov't.  
Survey Records.

cm

Checked By	<u>D. OYAMA</u>	Date:	<u>3-25-75</u>
Cal. Book No.	<u>2</u>	Page	<u>69</u>
Closure	<u>51.45 51.45 62.34 62.32</u>		



TAX MAP 5-4-13-21 DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
 C. S. F. No. 17359 to 17362, Ind  
 SURVEY DIVISION  
 STATE OF HAWAII  
 P.K. March 24, 1975

JOB No. - 2211  
 C. BK



**EXHIBIT B**

RECORDATION REQUESTED BY:

*mlc*  
77-43815

STATE OF HAWAII  
BUREAU OF CONVEYANCES  
RECORDED  
LIBER 12219 PG 364

AFTER RECORDATION, RETURN TO:

*land office*

77 MAY 23 P 1: 07

RETURN BY: MAIL ( ) PICKUP (✓)

*[Signature]*  
REGISTRAR

QUITCLAIM DEED

THIS INDENTURE, made this 11th day of May, 1977, by and between the State of Hawaii, by its Board of Land and Natural Resources, hereinafter called the "Grantor," and MALIA ENTERPRISES, a Hawaii Limited Partnership, and WATSON W. S. LEE, whose wife is Eleanor Lee, as Tenants in Common, whose post office address is Suite 1100, Pacific Trade Center, Honolulu, Hawaii 96813, hereinafter called the "Grantees,"

WITNESSETH THAT:

WHEREAS, the Grantor is the owner of Parcel 3, an abandoned old government road, hereinafter more particularly described; and

WHEREAS, the Board of Land and Natural Resources, pursuant to Section 171-51 and 171-52(b), Hawaii Revised Statutes, approved the disposition of such parcels as remnants, without recourse to public auction on July 23, 1971,

NOW, THEREFORE, the Grantor, for the sum of ELEVEN THOUSAND NINE HUNDRED TWENTY AND 30/100 DOLLARS (\$11,920.30), the receipt whereof is hereby acknowledged, does hereby

STATE OF HAWAII  
CONVEYANCE TAX...  
P.S. MAY 23 1977  
2 7 7 3 2 8  
CERTIFICATE FILED



remise, release and forever quitclaim unto the Grantees, their heirs and assigns, all of its right, title and interest in and to that certain parcel of land situate at Kawela, Molokai, Hawaii, more particularly described in Exhibit "A" and delineated on Exhibit "B," both of which are attached hereto and made parts 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, both being designated C.S.F. No. 17,361 and dated March 24, 1975.

RESERVING TO THE STATE OF HAWAII, ITS SUCCESSORS AND ASSIGNS, THE FOLLOWING:

1. All minerals as hereinafter defined, in, on or under the land and the right, on its own behalf or through persons authorized by it, to enter, sever, prospect for, mine and remove such minerals by deep mining, strip mining, drilling and any other means whatsoever, and to occupy and use so much of the surface of the land as may be required therefor. "Minerals," as used herein, shall mean any or all oil, gas, coal, phosphate, sodium, sulphur, iron, titanium, gold, silver, bauxite, bauxitic clay, diaspore, boehmite, laterite, gibbsite, alumina, all ores of aluminum and, without limitation thereon, all other mineral substances and ore deposits, whether solid, gaseous or liquid, in, on or under the land; provided, that "minerals" shall not include sand, gravel, rock or other material suitable for use and when used in general construction.

2. All surface and ground waters appurtenant to the said land and the right on its own behalf or through

persons authorized by it, to capture, divert or impound the same and to occupy and use so much of the said land as may be required in the exercise of this reserved right.

Provided, however, that as a condition precedent to the exercise of the rights reserved in Paragraphs 1 and 2, just compensation shall be paid to the Grantees for any of Grantee's improvements taken.

The Grantees, for themselves, their heirs, administrators, executors and assigns of the survivor of them covenant as follows:

1. That the use and enjoyment of the land herein conveyed shall not be in support of any policy which discriminates against anyone based upon race, creed, color or national origin;

2. That the parcel shall be used in combination, consolidation or otherwise with other abutting lands owned by the Grantees, and shall be used in accordance with the appropriate zoning and subdivision ordinances of the County of Maui;

3. That the Grantees are not acquiring any private right in any public street, park or other area designated or shown in any schedules attached hereto as being public property, nor any right to have any or all such areas improved.

