

**Honolulu Authority for Rapid Transportation**

**RESOLUTION NO. 2016-4**

**APPROVING NOTIFICATION TO THE CITY COUNCIL OF INTENTION TO ACQUIRE A FEE SIMPLE INTEREST AND A TEMPORARY CONSTRUCTION EASEMENT IN THE REAL PROPERTY IDENTIFIED AS TAX MAP KEYS 1-2-009-011 and 1-2-009-098 (PORTIONS) BY EMINENT DOMAIN AND PUBLICATION OF A RESOLUTION AUTHORIZING ACQUISITION OF SAID FEE SIMPLE INTEREST AND TEMPORARY CONSTRUCTION EASEMENT 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, prior to such acquisition the Charter directs HART to submit a list of real property to be acquired by eminent domain to the City Council; and

WHEREAS, the City Council may approve the acquisition by eminent domain or may object by adoption of a resolution within 45 days of the notification to acquire the real property; and

WHEREAS, the acquisition by eminent domain in fee simple and temporary construction easement of the real property identified as Tax Map Keys (TMKS) 1-2-009-011 and 1-2-009-098 (Portions) and 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 written notification to the City Council is approved, for the acquisition by eminent domain in fee simple of the real property and temporary construction easement identified as TMKS 1-2-009-011 and 1-2-009-098 (Portions); and
2. That in the event the City Council approves or does not object to the acquisition within 45 days of notification, then HART is authorized to publish in a daily newspaper at least three days prior to Board action, the



attached resolution marked as Exhibit B, authorizing acquisition by eminent domain in fee simple and temporary construction easement of the above-identified real property.

ADOPTED by the Board of the Honolulu Authority for Rapid Transportation on FEB 18 2016.

Exhibit A – Legal description of TMKS 1-2-009-011 and 1-2-009-098 (Portions)  
Exhibit B – Resolution No. 2016-\_\_, Authorizing the Acquisition of a Fee Simple Interest and a Temporary Construction Easement in the Real Property Identified as TMKS 1-2-009-011 and 1-2-009-098 (Portions) by Eminent Domain

  
\_\_\_\_\_  
Board Chair

ATTEST:

  
\_\_\_\_\_  
Board Administrator



**HONOLULU RAIL TRANSIT PROJECT**

**PARCEL 400-A**

Being portions of Lot as shown on DPP 1969/SUB-231,  
 Lots 7 and 9, Block 9 of "Kapiolani Tract",  
 Being portions of Grant 3420 to Curtis P. Iaukea,  
 Trustee for his Majesty Kalakaua and  
 Land Patent 8194, Land Commission Award 6450,  
 Apana 1 to Kaunuchua no Moehonua

Situate at Mokauea, Kalihi, Honolulu, Oahu, Hawaii

Beginning at the Southeast corner of this lot, being the North corner of Parcel 400-B of the Honolulu Rail Transit Project, being also along the South side of Dillingham Boulevard, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MOKAUEA" being 6,189.98 feet North and 11,261.27 feet West thence running by azimuths measured clockwise from true South:

- |    |              |        |       |                                                                                                                 |
|----|--------------|--------|-------|-----------------------------------------------------------------------------------------------------------------|
| 1. | 42° 20'      | 10.90  | feet  | along Parcel 400-B of the Honolulu Rail Transit Project;                                                        |
| 2. | 132° 20'     | 98.14  | feet  | along Remainder of Parcel 400-A of Honolulu Rail Transit Project;                                               |
| 3. | 42° 20'      | 2.00   | feet  | along same;                                                                                                     |
| 4. | 132° 20'     | 10.57  | feet  | along same;                                                                                                     |
|    |              |        |       | Thence along same, on a curve to the left with a radius of 2,221.02 feet, the chord azimuth and distance being: |
| 5. | 130° 49' 18" | 117.18 | feet; |                                                                                                                 |
|    |              |        |       | Thence along same, on a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:    |
| 6. | 115° 06' 12" | 14.73  | feet; |                                                                                                                 |



**AUSTIN, TEBUTSURI & ASSOCIATES, INC.**

CIVIL ENGINEERS • SURVEYORS

601 SUMNER STREET, SUITE 621  
 HONOLULU, HAWAII 96817-9031

1871 WILU PA LOOP, SUITE A  
 WAILUKU, HAWAII 96793

100 PALMAY STREET, SUITE 207  
 HILO, HAWAII 96720

Thence along the South side of Puuhale Road, on a curve to the right with a radius of 50.00 feet, the chord azimuth and distance being:

7. 288° 52' 31.59 feet;

8. 307° 17' 9.02 feet along the West side of Dillingham Boulevard;

Thence along same, on a curve to the right with a radius of 1,797.29 feet, the chord azimuth and distance being:

9. 309° 48' 30" 158.36 feet;

10. 312° 20' 43.75 feet along same to the point of beginning and containing an area of 2,297 Square Feet.

