

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

May 9, 2014

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

PSF No.: 12OD-001

OAHU

Amend Prior Board Action of April 13, 2012, Item D-8 by Revising the Easement Area and Stipulating the Consideration; Grant of Perpetual, Non-Exclusive Easement to Hawaiian Electric Company, Inc. for Electrical Transmission Lines Purposes; Issuance of Construction and Management Right-of-Entry; Moanalua, Honolulu, Oahu, Tax Map Key: (1) 1-1-064:025 portion.

BACKGROUND:

On April 13, 2012, under agenda item D-8, the Board authorized the issuance of a perpetual easement for electrical transmission lines purposes to the applicant (“HECO”). A copy of the approved submittal is attached as **Exhibit 1**. The easement area was originally surveyed as 1,416 square feet, and the one-time payment consideration was appraised at \$18,000.

Before the offer was accepted by HECO, the easement area needed to be revised to 1,457 square feet, as shown on the map attached **Exhibit 2**. A portion of the revised easement area (“E-1B”) overlaps with portion of an existing access and utility easement (“LOD 26900”) in favor of Robert’s Tours and Trans (“Roberts”), who is the private owner of the property to be served by the proposed easement. Roberts questioned if the area occupied by E-1B needed to be charged for any consideration since it was already covered by an existing easement.

REMARKS:

A copy of LDO 26900 is attached as **Exhibit 3** for the Board’s reference, specifically regarding condition 6, which stipulates, “these easements or any rights granted herein may be sold, assigned, conveyed, leased, mortgaged or otherwise transferred as appurtenant to and part of Lot M-1-A-2”, noting that Lot M-1-A-2 is the property owned by Roberts.

Initially, staff believed the language described above would allow HECO to utilize the E-1B portion without consideration, since such easement would serve Roberts only. Upon further discussion with the deputy Attorney General, staff was advised that the language mentioned above is only applicable when there is a change in the ownership of the private property, which would allow the subsequent private owner(s) to have the same easement interest under LOD 26900. It would not allow a

third party [HECO in the current situation] using State land without proper compensation to the State under the applicable statutes.

Using the appraised value mentioned, staff recommends the Board authorize using the pro-rated value as the one-time consideration of the requested easement.

$$\$18,000 \times 1,457/1,416 \text{ sq. ft.} = \$18,521, \text{ say } \$18,520$$

Therefore, staff recommends the Board amend its prior action by stipulating the easement area to be 1,457 square feet and the one-time payment consideration as \$18,520.

RECOMMENDATION: That the Board amend its prior Board action of April 13, 2012, under agenda item D-8 by stating:

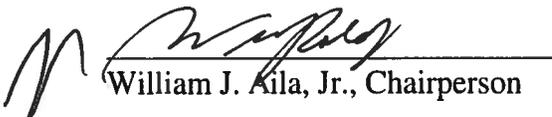
- A. Easement area is 1,457 square feet;
- B. One-time payment consideration is \$18,520; and
- C. All terms and conditions listed in its April 13, 2012 approval to remain the same.

Respectfully Submitted,



Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila, Jr., Chairperson

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

April 13, 2012

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

PSF No.: 12od-001

OAHU

Grant of Perpetual, Non-Exclusive Easement to Hawaiian Electric Company, Inc. for Electrical Transmission Lines Purposes; Issuance of Construction and Management Right-of-Entry; Moanalua, Honolulu, Oahu, Tax Map Key: (1) 1-1-064:025 portion.

APPLICANT:

Hawaiian Electric Company, Inc. a domestic profit corporation

LEGAL REFERENCE:

Section 171-55, 95, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Moanalua, Honolulu, Oahu, identified by Tax Map Key: (1) 1-1-064:025 portion, as shown on the attached map labeled Exhibit A.

AREA:

To be determined, subject to review and approval by Department of Accounting and General Services, Survey Division.

ZONING:

State Land Use District: Urban
City & County of Honolulu LUO: I-2

TRUST LAND STATUS:

Section 5(e) lands of the Hawaii Admission Act

EXHIBIT " 1 "

APPROVED BY THE BOARD OF
LAND AND NATURAL RESOURCES
AT ITS MEETING HELD ON

April 13, 2012 *DN*

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Encumbered by Governor's Executive Order No. 2443, setting aside to the Department of Accounting and General Services for State surplus property storage facilities, Central Services shop facilities and record storage center.

Encumbered by a Grant of Easement bearing Land Office Deed No. 26900; to Robert's Tours and Trans, as the Grantee, for access and utility purposes.

Encumbered by a Grant of Easement bearing Land Office Deed No. 26088; to the City and County of Honolulu, as the Grantee, for purposes of constructing and maintaining sanitary sewers.