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 Grantees, their heirs, administrators, executors and assigns, forever, except as aforesaid.

IN WITNESS WHEREOF, the STATE OF HAWAII, the Grantor herein, by its Board of Land and Natural Resources, has caused the seal of the Department of Land and Natural Resources to be hereunto affixed and these presents to be duly executed as of the day and year first above written.

STATE OF HAWAII

Approved by the Board of Land and Natural Resources at its meeting held on July 23, 1971 *el*

*[Signature]*

By *C Cobb*  
Chairman and Member  
Board of Land and  
Natural Resources

And By *Shinichi Nakagawa*  
Member  
Board of Land and  
Natural Resources

APPROVED AS TO FORM:

*Susan y.m. Am...*  
Deputy Attorney General

Dated: *May 4, 1977*



## STATE OF HAWAII

SURVEY DIVISION

DEPT. OF ACCOUNTING AND GENERAL SERVICES

HONOLULU

March 24, 1975

C.S.P. No. 17,361

## ABANDONED OLD GOVERNMENT ROAD

## PARCEL 3

Portion of Remnant R-1 of East Molokai Road  
Federal Aid Secondary Project FAS 2-A(1)

Kawela, Molokai, Hawaii

Being a portion of R.P. 7656, L.C. Av. 8559-B,  
Apana 28 to William C. Lunalilo.

Beginning at the northeast corner of this parcel of land, at the northwest corner of Parcel 4 of the subdivision of Remnant R-1 of East Molokai Road, Federal Aid Secondary Project FAS 2-A(1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "FUU LUARINE" being 22,684.82 feet South and 20,871.81 feet East, thence running by azimuths measured clockwise from True South:-

1. 20° 39' 40.11 feet along Parcel 4 of the subdivision of Remnant R-1 of East Molokai Road, Federal Aid Secondary Project FAS 2-A(1);
2. 106° 30' 96.63 feet along the remainder of R.P. 7656, L.C. Av. 8559-B, Apana 28 to William C. Lunalilo;
3. 99° 30' 331.44 feet along the remainder of R.P. 7656, L.C. Av. 8559-B, Apana 28 to William C. Lunalilo;
4. 206° 56' 41.93 feet along Parcel 2 of the subdivision of Remnant R-1 of East Molokai Road, Federal Aid Secondary Project FAS 2-A(1);
5. 279° 30' 370.00 feet along the remainder of R.P. 7656, L.C. Av. 8559-B, Apana 28 to William C. Lunalilo;
6. 286° 30' 101.98 feet along the remainder of R.P. 7656, L.C. Av. 8559-B, Apana 28 to William C. Lunalilo, to the point of beginning and containing an AREA OF 17,029 SQUARE FEET