Subject, However, to Easement 1 for sidewalk purposes.

AUSTIN, TSUTSUMI & ASSOCIATES, INC.  
Description Prepared By:



*Erik S. Kaneshiro* exp 7/16  
ERIK S. KANESHIRO  
Licensed Professional Land Surveyor  
Certificate No. 9826

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

Honolulu, Hawaii  
July 16, 2015

TMK: (1) 1-2-009; 011  
Y:\2014\14-068\SURVEY\Descriptions\FARCEL 400-A.docx

**HONOLULU RAIL TRANSIT PROJECT**

**PARCEL 400-B**

Being a portion of Lot 11, Block 9 of "Kapiolani Tract"  
 Being a portion of Land Patent 8194, Land Commission Award 6450,  
 Apana 1 to Kaunuohua no Moehonua

Situate at Mokauea, Kalihi, Honolulu, Oahu, Hawaii

Beginning at the North corner of this lot, being the Southeast corner of Parcel 400-A of the Honolulu Rail Transit Project, being also along the South side of Dillingham Boulevard, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MOKAUEA" being 6,189.98 feet North and 11,261.27 feet West thence running by azimuths measured clockwise from true South:

- |    |          |       |      |                                                                       |
|----|----------|-------|------|-----------------------------------------------------------------------|
| 1. | 312° 20' | 50.00 | feet | along the South side of Dillingham Boulevard;                         |
| 2. | 42° 20'  | 12.90 | feet | along Parcel 401-A of the Honolulu Rail Transit Project;              |
| 3. | 132° 20' | 9.76  | feet | along Remainder of Parcel 400-B of the Honolulu Rail Transit Project; |
| 4. | 222° 20' | 2.00  | feet | along same;                                                           |
| 5. | 132° 20' | 40.24 | feet | along same;                                                           |



**AUSTIN, TSUTSUMI & ASSOCIATES, INC.**

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

CIVIL ENGINEERS • SURVEYORS  
 1871 WILI PA LOOP, SUITE A  
 WAILUKU, MAUI HAWAII 96793

100 PAUANI STREET, SUITE 207  
 HILO, HAWAII 96720

6. 222° 20' 10.90 feet along Parcel 400-A of the Honolulu Rail Transit Project, to the point of beginning and containing an area of 564 Square Feet.



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

Description Prepared By:

A handwritten signature in black ink, appearing to read "Erik S. Kaneshiro", written over a horizontal line.

ERIK S. KANESHIRO  
Licensed Professional Land Surveyor  
Certificate No. 9826

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

Honolulu, Hawaii  
July 16, 2015

TMK: (1) 1-2-009: 098  
Y:\2014\14-068\SURVEY\Descriptions\PARCEL 400-B.docx



**HONOLULU RAIL TRANSIT PROJECT**

**EASEMENT A  
(FOR TEMPORARY CONSTRUCTION PURPOSES)**

Affecting Remainder of Parcel 400-A  
of the Honolulu Rail Transit Project  
Being portions of Lot as shown on DPP 1969/SUB-231,  
Lots 7 and 9, Block 9 of "Kapiolani Tract",  
Being portions of Grant 3420 to Curtis P. Iaukea,  
Trustee for his Majesty Kalakaua and  
Land Patent 8194, Land Commission Award 6450,  
Apana 1 to Kaunuohua no Moehonua

Situate at Mokauea, Kalihi, Honolulu, Oahu, Hawaii

Beginning at the Northwest corner of this easement, being an azimuth and distance of 220°37' 33.95 feet from the Northwest corner of Remainder of Parcel 400-A of the Honolulu Rail Transit Project, being also along the Southeast side of Puuhale Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MOKAUEA" being 6,319.06 feet North and 11,490.68 feet West thence running by azimuths measured clockwise from true South:

Along the Southeast side of Puuhale Road, on a curve to the right with a radius of 50.00 feet, the chord azimuth and distance being:

1. 245° 32' 42.13 feet;

Thence along Parcel 400-A of the Honolulu Rail Transit Project, on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

2. 295° 06' 12" 14.73 feet;

Thence along same, on a curve to the right with a radius of 2,221.02 feet, the chord azimuth and distance being:

3. 310° 49' 18" 117.18 feet;



