



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:

January 25, 2024

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

Dear Ms. Chang:

This request is for the sale of two State of Hawaii, Department of Transportation (HDOT) remnant parcels. Enclosed is the previous Board of Land and Natural Resources (BLNR) meeting dated June 21, 2023, as shown on the enclosed Exhibit A. We are re-submitting this request for the following reasons:

1. There was a request at the July 28, 2023, BLNR meeting for Mr. Alderson to attend the next Land Board meeting and clarify his future use of the remnant parcels.
2. There was also a question regarding polling of abutting property owners.

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 (TMK) No. (2) 5-4-02:Road (Portion), as shown on the enclosed Exhibit B, to Gerald Alderson by quitclaim deed, pending clarification of the two matters listed above.

LEGAL REFERENCE:

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

LOCATION:

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

Ms. Dawn N.S. Chang, Chairperson
January 25, 2024
Page 2

AREA:

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 enclosed title search, as shown on Exhibit C, 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.

FUTURE USE:

For possible construction of a personal residence.

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. HRS Chapter 343 would not apply to any future development on the property as no state lands would be involved.

POLLING:

Pursuant to HRS § 171-52, the abutting parcel, TMK No. (2) 5-4-002:005, was polled and was not interested in purchasing the remnant parcel, as shown on the enclosed Exhibit D. Several other properties intersect at the corners of the remnant parcel; however, they were not polled. It was determined that the properties did not share a boundary line with the remnant parcel and would not be able to comply with HRS § 171-52's requirement to obtain consolidation approval from Maui County, as shown on the enclosed Exhibit E.

REMARKS:

The HDOT has deemed the property as surplus to its needs.

RECOMMENDATION:

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 N.S. Chang, Chairperson
January 25, 2024
Page 4

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:



Dawn N.S. Chang, Chairperson

Enclosures

JOSH GREEN, M.D.
GOVERNOR



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

EDWIN H. SNIFFEN
DIRECTOR


Deputy Directors
FORD N. FUCHIGAMI
DREANALEE K. KALILI
TAMMY L. LEE
ROBIN K. SHISHIDO

IN REPLY REFER TO:

HWY-RM 3.98024

June 21, 2023

TO: DAWN CHANG, CHAIRPERSON
DEPARTMENT OF LAND AND NATURAL RESOURCES

FROM: EDWIN H. SNIFFEN 
DIRECTOR OF TRANSPORTATION

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

We respectfully request your approval and signature to the revised submittal. This revised submittal supersedes our previous request dated April 28, 2023. Please include this request in your next Land Board Meeting Agenda.

Should you have any questions, please contact Jessie Hayashi, Right-of-Way Agent, of our Highways Right-of-Way Branch at (808) 692-7389 or by email at jessie.a.hayashi@hawaii.gov.

Enclosures

EXHIBIT A

JOSH GREEN, M.D.
GOVERNOR



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

EDWIN H. SNIFFEN
DIRECTOR

Deputy Directors
FORD N. FUCHIGAMI
DREANALEE K. KALILI
TAMMY S. LEE
ROBIN K. SHISHIDO

IN REPLY REFER TO:

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.

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
Page 4

HWY-RM 3.98006

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:



DAWN CHANG, Chairperson

Attachments

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

REMNANT E-6 REV.1

Being a portion of Old Government Road

Being also a portion of Government Land of Kamiloloa

Land situated at Kamiloloa 1, Molokai, Hawaii

Beginning at the North 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 18,041.21 feet South and 5,338.47 feet East, thence running by azimuths measured clockwise from true South:

1. 297° 06' 122.12 feet along the South side of Kamehameha V Highway (Formerly East Molokai Road), F.A.S.P. No. 2-A(1);
2. 18° 54' 10" 18.84 feet along Remnant E-6-A;
3. 110° 07' 169.64 feet along Lot 8-1-A, Grant 6540, Apana 1 to Heneli Opio;
4. 207° 33' 33.97 feet along across the Old Government Road;
5. 290° 07' 43.64 feet along Remnant 22-A to the point of beginning and containing an area of 4731 square feet or 0.109 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

EXHIBIT B

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:

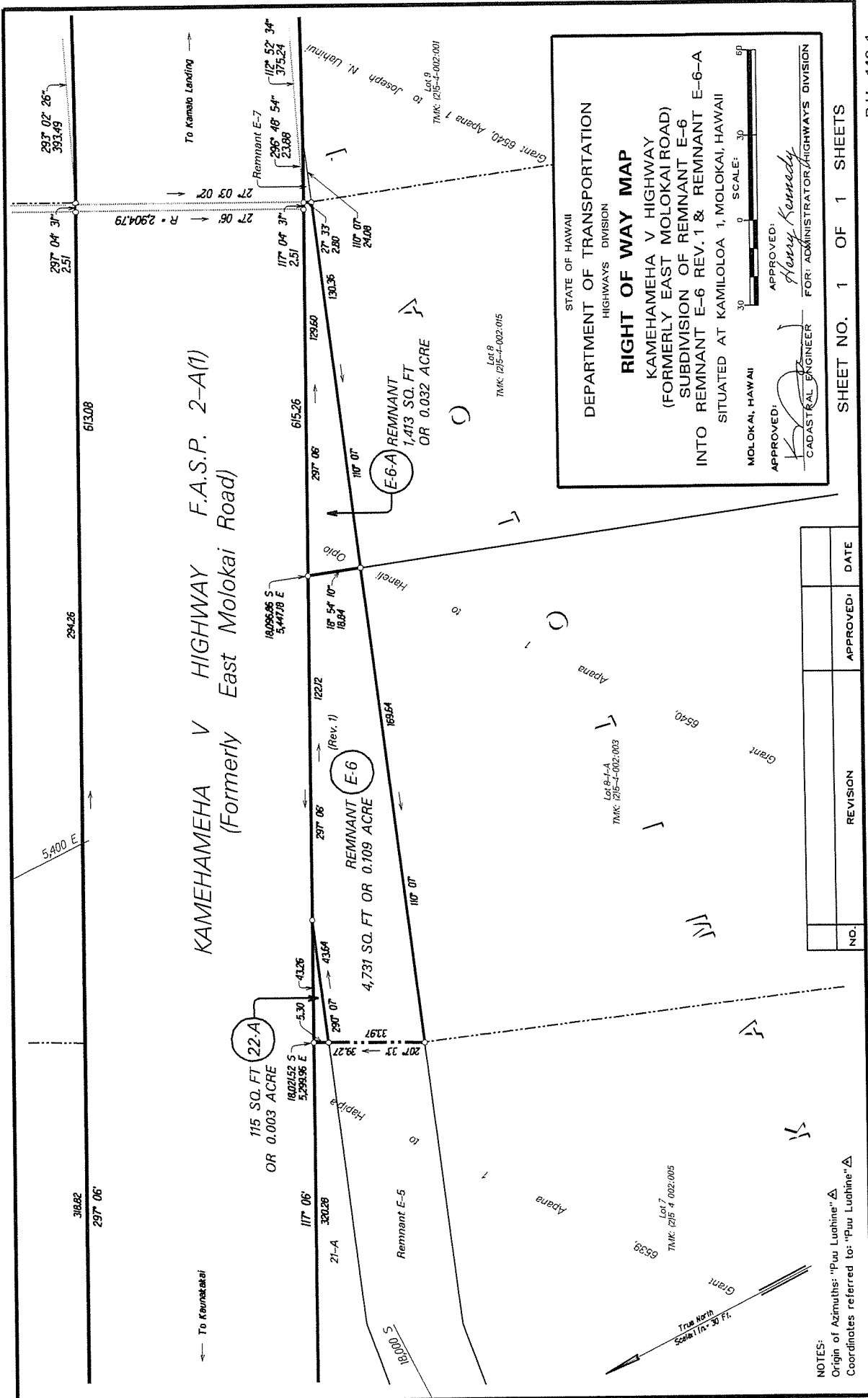
1. 297° 06' 43.26 feet along the South side of Kamehameha V (formerly East Molokai Road), Federal Aid Secondary Project No. 2-A(1);
2. 110° 07' 43.64 feet along the Old Government Road;
3. 207° 33' 5.30 feet along Parcel 21-A to the point of beginning and containing an area of 115 square feet or 0.003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