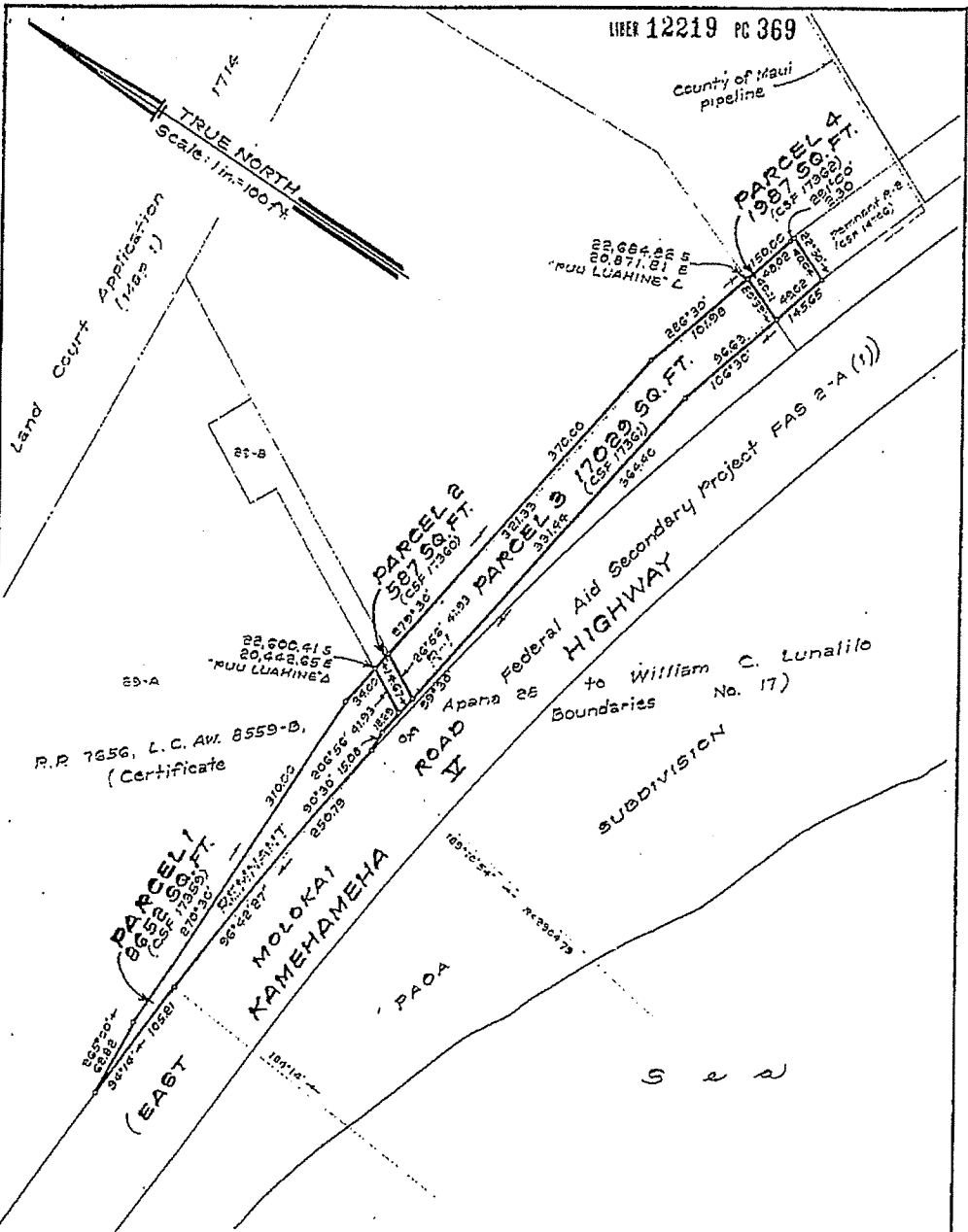
SURVEY DIVISION  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
STATE OF HAWAII

Compiled from Gov't.  
Survey Records.

By:

*Paul T. Ruba*  
Paul T. Ruba  
Land Surveyor

EXHIBIT "A"



PARCELS 1, 2, 3 AND 4  
 Portions of Remnant R-1 of East Molokai Road  
 Federal Aid Secondary Project F.A.S. 2-A(1)  
 Kawela, Molokai, Hawaii  
 Scale: 1 inch = 100 feet

