



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

HWY-RM 3.98006

June 21, 2023

Ms. Dawn Chang, Chairperson  
Board of Land and Natural Resources  
Kalanimoku Building  
1151 Punchbowl Street  
Honolulu, Hawaii 96813

Dear Ms. Chang:

This request for the sale of two State of Hawaii, Department of Transportation (DOT) remnant parcels were approved at the Board of Land and Natural Resources (BLNR) meeting dated June 24, 2022 (Exhibit A is attached). However, we are re-submitting this request for the following reasons:

1. Upon our surveyor's review of the descriptions of the remnants, we found minor discrepancies in the square footage of the two subject parcels. We are resubmitting this request with the corrected square footage. See Item "AREA" below.
2. There was a request at the BLNR meeting dated May 12, 2023, to clarify the ceded status of the two subject parcels. See Item "LAND TITLE STATUS" below.

**REQUEST:**

Authorization to convey subject Properties, designated as Remnants E-6 Rev. 1 (Portion) and 22-A, East Molokai Road, Federal Aid Secondary Project No. 2-A(1), Kaunakakai-Kamalo, Molokai, Tax Map Key No. (2) 5-4-02:Road (Portion) as shown on Exhibit A to Gerald Alderson by quitclaim deed, pending clarification of the two matters listed above.

**LEGAL REFERENCE:**

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

**ITEM M-28**

LOCATION:

The Properties are portions of an old government road remnant of East Molokai Road, also known as Kamehameha V Highway, Kaunakakai-Kamalo, Molokai and is situated on the makai side of Kamehameha V Highway.

AREA:

Pursuant to the attached June 7, 2022, BLNR Meeting and Consolidation Map (see attached Exhibit A) the previous square footage of the two subject parcels were as follows:

Remnant E-6 Rev. 1 (Portion): Approximately 4,728 square feet  
Remnant 22-A: Approximately 130 square feet

After further review from our surveyors the corrected square footage is as follows (see attached Exhibit B, which includes our surveyor's corrected description and map):

Remnant E-6 Rev. 1 (Portion): Approximately 4,731 square feet  
Remnant 22-A: Approximately 115 square feet

ZONING:

Interim.

LAND TITLE STATUS:

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

Remnant E-6 Rev.1 (Portion)

YES   X   NO \_\_\_\_\_

Remnant 22-A

YES \_\_\_\_\_ NO   X  

Please see attached Exhibit C, title searches for the above parcels to show ceded/non-ceded status. (Note: Remnant E-5 was included in the title search but is no longer part of the sale. Remnant E-6 was the full parcel which was later subdivided and renamed to E-6 Rev. 1 (Portion) for the purposes of this sale.)

CURRENT USE STATUS:

Highway and maintenance purposes.

COMMENCEMENT DATE:

Execution of quitclaim deed.

COMPENSATION:

One-time lump sum payment, based on appraisal of fair market value, to be determined by an independent or staff appraiser.

LIENS AND/OR ENCUMBRANCES:

None.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Not applicable. Subject lands are to be conveyed to abutting landowner and will become privately owned land. Chapter 343, HRS, would not apply to any future development on the Property as no state lands would be involved.

REMARKS:

The DOT has deemed the Property surplus to the needs of Highways. The DOT has complied with all applicable statutory requirements and offered the Property to all abutting owners, of which only Gerald Alderson indicated an interest in purchasing the Property.

RECOMMENDATION:

Given the above clarifications on the ceded status and square footage of the subject remnant parcels that the Board authorize the conveyance of the Property to Gerald Alderson for his private use, subject to approval from our Attorney General's office and execution of any documents as recommended by our Attorney General's office.