CHARACTER OF USE:

Right, privilege and authority to construct, use, maintain, repair, replace and remove electrical transmission lines, poles, guy wires and anchors over, and across State-owned land.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

A one-time payment to be determined by an independent appraisal establishing the fair market rent, and subject to the Chairperson's review and approval.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(3)(d) and (4), the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 3 (d), that states "Construction and location of single, new, small facilities or structures and the alteration and modification of the same and installation of new, small, equipment and facilities and the alteration and modification of same, including, but not limited to: water, sewage, electrical, gas, telephone, and other essential public utility services extensions to serve such structures or facilities; accessory or appurtenant structures including garages, carports, patios, swimming pools, and fences; and acquisition of utility easements." and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation." (See Exhibit B)

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u> x </u>	NO <u> </u>
Registered business name confirmed:	YES <u> x </u>	NO <u> </u>
Applicant in good standing confirmed:	YES <u> x </u>	NO <u> </u>

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Pay for an appraisal to determine one-time payment;
- 2) Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost; and
- 3) Process and obtain a designation of the easement from the county.

REMARKS:

Robert's Tours and Trans ("Robert's"), the owner of the private property adjoining the subject parcel, intends to install photovoltaic panels on their property. Hawaiian Electric Company, Inc. (HECO) has to upgrade the existing power line servicing Robert's. The proposed upgraded includes a new primary distribution line over the subject State lands.

Staff understands that HECO requires that the utility easement be issued in its favor. Therefore, HECO requests that the Board issue it an easement covering the subject distribution line, notwithstanding, the existing easement (Land Office Deed No. 26900) that had been previously issued to Robert's.

To meet the installation schedule, HECO also requests an immediate construction and management right-of-entry pending the issuance of the perpetual easement.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

The Department of Facility Maintenance, the Department of Accounting and General Services and Robert's have no objections to the subject request. (See Exhibits C1 to C3.) Further, the Office of Hawaiian Affairs and the Department of Health have no objections to the subject request.

The Department of Hawaiian Home Lands, Department of Planning and Permitting and the Board of Water Supply had not responded to the subject request for comments.

RECOMMENDATION: That the Board:

1. Declare that, after considering the potential effects of the proposed disposition as

provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.

2. Subject to the Applicant fulfilling all of the Applicant requirements listed above, authorize the issuance of a perpetual non-exclusive easement to Hawaiian Electric Company, Inc. covering the subject area for electrical transmission lines purposes 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 perpetual 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 interests of the State.

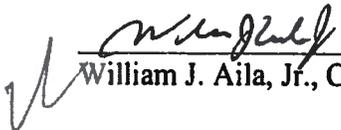
3. Authorize the issuance of an immediate construction and management right-of-entry to Hawaiian Electric Company, Inc covering the subject area further subject to the following:
 - A. The standard terms and conditions of the most current right-of-entry form, as may be amended from time to time; and
 - B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

