

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

November 13, 2015

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

Ref: LOD 27485

Oahu

Consent to Assignment of Grant of Easement recorded as Liber 18715, page 334;
Manoa Shopping Center, Inc., Assignor, to A&B Manoa LLC, Assignee; Manoa,
Honolulu, Oahu, Tax Map Key: (1) 2-9-026:portion of 014.

APPLICANT:

Manoa Shopping Center, Inc., a domestic for profit corporation, as Assignor, to A&B
Manoa LLC, a domestic limited liability company, as Assignee

LEGAL REFERENCE:

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

LOCATION & AREA:

Portion of Government lands situated at Manoa, Honolulu, Oahu, Tax Map Key: (1) 2-9-
026:portion of 014, comprising approximately 1,087 square feet, as shown on the map
attached as **Exhibit A**.

ZONING:

State Land Use District: Urban
City and County of Honolulu LUO: B-1

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:

Access purposes.

TERM OF EASEMENT:

Perpetual, commenced on April 10, 1985.

CONSIDERATION:

Not applicable. The subject is pertaining to the conveyance of the adjoining shopping center between the Assignor and Assignee.

ANNUAL RENTAL FOR EASEMENT:

Not applicable. A one-time payment of \$14,200 was paid in 1985.

RECOMMENDED PREMIUM:

Not applicable.

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:

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:

At its meeting on November 18, 1983, under item F-10, the Board authorized the issuance of a perpetual, non-exclusive easement for access purposes to the Assignor, being the owner of the adjoining Manoa Marketplace. The subject easement was issued in 1985 and it has been used as a drive-thru for a fast food restaurant who is one of the lessees of the shopping center. The Assignor is selling its fee interest of the shopping center to the Assignee.

There are no compliance issues under the subject easement. The Assignee 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.

Staff did not solicit comments from other government agencies on the subject request, as there will be no change to the existing use of the subject State lands. There are no other pertinent issues or concerns and staff has no objection to the request.

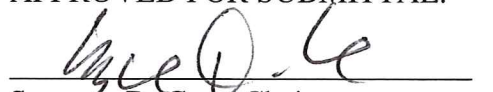
RECOMMENDATION: That the Board consent to the assignment of Grant of Easement from Manoa Shopping Center, Inc., as Assignor to A&B Manoa LLC, as Assignee, subject to the following:

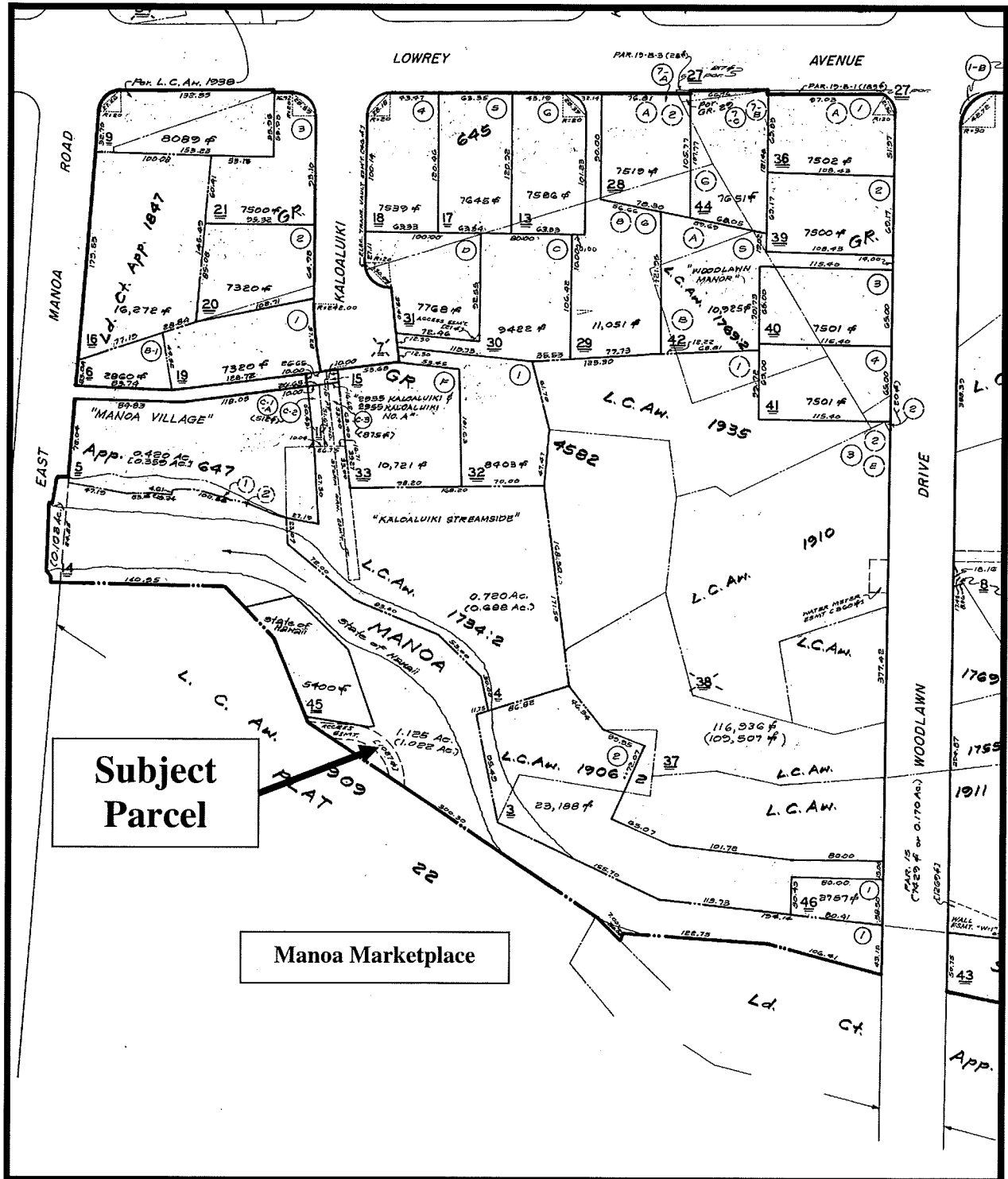
- A. The standard terms and conditions of the most current consent to assignment form, as may be amended from time to time;
- B. Review and approval by the Department of the Attorney General; and
- C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests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

Respectfully Submitted,


Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:


Suzanne D. Case, Chairperson
va



TMK (1) 2-9-026:portion of 014

EXHIBIT A