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

Ms. Dawn Chang, Chairperson  
June 21, 2023  
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4. The parcels 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,



EDWIN H. SNIFFEN  
Director of Transportation

APPROVED FOR SUBMITTAL:



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DAWN CHANG, Chairperson

Attachments

DAVID Y. IGE  
GOVERNOR



JADE T. BUTAY  
DIRECTOR

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

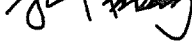
STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:  
HWY-RM 3.97373

June 7, 2022

VIA ESIGN: [suzanne.case@hawaii.gov](mailto:suzanne.case@hawaii.gov)

TO: SUZANNE D. CASE, CHAIRPERSON  
DEPARTMENT OF LAND AND NATURAL RESOURCES

FROM: JADE T. BUTAY   
DIRECTOR OF TRANSPORTATION

SUBJECT: LAND BOARD SUBMITTAL  
DISPOSITION OF SURPLUS HIGHWAY REMNANT  
EAST MOLOKAI ROAD, FASP NO. 2-A(1)  
REMNANTS E-6 PORTION & 22-A  
TAX MAP KEY NO. (2) 5-4-02: PORTION OF ROAD

We respectfully request your approval and signature of the enclosed submittal. Also enclosed is a copy of the previous 2009 Land Board submittal and approval. Please include this request in your next Land Board Meeting Agenda.

If there are any questions, please contact Jessie Hayashi, Right-of-Way Agent, of our Highways Division, Right-of-Way Branch, at (808) 692-7389 or by email at [jessie.a.hayashi@hawaii.gov](mailto:jessie.a.hayashi@hawaii.gov).

Enclosures

**EXHIBIT A**



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

IN REPLY REFER TO:  
HWY-RM 3.97374

June 7, 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:

Resubmittal of request, previous approval dated January 9, 2009 (see enclosed). Amended to reflect the square footage of remnant E-6.

REQUEST:

Authorization to convey subject Property, designated as Remnant E-6 (Portion) and 22-A East Molokai Road, Federal Aid Secondary Project No. 2-A(1), Kaunakakai-Kamalo, Molokai, Tax Map Key No. (2) 5-4-02: Road (Portion) as shown on Exhibit A to Gerald Alderson by Quitclaim Deed.

LEGAL REFERENCE:

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

LOCATION:

The Property is an old government road remnant of East Molokai Road, also known as Kamehameha V Highway, Kaunakakai-Kamalo, Molokai and is situated on the makai side of Kamehameha V Highway.

AREA:

Remnant E-6 (Portion): 4,728 S.F.  
Remnant 22-A: 130 S.F.

ZONING:

Interim

Ms. Suzanne D. Case, Chairperson  
June 7, 2022  
Page 2

HWY-RM 3.97374

LAND TITLE STATUS:

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

YES \_\_\_\_\_ NO X

CURRENT USE STATUS:

Highway and maintenance purposes.

COMMENCEMENT DATE:

Execution of quitclaim deed.

COMPENSATION:

One-time lump sum payment, based on appraisal of fair market value, to be determined by an independent or staff appraiser.

LIENS AND/OR ENCUMBRANCES:

None.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Not applicable. Subject lands are to be conveyed to abutting landowner and will become privately owned land. Chapter 343, HRS, would not apply to any future development on the Property as no State lands would be involved.

REMARKS:

The Department of Transportation (DOT) has deemed the Property surplus to the needs of the Highways Division. The DOT has complied with all applicable statutory requirements and offered the Property to all abutting owners, of which only Gerald Alderson indicated an interest in purchasing the Property.

Ms. Suzanne D. Case, Chairperson  
June 7, 2022  
Page 3

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RECOMMENDATION:

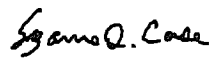
That the Board authorize the conveyance of the Property to Gerald Alderson for his private use, subject to approval from our Attorney General's office and execution of any documents as recommended by our Attorney General's office.