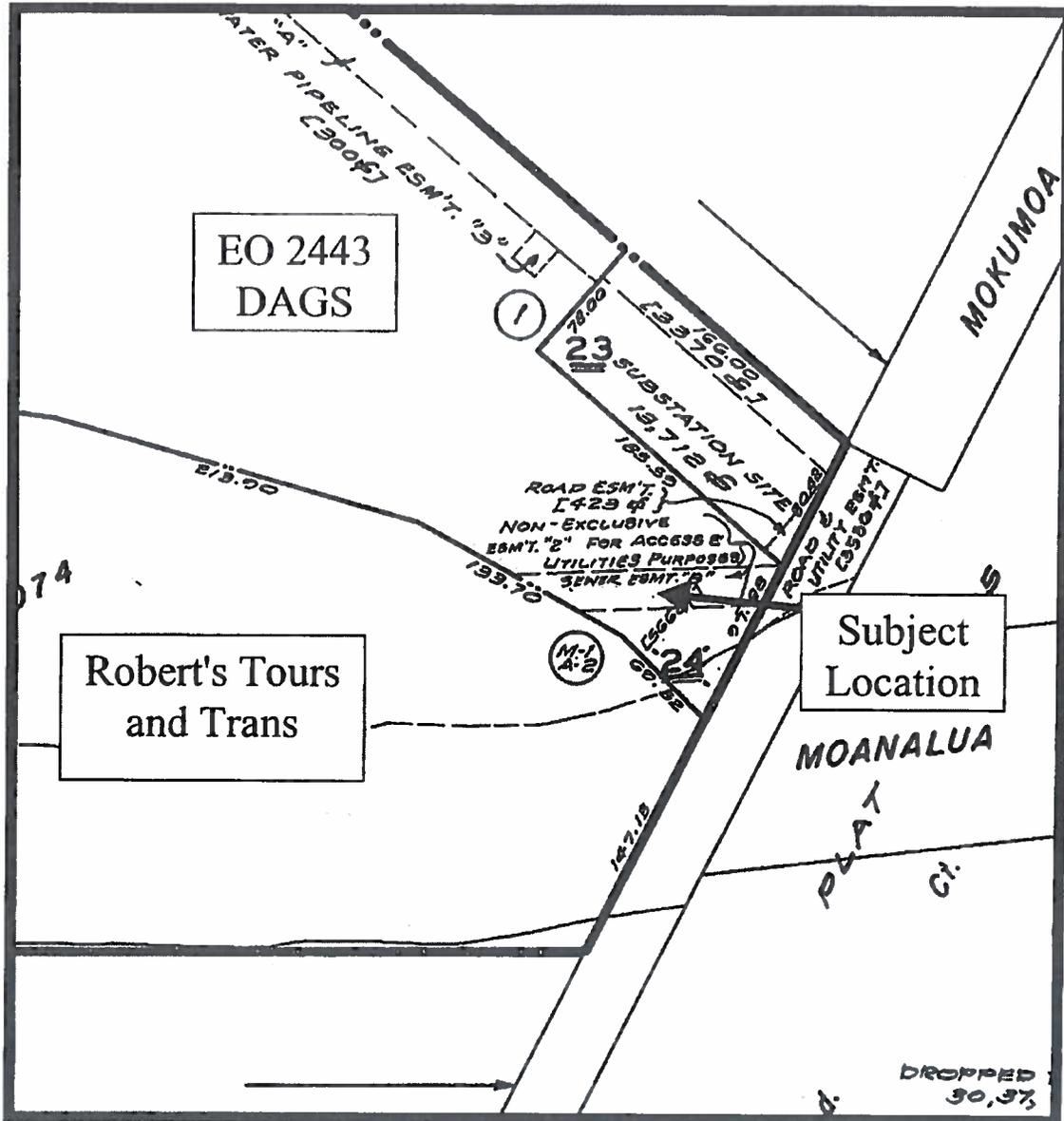


Timmy Chee
Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila, Jr., Chairperson



TMK (1) 1-1-064:025 portion

EXHIBIT A

EXEMPTION NOTIFICATION

regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Perpetual Electrical Transmission Lines Easement

Project / Reference No.: PSF 12od-001

Project Location: Moanalua, Honolulu, Oahu, Tax Map Key: (1) 1-1-064:025 portion

Project Description: Perpetual Electrical Transmission Lines Easement

Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8(a)(3)(d) and (4), the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 3 (d), that states "Construction and location of single, new, small facilities or structures and the alteration and modification of the same and installation of new, small, equipment and facilities and the alteration and modification of same, including, but not limited to: water, sewage, electrical, gas, telephone, and other essential public utility services extensions to serve such structures or facilities; accessory or appurtenant structures including garages, carports, patios, swimming pools, and fences; and acquisition of utility easements." and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

The request pertains to installation of an electrical transmission line over an existing access and utility easement area. Hawaiian Electric Company, Inc. requires the easement in favor of them. Staff does not anticipate major change of use or alteration of land, water or vegetation condition.

Consulted Parties Not applicable

Recommendation: That the Board find this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

EXHIBIT B



William J. Aila, Jr.

Chairperson

3/26/12

Date



452885
K19: Wis Chan
SPRM



RECEIVED
LAND DIVISION

2012 MAR -5 P 9:00

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

2012 FEB 15 11:01

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

February 7, 2012

Ref. No.: 12od-001

MEMORANDUM

TO:

State Agencies:

- DOH – Environmental Health
- DHHL
- DLNR-Aquatic Resources
- DLNR-Forestry & Wildlife
- DLNR-Historic Preservation
- DLNR-State Parks
- DLNR-Conservation and Coastal Lands
- DLNR-Water Resource Management
- DAGS-PWB (Attn. Ms. Chris Kinimaka)

County Agencies:

- Planning & Permitting
- Parks & Recreation
- Facility Maintenance
- Board of Water Supply

Federal Agencies:

- Corps of Engineers
- NRCS

Other Agencies:

- Office of Hawaiian Affairs

FROM:

Barry Cheung, District Land Agent *Barry Cheung*

SUBJECT:

Request for Perpetual, Non-Exclusive Easement for Electrical Transmission Lines Purposes

LOCATION:

Moanalua, Honolulu, Oahu, TMK (1) 1-1-064:025 portion

APPLICANT:

Hawaiian Electric Company, Inc.

