

NEIL ABERCROMBIE
GOVERNOR



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

GLENN M. OKIMOTO
DIRECTOR

Deputy Directors
JADE T. BUTAY
FORD N. FUCHIGAMI
RANDY GRUNE
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IN REPLY REFER TO:

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

OAHU

ACQUISITION OF PRIVATE LANDS AND SET ASIDE TO DEPARTMENT
OF TRANSPORTATION, HARBORS DIVISION, FOR MARITIME
PURPOSES, KAPOLEI, OAHU, HAWAII, 53.948 ACRES, TAX MAP KEY:
NO. 1ST DIVISION, 9-1-14:26 (PORTION)

APPLICANT AGENCY:

Department of Transportation

PRIVATE LANDOWNER:

Campbell Hawaii Investor, LLC, a Hawaii limited liability company, whose business and post office address is 1001 Kamokila Boulevard, Suite 254, Kapolei, Hawaii 96707.

LEGAL REFERENCE:

Sections 107-10, 171-11 and 171-30, and Chapter 101, Hawaii Revised Statutes, as amended and as may be necessary.

LOCATION:

Privately-owned lands of Campbell Hawaii Investor, LLC, situated at Kapolei, Oahu, Hawaii, identified by Tax Map Key: 1st Division, 9-1-14:26 (Portion), as shown on the attached map labeled "Exhibit A."

LAND AREA OF PARCEL:

TMK: 1st Division, 9-1-14:26 (Portion): 53.948 acres.

ITEM M-3

ZONING:

State Land Use District: Urban District
City and County of Honolulu: I-3

CONSIDERATION:

Campbell Hawaii Investor, LLC, by James Campbell Company LLC, a Delaware limited liability company, its manager and sole member, and the State have mutually accepted the \$20,700,000.00 value established by The Hallstrom Group, Inc., an independent real estate appraisal firm, in its appraisal dated November 22, 2011 as just compensation as required by Section 171-30, Hawaii Revised Statutes, relating to Acquisition of real property; general.

PURPOSE:

Maritime and maritime-related activities, operations and purposes.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

The Final Environmental Assessment for the subject project was published in the State Office of Environmental Quality Control's (OEQC) Environmental Notice on December 8, 2010 with a finding of no significant impact (FONSI).

REMARKS:

The Department of Transportation, Harbors Division, desires to acquire fee simple interest and title to the subject lands from Campbell Hawaii Investor, LLC. The fee simple acquisition of the property is necessary for the Harbors Division's expansion of Kalaeloa Barbers Point Harbor which is presently congested with increased burgeoning maritime operations. Once acquired, the subject parcels will be included in the upcoming Kalaeloa Harbor 2020 Master Plan project. The subject property is adjacent to and contiguous with existing harbor lands and is located off Malakole Street in the Kapolei Maritime Industrial Area at Kapolei, Oahu, Hawaii.

The land acquisition is authorized by Act 164, SLH 2011, as amended by Act 106, SLH 2012, which appropriated up to \$25,150,000 for land acquisition purposes. Harbors Division special and revenue bond funds will be used to finance the acquisition.

The Department of Attorney General shall initiate eminent domain proceedings and deposit the amount of just compensation in court to acquire the subject property. The final order of condemnation is anticipated to be filed by December 31, 2012.

RECOMMENDATION: That the Board:

- A. Authorize the acquisition of the subject private lands by the Department of Transportation, subject to the terms and conditions cited above which are by this reference incorporated herein, and further subject to the completion or issuance of the following items:
1. Satisfactory preliminary and final title reports prepared by a recognized and reputable local title company;
 2. Eminent domain proceedings, as may be necessary for the acquisition, pursuant to Chapter 101, Hawaii Revised Statutes;
 3. Review and approval by the Department of the Attorney General; and,
 4. Such other terms and conditions as may be prescribed by the Land Board Chairperson and Director of Transportation to best serve the interests of the State.
- B. Approve of and recommend to the Governor the issuance of an executive order setting aside the subject lands to the Department of Transportation, Harbors Division, under the terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:
1. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
 2. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;
 3. Review and approval by the Department of the Attorney General; and,

4. Such other terms and conditions as may be prescribed by the Land Board Chairperson to best serve the interests of the State.

Respectfully submitted,



GLENN M. OKIMOTO, Ph.D.
Director of Transportation

Attachment

APPROVED FOR SUBMITTAL:



WILLIAM J. AILA, JR.
Chairperson and Member
Board of Land and Natural Resources

EXHIBIT A

Lot A

Situate at Honouliuli, Ewa, Oahu, Hawaii

Being a portion of Lot 9541 as shown on Map 711 of Land Court Application 1069.

Beginning at the Northwest corner of this parcel of land, being also the Southwest corner of Lot 9540 (Map 710) of Land Court Application 1069 and on the Northeast side of Malakole Street the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAPUAI NEW" being 21,359.52 feet South and 14,316.18 feet West and running by azimuths measured clockwise from true South:

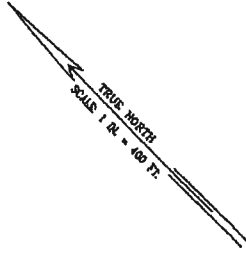
1. 315° 00' 280.57 feet along Lot 9540 (Map 710) of Land Court Application 1069;
2. 225° 00' 2546.77 feet along same;
3. 332° 40' 1050.00 feet along Lot 18251 (Map 1415) of Land Court Application 1069;
4. 45° 00' 1218.25 feet along same;
5. Thence along Lot B of on a curve to the right with a radius of 848.42 feet the chord azimuth and distance being:
59° 06' 29.8" 413.62 feet;
6. 73° 13' 1050.65 feet along same;
7. 159° 53' 13" 753.44 feet along the Northeast side of Malakole Street to the point of beginning and containing an area of 53.948 acres.