**AUSTIN, TSUTSUMI & ASSOCIATES, INC.**

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

CIVIL ENGINEERS • SURVEYORS  
1871 WILI PA LOOP, SUITE A  
WAILUKU, MAUI, HAWAII 96793

100 PALUHI STREET, SUITE 207  
HILO, HAWAII 96720

4.	312° 20'	10.57	feet	along same;
5.	42° 20'	4.00	feet	along remainder of Remainder of Parcel 400-A;
6.	131° 50'	56.93	feet	along same;
7.	42° 20'	26.18	feet	along same;
8.	132° 20'	6.14	feet	along same;
9.	222° 20'	3.83	feet	along same;
10.	132° 20'	18.22	feet	along same;
11.	222° 20'	21.73	feet	along same;
12.	129° 50'	48.81	feet	along same;
13.	42° 20'	6.53	feet	along same;
14.	132° 20'	8.02	feet	along same;
15.	42° 20'	9.18	feet	along same;
16.	132° 20'	8.68	feet	along same;
17.	42° 20'	16.53	feet	along same;

Thence along same, on a curve  
to the right with a radius of  
5.00 feet, the chord azimuth  
and distance being:

18.	80° 44' 30"	6.21	feet;
-----	-------------	------	-------



19. 119° 09' 7.98 feet along same, to the point of beginning and containing an area of 1,551 Square Feet.



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

Description Prepared By:

*Erik S. Kaneshiro* *dyk 07/16*

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  
July 16, 2015

TMK: (1) 1-2-009: 011  
Y:\2014\14-068\SURVEY\Descriptions\PARCEL 401 - Easement A.docx



**HONOLULU RAIL TRANSIT PROJECT**

**EASEMENT B  
(FOR TEMPORARY CONSTRUCTION PURPOSES)**

Affecting Remainder of Parcel 400-B  
of the Honolulu Rail Transit Project  
Being a portion of Lot 11, Block 9 of "Kapiolani Tract"  
Being a portion of Land Patent 8194,  
Land Commission Award 6450, Apana 1 to Kaunohua for Moehonua

Situate at Mokauea, Kalihi, Honolulu, Oahu, Hawaii

Beginning at the Southeast corner of this easement, being the Southwest corner of Parcel 400-B of the Honolulu Rail Transit Project, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MOKAUEA" being 6,146.77 feet North and 11,232.99 feet West thence running by azimuths measured clockwise from true South:

- |    |          |           |                                                                                    |
|----|----------|-----------|------------------------------------------------------------------------------------|
| 1. | 42° 20'  | 4.00 feet | along Remainder of Parcel 401-A of the Honolulu Rail Transit Project;              |
| 2. | 132° 20' | 9.76 feet | along remainder of Remainder of Parcel 400-B of the Honolulu Rail Transit Project; |
| 3. | 222° 20' | 4.00 feet | along same,                                                                        |



**AUSTIN, TEITSUMI & ASSOCIATES, INC.**

601 BURNER STREET, SUITE 621  
HONOLULU, HAWAII 96817-3031

CIVIL ENGINEERS • SURVEYORS

1571 WILIPA LOOP, SUITE A  
WAILUKA, MAUI, HAWAII 96793

100 PALAUU STREET, SUITE 207  
HILO, HAWAII 96720

4. 312° 20' 9.76 feet along Parcel 400-B of the Honolulu Rail Transit Project, to the point of beginning and containing an area of 39 Square Feet.



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

Description Prepared By:

*Erik S. Kaneshiro* ESK/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  
July 16, 2015

TMK: (1) 1-2-009: 098  
Y:\2014\14-068\SURVEY\Descriptions\PARCEL 401 - Easement B.docx



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

201 KANANI STREET, SUITE 221  
HONOLULU, HAWAII 96817-2021

CIVIL ENGINEERS - SURVEYORS  
1471 WIL PA LOOP, SUITE A  
WAILUKU, MAUI, HAWAII 96793

100 PALANI STREET, SUITE 214  
HILO, HAWAII 96720



**Honolulu Authority for Rapid Transportation**

**RESOLUTION NO. 2016-\_\_**

**AUTHORIZING THE ACQUISITION OF A FEE SIMPLE INTEREST AND  
TEMPORARY CONSTRUCTION EASEMENT IN THE REAL PROPERTY  
IDENTIFIED AS TAX MAP KEYS 1-2-009-011 and 1-2-009-098 (PORTIONS) 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) 1-2-009-011 and 1-2-009-098 (Portions) by eminent domain in fee simple and temporary construction easement after written notification by HART; and

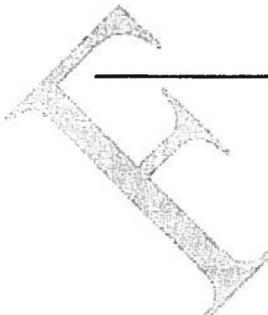
WHEREAS, the acquisition by eminent domain in fee simple and temporary construction easement of the above- identified real property, which is more particularly described in the attached legal description marked as Exhibit A, is necessary for the Honolulu Rail Transit Project fixed guideway system, a 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 and temporary construction easement of the real property identified as TMKS 1-2-009-011 and 1-2-009-098 (Portions) 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 \_\_\_\_\_.