Transmitted for your review and comment is a copy of the draft land Board submittal of the above referenced request involving State lands. We would appreciate your comments on this application. Please submit any comments by **March 7, 2012**. If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact my office at 587-0430. Thank you.

RECEIVED
2012 FEB -8 P 19

DRM 12-181

- We have no objections.
- We have no comments.
- Comments are attached.

Signed: *Wendy K. U.*
Date: *3/1/12*

EXHIBIT "C1"



Handwritten signature

WILLIAM J. ALI, JR.
DIRECTOR
DEPARTMENT OF LAND AND NATURAL RESOURCES
1555 BERKELEY AVENUE, SUITE 200
HONOLULU, HAWAII 96813



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

RECEIVED - DAGS
DIV. OF PUBLIC WORKS
2012 FEB -7 P 1:32

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

FEB 7 2012

February 7, 2012

Ref. No.: 12od-001

MEMORANDUM

TO:

State Agencies:

- DOH - Environmental Health
- DHHL
- DLNR-Aquatic Resources
- DLNR-Forestry & Wildlife
- DLNR-Historic Preservation
- DLNR-State Parks
- DLNR-Conservation and Coastal Lands
- DLNR-Water Resource Management
- DAGS-PWB (Attn. Ms. Chris Kinimaka)

County Agencies:

- Planning & Permitting
- Parks & Recreation
- Facility Maintenance
- Board of Water Supply

Federal Agencies:

- Corps of Engineers
- NRCS

Other Agencies:

- Office of Hawaiian Affairs

FROM:

Barry Cheung, District Land Agent *Barry Cheung*

SUBJECT:

Request for Perpetual, Non-Exclusive Easement for Electrical Transmission Lines Purposes

LOCATION:

Moanalua, Honolulu, Oahu, TMK (1) 1-1-064:025 portion

APPLICANT:

Hawaiian Electric Company, Inc.

Transmitted for your review and comment is a copy of the draft land Board submittal of the above referenced request involving State lands. We would appreciate your comments on this application. Please submit any comments by March 7, 2012. If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact my office at 587-0430. Thank you.

Enclosures

- () We have no objections.
- () We have no comments.
- () Comments are attached.

Signed:

Ralph Monte

Date:

2/14/12

EXHIBIT "C2"

Roberts Hawaii 

RECEIVED
LAND DIVISION

2012 FEB -9 P 3 201

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

phone 808 523 7750
fax 808 522 7866

February 9, 2012

Roberts Hawaii, Inc.
680 Iwilei Road
Suite 700
Honolulu, Hawaii 96817

robertshawaii.com

Mr. Barry Cheung
District Land Agent, Land Division
Department of Land & Natural Resources
State of Hawaii
P.O. Box 621
Honolulu, HI 96809

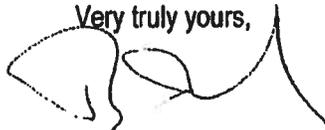
Re: 2665 Mokumoa Street, Honolulu, HI 96819 (Robert's Hawaii)

Dear Mr. Cheung:

Robert's Hawaii is aware of HECO's request for an electrical transmission line easement to run new service lines to Robert's Hawaii property identified as tax map key (1) 1-1-064:001. We have no objection to this proposed easement.

If there are any questions, please contact Dennis Ortiz at Solar Wave.

Very truly yours,



ROY PFUND
Vice President

EXHIBIT "C3"

H.E.Co. Mapunapuna Substation Site
(C.S.F. 15,293)
(L.O.D. S-24,657)

TRUE NORTH
Scale: 1 in. = 20 ft.

Wood Pole (Elec.)

former Oahu Railway & Land Co. Exclusion 16, 40ft. Right of Way, as shown on Map 1, Ld. Ct. App. 1074

Non-Exclusive Electric and Telephone Overhead Line Easement
Area = 1457 Sq. ft.
(Area E-1A = 619 Sq. ft.)
(Area E-1B = 838 Sq. ft.)

Lot 1
"Shafter Flats Industrial Development, Unit II"
(H.S.S. Plot 2146-C)
Governor's Executive Order 2443

remainder

Government Remnant
Fishery

Wood Pole 138Y
Perpetual Non-Exclusive Easement for Utilities and Access Purposes
(C.S.F. 18,162)

Application

EXHIBIT "2"

Land

Lot M-1-A-2
(Map 374)

HAWAIIAN ELECTRIC COMPANY, INC.
HONOLULU, HAWAII

Right of Way for a Wire Line Easement affecting Lot 1 of "Shafter Flats Industrial Development, Unit II" (H.S.S. Plot 2146-C), Governor's Executive Order 2443, and a portion being in, perpetual Non-Exclusive Easement for Utilities and Access purposes (C.S.F. 18,162). Situated off Exclusion 16. At Moanalua, Honolulu, Oahu, Hawaii.

