

DAVID Y IGE
GOVERNOR



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

FORD N. FUCHIGAMI
DIRECTOR

Deputy Directors
JADE T. BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

IN REPLY REFER TO:

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

ISSUANCE OF A DIRECT LEASE TO ATMOS, INC.
KALAELOA AIRPORT, ISLAND OF OAHU, STATE OF HAWAII
TAX MAP KEY: (1) 9-1-13: PORTION OF 32

OAHU

REQUEST:

Issuance of a direct lease to Atmos, Inc., to develop, construct, operate, use and maintain a private hangar facility for the storage of personal aircraft at Kalaeloa Airport.

APPLICANT/LESSEE:

Atmos, Inc., a Hawaii corporation, authorized to do business in the State of Hawaii, whose business address is P.O. Box 75504, Kapolei, Hawaii 96707.

LEGAL REFERENCE:

Subsection 171-59(b), Hawaii Revised Statutes

LOCATION AND AREA:

Portion of Kalaeloa Airport, Kapolei, Island of Oahu, State of Hawaii, identified by Tax Map Key: 1st Division, 9-1-13: Portion of 32

AREA:

Area/Space No. 406-104, containing a land area of approximately 4,900 square feet, as shown and delineated on the attached map labeled Exhibit A.

ZONING:

State Land Use District: Urban
City and County of Honolulu: P-2 (To be rezoned in the future)

ITEM M-11

LAND TITLE STATUS:

Non-ceded land acquired from the U.S. Government by the State of Hawaii after Statehood DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES NO

CURRENT USE STATUS:

Land presently encumbered by Governor's Executive Order No. 3861, setting aside Kalaeloa Airport under the control and management of the Department of Transportation, Airports Division, State of Hawaii, for Airport Purposes.

CHARACTER OF USE:

Private Hangar Facility

TERM OF LEASE:

Ten (10) years

LEASE COMMENCEMENT DATE:

Upon execution of the Lease document

ANNUAL GROUND LEASE RENTAL:

Lease Years 1-5: \$6,370.00 per annum, payable in monthly installments of \$530.83, in advance, based upon a ground lease rental rate of \$1.30 per square foot per annum.

Lease Years 6-10: \$7,325.50 per annum, payable in monthly installments of \$610.46, in advance, based upon the product of the annual rental for the fifth (5th) year of the lease term (\$6,370.00) and 115%.

PERFORMANCE BOND:

Sum equal to the annual land lease rental in effect.

MINIMUM IMPROVEMENTS REQUIREMENT:

\$25,000

CHAPTER 343, HRS - ENVIRONMENTAL ASSESSMENT:

The subject land area is covered by the Final Environmental Assessment for the Kalaeloa Airfield Development Plan Improvements, State Project No. AO5011-02 dated June 2010. This Environmental Assessment was prepared by Wilson Okamoto Corp. for the State of Hawaii, Department of Transportation, Airports Division, in part to evaluate the environmental effects of the recommended Kalaeloa Airfield Master Plan to meet existing and forecast general aviation demands.

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>
Good standing confirmed:	YES <u>X</u>	NO <u> </u>

REMARKS:

The State of Hawaii, Department of Transportation, Airports Division (DOTA) proposes to issue a direct lease to Atmos, Inc., for the purpose of developing, constructing, operating, and maintaining a private hangar facility at Kalaeloa Airport, in accordance with Section 171-59 (b), Hawaii Revised Statutes, which provides in part, "disposition of public lands for airline, aircraft, airport-related, agricultural processing, cattle feed production, aquaculture, marine, maritime, and maritime-related operations may be directly negotiated without regard to the limitations set forth in subsection (a) and Section 171-16(c); provided that the disposition encourages competition within the aeronautical, airport-related, agricultural, marine, maritime, and maritime-related operations;" And further provides that "Airport-related' means a purpose or activity that requires air transportation to achieve that purpose or activity; or an activity that generates revenue for the airport system as provided in Section 261-7."