Sincerely,



JADE T. BUTAY  
Director of Transportation

APPROVED FOR SUBMITTAL:

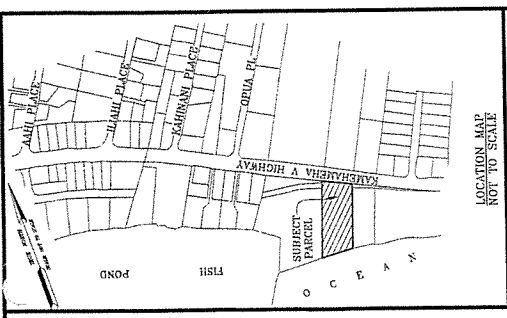
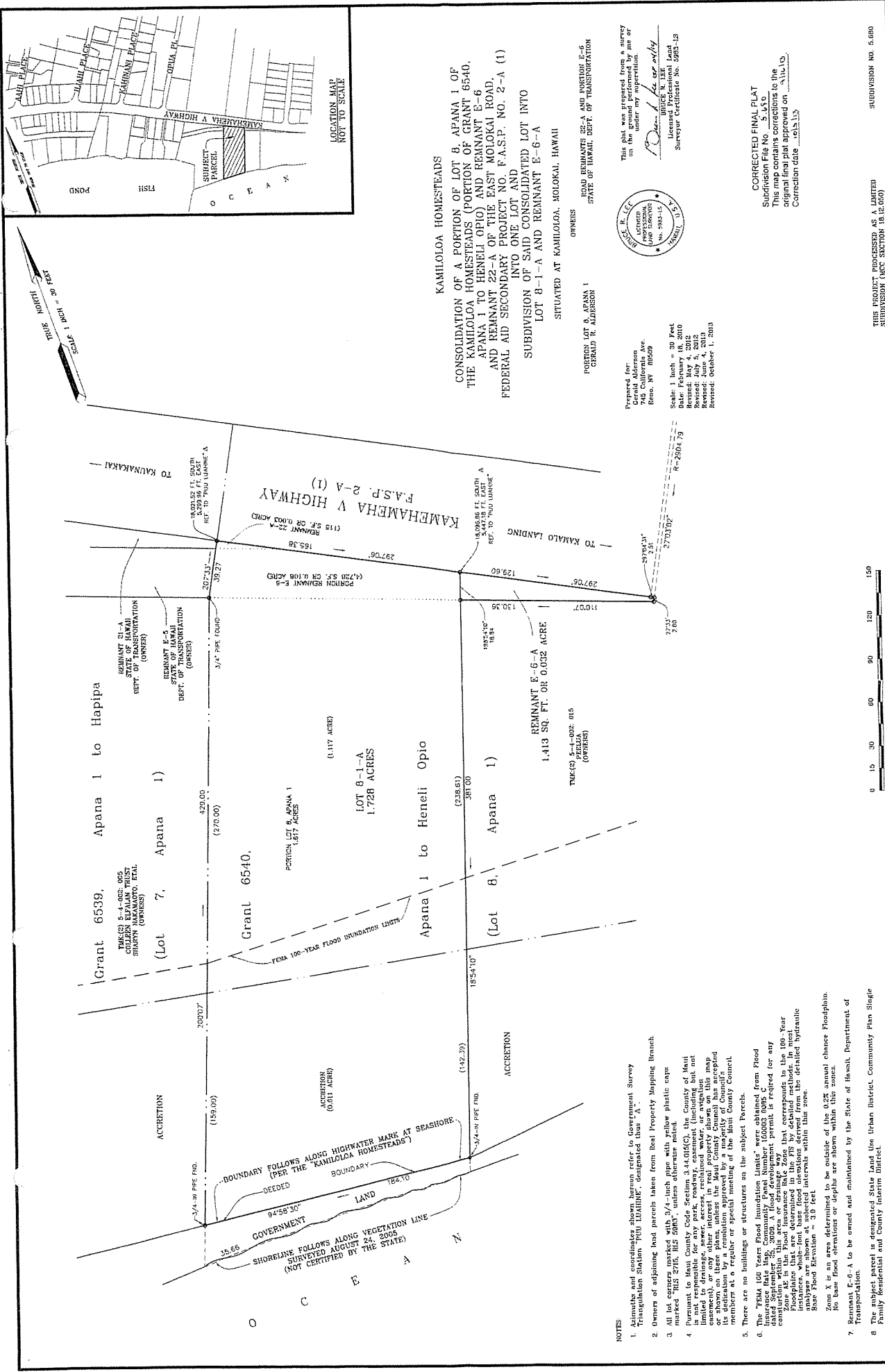