JOB No-6611  
 C. BK

TAX MAP 5-4-13:21

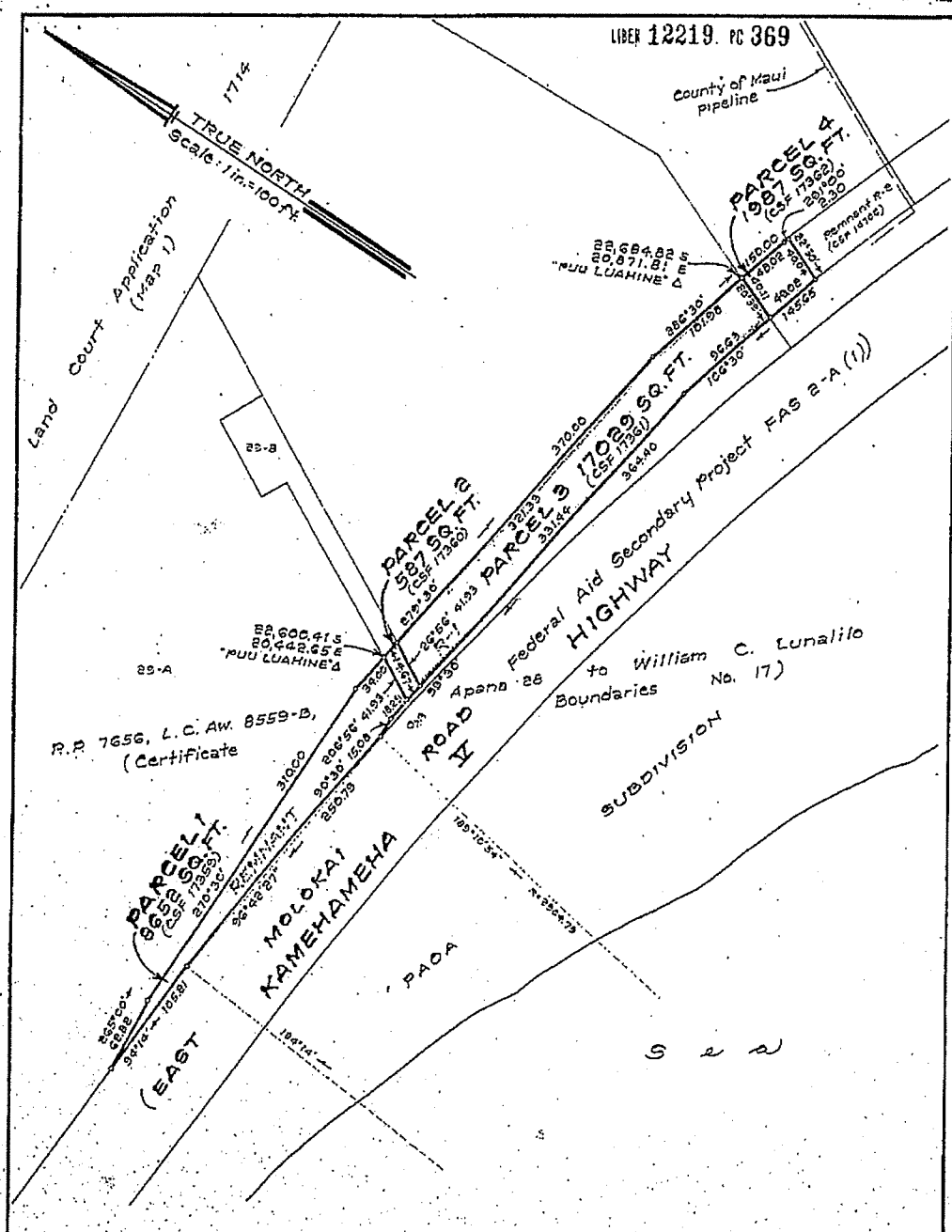
SURVEY DIVISION  
 DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
 STATE OF HAWAII

EXHIBIT "4B"

C. S. F. No. 17,359 to 17,362, incl.

R.K. March 24, 1975

LIBER 12219. PG 369



Land Court Application (Map 1)

R.R. 7656, L.C. Av. 8559-B, (Certificate)

to William C. Lunaliilo Boundaries No. 17

**PARCELS 1, 2, 3 AND 4**

Portions of Remnant R-1 of East Molokai Road  
Federal Aid Secondary Project F.A.S. 2-A(1)

