

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

DAVID J. RODRIGUEZ EDWIN H. SNIFFEN IN REPLY REFER TO:

JADE T. BUTAY

DIRECTOR

Deputy Directors

ROSS M. HIGASHI

EDUARDO P. MANGLALLAN

HWY-RM 3.97645

October 26, 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:

OAHU:

Authorizing the Department of Transportation (DOT) to Dispose of Interstate Highway, Federal Aid Project No. I-H1-1(82), Keehi Interchange, Moanalua, Honolulu, Oahu, Hawaii, Tax Map Key (TMK) No. (1) 1-1-004: Portion of H1 Interstate, aka Land Court Lot Application 1074 Lot 846-A-2.

REQUEST:

Authorization to dispose of subject parcel, as described above and shown on the enclosed Right-of-Way map, Land Court map 568 and TMK to the abutting owner, K.J.L. Associates (KJL), owner of TMK No. (1) 1-1-004:076. The land is surplus to DOT's needs and DOT has no objection to the sale.

LEGAL REFERENCE:

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

LOCATION:

The parcel is located on the island of Oahu.

AREA:

Portion of H1 Interstate and Lagoon Drive: 2,042 square feet.

Ms. Suzanne D. Case, Chairperson October 26, 2022 Page 2

ZONING:

The KJL's property, TMK No. (1) 1-1-004:076 is zoned as "Industrial".

LAND TITLE STATUS:

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

YES ____ NO <u>X</u>

CURRENT USE STATUS:

Right-of-Way Parcel 60A is currently being used as a portion of the paved lot of KJL's parking lot. KJL's property is being used by Aloha Kia for auto sales purposes. The remnant is surplus to the DOT's needs.

COMMENCEMENT DATE:

Upon transfer of title to the abutting owner.

COMPENSATION:

Remnant is to be disposed of in compliance with section HRS 171-52 and is pending appraisal from a State approved and State of Hawaii licensed appraiser.

LIENS AND/OR ENCUMBRANCES:

None.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Not applicable. Parcel was part of the roadway and will become privately owned land upon transfer. Chapter 343, HRS, would not apply to any future development on the parcel as no State lands would be involved.

REMARKS:

The parcel was deemed surplus to the 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. We have enclosed the TMK map, Land Court map, Right-of-Way map, and a title report for the referenced parcel.

RECOMMENDATION:

Authorize the DOT to dispose of Interstate Highway, Federal Aid Project No. I-H1-1(82), Keehi Interchange, Moanalua, Honolulu, Oahu, Hawaii, TMK No. (1) 1-1-004: Portion of H1 Interstate, aka Land Court Lot Application 1074 Lot 846-A-2 in compliance with section 171-52 and any reimbursement of the Federal Aid Project, in accordance with HRS, subject to the following:

- 1. The property will be conveyed to the owner through Quitclaim Deed;
- 2. Review and approval by the Department of the Attorney General;
- 3. Such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State;
- 4. The parcel shall be sold at fair market value to be determined by a licensed appraiser, chosen by the State of Hawaii;
- 5. The parcel 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

