

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

May 8, 2015

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

PSF No.: 15OD-057

Oahu

Consent to a Non-Exclusive Easement, General Lease No.S-3980, Synergy Ventures LLC, Assignor, to Brian Lester Sakamaki, Donna J. Walden and Giampaolo Paul Boschetti, Assignees, Makiki, Honolulu, Oahu, Tax Map Key: (1) 2-4-029:066.

APPLICANT:

Synergy Ventures LLC, a Hawaii limited liability company, as Assignor, to Brian Lester Sakamaki, Donna J. Walden, as Trustee under that unrecorded Donna J. Walden Revocable Living Trust dated September 14, 1988, and Giampaolo Paul Boschetti, as Assignees, as tenants in common.

LEGAL REFERENCE:

Section 171-36(a) (5), Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands over and across Makiki Ditch situated at Makiki, Honolulu, Oahu, identified by tax map key: (1) 2-4-029:066, as shown on the attached map labeled Exhibit A.

AREA:

0.021 acre, more or less.

TRUST LAND STATUS:

Section 5 (b) lands of the Hawaii Admission Act

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

CHARACTER OF USE:

Non-exclusive easement (bridge) for access purposes.

TERM OF EASEMENT:

Sixty-five (65) years, commencing on June 27, 1966 and expiring on June 26, 2031. Last rental reopening occurred on June 27, 2011; next rental reopening is scheduled for June 27, 2021.

ANNUAL RENTAL:

\$720.00

CONSIDERATION:

\$100.00

RECOMMENDED PREMIUM:

Not applicable as the lease does not allow for a premium.

DCCA VERIFICATION:

ASSIGNOR:

Place of business registration confirmed:	YES <u>X</u>	NO <u>__</u>
Registered business name confirmed:	YES <u>X</u>	NO <u>__</u>
Good standing confirmed:	YES <u>X</u>	NO <u>__</u>

ASSIGNEE:

Individuals. Not applicable.

REMARKS:

At its meeting of June 22, 2012, under agenda item D-4, the Board consented to the assignment of this easement from Kewalo Holdings, Ltd., as Assignor, to Synergy Ventures LLC, as Assignee.

By way of an Assignment dated March 24, 2015, Synergy Ventures LLC, sold its interest in the subject easement to Brian Lester Sakamaki, husband of Donna Jean Miyuki Walden, Donna J. Walden, as Trustee under that unrecorded Donna J. Walden ,Revocable Living Trust dated September 14, 1988, and Giampaolo Paul Boschetti, as tenants in common. The sale transferred property rights to the assignees, who in effect, need to become the grantees under the subject easement.

Staff now brings this request to the Board for its consent to the assignment.

The lessee is in compliance with all the lease terms and conditions. Rental payment and liability insurance policy are current. There is no performance bond requirement under the subject lease.

The Assignees have 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. Therefore, staff does not have any objection to the request for consent to assign.

No comments were solicited from other government agencies being that there is no change in the existing use of the area. There are no pertinent issues or concerns.

Staff has no objections to this request.

RECOMMENDATION: That the Board:

A. Consent to the Assignment of a Non-Exclusive Easement, General Lease No. S-3980 from Synergy Ventures LLC., as Assignors, to Brian Lester Sakamaki, Donna J. Walden, as Trustee under that unrecorded Donna J. Walden Revocable Living Trust dated September 14, 1988, and Giampaolo Paul Boschetti, as Assignees, subject to the following:

1. The standard terms and conditions of the most current consent to assignment form, as may be amended from time to time;
2. Review and approval by the Department of the Attorney General; and
3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Steve Lau
Land Agent

APPROVED FOR SUBMITTAL:



Carty S. Chang, Interim Chairperson



EXHIBIT "A"

Parcels Shaded 17, 18, 35, 44, 45, 48, 56, 58, 59, 65, 66

DEPARTMENT OF TAXATION PROPERTY TECHNICAL OFFICE TAX MAPS BRANCH STATE OF HAWAII		
TAX MAP		
FIRST TAXATION DISTRICT		
ZONE	SEC.	PLAT
2	4	29
SCALE 1 IN. = 50 FT.		

PLAT 21
OAHU, HAWAII

State of Hawaii
(Evelyn K. Arinaga) Co.
G.L. 9-3600

PLAT 25

FOR PROPERTY ASSESSMENT PURPOSES
SUBJECT TO CHANGE

SUBJECT