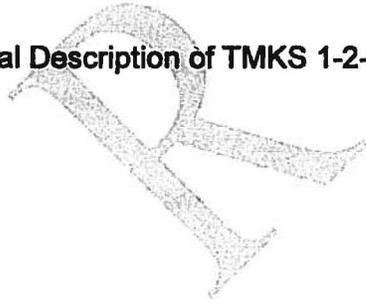


\_\_\_\_\_  
Board Chair

ATTEST:

\_\_\_\_\_  
Board Administrator

Exhibit A – Legal Description of TMKS 1-2-009-011 and 1-2-009-098 (Portions)



## HONOLULU RAIL TRANSIT PROJECT

## PARCEL 400-A

Being portions of Lot as shown on DFP 1969/SUB-231,  
 Lots 7 and 9, Block 9 of "Kapiolani Tract",  
 Being portions of Grant 3420 to Curtis P. Iaukea,  
 Trustee for his Majesty Kalakaua and  
 Land Patent 8194, Land Commission Award 6450,  
 Apana 1 to Kaunuchua no Moehonua

Situate at Mokauea, Kalihi, Honolulu, Oahu, Hawaii

Beginning at the Southeast corner of this lot, being the North corner of Parcel 400-B of the Honolulu Rail Transit Project, being also along the South side of Dillingham Boulevard, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MOKAUEA" being 6,189.98 feet North and 11,261.27 feet West thence running by azimuths measured clockwise from true South:

- |    |              |        |       |                                                                                                                 |
|----|--------------|--------|-------|-----------------------------------------------------------------------------------------------------------------|
| 1. | 42° 20'      | 10.90  | feet  | along Parcel 400-B of the Honolulu Rail Transit Project;                                                        |
| 2. | 132° 20'     | 98.14  | feet  | along Remainder of Parcel 400-A of Honolulu Rail Transit Project;                                               |
| 3. | 42° 20'      | 2.00   | feet  | along same;                                                                                                     |
| 4. | 132° 20'     | 10.57  | feet  | along same;                                                                                                     |
|    |              |        |       | Thence along same, on a curve to the left with a radius of 2,221.02 feet, the chord azimuth and distance being: |
| 5. | 130° 49' 18" | 117.18 | feet; |                                                                                                                 |
|    |              |        |       | Thence along same, on a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:    |
| 6. | 115° 06' 12" | 14.73  | feet; |                                                                                                                 |



801 BLANCKEN STREET, SUITE 201  
 HONOLULU, HAWAII 96817-0021

**AUSTIN, TEBTSLUMI & ASSOCIATES, INC.**

CIVIL ENGINEERS • SURVEYORS  
 1271 WILJ PALOOP, SUITE A  
 WAILUKI, MAUI, HAWAII 96790

100 PALIHU STREET, SUITE 207  
 HILO, HAWAII 96720

Thence along the South side of Puuhale Road, on a curve to the right with a radius of 50.00 feet, the chord azimuth and distance being:

7. 288° 52' 31.59 feet;

8. 307° 17' 9.02 feet along the West side of Dillingham Boulevard;

Thence along same, on a curve to the right with a radius of 1,797.29 feet, the chord azimuth and distance being:

9. 309° 48' 30" 158.36 feet;

10. 312° 20' 43.75 feet along same to the point of beginning and containing an area of 2,297 Square Feet.

Subject, However, to Easement 1 for sidewalk purposes.

AUSTIN, TSUTSUMI & ASSOCIATES, INC.

Description Prepared By:



*Erik S. Kaneshiro* exp 4/14

ERIK S. KANESHIRO

Licensed Professional Land Surveyor  
Certificate No. 9826

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

Honolulu, Hawaii  
July 16, 2015

TMK: (1) 1-2-009: 011  
Y:\2014\14-060\SURVEY\Descriptions\FARCEL 400-A.docx

**HONOLULU RAIL TRANSIT PROJECT**

**PARCEL 400-B**

Being a portion of Lot 11, Block 9 of "Kapiolani Tract"  
Being a portion of Land Patent 8194, Land Commission Award 6450,  
Apana 1 to Kaunuohua no Moehonua

Situate at Mokauea, Kalihi, Honolulu, Oahu, Hawaii

Beginning at the North corner of this lot, being the Southeast corner of Parcel 400-A of the Honolulu Rail Transit Project, being also along the South side of Dillingham Boulevard, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MOKAUEA" being 6,189.98 feet North and 11,261.27 feet West thence running by azimuths measured clockwise from true South:

- |    |          |       |      |                                                                       |
|----|----------|-------|------|-----------------------------------------------------------------------|
| 1. | 312° 20' | 50.00 | feet | along the South side of Dillingham Boulevard;                         |
| 2. | 42° 20'  | 12.90 | feet | along Parcel 401-A of the Honolulu Rail Transit Project;              |
| 3. | 132° 20' | 9.76  | feet | along Remainder of Parcel 400-B of the Honolulu Rail Transit Project; |
| 4. | 222° 20' | 2.00  | feet | along same;                                                           |
| 5. | 132° 20' | 40.24 | feet | along same;                                                           |



**AUSTIN, TSUTSUMI & ASSOCIATES, INC.**

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

CIVIL ENGINEERS • SURVEYORS  
1871 WILI PA LOOP, SUITE A  
WAILUKU, MAUI, HAWAII 96793

100 PAUANI STREET, SUITE 207  
HILO, HAWAII 96720

6. 222° 20' 10.90 feet along Parcel 400-A of the Honolulu Rail Transit Project, to the point of beginning and containing an area of 564 Square Feet.



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

Description Prepared By:

*Erik S. Kaneshiro* *EX 07/16*

ERIK S. KANESHIRO  
Licensed Professional Land Surveyor  
Certificate No. 9826

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

Honolulu, Hawaii  
July 16, 2015

TMK: (1) 1-2-009: 098  
Y:\2014\14-068\SURVEY\Descriptions\PARCEL 400-B.docx



**HONOLULU RAIL TRANSIT PROJECT**

**EASEMENT A  
(FOR TEMPORARY CONSTRUCTION PURPOSES)**

Affecting Remainder of Parcel 400-A  
of the Honolulu Rail Transit Project  
Being portions of Lot as shown on DPP 1969/SUB-231,  
Lots 7 and 9, Block 9 of "Kapiolani Tract",  
Being portions of Grant 3420 to Curtis P. Iaukea,  
Trustee for his Majesty Kalakaua and  
Land Patent 8194, Land Commission Award 6450,  
Apana 1 to Kaunuohua no Moehonua

Situate at Mokauea, Kalihi, Honolulu, Oahu, Hawaii

Beginning at the Northwest corner of this easement, being an azimuth and distance of 220°37' 33.95 feet from the Northwest corner of Remainder of Parcel 400-A of the Honolulu Rail Transit Project, being also along the Southeast side of Puuhale Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MOKAUEA" being 6,319.06 feet North and 11,490.68 feet West thence running by azimuths measured clockwise from true South:

Along the Southeast side of Puuhale Road, on a curve to the right with a radius of 50.00 feet, the chord azimuth and distance being:

1. 245° 32' 42.13 feet;

Thence along Parcel 400-A of the Honolulu Rail Transit Project, on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

2. 295° 06' 12" 14.73 feet;

Thence along same, on a curve to the right with a radius of 2,221.02 feet, the chord azimuth and distance being:

3. 310° 49' 18" 117.18 feet;



**AUSTIN, TSUTSUMI & ASSOCIATES, INC.**

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

CIVIL ENGINEERS - SURVEYORS  
1871 WILI PA LOOP, SUITE A  
WAILUKU, MAUI, HAWAII 98793

100 PAUHAH STREET, SUITE 207  
HILO, HAWAII 96720

4.	312° 20'	10.57	feet	along same;
5.	42° 20'	4.00	feet	along remainder of Remainder of Parcel 400-A;
6.	131° 50'	56.93	feet	along same;
7.	42° 20'	26.18	feet	along same;
8.	132° 20'	6.14	feet	along same;
9.	222° 20'	3.83	feet	along same;
10.	132° 20'	18.22	feet	along same;
11.	222° 20'	21.73	feet	along same;
12.	129° 50'	48.81	feet	along same;
13.	42° 20'	6.53	feet	along same;
14.	132° 20'	8.02	feet	along same;
15.	42° 20'	9.18	feet	along same;
16.	132° 20'	8.68	feet	along same;
17.	42° 20'	16.53	feet	along same;

Thence along same, on a curve  
to the right with a radius of  
5.00 feet, the chord azimuth  
and distance being:

18.	80° 44' 30"	6.21	feet;
-----	-------------	------	-------



19. 119° 09' 7.98 feet along same, to the point of beginning and containing an area of 1,551 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  
July 16, 2015

TMK: (1) 1-2-009: 011  
Y:\2014\14-068\SURVEY\Descriptions\PARCEL 401 - Easement A.docx



HONOLULU RAIL TRANSIT PROJECT

EASEMENT B  
(FOR TEMPORARY CONSTRUCTION PURPOSES)

Affecting Remainder of Parcel 400-B  
of the Honolulu Rail Transit Project  
Being a portion of Lot 11, Block 9 of "Kapiolani Tract"  
Being a portion of Land Patent 8194,  
Land Commission Award 6450, Apana 1 to Kaunuuohua for Moehonua