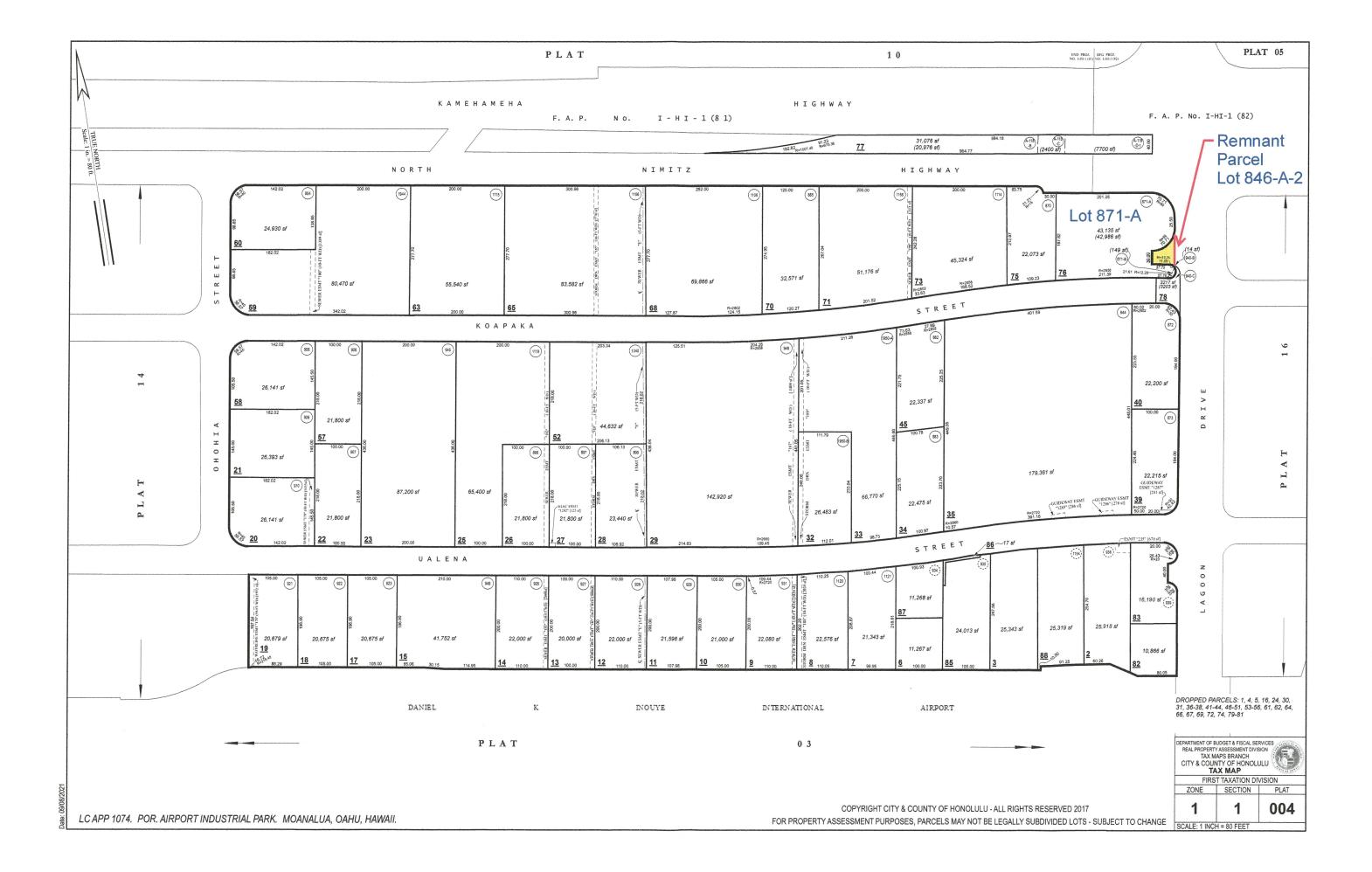
Director of Transportation

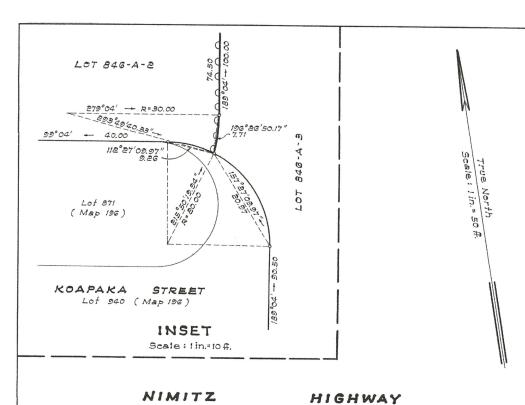
APPROVED FOR SUBMITTAL:

Sgame Q. Cose

SUZANNE D. CASE, Chairperson

Enclosures





(Map 482)

279°04' -- 110.00

可让

22,764 Sq.F

99°04′ -- 100.00

RIVE

SA

846-4-1

Set-Back

Building

30 A

4°51' 90°38' R=20.00 12°29' 105°54' R=30.00

150

100

WAIWAI LOOP

Lot 117-A (Map 563)

- Back

Building

0681

355,00'30" 14.57

To Honolulu --

Lot 77

(Map 150)

WAIWAI LOOP

Lot 117-A (Map 563)

-Lot 847 (Map 189) 70°57' - R=30.00

- To Pearl Harbor

(Map 196)

LOT 846-A-2 2042 Sq.Ft.

SEE INSETABOVE ~

KOAPAKA STREET

Lot 940 (Map 196)

UALENA STREET Lot 940 (Map 196)

LAND COURT

STATE OF HAWA!!

