

Honolulu Authority for Rapid Transportation

RESOLUTION NO. 2015-90

**AUTHORIZING THE ACQUISITION OF GUIDEWAY EASEMENT AND TEMPORARY
CONSTRUCTION EASEMENT (TCE) OVER, ON, AND ACROSS THE REAL
PROPERTY IDENTIFIED AS TAX MAP KEY 2-3-039-006 (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 easement and TCE over, on, and across the real property identified as Tax Map Key (TMK) 2-3-039-006 (portion) by eminent domain after written notification by HART; and

WHEREAS, the acquisition by eminent domain of said easement and TCE 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 easement and TCE over, on, and across the real property identified as TMK 2-3-039-006 (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 easement and TCE 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 easement and TCE 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. Honer
Ambr Board Chair

ATTEST:

Christy Matzger
Board Administrator

Exhibit A – Legal description of TMK 2-3-039-006 (Portion)

HONOLULU RAIL TRANSIT PROJECT

**EASEMENT 5
(FOR STATION AND GUIDEWAY PURPOSES)**

Affecting Lot 19 (Map 2) of
Land Court Consolidation 20

Situate at Kalia, Honolulu, Oahu, Hawaii

Beginning at the Southwest corner of this easement, being the Southeast corner of Lot 67 (Map 17) of Land Court Consolidation 20, being also along the North side of Lot 7 (Map 10) of Land Court Consolidation 65 (Kona Street), the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUNCHBOWL" being 7,051.72 feet South and 1,783.80 feet East thence running by azimuths measured clockwise from true South:

- | | | | | |
|-----|----------|-------|------|---|
| 1. | 205° 20' | 68.67 | feet | along Lot 67 (Map 17) of Land Court Consolidation 20; |
| 2. | 295° 20' | 10.00 | feet | along the remainder of Lot 19 (Map 2) of Land Court Consolidation 20; |
| 3. | 25° 20' | 18.34 | feet | along same; |
| 4. | 295° 20' | 4.50 | feet | along same; |
| 5. | 25° 20' | 39.75 | feet | along same; |
| 6. | 115° 20' | 4.53 | feet | along same; |
| 7. | 25° 20' | 4.71 | feet | along same; |
| 8. | 295° 20' | 32.09 | feet | along same; |
| 9. | 205° 20' | 13.37 | feet | along same; |
| 10. | 295° 20' | 7.94 | feet | along same; |
| 11. | 25° 20' | 19.25 | feet | along Lot 20 (Map 2) of Land Court Consolidation 20; |



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

CIVIL ENGINEERS • SURVEYORS

501 SUMNER STREET, SUITE 521
HONOLULU, HAWAII 96817-5031

1871 WILI PA LOOP, SUITE A
WAILUKU, MAUI, HAWAII 96793

100 PAUAAHI STREET, SUITE 207
HILO, HAWAII 96720

12. 115° 20'

50.00 feet along Parcel 495-A of the Honolulu Rail Transit Project, to the point of beginning and containing an area of 1,207 Square Feet.



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

Description Prepared By:

Erik S. Kaneshiro EXP 04/16

ERIK S. KANESHIRO

Licensed Professional Land Surveyor
Certificate No. 9826

Note: This description is for exhibit purposes and does not purport a legally designated easement.

Honolulu, Hawaii
November 10, 2015

TMK: (1) 2-3-039: 006
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HONOLULU RAIL TRANSIT PROJECT

EASEMENT 6
(FOR STATION AND GUIDEWAY PURPOSES)

Affecting Lot 20 (Map 2) of
Land Court Consolidation 20

Situate at Kalia, Honolulu, Oahu, Hawaii

Beginning at the Southwest corner of this easement, being the Southeast corner of Lot 19 (Map 2) of Land Court Consolidation 20, being also along the North side of Lot 7 (Map 10) of Land Court Consolidation 65 (Kona Street), the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUNCHBOWL" being 7,073.12 feet South and 1,828.99 feet East thence running by azimuths measured clockwise from true South:

- | | | | | |
|----|----------|-------|------|---|
| 1. | 205° 20' | 19.25 | feet | along Lot 19 (Map 2) of Land Court Consolidation 20; |
| 2. | 295° 20' | 20.06 | feet | along the remainder of Lot 20 (Map 2) of Land Court Consolidation 20; |
| 3. | 25° 20' | 13.37 | feet | along same; |
| 4. | 295° 20' | 29.94 | feet | along same; |
| 5. | 25° 20' | 5.88 | feet | along Lot 21 (Map 2) of Land Court Consolidation 20; |



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

CIVIL ENGINEERS • SURVEYORS

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1871 WILI PA LOOP, SUITE A
WAILUKU, MAUI, HAWAII 96793

100 PAUAHI STREET, SUITE 207
HILO, HAWAII 96720

6. 115° 20' 50.00 feet along Parcel 495-A of the Honolulu Rail Transit Project, to the point of beginning and containing an area of 562 Square Feet.



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

Description Prepared By:

Erik S. Kaneshiro EXP 04/16

ERIK S. KANESHIRO

Licensed Professional Land Surveyor
Certificate No. 9826

Note: This description is for exhibit purposes and does not purport a legally designated easement.

Honolulu, Hawaii
August 19, 2015

TMK: (1) 2-3-039: 006
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HONOLULU RAIL TRANSIT PROJECT

EASEMENT 15
(FOR TEMPORARY CONSTRUCTION PURPOSES)

Affecting Lot 19 (Map 2) of
Land Court Consolidation 20

Situate at Kalia, Honolulu, Oahu, Hawaii

Beginning at the Southeast corner of this easement, being an azimuth and distance of 205°20' 19.25 feet from the Southwest corner of Lot 20 (Map 2) of Land Court Consolidation 20, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUNCHBOWL" being 7,055.71 feet South and 1,837.23 feet East thence running by azimuths measured clockwise from true South:

- | | | | | |
|----|----------|-------|------|---|
| 1. | 115° 20' | 7.94 | feet | along the remainder of Lot 19
(Map 2) of Land Court
Consolidation 20; |
| 2. | 25° 20' | 13.37 | feet | along same; |
| 3. | 115° 20' | 9.99 | feet | along same; |
| 4. | 205° 20' | 43.12 | feet | along same; |
| 5. | 295° 20' | 17.93 | feet | along same; |



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WAILUKU, MAUI, HAWAII 96793

100 PAUHAHI STREET, SUITE 207
HILO, HAWAII 96720

6. 25° 20' 29.75 feet along Lot 20 (Map 2) of Land Court Consolidation 20, to the point of beginning and containing an area of 667 Square Feet.



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

Description Prepared By:

Erik S. Kaneshiro EXP 08/16

ERIK S. KANESHIRO

Licensed Professional Land Surveyor
Certificate No. 9826

Note: This description is for exhibit purposes and does not purport a legally designated easement.

Honolulu, Hawaii
August 19, 2015

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HONOLULU RAIL TRANSIT PROJECT

EASEMENT 16
(FOR TEMPORARY CONSTRUCTION PURPOSES)

Affecting Lot 20 (Map 2) of
Land Court Consolidation 20

Situate at Kalia, Honolulu, Oahu, Hawaii

Beginning at the Southwest corner of this easement, being an azimuth and distance of 205°20' 19.25 feet from the Southwest corner of Lot 20 (Map 2) of Land Court Consolidation 20, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUNCHBOWL" being 7,055.71 feet South and 1,837.23 feet East thence running by azimuths measured clockwise from true South:

1. 205° 20' 29.75 feet along Lot 19 (Map 2) of Land Court Consolidation 20;
2. 295° 20' 10.13 feet along the remainder of Lot 20 (Map 2) of Land Court Consolidation 20;
3. 25° 20' 29.75 feet along same;
4. 115° 20' 10.13 feet along same to the point of beginning and containing an area of 301 Square Feet.

AUSTIN, TSUTSUMI & ASSOCIATES, INC.

Description Prepared By:



Erik S. Kaneshiro EXP 04/16
ERIK S. KANESHIRO
Licensed Professional Land Surveyor
Certificate No. 9826

Note: This description is for exhibit purposes and does not purport a legally designated easement.

Honolulu, Hawaii
August 19, 2015

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