TAX MAP KEY: (2)J5-4-002

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

FILE NO.	
PROJECT	
DATE	
SCALE	
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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)

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

LINDA LINGLE
GOVERNOR



BRENNON T. MORIOKA
DIRECTOR

Deputy Directors
MICHAEL D. FORMBY
FRANCIS PAUL KEENO
BRIAN H. SEKIGUCHI

HIGHWAY DESIGN BRANCH, ROOM 688A
BRIDGE DESIGN SECTION, ROOM 611
CADASTRAL DESIGN SECTION, ROOM 600
HIGHWAY DESIGN SECTION, ROOM 609
HYDRAULIC DESIGN SECTION, ROOM 636
TECHNICAL DESIGN SERVICE, ROOM 688

RIGHT-OF-WAY BRANCH, ROOM 691

TRAFFIC BRANCH, ROOM 602

MOTOR VEHICLE SAFETY OFFICE, ROOM 511

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION AT KAPOLEI
601 KAMOKILA BOULEVARD, ROOM 691
KAPOLEI, HAWAII 96707

IN REPLY REFER TO:

HWY-RM
3.86163

August 5, 2008

Omori Family Trust
C/O Jeffrey W. Loo, Trustee
1221 Kapiolani Boulevard, #1041
Honolulu, Hawaii 96814

Dear Mr. Loo:

SUBJECT: EAST MOLOKAI ROAD, FASP NO. 2-A(1)
KAUNAKAKAI-KAMALO, MOLOKAI
TMK: (2) 5-4-002:ROAD
REMNANT E-5

We are in the process of selling the subject State highway remnant parcel. County Real Property Assessment Office records indicate that you own the property bearing Tax Map Key (2) 5-4-02:005 which abuts our remnant parcel identified as Tax Map Key (2) 5-4-02:ROAD (highlighted on the enclosed Tax Map). As an abutting owner, you may choose to exercise your right to purchase the remnant parcel. Please indicate in the appropriate spaces on page 2 if you are interested/not interested in purchasing said remnant parcel.

If you are interested, the remnant parcel shall be sold under terms and conditions as set forth by the State. If more than one abutting owner is interested, we may conduct a sealed bid auction in which the remnant parcel would be sold to the abutter that submits the highest bid. The upset price will be set by our office, at fair market value, as determined by appraisal.

If we do not hear from you within fourteen (14) days from the date of this letter, we will assume you are not interested in purchasing the subject remnant parcel. Your consideration in this matter will be greatly appreciated.

If you have any questions, please call me at 692-7338.

Very truly yours,

JAIME K. YAMASHIRO
Right-of-Way Agent
Property Management Section

Enclosure(s)

EXHIBIT D

INTERESTED

I, the undersigned, as abutting property owner to State owned property, wish to exercise my right to purchase Tax Map Key (2) 5-4-02:ROAD, Remnant E-5 of East Molokai Road, FASP No. 2-A(1), Kaunakakai-Kamalo, Molokai.