Kawela, Molokai, Hawaii  
Scale: 1 inch = 100 feet

JOB 170-6411  
C, BK

TAX MAP 5-4-13-21

SURVEY DIVISION

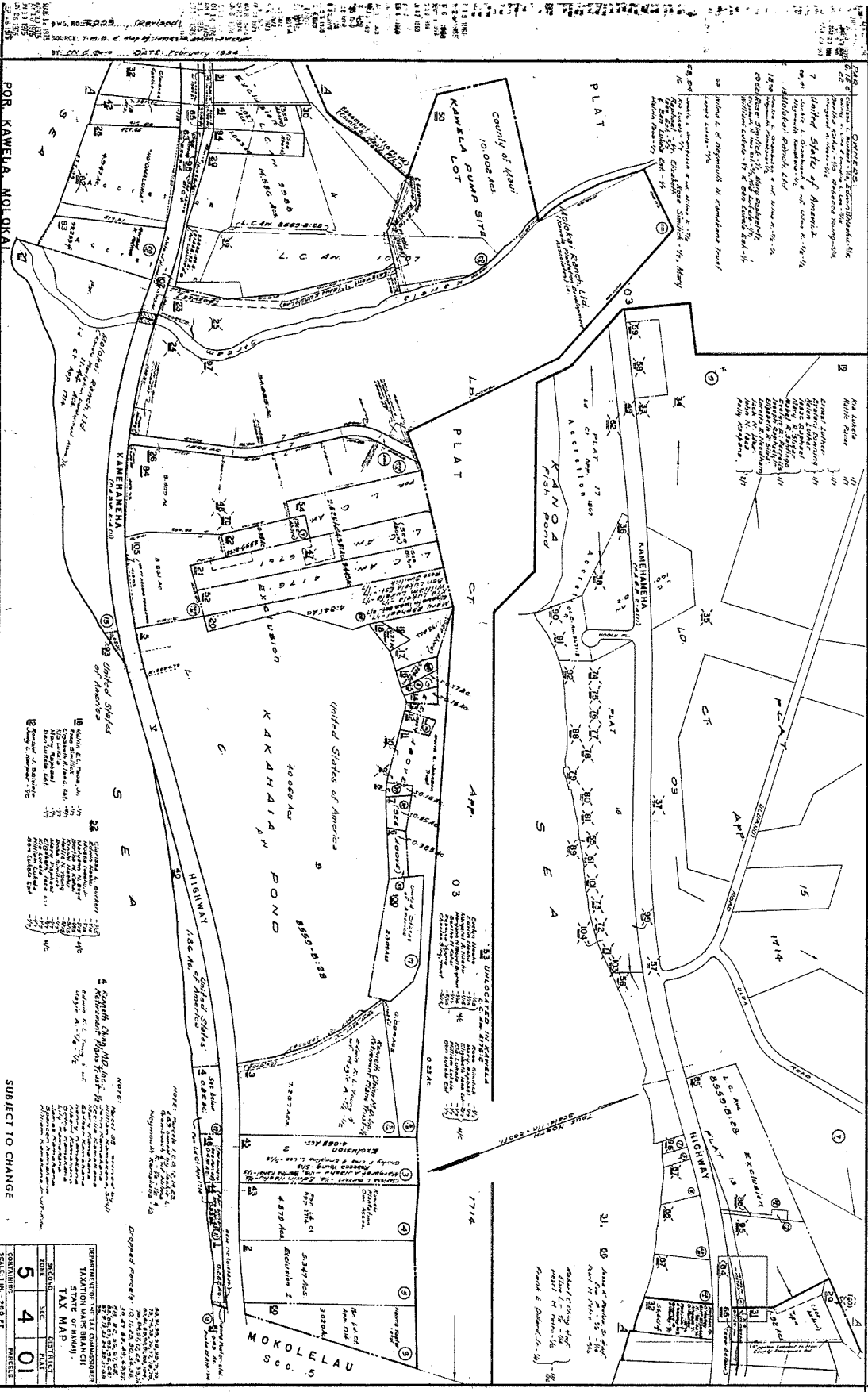
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

**EXHIBIT "B"**

C. S. F. No. 17,359 to 17,362, incl.

STATE OF HAWAII

17 M. March 24, 1975



DATE: FEBRUARY 1954

FOR KAMELA, MOLOKAI

PLAT

AMERICAN OVERSEAS BUILDING CORPORATION

AMERICAN OVERSEAS BUILDING CORPORATION

AMERICAN OVERSEAS BUILDING CORPORATION

AMERICAN OVERSEAS BUILDING CORPORATION

AMERICAN OVERSEAS BUILDING CORPORATION

AMERICAN OVERSEAS BUILDING CORPORATION

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50. [Legal description of land]

[Detailed legal descriptions and annotations for lots 1-50]

[Detailed legal descriptions and annotations for lots 51-60]

[Detailed legal descriptions and annotations for lots 61-70]

[Detailed legal descriptions and annotations for lots 71-80]

[Detailed legal descriptions and annotations for lots 81-90]

[Detailed legal descriptions and annotations for lots 91-100]

[Detailed legal descriptions and annotations for lots 101-110]

[Detailed legal descriptions and annotations for lots 111-120]

UNREGISTERED INSTRUMENTS

[List of unregistered instruments]

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AMERICAN OVERSEAS BUILDING CORPORATION

STATE OF HAWAII

COUNTY OF KAUAI

TAXATION MAPS BRANCH

TAX MAP

5

4

01

PARCELS

SUBJECT TO CHANGE

C.S.F. 17,362

ABANDONED OLD GOVERNMENT ROAD

PARCEL 4

Portion of Remnant R-1 of East Molokai Road  
Federal Aid Secondary Project FAS 2-A(1)