Situate at Mokauea, Kalihi, Honolulu, Oahu, Hawaii

Beginning at the Southeast corner of this easement, being the Southwest corner of Parcel 400-B of the Honolulu Rail Transit Project, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MOKAUEA" being 6,146.77 feet North and 11,232.99 feet West thence running by azimuths measured clockwise from true South:

- |    |          |      |      |                                                                                    |
|----|----------|------|------|------------------------------------------------------------------------------------|
| 1. | 42° 20'  | 4.00 | feet | along Remainder of Parcel 401-A of the Honolulu Rail Transit Project;              |
| 2. | 132° 20' | 9.76 | feet | along remainder of Remainder of Parcel 400-B of the Honolulu Rail Transit Project; |
| 3. | 222° 20' | 4.00 | feet | along same,                                                                        |



AUSTIN, TELUBUMI & ASSOCIATES, INC.

501 SHANNON STREET, SUITE 221  
HONOLULU, HAWAII 96817-3031

CIVIL ENGINEERS • SURVEYORS

1871 WAI'PA LOOP, SUITE A  
WAILUKA, MAUI, HAWAII 96793

100 PALAHU STREET, SUITE 207  
HILO, HAWAII 96720

4. 312° 20' 9.75 feet along Parcel 400-B of the Honolulu Rail Transit Project, to the point of beginning and containing an area of 39 Square Feet.



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

Description Prepared By:

  
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  
July 16, 2015

TMK: (1) 1-2-009: 098  
Y:\2014\14-068\SURVEY\Descriptions\PARCEL 401 - Easement B.docx





# Honolulu Authority for Rapid Transportation

## STAFF SUMMARY

<b>TITLE:</b> <b>RESOLUTION NO. 2016-4 APPROVING NOTIFICATION TO THE CITY COUNCIL OF INTENTION TO ACQUIRE A FEE SIMPLE INTEREST AND TEMPORARY CONSTRUCTION EASEMENT IN THE REAL PROPERTY IDENTIFIED AS TAX MAP KEYS 1-2-009-011 and 1-2-009-098 (PORTIONS) BY EMINENT DOMAIN AND PUBLICATION OF A RESOLUTION AUTHORIZING ACQUISITION OF SAID PROPERTY BY EMINENT DOMAIN</b>	<b>STAFF CONTACT:</b> Jesse Souki Morris Atta	<b>DATE:</b> 02/18/2016
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------	----------------------------

Type:	Goal	Focus Area	Reference Notes
<input checked="" type="checkbox"/> Action/Approval	<input checked="" type="checkbox"/> Project Delivery	<input checked="" type="checkbox"/> Livability/Land Use	
<input type="checkbox"/> Information	<input type="checkbox"/> Service Delivery	<input type="checkbox"/> Partnerships	
<input type="checkbox"/> Follow-up	<input checked="" type="checkbox"/> Resource Stewardship	<input type="checkbox"/> Agency Admn.	

**1. Purpose:**

Review of Notification to City Council for condemnation of land for public use, identified as Tax Map Keys 1-2-009-011 and 1-2-009-098 (Portions), and situated at 2043 Dillingham Boulevard, Honolulu, Hawaii 96819, which is required for road widening and temporary construction easement purposes for the Honolulu Rail Transit Project (H RTP). This property, for which a 2,861 square-foot partial fee simple acquisition and 1,590 square-foot temporary construction easement is required, is on the critical path for successful completion of the City Center Section of the H RTP. The property is owned by Blood Bank Real Property, Inc.

HART recommends use of eminent domain to acquire the property.

**2. Background/Justification**

This property (Tax Map Keys 1-2-009-011 and 1-2-009-098) was designated as needed for the H RTP and identified in the Final Environmental Impact Statement (FEIS). As required under the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) and FTA C5010.1D, the Owners were notified of HART's intent to acquire the property. An appraisal was conducted following URA guidelines, which took into consideration all site conditions and potential impacts.

- An appraisal report with an effective date of September 26, 2014 was conducted.
- A Letter of Offer dated January 23, 2015 was delivered.
- Owner has not provided any formal response to the Letter of Offer.
- Negotiations have become protracted and settlement does not appear likely.

This parcel is being referred to eminent domain in order to adhere to the project construction timeline. Access to this parcel is needed as soon as possible in order to avoid costly delays to the project schedule and timing. Negotiations with the Owner will continue during the eminent domain process.

**3. Procurement Background**

N/A

**4. Financial/Budget Impact**

The project budget includes an estimated cost for legal action associated with the eminent domain of the property.