DESIGNED BY: LN CHECKED BY:
SURVEYED BY: LN DATE: Sept. 13, 2013
DRAWN BY: DM SCALE: 1 in. = 20 ft.
TRACED BY: APPROVED BY:

location Sketch
8 1/2" x 11"

Regular System
25

RECORDATION REQUESTED BY:

NTC

7830

3

78- 67941

STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED
LIBER 13006 PG 757

78 JUL 11 9: 11

AFTER RECORDATION, RETURN TO:

DEPT. OF LAND AND NATURAL RESOURCES
LAND MANAGEMENT DIVISION

RETURN BY: MAIL () PICKUP (X)

Charles F. Yumrongs
REGISTRAR

GRANT OF EASEMENT

THIS INDENTURE, made and entered into this
6th day of June, 1978, by and between
the STATE OF HAWAII, by its Board of Land and Natural
Resources, pursuant to the provisions of Section 171-13(2),
Hawaii Revised Statutes, as amended, hereinafter referred to
as the "GRANTOR," and HUALALAI CONSTRUCTION COMPANY, LTD.,
a Hawaii corporation, whose principal place of business and
mailing address is 1055 Kalo Place, Honolulu, Hawaii 96826,
hereinafter referred to as the "GRANTEE,"

WITNESSETH THAT:

The GRANTOR, for and in consideration of the sum
of ONE HUNDRED THIRTY-SEVEN THOUSAND AND NO/100 DOLLARS
(\$137,000.00), the receipt whereof is hereby acknowledged,
(\$105,500.00 for Easement 1 and \$31,500.00 for Easement 2)
and of the terms, conditions and covenants herein contained,
and on the part of the GRANTEE to be observed and performed,
does hereby grant unto the GRANTEE nonexclusive and perpetual
easement rights over and across those premises designated as
Easement 1 (25,194 square feet) and Easement 2 (5,668 square
feet) situate at Moanalua, Honolulu, Oahu, Hawaii, more par-
ticularly described in Exhibits "A" and "B" and shown on
the maps marked Exhibits "C" and "D", respectively, which

EXHIBIT " 3 "

EXEMPT—HAWAII CONVEYANCE TAX
S. J.
CERTIFICATE NOT REQUIRED

Exhibits are attached hereto and made parts hereof, which real property is hereinafter referred to as the "premises", for the following purposes: for utilities and for access purposes to property identified as Lot M-1-A-2, Map 374, Land Court Application 1074.

TO HAVE AND TO HOLD the said nonexclusive easement rights unto the GRANTEE in perpetuity, subject to existing easements as shown on Exhibits "A" and "B", and to the following terms, conditions and covenants:

1. The GRANTEE shall at all times with respect to the easement area use due care for public safety and agrees to defend, hold harmless and indemnify the GRANTOR, its officers, agents and employees or any person acting for and on its behalf, from and against all claims or demands for damage, including claims for property damage, personal injury or death, arising on, about or in connection with the premises, caused directly or proximately by any failure on the part of the GRANTEE to use and maintain the easement area in accordance with the terms and conditions of this Grant, or arising out of or caused by any act or omission of the GRANTEE.

2. The GRANTOR reserves unto itself and its successors the full use and enjoyment of the said premises, and to grant to others rights and privileges for any and all purposes affecting the said premises, provided, however, that the rights herein reserved shall not be exercised by the GRANTOR or any agent, representative or assign of the GRANTOR in such manner so as to interfere unreasonably with the GRANTEE in the use of said land for the purpose for which these easements are granted.

3. The GRANTOR also reserves the right to withdraw a portion of Easement 2 for the future widening of Moanalua Stream without payment to the GRANTEE unless Easement 2 is not useable as a result of the stream widening, in which case the total consideration of \$31,500.00 shall be repaid to the GRANTEE.

4. All improvements placed in or upon the easement area by the GRANTEE shall be done without cost or expense to the GRANTOR.

5. Upon completion of any work performed in or upon the easement area, the GRANTEE shall remove therefrom all equipment and unused or surplus materials, if any, and shall leave the said area in a clean and sanitary condition satisfactory to the GRANTOR.

6. These easements or any rights granted herein may be sold, assigned, conveyed, leased, mortgaged or otherwise transferred as appurtenant to and part of Lot M-1-A-2.

7. The GRANTEE shall keep the said premises and the improvements therein in a clean, sanitary and orderly condition, and shall not make, permit or suffer, any waste, strip, spoil, nuisance or unlawful, improper or offensive use of said premises.

8. The GRANTEE covenants, for itself, its successors and assigns, 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, national origin or a physical handicap.