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SUZANNE D. CASE, Chairperson

Enclosures





KAMILOLOA HOMESTEADS  
 CONSOLIDATION OF A PORTION OF LOT 8, APANA 1 OF  
 THE KAMILOLOA HOMESTEADS (PORTION OF GRANT 6540,  
 APANA 1 TO HENELO OPIO) AND REMNANT E-6  
 AND REMNANT 22-A OF THE EAST MOLOKAI ROAD,  
 FEDERAL AID SECONDARY PROJECT NO. F.A.S.P. NO. 2-A (1)  
 INTO ONE LOT AND  
 SUBDIVISION OF SAID CONSOLIDATED LOT INTO  
 LOT 8-1-A AND REMNANT E-6-A  
 SITUATED AT KAMILOLOA, MOLOKAI, HAWAII

OWNERS  
 PORTION LOT 8, APANA 1  
 GERALD R. ADDRESS  
 ROAD REMNANTS 22-A AND PORTION E-6  
 STATE OF HAWAII DEPT. OF TRANSPORTATION

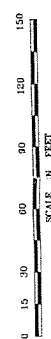
Prepared for:  
 Gerald Address  
 1000 Kalia Road  
 Honolulu, HI 96813

Scale: 1 inch = 30 Feet  
 Date: February 18, 2010  
 Revised: July 5, 2010  
 Revised: July 5, 2013  
 Revised: June 4, 2013  
 Revised: October 1, 2013

This plat was prepared, drawn, and surveyed under my supervision and I am a Licensed Professional Land Surveyor, License No. 9983-1-0, State of Hawaii.

ROBERT K. LEE  
 LICENSED PROFESSIONAL LAND SURVEYOR  
 No. 9983-1-0  
 HAWAII

CORRECTED FINAL PLAT  
 Subdivision No. 5, L.S.C.  
 This plat is a corrected version of the original final plat approved on 11/11/10.  
 Correction date 10/13/13



NEWCOMER-LEE LAND SURVEYORS, INC. 1496 LOWER MAIN STREET, SUITE E, WAILUKU, MAUI, HAWAII 96783

THIS PROJECT PROCESSED AS A LIMITED SUBDIVISION (ACC. SECTION 16.12.00)

SUBDIVISION NO. 5,680

THIS PLAT WAS PREPARED BY ME OR UNDER MY SUPERVISION AND I AM A LICENSED PROFESSIONAL LAND SURVEYOR, LICENSE NO. 9983-1-0, STATE OF HAWAII.

# EXHIBIT A

- NOTES:
1. Bearings and coordinates shown herein refer to Government Survey Triangulation Station "PIU UAHINE", designated as "A".
  2. Owners of adjoining land parcels taken from Real Property Mapping Branch.
  3. All lot corners marked with 3/4-inch pipe with a white plastic cap.
  4. The FEMA 100-Year Flood Inundation Limits are shown on the attached Flood Insurance Rate Map (FIRM) for the County of Maui, dated September 26, 2009. A Flood Development Permit is required for any construction within the Flood Hazard Zone that corresponds to the 100-Year Flood Hazard Zone that is shown on the attached Flood Insurance Rate Map. Flood Hazard Zones that are determined in the FIS by detailed methods, in most instances are shown at selected intervals within this zone. Base Flood Elevation = 3.0 feet.
  5. There are no buildings or structures on the subject parcels.
  6. The FEMA 100-Year Flood Inundation Limits were obtained from Flood Insurance Rate Map (FIRM) for the County of Maui, dated September 26, 2009. A Flood Development Permit is required for any construction within the Flood Hazard Zone that corresponds to the 100-Year Flood Hazard Zone that is shown on the attached Flood Insurance Rate Map. Flood Hazard Zones that are determined in the FIS by detailed methods, in most instances are shown at selected intervals within this zone. Base Flood Elevation = 3.0 feet.
  7. Remnant E-6-A to be owned and maintained by the State of Hawaii, Department of Transportation.
  8. The subject parcel is designated State Land Use Urban District, Community Plan Single Family Residential and County Interim District.



