



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

BRENNON T. MORIOKA
DIRECTOR

Deputy Directors
MICHAEL D. FORMBY
FRANCIS PAUL KEENO
BRIAN H. SEKIGUCHI
JIRO A. SUMADA

IN REPLY REFER TO:
HWY-RM
3.87879

JUL 13 2010

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

OAHU

Authorizing the Department of Transportation to Dispose of Parcel 77, Kamehameha Highway, Project No. S 223(2), Waialua Beach Road, Waialua, Oahu, Hawaii, Abutting Tax Map Keys (1) 6-6-34:35 and (1) 6-6-34:76

REQUEST:

Authorization to dispose of title to the subject parcel, designated as Remnant Parcel 77, as described and shown on the maps attached as Exhibits A and B.

LEGAL REFERENCE:

Section 171-52 and other applicable sections of Chapter 171, Hawaii Revised Statutes, as amended.

LOCATION:

The remnant parcel is located on the island of Oahu, abutted by Tax Map Keys (1) 6-6-34:35 and (1) 6-6-34:76.

AREA:

Remnant Parcel 77: 941 square feet.

ZONING:

Remnant Parcel 77: R-5.

LAND TITLE STATUS:

Ceded, DHHL 30% entitlement lands pursuant to the Hawaii State Constitution:

YES _____ NO X

CURRENT USE STATUS:

Parcel 77 is not being used and has been deemed surplus to the Department of Transportation, Highways Division's needs.

COMMENCEMENT DATE:

Upon transfer of title via sale to an abutting owner.

COMPENSATION:

Remnant parcel to be disposed of at fair market value as established by independent fee appraiser.

LIENS AND/OR ENCUMBRANCES:

None noted at this time.

CHAPTER 343 -- ENVIRONMENTAL ASSESSMENT:

Not applicable. Remnant parcel is unused lot and will become privately owned land at that point. Chapter 343, HRS, would not apply to any future development on the parcel as no State lands would be involved.

REMARKS:

The parcel was deemed surplus to the Department of Transportation, Highway Division's needs. The Department of Transportation has no objection to the disposal and transfer of the parcel via sale to an abutting owner and is in the best interest of the State of Hawaii.

RECOMMENDATION:

Authorize the Department of Transportation to dispose Remnant Parcel 77, and to sell the lot, at fair market value, in accordance with Section 171-52, Hawaii Revised Statutes, subject to the following:

1. The standard terms and conditions of the most current quitclaim deed form;
2. Review and approval by the Department of the Attorney General;
3. Such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State;

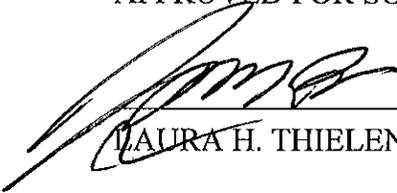
4. The parcel shall be conveyed in an "as is" condition and the State makes no warranty or representation about its condition or the presence of hazardous materials on, under or about the same.

Respectfully Submitted,



BRENNON T. MORIOKA, Ph.D., P.E.
Director of Transportation

APPROVED FOR SUBMITTAL:



LAURA H. THIELEN, Chairperson

EXHIBIT A

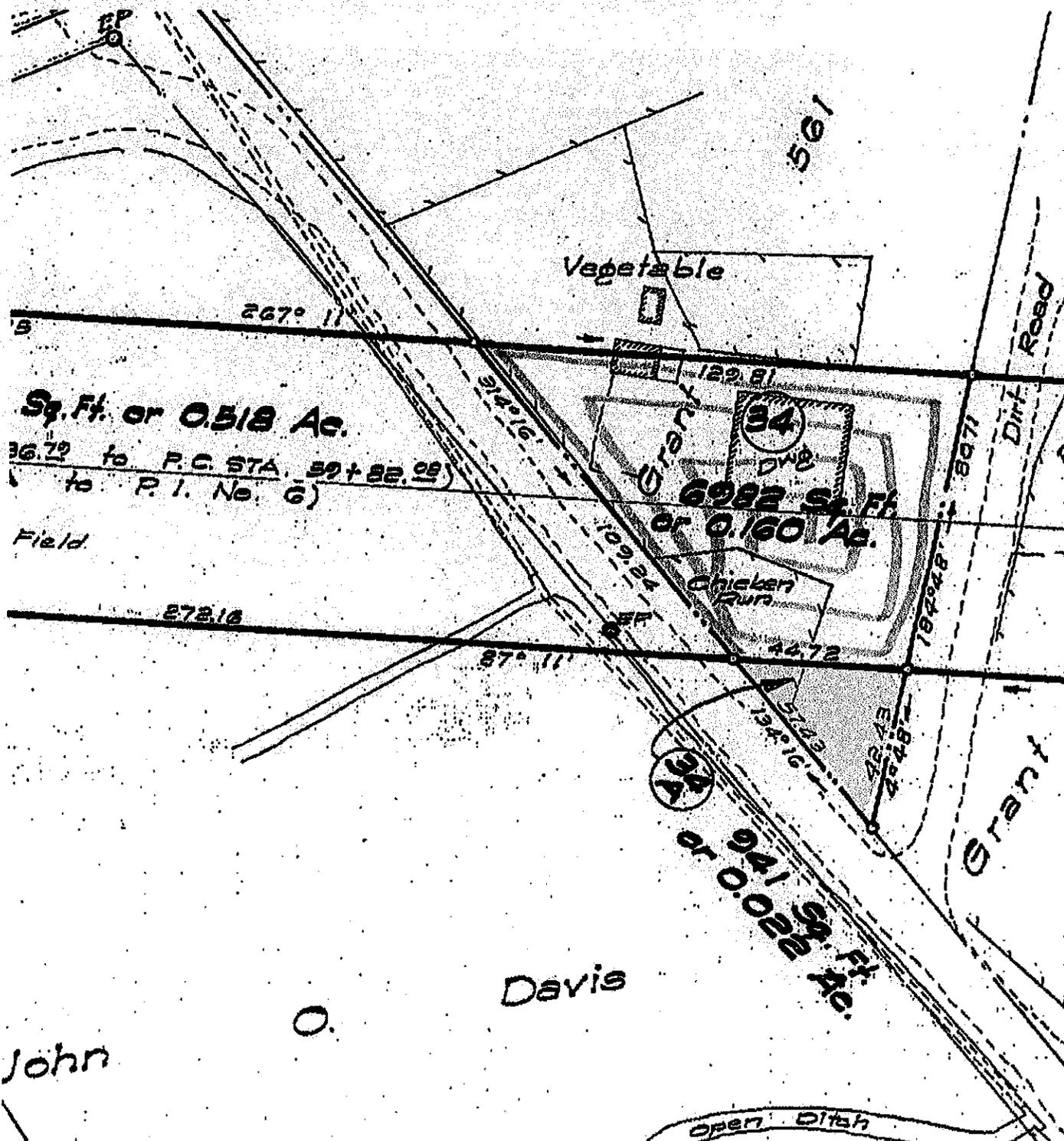
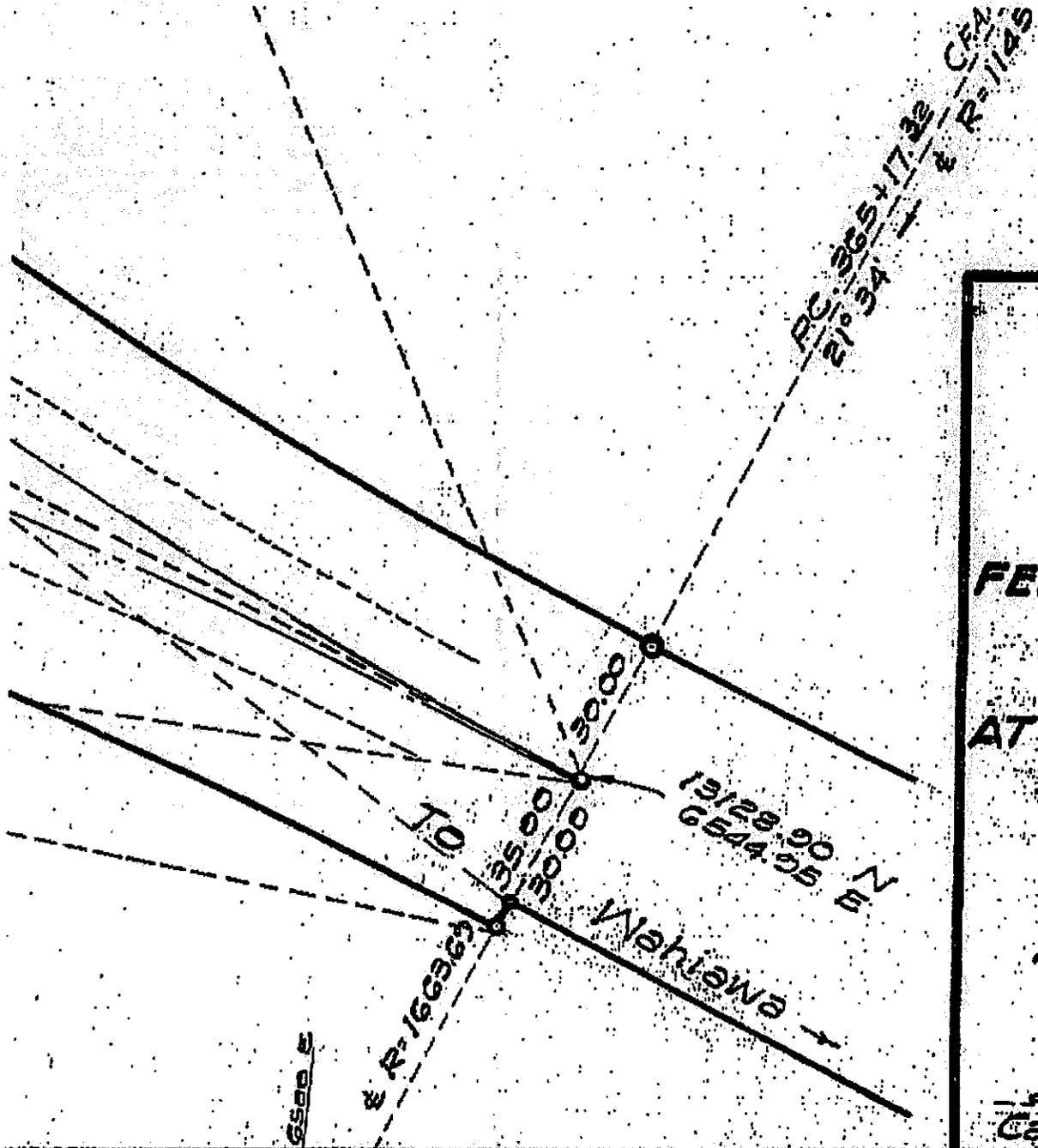


EXHIBIT A



30" X 100" = 20.8