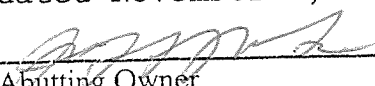
Abutting Owner Date

Abutting Owner Date

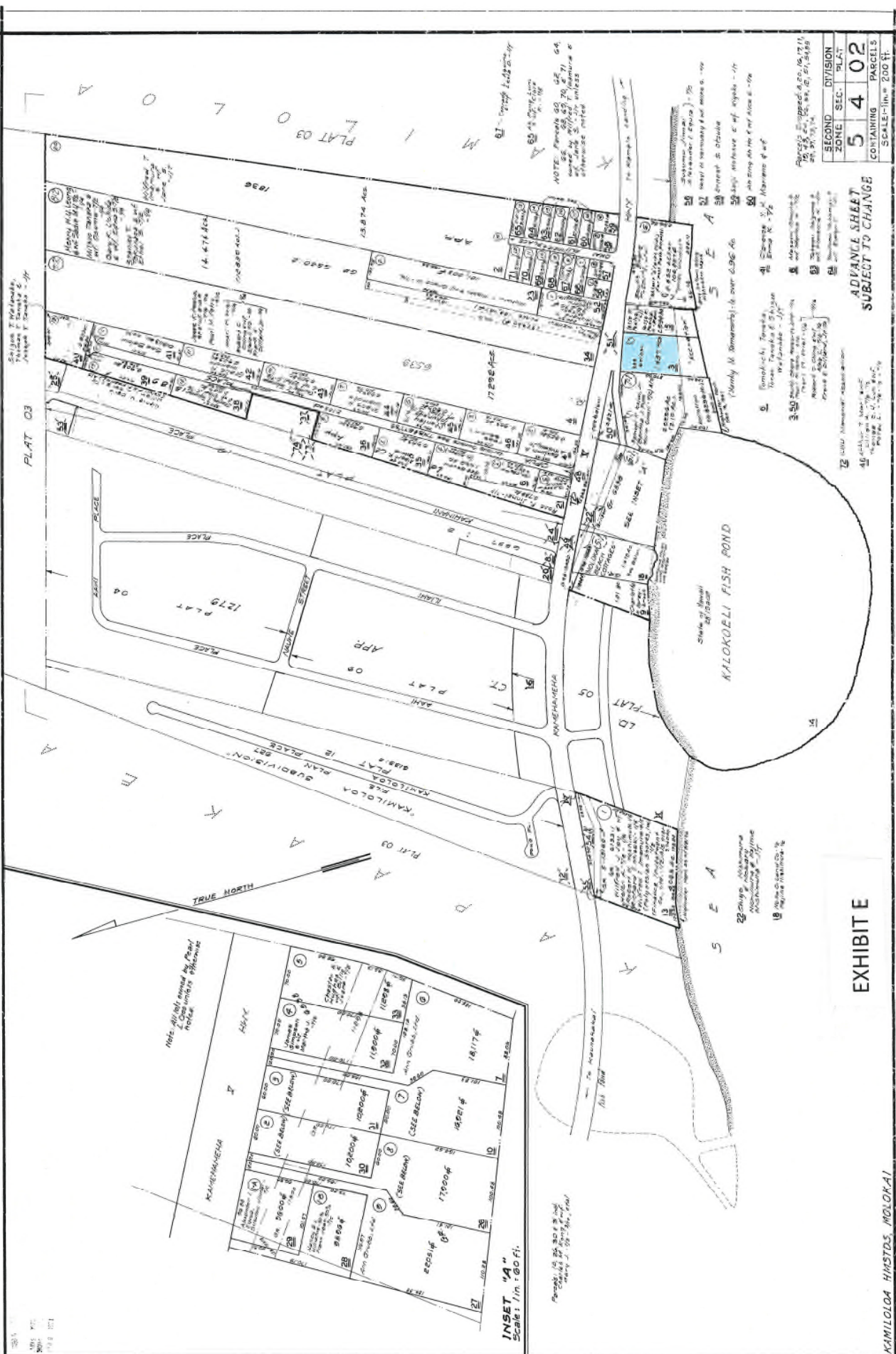
NOT INTERESTED

I, the undersigned, as abutting property owner to State owned property, do not wish to exercise my right to purchase Tax Map Key (2) 5-4-02:ROAD, Remnant E-5 of East Molokai Road, FASP No. 2-A(1), Kaunakakai-Kamalo, Molokai provided the owner's of Tax Map Key (2) 5-4-02:003 & 050 agree to grant parcel 005 access onto the State Highway as stated in the attached letter dated August 20, 2005.

Election not to exercise the right to purchase the remnant parcel is subject to the qualifications stated in the enclosed letter dated November 1, 2008

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Date

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By J.A.R. Junc 26, 1974
 Revised to
 Dm No. 2090
 Source: Survey Dept.

EXHIBIT E

KAMILOLOA HIRSDTS, MOLOKAI

ADVANCE SHEET
 SUBJECT TO CHANGE

SECOND	DIVISION	PLAT	PARCELS
5	4	02	

SCALE: 1" = 200 FT.
 PRINTED

NOTE: All lot areas are based on
 1. Original survey
 2. Current survey

NOTE: All lot areas are based on
 1. Original survey
 2. Current survey

NOTE: All lot areas are based on
 1. Original survey
 2. Current survey

NOTE: All lot areas are based on
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