In accordance to HRS 171-59(b) the DOTA does not have an objection to this lease request and finds the issuance of the lease an airport related purpose and in the public interest.


RECOMMENDATION:

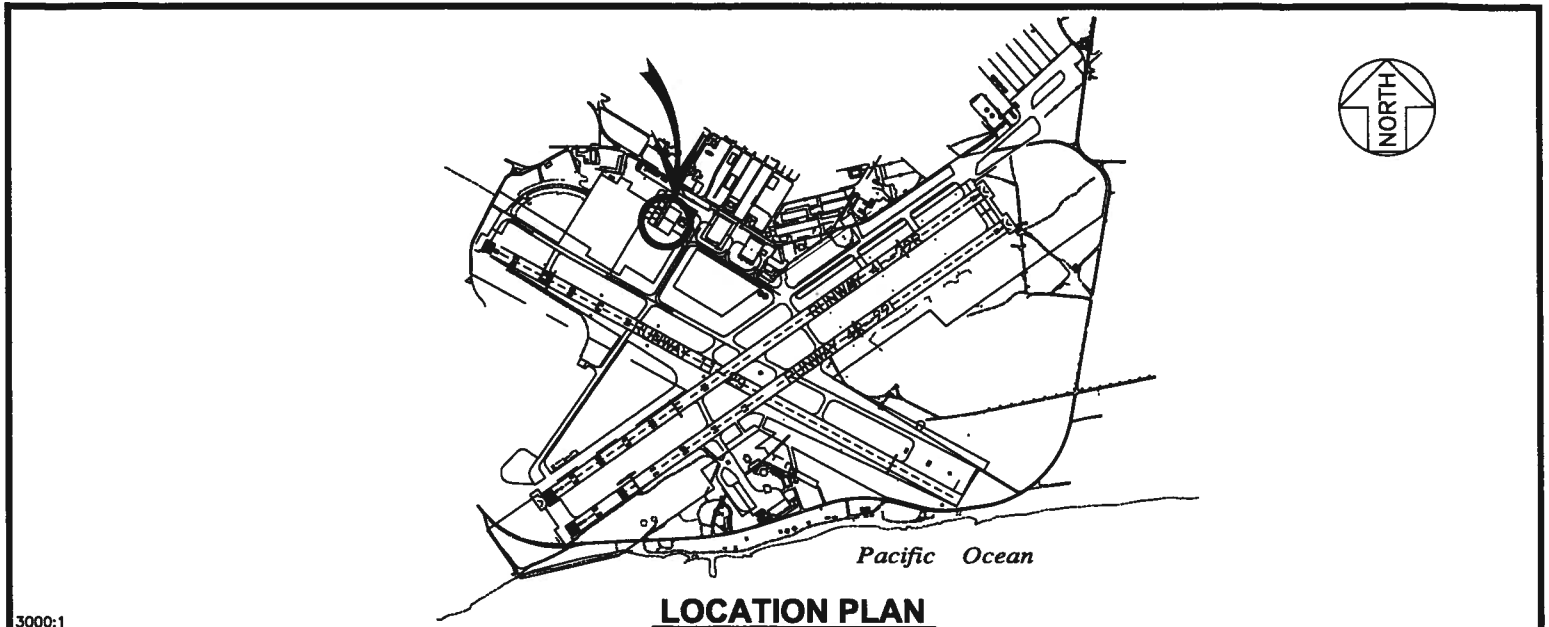
That the Board authorize the Department of Transportation to issue a direct lease to Atmos, Inc, subject to: (1) terms and conditions herein outlined, which are by reference incorporated herein; (2) such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State; and (3) review and approval of the Department of the Attorney General as to the lease form and content.

