

**Honolulu Authority for Rapid Transportation**

**RESOLUTION NO. 2015-94**

**AUTHORIZING THE ACQUISITION OF THE FEE SIMPLE INTEREST IN THE REAL PROPERTY IDENTIFIED AS TAX MAP KEYS 2-3-007-062 (PORTION) and 2-3-007-063 (PORTION) BY EMINENT DOMAIN**

WHEREAS, the Honolulu Authority for Rapid Transportation (HART) has been established pursuant to Article XVII of the Revised Charter of the City and County of Honolulu 1973, as amended (Charter); and

WHEREAS, Section 17-103.2(b) of the Charter empowers HART “to acquire by eminent domain. . . all real property or any interest therein necessary for the construction, maintenance, repair, extension or operation of the fixed guideway system;” and

WHEREAS, the City Council approved or did not object to the acquisition of the real property identified as Tax Map Keys (TMKs) 2-3-007-062 (Portion) and 2-3-007-063 (Portion) by eminent domain in fee simple after written notification by HART; and

WHEREAS, the acquisition by eminent domain in fee simple of the above-identified real property, which is more particularly described in the attached legal description marked as Exhibit A, is necessary for the Honolulu Rail Transit Project fixed guideway system, a valid public use and purpose;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of HART as follows:

1. That acquisition by eminent domain in fee simple of the real property identified as TMKs 2-3-007-062 (Portion) and 2-3-007-063 (Portion) is hereby authorized and the Corporation Counsel of the City and County of Honolulu is empowered to institute eminent domain proceedings as provided by law for the acquisition thereof; and
2. That the acquisition of the above-identified property by eminent domain is determined and declared to be for a valid public use and purpose as aforesaid; and
3. That the acquisition of the above-identified property by eminent domain is determined and declared to be necessary for the aforesaid public use and purpose; and
4. That in the process of said proceedings in eminent domain, the Corporation Counsel is authorized and empowered to negotiate terms of settlement, subject to the approval of HART and/or the Court before which such proceedings are commenced; and

5. That the Board Administrator be directed to transmit copies of this resolution to HART and the Department of the Corporation Counsel.

ADOPTED by the Board of the Honolulu Authority for Rapid Transportation on  
NOV 24 2015.

Donald G. Horner  
amjtr Board Chair

ATTEST:

Cindy Matye  
Board Administrator

Exhibit A – Legal Description of TMKs 2-3-007-062 (Portion) and 2-3-007-063 (Portion)

## HONOLULU HIGH-CAPACITY TRANSIT CORRIDOR PROJECT

### PARCEL 484

**Being portions of Lots 675 and 676, as shown on Map 4  
of Land Court Application 880, Section 2.  
Situate at Kewalo, Honolulu, Oahu, Hawaii**

Beginning at the Southeast corner of this parcel of land, being also the Southwest corner of Lot 892 (Map 66) of Land Court Application 880, Section 2, and on the Northerly side of Kona Street, the coordinates of which referred to Government Survey Triangulation Station "PUNCHBOWL" being 835.68 feet South and 1323.76 feet East and running by azimuths measured clockwise from true South:

- |    |      |     |             |   |
|----|------|-----|-------------|---|
| 1. | 110° | 42' | 100.00 feet | along the Northerly side of Kona Street;  |
| 2. | 200° | 42' | 33.00 feet  | along the Southeasterly side of Pensacola Street;   |
| 3. | 290° | 42' | 5.72 feet   | along remainder of Lot 675 (Map 4) of Land Court Application 880, Section 2;  |
| 4. | 20°  | 42' | 6.00 feet   | along remainder of Lot 675 (Map 4) of Land Court Application 880, Section 2;  |
|    |      |     |             | thence along remainder of Lot 675 (Map 4) of Land Court Application 880, Section 2, on a curve to the left with a radius of 17.50 feet, the chord azimuth and distance being: |
| 5. | 335° | 42' | 24.75 feet; |   |
| 6. | 290° | 42' | 44.68 feet  | along remainders of Lots 675 and 676 (Map 4) of Land Court Application 880, Section 2;  |
| 7. | 20°  | 42' | 2.50 feet   | along remainder of Lot 676 (Map 4) of Land Court Application 880, Section 2;  |
| 8. | 290° | 42' | 32.10 feet  | along remainder of Lot 676 (Map 4) of Land Court Application 880, Section 2;  |

9. 20° 42' 7.00 feet along Lot 892 (Map 66) of Land Court Application 880, Section 2, to the point of beginning an containing and area of 1,070 square feet.



Description Prepared By:  
ENGINEERS SURVEYORS HAWAII, INC.

  
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Miles S. Horie Exp. 4/30/16  
Licensed Professional Land Surveyor  
Certificate Number 10007

1320 North School Street  
Honolulu, Hawaii 96817

August 20, 2015

Tax Map Keys: (1<sup>st</sup> Div.) 2-3-07: 62 and 63

14-73