KAMEHAMEHA V HIGHWAY  
(Formerly East Molokai Road)  
Federal Aid Secondary Project No. 2-A(1)

PARCEL 22-A

Being a portion of Grant 6540 Apana 2 to Haneli Opio

Being also a portion of Government Land of Kamiloloa

Land situated at Kamiloloa 1, Molokai, Hawaii

Beginning at the West corner of this parcel of land and on the South side of Kamehameha V Highway (Formerly East Molokai Road), Federal Aid Secondary Project No. 2-A(1), the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU LUAHINE" being 18,021.52 feet South and 5,299.96 feet East, thence running by azimuths measured clockwise from true South:

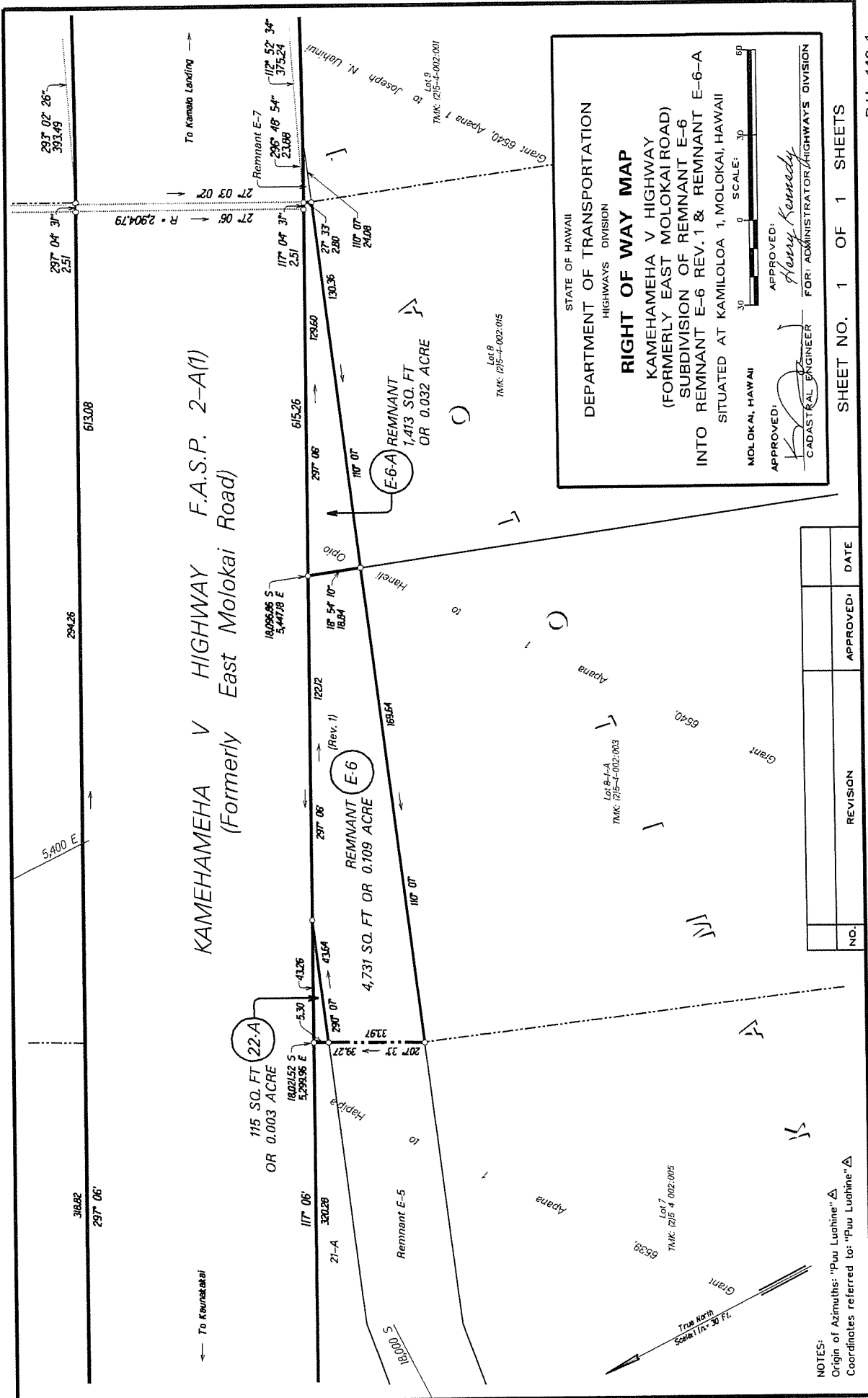
1. 297° 06'                      43.26 feet along the South side of Kamehameha V (formerly East Molokai Road), Federal Aid Secondary Project No. 2-A(1);
2. 110° 07'                      43.64 feet along the Old Government Road;
3. 207° 33'                      5.30 feet along Parcel 21-A to the point of beginning and containing an area of 115 square feet or 0.003 acre.

STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
Highways Division

Honolulu, Hawaii  
September 23, 2022

By Ted. Castro  
For Cadastral Engineer

Tax Map Key: (2nd Div.) 5-4-02: portion



NO.	REVISION	APPROVED:	DATE

NOTES:  
Origin of Azimuths: "Puu Luohine" Δ  
Coordinates referred to: "Puu Luohine" Δ

HWY.DCS:\usr2\michr\right of way\Molokai\Kom v Hwy\DCN\Remnant E-6.dgn

DATE	
PLANNED	
DESIGNED	
CHECKED	
APPROVED	
DATE	

State of Hawaii  
Department of Transportation  
**MEMORANDUM**

Date: April 21, 2011

**TO:** HWY-RM (J. Yamashiro)  
**FROM:** HWY-RA (C. Santiago) *CS*  
**SUBJECT:** EAST MOLOKAI ROAD, FASP No. 2-A (1)  
Parcel 22-A, Remnant E-5 and Remnant E-6, Tax Key: 5-4-02-Road (portion)

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Per your request dated September 21, 2009, a cursory search was done in the offices of the Bureau of Conveyances, Land Management Divisions, both of the Department of Land and Natural Resources, Survey Division of the Department of Accounting and General Services and the Office of the Real Property Assessment Division of the City and County of Honolulu, Department of Finance. The following was found:

AS TO TAX KEY 5-4-02-ROAD (as highlighted on attached tax map):

Parcel 22-A, area 0.003 acre, is owned by the TERRITORY OF HAWAII by Warranty Deed dated December 14, 1956, recorded on December 27, 1956, in the Bureau of Conveyances at Honolulu in Liber 3203, Pages 77-80.

Remnant E-5, area 0.252 acre and Remnant E-6, area 0.141 acre are owned by the STATE OF HAWAII being portion of the land transferred to the State of Hawaii by operation of Section 5 (b) of the Admission Act (Act of March 18, 1959, Public Law 86-3, 73 Stat. 4).

Should you have any questions, please call Chucky at 587-1854.

LT/lt

**EXHIBIT C**