Kawela, Molokai, Hawaii

FOR TRACING SEE CSF 17359

Furnished Land Department  
March 31, 1975  
Folder 523-A





STATE OF HAWAII

SURVEY DIVISION

DEPT. OF ACCOUNTING AND GENERAL SERVICES

HONOLULU

C.S.F. No. 17,362

March 24, 1975

ABANDONED OLD GOVERNMENT ROAD

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Federal Aid Secondary Project FAS 2-A(1)

Kawela, Molokai, Hawaii

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- 2. 291° 00' 2.30 feet along the remainder of R.P. 7656, L.C. Aw. 8559-B, Apana 28 to William C. Lunalilo;
- 3. 22° 30' 40.04 feet along Remnant R-2 of East Molokai Road, Federal Aid Secondary Project FAS 2-A(1);
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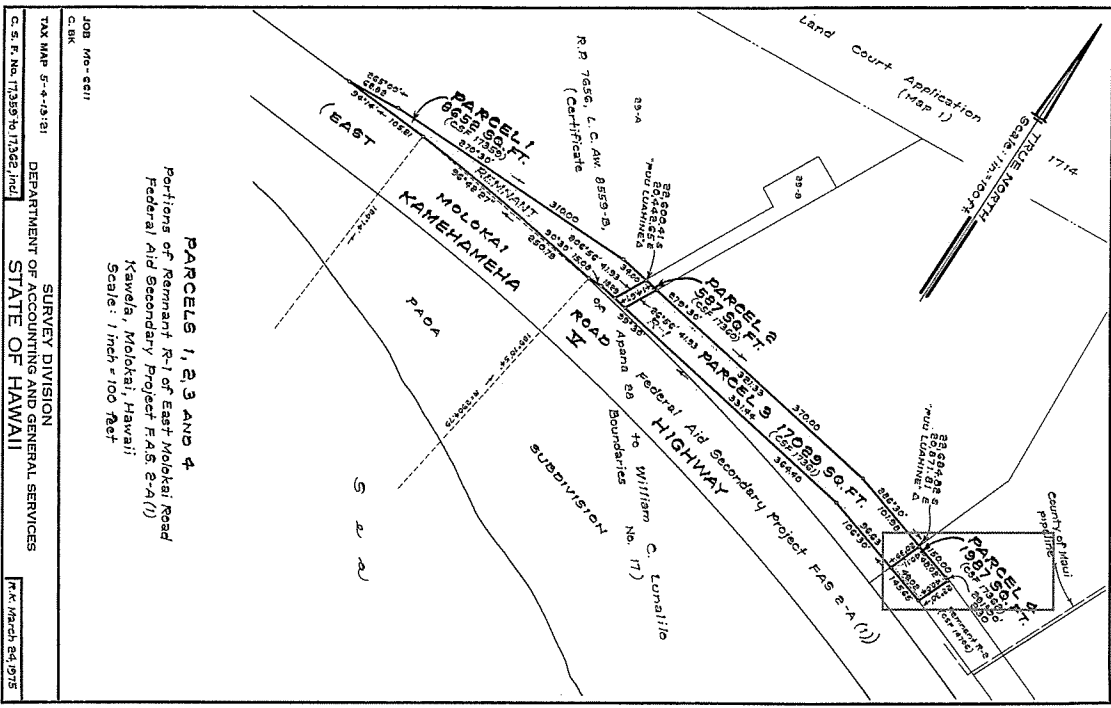
SURVEY DIVISION  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
STATE OF HAWAII

By: Paul T. Nuha  
Paul T. Nuha  
Land Surveyor

Compiled from Gov't.  
Survey Records.

cm

Checked By	<u>D. OYAMA</u>	Date:	<u>2-25-75</u>
Cal. Book No.	<u>2</u>	Page	<u>69</u>
Closure	<u>51.45</u> <u>51.45</u> <u>62.24</u> <u>62.32</u>		



JOB No - 5211  
 C. BK

TAX MAP 5-4-13-21 DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
 C. S. F. No. 17359 to 17362, incl

SURVEY DIVISION  
 STATE OF HAWAII

March 24, 1975

**PARCELS 1, 2, 3 AND 4**  
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 Federal Aid Secondary Project F.A.S. 2-A(1)  
 Kawela, Mo'okai, Hawaii  
 Scale: 1/32 inch = 100 feet