

## **Honolulu Authority for Rapid Transportation**

### **RESOLUTION NO. 2016-14**

**AUTHORIZING THE ACQUISITION OF A FEE SIMPLE INTEREST IN THE REAL PROPERTY IDENTIFIED AS TAX MAP KEY 1-5-015-008 (PORTION), LOCATED AT 1001 DILLINGHAM BOULEVARD, AND OWNED BY DTC INVESTMENTS, LLC. 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 Key (TMK) 1-5-015-008 (Portion) by eminent domain in fee simple after written notification by HART; and

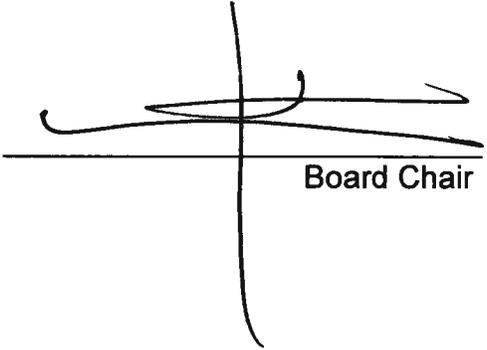
WHEREAS, the acquisition by eminent domain in fee simple of the above-identified real property, which is more particularly described in the attached legal description marked as Exhibit A, is necessary for the Honolulu Rail Transit Project fixed guideway system, a valid public use and purpose;

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 TMK 1-5-015-008 (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  
APR 1 2016



Board Chair

ATTEST:



Board Administrator

Exhibit A – Legal Description of TMK 1-5-015-008 (Portion)

HONOLULU RAIL TRANSIT PROJECT

PARCEL 425

Being a portion of Lot 5 (Map 4) of  
Land Court Consolidation 19

Situate at Kapalama, Honolulu, Oahu, Hawaii

Beginning at the Northwest corner of this lot, being the Northeast corner of Parcel 424-C 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 "PUNCHBOWL" being 3,343.81 feet North and 7,875.29 feet West thence running by azimuths measured clockwise from true South:

1. 302° 04'                      352.85 feet along the South side of Dillingham Boulevard;
2. 32° 04'                        5.00 feet along Parcel 426 of the Honolulu Rail Transit Project;
3. 122° 04'                      224.53 feet along Remainder of Parcels 425 and 425-A of Honolulu Rail Transit Project;
4. 120° 38'                      128.36 feet along same;



5. 212° 04'

8.21 feet along Parcel 424-C of the Honolulu Rail Transit Project, to the point of beginning and containing an area of 1,970 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 subdivided lot.

Honolulu, Hawaii  
January 20, 2016

TMK: (1) 1-5-015: 008  
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HONOLULU RAIL TRANSIT PROJECT

PARCEL 425-A

Being a portion of Lot 5 (Map 4) of  
Land Court Consolidation 19

Situate at Kapalama, Honolulu, Oahu, Hawaii

Beginning at the Northwest corner of this easement, being the Southwest corner of Parcel 425 of the Honolulu Rail Transit Project, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUNCHBOWL" being 3,336.85 feet North and 7,879.65 feet West thence running by azimuths measured clockwise from true South:

- |    |          |       |      |   |
|----|----------|-------|------|---|
| 1. | 300° 38' | 35.89 | feet | along Parcel 425 of the Honolulu Rail Transit Project;  |
| 2. | 32° 04'  | 22.70 | feet | along the remainder of Remainder of Parcels 425 and 425-A of the Honolulu Rail Transit Project; |
| 3. | 122° 04' | 35.88 | feet | along same;   |



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

CIVIL ENGINEERS • SURVEYORS

501 SUMNER STREET, SUITE 521  
HONOLULU HAWAII 96817-5021

1871 WILI PA LOOP, SUITE A  
WAIKIKI MAHI HAWAII 96703

100 PAUHI STREET, SUITE 207  
HONOLULU HAWAII 96720

4. 212° 04' 21.80 feet along Remainder of Parcel 424-C of the Honolulu Rail Transit Project, to the point of beginning and containing an area of 798 Square Feet.



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

Description Prepared By:

 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  
January 21, 2016

TMK: (1) 1-5-015: 008  
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**HONOLULU RAIL TRANSIT PROJECT**

**REMAINDER OF PARCELS 425 AND 425-A**

Being a portion of Lot 5 (Map 4) of  
Land Court Consolidation 19

Situate at Kapalama, Honolulu, Oahu, Hawaii

Beginning at the Northwest corner of this lot, being the Southeast corner of Parcel 425-A of the Honolulu Rail Transit Project, being also along the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUNCHBOWL" being 3,318.37 feet North and 7,891.22 feet West thence running by azimuths measured clockwise from true South:

- |    |          |        |      |   |
|----|----------|--------|------|---|
| 1. | 302° 04' | 35.88  | feet | along Parcel 425-A of the Honolulu Rail Transit Project;            |
| 2. | 212° 04' | 22.70  | feet | along same;   |
| 3. | 300° 38' | 128.36 | feet | along Parcel 425 of the Honolulu Rail Transit Project;              |
| 4. | 302° 04' | 224.53 | feet | along same;   |
| 5. | 32° 04'  | 355.00 | feet | along Remainder of Parcel 426 of the Honolulu Rail Transit Project; |
| 6. | 122° 04' | 352.85 | feet | along Lot 6 (Map 6) of Land Court Consolidation 165;                |



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

CIVIL ENGINEERS • SURVEYORS

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

1871 WILI PA LOOP, SUITE A  
WAIKIKI, MAIHI HAWAII 96723

100 PAUAAHI STREET, SUITE 207  
HILO, HAWAII 96720

7. 212° 04' 329.99 feet along Lot 2 (Map 1) of Land Court Consolidation 65 and Remainder of Parcel 424-C of the Honolulu Rail Transit Project, to the point of beginning and containing an area of 124,258 Square Feet.

AUSTIN, TSUTSUMI & ASSOCIATES, INC.

Description Prepared By:



*Erik S. Kaneshiro* *EXP 01/16*

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  
January 21, 2016

TMK: (1) 1-5-015: 008  
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