9. These easement rights shall cease and terminate, and the easement area shall revert to the GRANTOR, without

any action on the part of the GRANTOR, in the event of non-use or abandonment by the GRANTEE of the easement area, or any portion thereof, for a period of one (1) year.

10. The GRANTEE, in the exercise of the rights granted herein, shall comply with all of the requirements of the Federal, State and county authorities and observe all county ordinances and State and Federal statutes, rules and regulations, now in force or which may hereinafter be in force.

11. The GRANTOR and its departments and agencies shall have continued and unlimited access and use over and across said easement areas.

12. The access roadway leading to Mokumoa Street shall be repaired and maintained to the satisfaction of the Department of Accounting and General Services.

13. Any improvements to the easement area shall be done in such a manner so as not to impede or impair the natural drainage of the area.

14. All construction and maintenance of the easement area shall be at the sole expense of the GRANTEE. The GRANTEE shall also relocate the chain-link fence along the northern boundary of the existing Easement No. 4368 to conform with the new boundary of Easement 1 and to replant and relandscape the area along the new fence.

15. Prior to the construction of any improvements, additions or alterations, the GRANTEE shall submit the plans and specifications for the review and approval by the Chairman and by the Department of Accounting and General Services.

The GRANTOR further reserves the right to terminate the easements upon the breach by the GRANTEE of any of the foregoing terms and conditions.

IN WITNESS WHEREOF, the parties hereto have caused this Indenture to be executed by their duly authorized officers as of the day and year first above written.

STATE OF HAWAII
By Its Board of Land and
Natural Resources

By *W. Thompson*
Chairman and Member

And By *[Signature]*
Member

HUALALAI CONSTRUCTION COMPANY, LTD.

KA
ONP

By *Walter Janak*
Its Secretary - Treasurer

By _____
Its

APPROVED AS TO FORM:

Johnson Wong
Deputy Attorney General

Date: *May 10, 1978*

STATE OF HAWAII)
) SS.
CITY AND COUNTY OF HONOLULU)

On this 6th day of June, 1978, before
me appeared WALTER TANAKA

and _____,

to me personally known, who, being by me duly sworn, did say
that ~~they are~~ ^{he is} the SECRETARY-TREASURER

and _____

respectively, of HUALALAI CONSTRUCTION COMPANY, ^{LTD.} and that the
seal affixed to the foregoing instrument is the corporate
seal of said corporation, and that said instrument was signed
and sealed on behalf of said corporation by authority of its
Board of Directors, and the said Walter Tanaka
Secretary-Treasurer ^{for 6/6/78}

and _____ acknowledged that they
executed said instrument as the free act and deed of said
corporation.

Katherine B. Hall

Notary Public, First Judicial
Circuit, State of Hawaii

My Commission expires: April 15, 1980

HUALALAI CONSTRUCTION CO., LTD.
2665 MOKUMOA STREET
HONOLULU, HAWAII 96819

EVIDENCE OF AUTHORITY

I, Walter Tanaka, Secretary-Treasurer of Hualalai Construction Co., Ltd., Corporation, a Hawaii Corporation, do hereby certify that the following is a full, true and correct copy of a resolution duly adopted by the Board of Directors of said Corporation, at its meeting duly called and held at the Office of the Corporation, 1055 Kalo Place, Honolulu, Hawaii, on the 6th day of August, 1974 at which a quorum was present and acting throughout, and the said resolution has not been modified, amended or rescinded and continues in full force and effect:

"RESOLVED that any individual of the time holding the position of President, Vice-President, and Secretary-Treasurer be, and each of them hereby is, authorized to execute on behalf of the Corporation any bid, proposal or contract for the sale or rental of the products of the Corporation or for services to be performed by the Corporation, and to execute any bond required by any such bid, proposal or contract with the United States Government or the State of Hawaii or the City and County of Honolulu, or any County or Municipal Government of said State, or any department or subdivision of any of them".

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said Hualalai Construction Co., Ltd., Corporation this 6th day of June, 1978.

Walter Tanaka

Secretary-Treasurer

Names and Addresses of:

President

Thomas T. Tanaka
1558 Kanalui Street
Honolulu, Hawaii

Vice-President

Raymond Tanaka
1398 Halekoo Drive
Honolulu, Hawaii

Secretary-Treasurer

Walter Tanaka
438 Kaleimamahu Street
Honolulu, Hawaii



LIBER 13006 PC 764

STATE OF HAWAII

SURVEY DIVISION

DEPT. OF ACCOUNTING AND GENERAL SERVICES

HONOLULU

November 14, 1977

c.s.f. No. 18,163

Easement 1

PERPETUAL NON-EXCLUSIVE EASEMENT
FOR ROADWAY PURPOSES

Moanalua, Honolulu, Oahu, Hawaii

Being a portion of the filled land of Moanalua Fishery acquired by the Territory of Hawaii by Final Order of Condemnation (Law No. 16,653) dated July 18, 1946 and recorded in Liber 1981, Pages 81-94 (Land Office Deed 7993) and by Quit-Claim Deed by Samuel M. Damon, Estate dated June 20, 1946 and recorded in Liber 2914, Page 438 (Land Office Deed 7993), set aside as Fort Shafter Military Reservation by Governor's Executive Order 1273 and subsequently Quit-Claimed to the State of Hawaii by the United States of America by deed dated March 15, 1963 and recorded in Liber 4485, Page 501 (Land Office Deed S-19,997).

Being also portions of the following:

- (a) Lot 1 of Shafter Flats Industrial Development, Unit II, set aside to the Department of Accounting and General Services by Governor's Executive Order 2443.
- (b) Lot 2 of Shafter Flats Industrial Development, Unit II, set aside to the Department of Transportation for its Oahu District Baseyard Site by Governor's Executive Order 2446.

Beginning at the northwest corner of this easement, the north corner of Department of Transportation's Oahu District Baseyard Site (Governor's Executive Order 2446) and on the easterly side of Kakoi Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "SALT LAKE" being 9152.80 feet South and 4372.37 feet East, thence running by azimuths measured clockwise from True South:-

1. 294° 24' 182.42 feet along the remainder of Lot 1 of Shafter Flats Industrial Development, Unit II;
2. Thence along the remainder of Lot 1 of Shafter Flats Industrial Development, Unit II, on a curve to the left with a radius of 172.00 feet, the chord azimuth and distance being: 278° 52' 20" 92.09 feet;

C.S.F. No. 18,163

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3. Thence along the remainder of Lot 1 of Shafter Flats Industrial Development, Unit II, on a curve to the left with a radius of 40.00 feet, the chord azimuth and distance being: 237° 24' 30" 34.99 feet;
4. Thence along the remainder of Lot 1 of Shafter Flats Industrial Development, Unit II, on a curve to the right with a radius of 40.00 feet, the chord azimuth and distance being: 233° 30' 49" 30.02 feet;
5. 347° 30' 10.96 feet along Lot M-1-A-2 (Map 374) of Land Court Application 1074;
6. 315° 34' 30" 92.30 feet along Lot M-1-A-2 (Map 374) of Land Court Application 1074;
7. 306° 25' 48.11 feet along Lot M-1-A-2 (Map 374) of Land Court Application 1074;
8. 358° 28' 27.90 feet along the new alignment of Moanalua Stream;
9. 126° 25' 98.24 feet along the remainder of Lot 2 of Shafter Flats Industrial Development, Unit II;
10. Thence along the remainder of Lot 2 of Shafter Flats Industrial Development, Unit II, on a curve to the right with a radius of 232.00 feet, the chord azimuth and distance being: 89° 18' 20" 196.79 feet;
11. 114° 24' 182.42 feet along the remainder of Lot 2 of Shafter Flats Industrial Development, Unit II, and along Lot 12 of Shafter Flats Industrial Development, Unit 1;
12. 204° 24' 60.00 feet along the easterly side of Kakoi Street to the point of beginning and containing an AREA OF 25,194 SQUARE FEET.

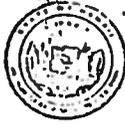
Subject, however, to a storm drain easement (10-foot wide) as shown on plan attached hereto and made a part hereof.

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By: Stanley P. Hasegawa
Stanley P. Hasegawa
Land Surveyor

Compiled from CSF's 16728, 18133,
16751 and Govt. Survey Records.

ac



LIBER 13006 PG 766

STATE OF HAWAII

SURVEY DIVISION

DEPT. OF ACCOUNTING AND GENERAL SERVICES
HONOLULU

November 14, 1977

C.S.F. No. 18,162

Easement 2

PERPETUAL NON-EXCLUSIVE EASEMENT
FOR UTILITIES AND ACCESS PURPOSES

Moanalua, Honolulu, Oahu, Hawaii

Being a portion of the filled and underwater area of Mōanalua Fishery acquired by the Territory of Hawaii by Final Order of Condemnation Law No. 16,653 dated July 18, 1946 and recorded in Liber 1981, Pages 81-94 (Land Office Deed 7993) and by Quit-Claim Deed by Samuel M. Damon Estate dated June 20, 1946 and recorded in Liber 2914, Page 438 (Land Office Deed 7993), set aside as Fort Shafter Military Reservation by Governor's Executive Order 1273 and subsequently Quit-Claimed to the State of Hawaii by the United States of America by deed dated March 15, 1963 and recorded in Liber 4485, Page 501 (Land Office Deed S-19997).