October 18, 2010
Honolulu, Hawaii



Chad Kodama
Licensed Professional Land Surveyor
Certificate Number 11249
License Expires 4/12

MAP OF EXHIBIT A



Lot 9540
TK: 9-1-014: 024

Lot 9541

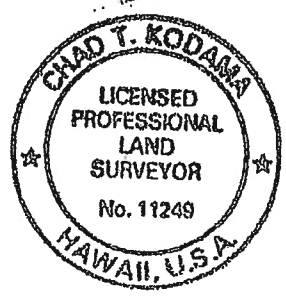
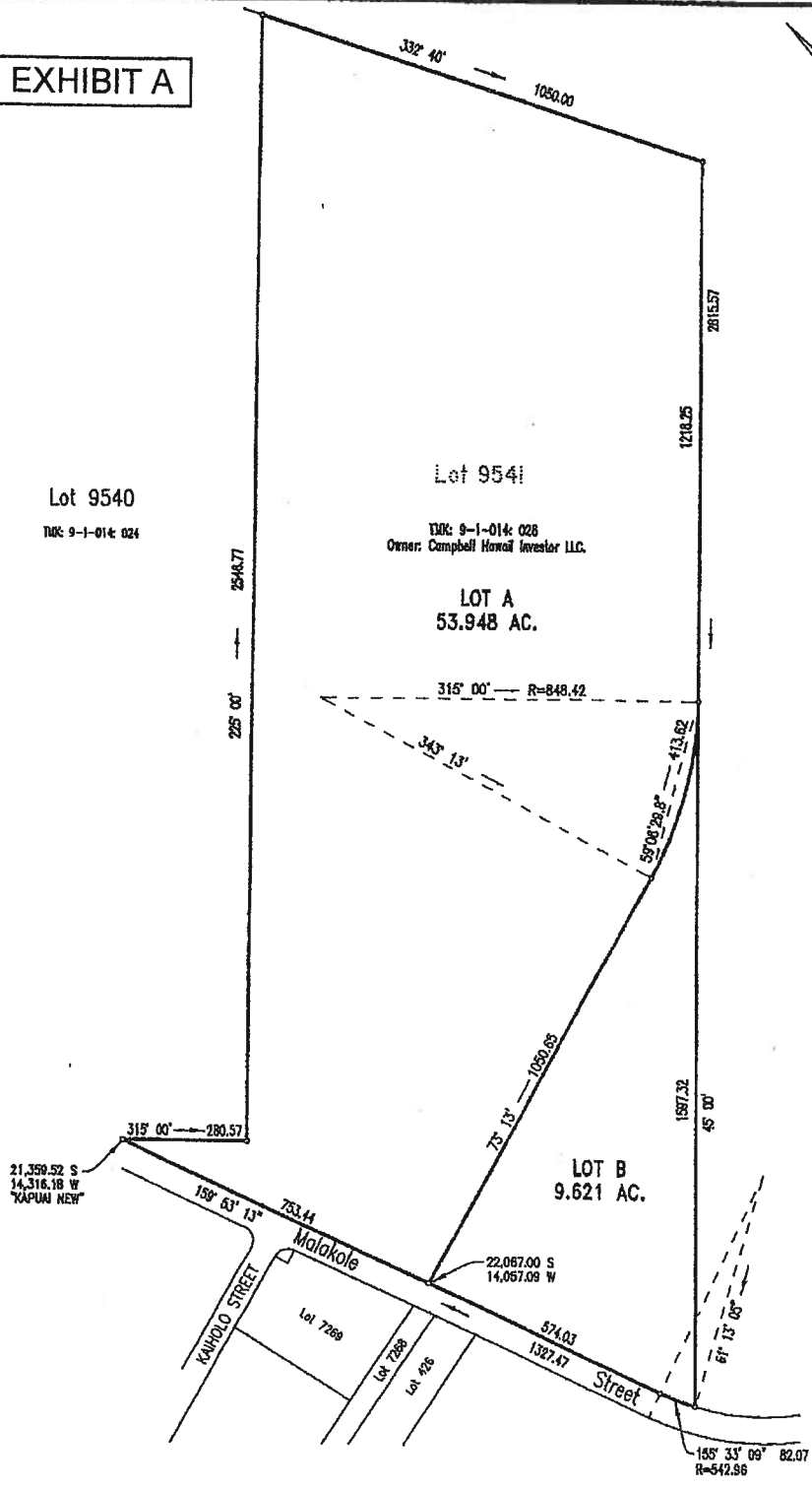
TK: 9-1-014: 028
Owner: Campbell Hawaii Investor LLC.

Lot 18251
TK: 9-1-014: 042

LOT A
53.948 AC.

LOT B
9.621 AC.

21,359.52 S -
14,316.18 W
"KAPUNI NEW"



EXHIBIT

Subdivision of Lot 9541 (Map 711)
of Land Court Application 1069
into
Lots A and B
at Honouliuli, Ewa, Oahu, Hawaii

This work was prepared by me
or under my direct supervision.

Chad Kodama

Chad Kodama
Licensed Professional Land Surveyor
Certificate Number 11249
License Expires 4/12

NOTE:
Easements are not shown.