Respectfully submitted,

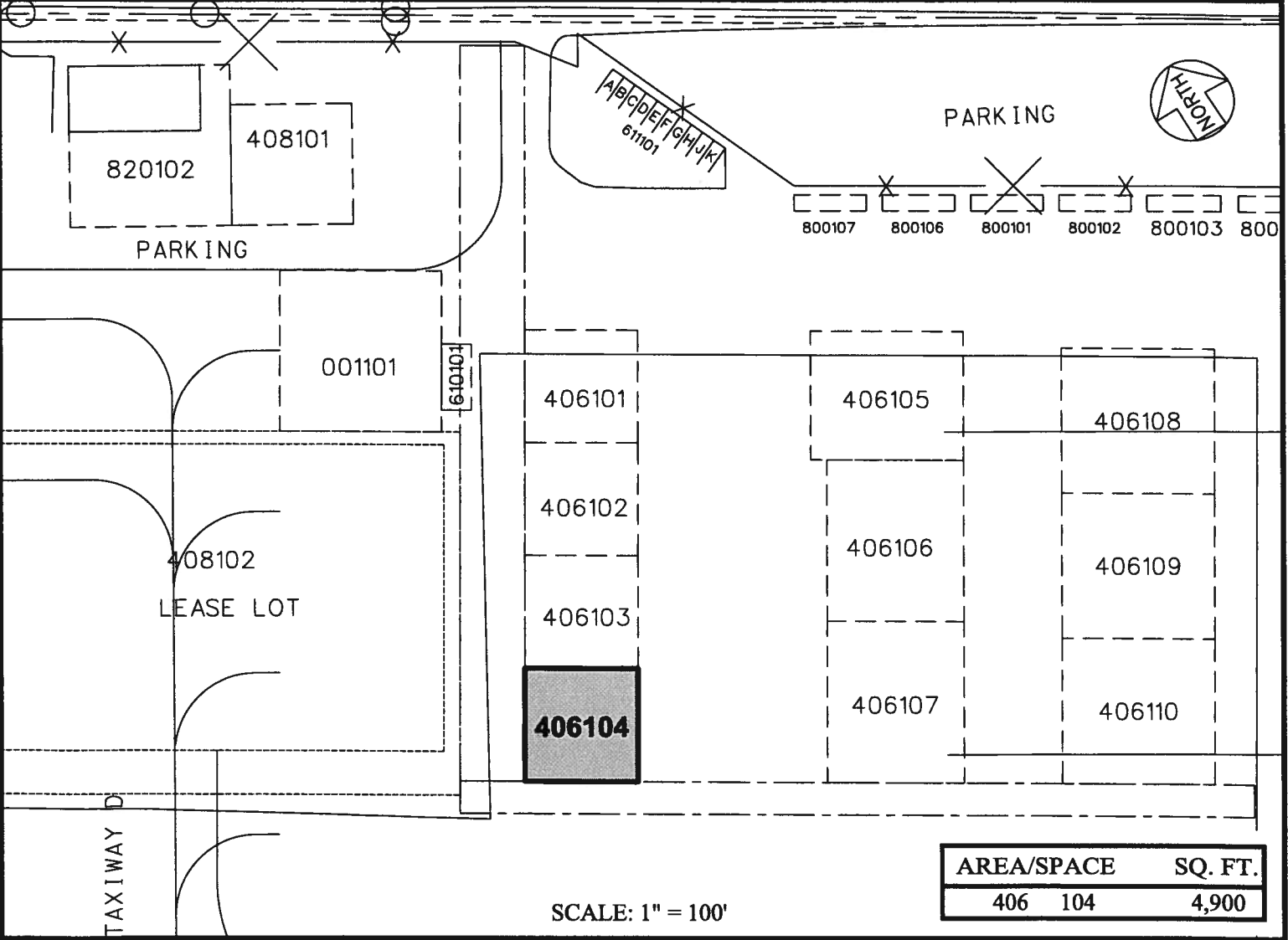

FORD N. FUCHIGAMI
Director of Transportation

APPROVED FOR SUBMITTAL:


SUZANNE D. CASE
Chairperson and Member



3000:1



DATE : OCTOBER 2015

EXHIBIT: **A**



Airports Division

ATMOS, INC.

HANGAR LOTS

406104