**5. Policy Impact**

There is no policy impact since this action conforms to the requirement of the URA, FTA 5010.1D and Article XVII of the Charter of the City and County of Honolulu.

**6. Public Involvement**

N/A

**7. Alternatives**

There is no feasible alternative to avoid the above described impacts to the property.

**8. Exhibits**

Exhibit 1 – Letter of Offer dated January 23, 2015.

Exhibit 2 – Appraisal Summary prepared by Yamaguchi & Yamaguchi, Inc. with an effective appraisal date of September 26, 2014.

**Certified and Recommended by:**



**Executive Director and CEO**

2/11/16

**Date**



Exhibit 1

IN REPLY REFER TO:  
CMS-AP00ROW-00690

RL1657  
READ  
15 X  
COR  
V4



HONOLULU AUTHORITY for RAPID TRANSPORTATION

Donel A. Grabauskas  
EXECUTIVE DIRECTOR AND CEO

CERTIFIED MAIL/RETURN RECEIPT REQUESTED  
7014 1200 0000 8348 2271

BOARD OF DIRECTORS

Ivan M. Lui-Kwan, Esq.  
CHAIR

January 23, 2015

Donald G. Horner  
VICE CHAIR

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Blood Bank Real Property, Inc.  
2043 Dillingham Boulevard  
Honolulu, Hawaii 96819

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Michael D. Formby  
Ross M. Higashi  
William "Buzz" Hong  
Kestle W.K. Hul  
Damien T.K. Kim  
Carrie K.S. Okinaga, Esq

Dear Dr. Nguyen:

**Subject:** Honolulu Rail Transit Project (H RTP)  
2043 Dillingham Boulevard  
Parcel 400: Tax Map Keys (TMKS) 1-2-009-011 and 1-2-009-098 (Portions)  
Letter of Offer

This is a follow-up to previous correspondence regarding the appraisal and acquisition of the subject property. An appraisal of your property has been completed. Based on our findings as contained in the enclosed Statement of Just Compensation, Honolulu Authority for Rapid Transportation (HART) offers to purchase a 2,861 square-foot portion of your property, identified as TMKS 1-2-009-011 and 1-2-009-098 (shown colored in yellow on the enclosed map), in fee simple, free and clear of all liens and encumbrances, for a consideration of \$413,000 (Four Hundred Thirteen Thousand Dollars).

In addition, HART offers to purchase a 1,590 square-foot portion for a Temporary Construction Easement (TCE) adjacent to the aforementioned partial taking (shown colored in blue on the enclosed map), for a consideration of \$8,965 (Eight Thousand Nine Hundred Sixty-Five Dollars). The purpose of the TCE is to facilitate construction of the improvements within the right-of-way. Activities that may be performed within the TCE may include: demolition, grading, utilities, traffic items, paving, and sidewalk. These activities may involve the operation of equipment, movement of a work force on the described easement, and may include site security with temporary fencing. Construction within the TCE area would be limited to driveway and back of sidewalk connections to existing grades and surface restoration. The duration of the TCE will be six months, with a start date to be determined thru coordination with you and HART's contractor.

The total offer for acquiring both interests in your property is \$421,965 (Four Hundred Twenty-One Thousand Nine Hundred Sixty-Five Dollars).

Kim-Anh T. Nguyen, M.D., Ph.D.  
Page 2  
January 23, 2015

If this offer is acceptable, please sign the duplicate of this letter and the Consent to Enter and return them in the enclosed envelope by **February 23, 2015**. The remaining copies are for your files. Also enclosed for your information is the Appraisal Summary Statement and the General Acquisition & Relocation Information Brochure.

If we do not hear from you by **February 23, 2015**, this offer shall be considered rejected and HART will proceed to review options to acquire the subject property.

In accordance with federal regulations affecting real property transactions, we request your cooperation in providing us with your Taxpayer Identification Number. Please execute and return the enclosed IRS Form W-9 at the same time. The W-9 is required by our Department of Budget and Fiscal Services to release the check.

Please contact Mr. Joseph Hastings at 294-5206 if you have any questions regarding this matter.

Sincerely,



*fw* Daniel A. Grabauskas  
Executive Director and CEO

Enclosures

ACCEPTED:

BLOOD BANK REAL PROPERTY, INC.

