

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
JADINE URASAKI

IN REPLY REFER TO:

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

HAWAII

ACQUISITION OF PRIVATE LANDS AND SET ASIDE TO THE COUNTY
OF HAWAII FOR ROADWAY PURPOSES, HILO, ISLAND OF HAWAII,
TAX MAP KEY: 2ND DIVISION, 3-7-10: 1 AND 36

APPLICANT AGENCY:

Department of Transportation, Harbors Division

PRIVATE LANDOWNER:

Airgas Gaspro, a Hawaii corporation and wholly owned subsidiary of Airgas USA, LLC, a Delaware Corporation, whose business and post office address is 259 N. Radnor Chester Road, Suite 100, Radnor, Pennsylvania 19087.

C. Kitagawa, Inc. a Domestic Profit Corporation, whose business address is 400 E. Kawili Street, Hilo, Hawaii 96720.

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, situated at Waiakea, Hilo, Island of Hawaii, identified as Tax Map Key: 3rd Division, 2-1-07: Portions of 05 and 07, as shown on the attached map labeled "Exhibit A."

ITEM M-3

AREA OF ACQUISITION:

TMK: 3rd Division, 2-1-07:Por 05: 263 square feet, more or less
TMK: 3rd Division, 2-1-07:Por 07: 263 square feet, more or less

ZONING:

TMK: 3rd Division, 2-1-07:05:

State Land Use District: Urban District
County of Maui CZO: MG-1A, General Industrial

TMK: 3rd Division, 2-1-07:07:

State Land Use District: Urban District
County of Maui CZO: MG-20, General Industrial

CURRENT USE:

TMK: 3rd Division, 2-1-07: 05:

Parcel 5 of Tax Map Plat: (3) 2-1-07 consists of 44,780 square feet located on the corner of Kumau and Kalaniana'ole Streets. The parcel is currently owned by Airgas Gaspro and is occupied and utilized as a Gas Fill Plant, Medical Branch, and Retail Store. The corner portion of the lot to be acquired is unimproved land.

TMK: 3rd Division, 2-1-07: 07:

Parcel 7 of Tax Map Plat: (3) 2-1-07 consists of 67,170 square feet is located at the corner of Kumau and Kalaniana'ole Streets. The parcel is currently owned by C. Kitagawa, Inc. and leased to I. Kitagawa and Company, Ltd for use as an Auto Dealership and Repair & Service Center. The corner portion of the lot to be acquired is open landscaped land.

CONSIDERATION:

The State and the owners have mutually accepted the \$4,800 per parcel value established by Yamaguchi & Yamaguchi, Inc., an independent real estate appraisal firm, in its appraisal dated May 30, 2012, as required by Section 171-30, Hawaii Revised Statutes, relating to Acquisition of Real Property; General

PURPOSE:

Roadway

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

The Draft Environmental Assessment was published for public review in the February 8, 2012 issue of the State Office of Environmental Quality Control's (OEQC) Environmental Notice. The Final Environmental Assessment for the subject project was published in the State Office of Environmental Quality Control's (OEQC) Environmental Notice on February 8, 2012 with a finding of no significant impact (FONSI).

REMARKS:

The Department of Transportation, Harbors Division, desires to acquire fee simple interest and title to portions of two (2) parcels owned by Airgas Gaspro and C. Kitagawa, Inc. for roadway purposes. Both subject portions are located at the corners of Kumau Street and Kalaniana'ole Street, Hilo, Hawaii.

The fee simple acquisition of unimproved portions of privately owned parcels is part of a proposed Harbors project involving the construction of improvements to Kumau Street to provide an alternative entryway for commercial and other vehicles into Hilo Harbor.

During the design phase of the project, the County of Hawaii required an increased turning radius into Kumau Street from Kalaniana'ole Street, therefore necessitating the need to acquire the subject areas from the private landowners.

Upon completion of the Kumau Street improvements the acquired parcels together with the improvements will be set aside to County of Hawaii as part of the Kumau Street road right-of-way.

The acquisition of the subject unimproved land parcels was authorized by Act 164, Session Laws of Hawaii 2011, as amended by Act 106 SLH 2012, which appropriated \$10,000.00 for land acquisition purposes.

