

Honolulu Authority for Rapid Transportation

RESOLUTION NO. 2015-93

AUTHORIZING THE ACQUISITION OF GUIDEWAY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT OVER, ON, AND ACROSS THE REAL PROPERTY IDENTIFIED AS TAX MAP KEYS 1-1-004-035 (PORTION) AND 1-1-004-039 (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 guideway easement and temporary construction easement over, on, and across the real property identified as Tax Map Keys (TMKs) 1-1-004-035 (Portion) and 1-1-004-039 (Portion) by eminent domain after written notification by HART; and

WHEREAS, the acquisition by eminent domain of said guideway easement and temporary construction easement over, on, and across 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 of the guideway easement and temporary construction easement over, on, and across the real property identified as TMKs 1-1-004-035 (Portion) and 1-1-004-039 (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 said easements by eminent domain is determined and declared to be for a valid public use and purpose as aforesaid; and
3. That the acquisition of said easements 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
Chair Board Chair

ATTEST:

Cindy Matzen
Board Administrator

Exhibit A – Legal description of TMKs 1-1-004-035 (Portion) and 1-1-004-039 (Portion)

Easement A
For Guideway Purposes
Affecting Lot 944 (Map 198) of Land Court Application 1074
In Favor of HART

SITUATE AT MOANALUA, HONOLULU, ISLAND OF OAHU, HAWAII

Beginning at the Southwest corner of this easement, along the North side of Ualena Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "SALT LAKE" being 11,005.91 feet South and 3,317.54 feet West, thence running by azimuths measured clockwise from true South:

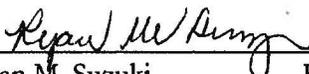
1. 179° 27' 8.18 feet;
2. 269° 27' 30.00 feet;
3. 359° 27' 10.96 feet;
4. Thence along the North side of Ualena Street, on a curve to the left with a radius of 2,720.00 feet, the chord azimuth and distance being:

94° 44' 40" 30.13 feet to the point of beginning and containing an area of 286 Sq. Ft., more or less.



R. M. TOWILL CORPORATION

Description prepared by:


Ryan M. Suzuki Exp: 4/30/16
Licensed Professional Land Surveyor
Certificate Number 10059

2024 North King Street, Suite 200
Honolulu, Hawaii 96819
July 16, 2015
TMK: 1-1-004: 035 (PDQ 303A)

Note: This description is for exhibit purposes only and does not purport a legally subdivided lot.



Easement B
For Guideway Purposes
Affecting Lot 944 (Map 198) of Land Court Application 1074
In Favor of HART

SITUATE AT MOANALUA, HONOLULU, ISLAND OF OAHU, HAWAII

Beginning at the Southwest corner of this easement, along the North side of Ualena Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "SALT LAKE" being 11,015.88 feet South and 3,214.36 feet West, thence running by azimuths measured clockwise from true South:

1. 182° 59' 8.61 feet;
2. 272° 59' 29.00 feet;
3. 2° 59' 10.61 feet;
4. Thence along the North side of Ualena Street, on a curve to the left with a radius of 2,720.00 feet, the chord azimuth and distance being:

96° 55' 01" 29.06 feet to the point of beginning and containing an area of 278 Sq. Ft., more or less.



R. M. TOWILL CORPORATION

Description prepared by:

Ryan M. Suzuki
 Ryan M. Suzuki Exp: 4/30/16
 Licensed Professional Land Surveyor
 Certificate Number 10059

2024 North King Street, Suite 200
 Honolulu, Hawaii 96819
 July 16, 2015
 TMK: 1-1-004: 035 (PDQ 303A)

Note: This description is for exhibit purposes only and does not purport a legally subdivided lot.



Easement C
For Temporary Construction Purposes
Affecting Lot 944 (Map 198) of Land Court Application 1074
In Favor of HART

SITUATE AT MOANALUA, HONOLULU, ISLAND OF OAHU, HAWAII

Beginning at the Southwest corner of this easement, along the North side of Ualena Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "SALT LAKE" being 11,005.85 feet South and 3,318.24 feet West, thence running by azimuths measured clockwise from true South:

1. 184° 24' 44" 15.00 feet;
2. Thence on a curve to the right with a radius of 2,735.00 feet, the chord azimuth and distance being:
276° 12' 56.5" 172.15 feet;
3. 9° 04' 15.00 feet;
4. Thence along the North side of Ualena Street, on a curve to the left with a radius of 2,720.00 feet, the chord azimuth and distance being:
96° 12' 46" 170.93 feet to the point of beginning and containing an area of 2,573 Sq. Ft., more or less.



R. M. TOWILL CORPORATION

Description prepared by:

Ryan M. Suzuki
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 Licensed Professional Land Surveyor
 Certificate Number 10059

2024 North King Street, Suite 200
 Honolulu, Hawaii 96819
 September 17, 2015
 TMK: 1-1-004: 035 (PDQ 303A)



Note: This description is for exhibit purposes only and does not purport a legally subdivided lot.

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2024 North King Street
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R. M. TOWILL CORPORATION
SINCE 1930

Planning
Engineering
Environmental Services
Photogrammetry
Surveying
Construction Management

Easement D
For Guideway Purposes
Affecting Lot 873 (Map 196) of Land Court Application 1074
In Favor of HART

SITUATE AT MOANALUA, HONOLULU, ISLAND OF OAHU, HAWAII

Beginning at the Southwest corner of this easement, along the North side of Ualena Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "SALT LAKE" being 11,033.15 feet South and 3,090.33 feet West, thence running by azimuths measured clockwise from true South:

1. 189° 04' 9.75 feet;
2. 279° 04' 27.00 feet;
3. 9° 04' 16.25 feet;
4. Thence along the North side of Ualena Street, on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
83° 20' 58.5" 16.25 feet;
5. 99° 04' 11.35 feet along the North side of Ualena Street to the point of beginning and containing an area of 241 Sq. Ft., more or less.





R. M. TOWILL CORPORATION

Description prepared by:

Ryan M. Suzuki

Ryan M. Suzuki Exp: 4/30/16
Licensed Professional Land Surveyor
Certificate Number 10059

2024 North King Street, Suite 200
Honolulu, Hawaii 96819
July 16, 2015
TMK: 1-1-004: 039 (PDQ 303A)

Note: This description is for exhibit purposes only and does not purport a legally subdivided lot.

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2024 North King Street
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R. M. TOWILL CORPORATION
SINCE 1930

Planning
Engineering
Environmental Services
Photogrammetry
Surveying
Construction Management

Easement E
For Temporary Construction Purposes
Affecting Lot 873 (Map 196) of Land Court Application 1074
In Favor of HART

SITUATE AT MOANALUA, HONOLULU, ISLAND OF OAHU, HAWAII

Beginning at the Southwest corner of this easement, along the North side of Ualena Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "SALT LAKE" being 11,033.05 feet South and 3,062.97 feet West, thence running by azimuths measured clockwise from true South:

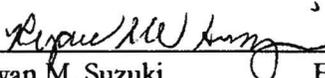
1. 189° 04' 5.34 feet;
2. 279° 04' 6.48 feet;
3. Thence along the North side of Ualena Street, on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

59° 35' 17.5" 8.40 feet to the point of beginning and containing an area of 19 Sq. Ft., more or less.



R. M. TOWILL CORPORATION

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 July 16, 2015
 TMK: 1-1-004: 039 (PDQ 303A)

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