By \_\_\_\_\_  
Its

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_



**Yamaguchi &  
Yamaguchi, Inc.**  
Real Estate Appraisal &  
Consulting Services

**PROJECT**  
Honolulu Rail Transit Project

Parcel Designation: (1) 1-2-009-011  
HART RW Parcel: 400  
Owner: Blood Bank of Hawaii, Inc.  
2043 Dillingham Boulevard  
Honolulu, Hawaii 96819

Effective Date: September 26, 2014

**AN APPRAISAL REPORT OF**  
The IMX-1 Commercial Mixed-Use Property  
Partial Land Acquisition

**CLIENT**

Paragon Partners Ltd. for the Honolulu Authority for Rapid Transportation

**PREPARER**

Jon F. Yamaguchi, CRE, FRICS, SRPA, SRA

**DATE OF APPRAISAL**

October 6, 2014



**Yamaguchi &  
Yamaguchi, Inc.**  
Real Estate Appraisal &  
Consulting Services

October 6, 2014

Ms. Georgia Marquis  
Director of Acquisition & Relocation Services  
Paragon Partners Ltd. for the Honolulu Authority for Rapid Transportation  
5762 Bolsa Ave., Suite 201  
Huntington Beach, CA 92649

Re: Honolulu Rail Transit Project  
HART RW Parcel 400  
Parcel Designation: TMK (1) 1-2-009-011 and TMK (1) 1-2-009-098  
2043 Dillingham Boulevard, Honolulu, Hawaii 96817

Dear Ms. Marquis,

At your request, we have appraised a real property interest for the above real estate. Our objective was to form one or more opinions about the market value for a 100% ownership interest in the subject property's fee simple estate assuming no liens or encumbrances other than normal covenants and restrictions of record.

The purpose of this appraisal report is to assist the Honolulu Authority for Rapid Transportation in the *Partial Acquisition and Easement Evaluation* for Eminent Domain acquisition proceedings of the subject property as part of the Honolulu Rail Transit Project.

As a preview, the subject property physically consists of two adjacent parcels 11 and 98 constituting 22,526 and 4,650 square feet respectively and is zoned IMX-1 Industrial Mixed-Use. Both parcels have unity of ownership, contiguity and unity of use therefore the larger parcel is identified as a combination of the two adjacent parcels with a total area of 27,176 square feet. Per our exterior observation and tax office records it is improved with a 33-year old, two story office building consisting of a 1st level covered parking area of 3,294 square feet, 1st level office 6,203 square feet and a 2nd level office of 9,520 square feet. These improvements are not included as part of our appraisal job scope.

The partial acquisition area along the property boundary frontages involving the corner of Dillingham Boulevard and Puuhale Road consists of 2,861 square feet. HART also requires a Temporary Construction Easement (TCE) identified as Easement A and Easement B that is situated inside of the partial acquisition area consisting of 1,590 square feet.

This valuation contains analyses, opinions, and conclusions along with market data and reasoning appropriate for the scope of work detailed later herein. It was prepared solely for the intended use and intended user(s) explicitly identified in the attached report. Unauthorized users do so at their own risk. The appraisal is communicated in the attached Appraisal report, and conforms to the version of the Uniform Standards of Professional Appraisal Practice (USPAP) in effect on this report's preparation date of October 6, 2014.

For purposes of this appraisal report the definition of market value from the fifth edition of the *Uniform Appraisal Standards for Federal Land Acquisitions* was utilized and is defined in the Market Value Criterion section of this report.

This letter is not an appraisal report hence it must not be removed from the attached 132-page report. If this letter is disjoined from the attached appraisal report, then the value opinions set forth in this letter are invalid because the analyses, opinions, and conclusions cannot be properly understood.

In general, valuation of the subject property involves no atypical issues. All value opinions are affected by all the information, extraordinary assumptions, hypotheses, general limiting conditions, facts, descriptions, and disclosures stated in the attached appraisal report. After careful consideration of all factors pertaining to and influencing value, the data and analysis thereof firmly supports the following final value opinion(s) for the subject property partial taking and temporary construction easement as of September 26, 2014:

\$ 3,831,000	<i>"As Is" Indicated Market Value of the Larger Parcel</i>
\$ 3,427,000	<i>"As Is" Indicated Market Value of the Remainder Parcel</i>
\$ 403,000	<i>"As Is" Indicated Market Value of the Partial Acquisition</i>
\$ 403,000	<i>"As Is" Indicated Market Value of the Partial Acquisition (Rounded)</i>
\$ 0	<i>Add: Total Severance Damages to the Remainder Property</i>
\$ 0	<i>Less: Special Benefits to the Remainder Property</i>
\$ 10,000	<i>Add: Contributory Value</i>
\$ 413,000	<i>Total Fair Market Value of the Partial Acquisition (Rounded)</i>
\$ 17,930	<i>Estimated Annual Rent Per Annum @ 8% for the TCE</i>
\$ 1,494.18	<i>Estimated Monthly Rent Per Annum @ 8% for the TCE</i>

Thank you for your business. Let us know how we may further serve you.



Jon F. Yamaguchi, CRE, FRICS, SRPA, SRA  
 President / CEO  
 Certified General Appraiser  
 Hawaii License CGA 31  
 License Expiration Date: 12/31/2015