RECOMMENDATION: That the Board:

- A. Authorizes 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. Standard terms and conditions of the most current deed document 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 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 County of Hawaii, 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 AILA, JR
Chairperson and Member

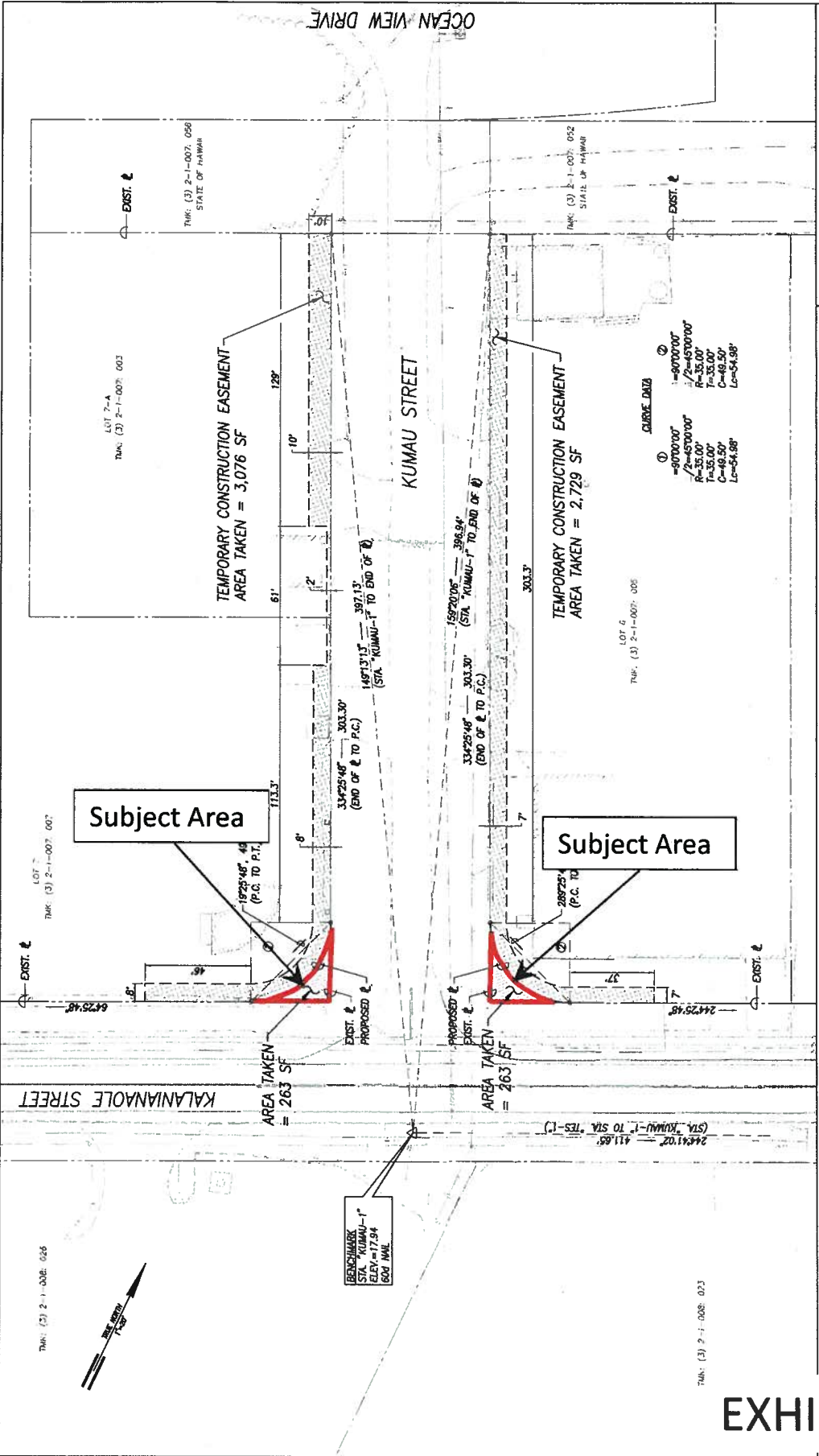


EXHIBIT A