LAND COURT APPLICATION 1074

SUBDIVISION OF LOT 846-A AS SHOWN ON MAP 482 INTO LOTS 846-A-1, 846-A-2 AND 846-A-3 AND DESIGNATION OF RESTRICTION OF VEHICLE ACCESS RIGHTS AFFECTING LOT 846-A-2

AT MOANALUA, HONOLULU, OAHU, HAWAII

STATE OF HAWAII DEPARTMENT OF TRANSPORTATION LAND TRANSPORTATION FACILITIES DIVISION



Registered Professional Surveyor 1566 Land Court Surveyor 141

Honolulu, Hawaii

March 18, 1977

Owner: State of Hawaii Owner's Certificate of Title: 81,174

AUTHORIZED AND APPROVED BY ORDER OF THE JUDGE OF THE LAND COURT DATED NOVEMBER 16, 1977

BY ORDER OF THE COURT

9 681 98°27' - 100.01

Presidential Executive order No. 10,121

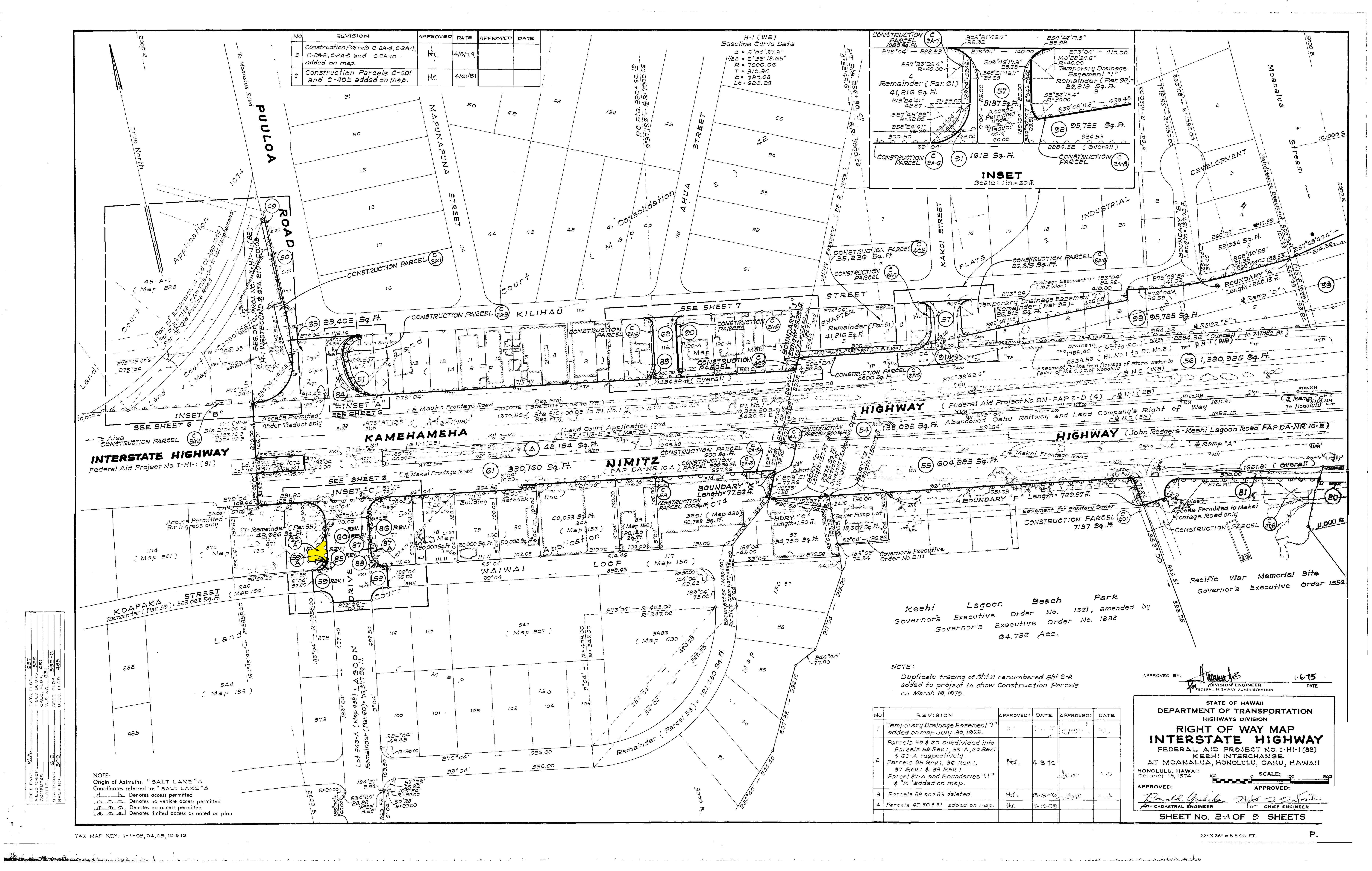
NOTE:

Filed October 12, 1977 Paul Caloffees

Tax Map Key : Portions of Lagoon Drive between 1-1-16 and 1-1-04

denotes no vehicle access permitted

Parcels GO(Rev.1), GO-A



392-0

CERTIFICATE OF SEARCH

Dated July 13, 2021

FAP I-H1-1(82) INTERSTATE HIGHWAY Keehi Interchange

PARCEL: 60-A

AREA: 2,042 Square Feet TAX KEY: 1-1-4-Road

(portion)

ALL OF LOT 846-A-2, AS SHOWN ON MAP 568 OF LAND COURT APPLICATION 1074 OF THE TRUSTEES UNDER THE WILL AND OF THE ESTATE OF SAMUEL M. DAMON, DECEASED, SITUATE AT MOANALUA, CITY AND COUNTY OF HONOLULU, STATE OF HAWAII

OWNER:

STATE OF HAWAII (TCT NO. 81,174)

LIENS and/or ENCUMBRANCES:

Restriction of Vehicle Access Rights, set forth by Land Court Order No. 48800 (Page 3) 1.

THIS IS TO CERTIFY that we have carefully examined the INDICES and RECORDS of the Public Lands Office and the Bureau of Conveyances of the Department of Land and Natural Resources, both at Honolulu, City and County of Honolulu, State of Hawaii, with reference to the title of

STATE OF HAWAII

in and to:

All of those certain parcel of land situate at Moanalua, City and County of Honolulu, State of Hawaii, described as follows:

LOT 846-A-2, area of 2,042 square feet, as shown on Map 568, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1074 of the Trustees under the Will and of the Estate of Samuel M. Damon, deceased.

Being portion of the premises described in and covered by Transfer Certificate of Title No. 81,174 issued on September 2, 1960 to the STATE OF HAWAII.

Subject to any of the encumbrances mentioned in Section 501-82, Hawaii Revised Statutes, which may be subsisting.

AND WE CERTIFY that there are no further liens and/or encumbrances appearing of record of whatsoever kind or nature affecting the title at this time, SAVE and EXCEPT the following which are endorsed on Transfer Certificate of Title No. 81,174 by the Assistant Registrar of the Land Court on February 18, 2014 to-wit:

LAND COURT ORDER NO.: 48800

DESIGNATION OF RESTRICTION OF VEHICLE ACCESS RIGHTS

DATED: November 16, 1977

FILED: November 28, 1977

SHOWN ON TRANSFER CERTIFICATE OF TITLE NO.: 81,174

(Subdivision of Lot 846-A into Lots 846-A-1, 846-A-2 and 846-A-3) and designation of restriction of vehicle access rights affecting Lot 846-A-2, as shown on Map 568 of Land Court Application No. 1074, as Page 4.

Said Petition recites in part:

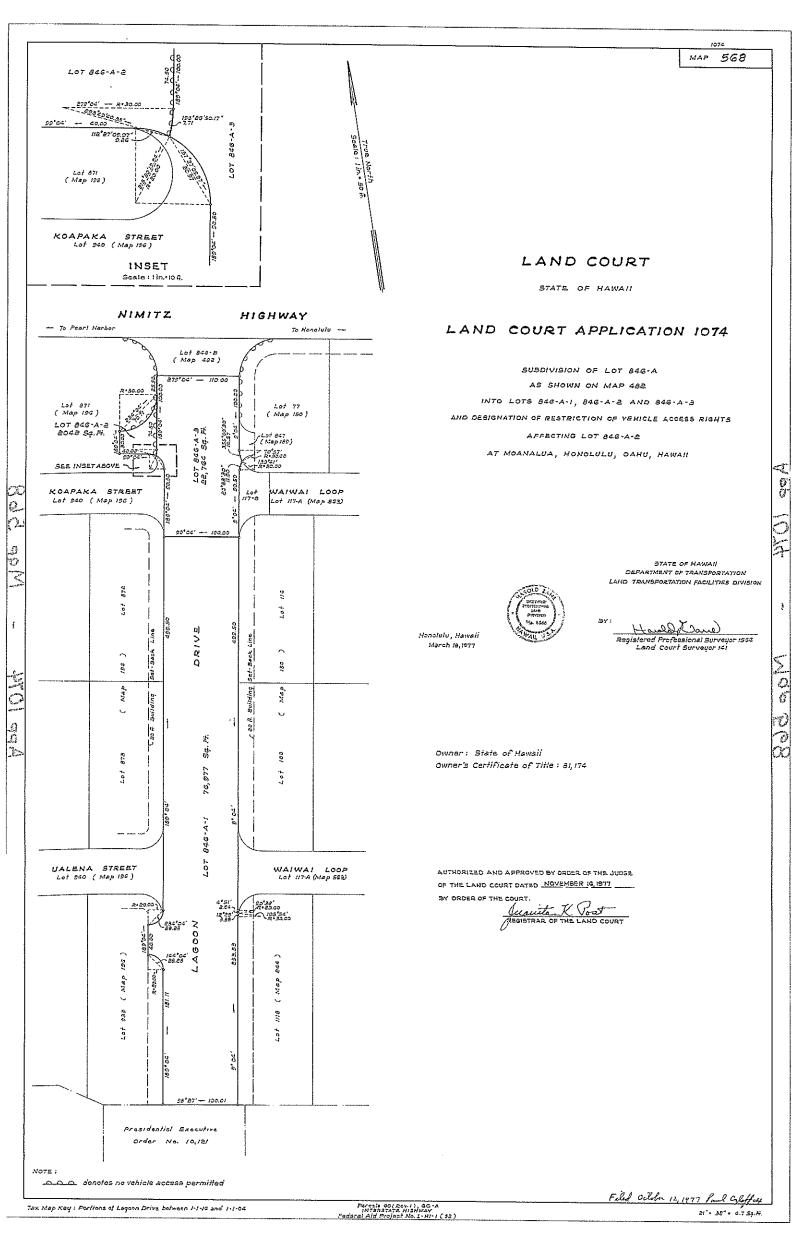
COMES NOW, the STATE OF HAWAII, acting by and through its Director of Transportation, owner of Lot 846-A (now Lot 846-A-2, besides other lots), ... and respectfully pray that the map filed herewith showing the following:

- 1. The Subdivision of Lot 846-A (now Lot 846-A-2, besides other lots), as shown on Map 482 into Lots 846-A-1 (NOT LAND UNDER SEARCH), 846-A-2 and 846-A-3 (NOT LAND UNDER SEARCH); and
- 2. The Designation of Restriction of Vehicle Access Rights affecting Lot 846-A-2, be examined and found correct; that an order issue approving and authorizing said subdivision and designation of restriction of vehicle access rights and directing the Assistant Registrar of the Land Court to endorse on said Certificate of Title a reference to said map in accordance with Sections 501-85 and 501-109, Hawaii Revised Statutes.

The restriction of vehicle access rights affects Lot 846-A-2 in that there will be no vehicle access permitted over and across the common boundary between Lots 846-A-2 and 846-A-3 (Lagoon Drive) (Not land under search), noted and shown thusly on the map filed herewith.

Said land lies within the area covered by the General Plan of the City and County of Honolulu. The approval of the Department of Land Utilization of the City and County of Honolulu is evidenced by the endorsement of said Office on the back of the map.

Lot 846-A-3 (Not land under search) and the. Designation of Restriction of Vehicle Access Rights are required for a public purpose, to wit: the construction, preservation and protection of Interstate Highway, FAP No. I-H1-1(82), Keehi Interchange.



WE FURTHER CERTIFY that title to said premises herein described is in the said

STATE OF HAWAII

all as shown by said

INDICES and RECORDS, SUBJECT, HOWEVER, as aforesaid.

DATED at Honolulu, City and County of Honolulu, State of Hawaii, this 13th day of July A.D. 2021, at 3:29 o'clock p.m.

ABSTRACTING SECTION STATE DEPARTMENT OF TRANSPORTATION

TM/tm

The foregoing Certificate of Search and any further Continuation(s) thereto, are for the exclusive use of the State of Hawaii, its Department of Transportation, and shall not be relied upon by any person or corporation, individually or collectively.