Being also portions of the following:

- (a) Lot 1 of Shafter Flats Industrial Development, Unit II, set aside to the Department of Accounting and General Services by Governor's Executive Order 2443.
- (b) Government Remnant of Shafter Flats Industrial Development, Unit II.

Beginning at the northwest corner of this easement and on the southwest boundary of Exclusion 16 as shown on Map 1 of Land Court Application 1074, the coordinates of said point of beginning referred to Government Survey Triangulation Station "SALT LAKE" being 8,291.10 feet South and 4,722.46 feet East, thence running by azimuths measured clockwise from True South:-

- 1. 293° 48' 97.88 feet along Exclusion 16 of Land Court Application 1074;
- 2. 43° 01' 69.52 feet along Lot M-1-A-2 of Land Court Application 1074;
- 3. 26° 28' 62.98 feet along Lot M-1-A-2 of Land Court Application 1074;

November 14, 1977

4. 174° 31' 30" 147.38 feet along the remainder of Lot 1 of Shafter Flats Industrial Development, Unit II, to the point of beginning and containing an AREA OF 5,668 SQUARE FEET.

Subject, however, to EASEMENT "B", a non-exclusive easement for sewer purposes covered by Grant of Easement: State of Hawaii to the City and County of Honolulu dated May 7, 1973 and recorded in Liber 9326, Page 157 (Land Office Deed S-26088).

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By:

Stanley T. Hasegawa
Stanley T. Hasegawa
Land Surveyor

ac

Compiled from CSF's 15875, 16395,
18144 and Govt. Survey Records.

KAKOI STREET

LIBER 13006 PG 768

52.80 S.
4372.37 E.
"SALT LAKE" A

FISHERY

DEVELOPMENT

LOT 1

Department of Accounting
and General Services
(Governor's Executive Order 2443)

LOT 12

Deed United States of America to State of Hawaii dated March 15, 1963 Page 501

MOANALUA UNIT I

INDUSTRIAL II

TRUE NORTH
Scale: 1 in. = 40 ft.

in Liber 4485, Office Deed 5-1957

25,194

FLATS UNIT

50,000 SQ. FT.

LOT 2

SHAFTER DEPT. OF TRANSPORTATION OAHU DISTRICT BASEYARD SITE (Governor's Executive Order 2446)

Storm Drain Easement

Lot M-1-A-2 (Map 374) Land Court Application 1074

Moanalua Stream

Easement 1
PERPETUAL NON-EXCLUSIVE EASEMENT FOR ROADWAY PURPOSES
Moanalua, Honolulu, Oahu, Hawaii
Scale: 1 inch = 40 feet.

JOB 0-8543
C. BK 5:130 (Hasegawa)

EXHIBIT "C"

TAX MAP 1-1-64

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

C. S. F. No. 18,163

R.T.H. Nov. 14, 1977

Oland

Portion of R.P. 7858, L.C.Aw 7715, Apana 2 to Lot Kamehameha

NON-EXCLUSIVE EASEMENT FOR ROADWAY AND UTILITY PURPOSES (CSF 16273) Grant of Easement, HECO to State of Hawaii by deed dated Oct. 10, 1971 Liber 10362 pg. 555 (L.O.D. 9-29-71)

EXCLUSION

Moanalua Court

TRUE NORTH Scale: 1 in. = 20 ft.

CSF 17492

6201.0 S 4722.46 E SALT LAKE A

SHAFTER FLATS INDUSTRIAL DEVELOPMENT - UNIT II Lot 1 Department of Accounting and General Services (Governor's Executive Order 2093)

EASEMENT 'B' NON-EXCLUSIVE EASEMENT Grant of Honolulu, Unit II of Honolulu

Deed: United States State of March 15, 1963

MOANALUA

Government Remnant

5668 SQ. FT.

EASEMENT FOR GENERAL PURPOSES of America to the State of Hawaii dated to the FISHERY (L.O.D. 5-19-77) Pg. 801

Deed: United States State of March 15, 1963

26'28" 62'29"

69'52"

93'01"

Bank of stream

Stream

Lot M-1 A-2 (Map 572)

1074

Easement 2

PERPETUAL NON-EXCLUSIVE EASEMENT FOR UTILITIES AND ACCESS PURPOSES

Moanalua, Honolulu, Oahu, Hawaii Scale: 1 inch = 20 feet

JOB 0-8543

C. BK Hasegawa S, pg. 131

EXHIBIT "D"

TAX MAP 1-1-64

SURVEY DIVISION DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES STATE OF HAWAII

C. S. F. No. 18,622

11MM Nov 14 1977